

## **Revised WPS Protections and Resources for Compliance**

*Amy Bowser, MSU Pesticide Education Program*

*Dr. Cecil Tharp, MSU Pesticide Education Program*

Montana owners of agricultural establishments and pesticide applicators should pay special attention to expanded worker protection standard requirements. The US EPA published a revised Agricultural Worker Protection Standard (WPS) in 2015 to better protect agricultural workers from pesticide exposure. Revisions go into effect January 2, 2017 unless otherwise noted. The following paragraphs define some changes made to the WPS and WPS resources. Comprehensive WPS protections and revisions can be viewed on the [MSU WPS website](#) or the [EPA WPS website](#).

### **Does WPS Apply to You?**

There are four criteria which must be true for WPS to apply on an establishment. They are: (1) The pesticide used must have an 'Agricultural Use Box' on the label; (2) The application of the pesticide must be for the production of an agricultural commodity; (3) The site meets the definition of [agricultural establishment](#); (4) Handlers or workers (including crop advisors) are on site within 30 days of the end of a Restricted Entry Interval (REI). If all four criteria are true you have responsibilities under WPS, however immediate family are exempt from many provisions.

### **2015 WPS Revisions**

**Minimum Age.** The minimum age for workers and handlers is 18 years of age with the exception of immediate family

**Immediate Family Definