

UDAF WORKER PROTECTION STANDARD ADDENDUM

FOR: PRIVATE PESTICIDE APPLICATORS LICENSE, and

COMMERCIAL AND NON-COMMERCIAL APPLICATORS

WITH THE - 1. Agriculture a. Plant Category

The U.S. Environmental Protection Agency's Worker Protection Standard (WPS), was revised in 2015 by Executive Order. WPS must be complied with when pesticides are used on agricultural establishments, including farms, forests, nurseries, and greenhouses, for the commercial or research production of agricultural plants. The WPS requires employers to provide agricultural workers and pesticide handlers with protections against possible harm from pesticides. Persons who must comply with these instructions include owners or operators of agricultural establishments and owners or operators of commercial businesses that are hired to apply pesticides on the agricultural establishment or to perform crop-advising tasks on such establishments. Family members who work on an agricultural or commercial pesticide establishment are considered employees in some situations. Agricultural Commodities (Plants) that are produced on an Agricultural Establishment (farm) using pesticides for their production make the owner and/or management of the operation subject to the WPS. Previously exempted operations, such as those that did not sell an agricultural commodity (similar to a dairy or feedlot) but still raise and agricultural commodity for feed or otherwise used in the enterprise are now subject to WPS. Other more stringent requirements were added.

WPS requirements for employers include:

- Displaying information about pesticide safety, emergency procedures, and recent pesticide applications on a central display area noticeable by all employees.
- Training workers and handlers about pesticide safety by someone holding a Utah Pesticide Applicator's License or who has obtained training from an EPA approved Train the Trainer course.
- Helping employees get medical assistance in case of a pesticide related emergency.
- Providing decontamination sites and supplies to wash pesticide residues off hands and body.
- Compliance with restricted entry intervals (REI)— the time after a pesticide application when workers may not enter the area.
- Notifying workers through posted and/or oral warnings about areas where pesticide applications are taking place and areas where REI are in effect.
- Allowing only trained and equipped handlers to be present during a pesticide application.
- Allowing only trained workers to enter during REI to work in treated areas.
- Providing personal protective equipment (PPE) for pesticide handlers and also for workers who enter pesticide treated areas before expiration of the REI.

- Protecting pesticide handlers by giving them safety instructions about the correct use of pesticide application equipment and PPE and monitoring workers and handlers in hazardous situations.

One of the provisions of the WPS is the requirement that employers provide handlers and workers with ample water, soap, and single use towels for washing and decontamination from pesticides and that emergency transportation be made available in the event of a pesticide poisoning or injury. The WPS also establishes REI and the requirements for PPE. PPE requirements are specified for all pesticides used on farms and in forests, greenhouses, and nurseries. Some pesticide products already carried REI and PPE directions. This rule raised the level of protection and requirements for all pesticide products.

Other major provisions require that employers inform workers and handlers about pesticide hazards through safety training. Handlers must have easy access to pesticide label safety information and a listing of treatments site must be centrally located at the agricultural facility. Handlers are prohibited from applying a pesticide in a way that could expose workers or other people.

Agricultural Establishments should review the material on the website of the Pesticide Educational Resource Collaborative (WPS) and the UDAF WPS checklists to see how WPS may affect their operation.

The PERC website can be found by searching for PERC WPS, or by going to their website directly at <http://pesticideresources.org/>. Representatives of the Agricultural Establishment should review the “How to Comply” Manual and other information that it refers to.

UDAF WPS inspection checklists can be found below.

Parts of WPS now apply to Utah Commercial Pesticide Businesses that apply pesticide on an operation that grows an Agricultural Commodity (Agricultural Plant). An inspector will now be visiting such businesses to determine their compliance with their part of the WPS using this checklist:

UDAF WORKER PROTECTION STANDARD INSPECTION CHECKLIST FOR UTAH COMMERCIAL PESTICIDE BUSINESSES (UCPB) and UTAH CERTIFIED COMMERCIAL APPLICATOR (UCBA)

Taken from the EPA Worker Protection Standard Inspection Manual Part 2: Commercial Pesticide Handling Establishment Checklist.

Note to inspector - If violations are found, they may be under WPS, and/or under Utah Rule- unlawful acts.

Information Exchange, Does the Utah Commercial Pesticide Business communicate to the Agricultural Establishment the following?		
How des the UCPB communicate the information to the Agricultural Establishment? (Check Box)	HARD COPY	ELECTRONIC
1. Label		
2. SDS		
3. Does the UCPA and UCPB understand the REI and communicate it to the Agricultural Establishment?		
4. Advise an approximate time the No Enter posters are put up and taken down per the REI?		
Does the application record communicated to the Agricultural Establishment including the following?: (The application record for WPS requires different items than during a UCPB record audit)		
1. Property owner/manager name and address?	YES	NO
2. Treatment site (must include an address, map, number of field, etc.. That can be identified by inspector)?	YES	NO
1. Month, Day and time of application,?	YES	NO
2. Pesticide Brand (label) name?	YES	NO
3. EPA registration number?	YES	NO
4. Active Ingredient (AI) ?	YES	NO
5. Restrictive Entry Interval (REI)?	YES	NO
6. Rate of formulation applied per unit area? (how much of the AI is applied per acre or 1000 square feet.)?	YES	NO
7. Total amount used (of the product as mixed, or RTU)?	YES	NO
8. The purpose of the application (identify target pest(s) and site)?	YES	NO
9. Business name?	YES	NO
10. Business license number?	YES	NO
11. Applicator license number?	YES	NO
12. Business address?	YES	NO
13. Business telephone number?	YES	NO
When things change, is updated information provided to the Agricultural Establishment within two hours of the completed application? (Start time or end time change , weather condition change, prod-	YES	NO

This checklist is for the family exemption Agricultural Establishment:

UDAF WOKER PROTECTION STANDARD INSPECTION CHECKLIST FOR OWNERS AND IMMEDIATE FAMILY		
TAKEN FROM: Part 3: Owners of Agricultural Establishments and Immediate Family Checklist		
Are ALL the workers and handlers the owner (or majority owner) or immediate family? Exemption applies to: Spouses, Children, Step Children, Foster Children, Sons-in-law, Daughters-in-law, Grandchildren, Parents, Step Parents, Foster Parents, Grandparents, Fathers-in-law, Mothers-in-law, Aunts, Uncles, Brothers, Sisters, Brothers-in-law, Sisters-in-law, Nieces, Nephews, First Cousins ? (If yes, use this checklist, if no, use Part 1: Agricultural Establishment Checklist) YES NO		
OWNER OPERATOR: UDAF INSPECTION FORM USED : NOI NOPI EPA	Is there a Private Pesticide Applicator Licensee? (Circle - YES NO) License number 4003 - _____ Is another Licensee available to do training? (Circle - YES NO) Explain the need for a member of the family to be a licensed applicator for training on WPS.	
Farm, Firm, or Premises Name:		
SUBPART B APPLICATION RESTRICTIONS - INSPECTION RESULTS BASED ON: (Circle one, or both)		BASED ON INTERVIEW
For enclosed space production applications, were workers and other persons kept out of restricted areas during the application other than appropriately trained and equipped handlers involved in the application?		NO
Are Respirators required by the label for application <u>OR</u> for mixing and loading?		
If Respirators are required by the label, do the handlers and licensees have medical cards to wear them?		
If Respirators are required by the label, are the handlers and licensees fit tested by an appropriate inspector?		
Are respirators appropriately maintained?		
Are respirator medical cards and fit test results kept for two years?		
Are records of cartridge maintenance and application equipment cab filter maintenance kept for two years?		
For outdoor production applications, were workers and other persons (other than appropriately trained and equipped handlers involved with the application) kept out of the treated area and application exclusion zone?		
Were appropriate signs posted at proper intervals to keep unauthorized persons out of the application area during the application and REI?		
Are handlers and workers appropriately trained by a licensed Utah Private Pesticide Applicator, or Utah Commercial Pesticide Applicator (with an Ag. Plant category on their license)?		
If the handlers and workers are not trained by a licensed Utah Private Pesticide Applicator, or a Utah Commercial Pesticide Applicator (with an Ag. Plant category on their license) were they trained by a course for an EPA approved trainer?		
Are pesticide application records kept for two years?		
Are all handlers and licensed applicators present during the application at least 16 years old and can their age be verified?		
Are any early entry workers and handlers provided appropriate PPE?		
Is ALL PPE appropriately cleaned, stored and maintained.		
ENTRY RESTRICTIONS AFTER APPLICATIONS - RESTRICTED ENTRY INTERVALS		
After application of any pesticide to an outdoor production area, does the owner keep workers out of the treated area before the REI has expired and all warning signs have been removed or covered?		NO
After application of any pesticide to an area of enclosed space production, does the owner keep workers out of the area before the REI has expired and all warning signs have been removed or covered?		
If authorized persons are allowed to enter the REI (with appropriate PPE) are they over 16 years old and can their age be verified?		

This checklist is for the Agricultural establishment with no family exemption:

UDAF WORKER PROTECTION INSPECTION CHECKLIST for AGRICULTURAL ESTABLISHMENTS TAKEN FROM: Part 1 Agricultural Establishment Checklist - EPA Worker Protection Standard (WPS) Inspection Manual Appendix B

SECTION B: RECORDS REVIEW:	YES	NO
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1. Do Pesticide Application Records Contain all the information required - using UDAF WPS RECORD SHEET (PART 4) as a reference and for documentation?		
2. a.) Are current WORKERS trained in past 12 months?		
2. b.) Are records containing the WORKERS name, signature, date of training, EPA-approved materials, trainer's name, trainer's qualifications, name of ag employer complete and kept for two years?		
Are ALL current HANDLERS licensed ? (List license type and number on the reverse of this page)		
Are current HANDLERS trained in past 12 months (if not licensed)?		
Are records containing the HANDLER name, signature, date of training, EPA-approved materials, trainer's name, trainer's qualifications, name of ag employer complete and kept for two years?		

SUB SECTION B (2) RESPIRATOR SAFETY RECORDS	YES	NO
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Do the labels of any products require the use of a respirator for mixing and loading, or application ?		
If a respirator is required, are respirator safety records kept on the establishment for two years?		
Has the handler, or licensee, received training, medical clearance (card) and had a fit test completed for a respirator ?		
Has the respirator been inspected, MAINTAINED and the same one used for the fit test and worn by the respective handler?		
ARE ALL RECORDS KEPT FOR TWO YEARS AND AVAILABLE FOR INSPECTION AND TO LABOR REPRESENTATIVES?		

SECTION C. MINIMUM AGE FOR HANDLERS, APPLICATORS AND EARLY ENTRY WORKERS	YES	NO
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Does the establishment have documentation to help establish the age of ALL Early Entry Workers, Handlers and Pesticide Applicators is at least 18?		
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<p>NOTE: Information for Sections D through P of this checklist MAY be acquired through interviewing Handlers and/or Workers in an interview. See UDAF interview worksheet to be completed separately. Are employees of the establishment available for interview? (circle one) YES NO If NO, please record the reason - why here. If employees are available complete the interview on the UDAF WPS Interview Worksheet.</p>
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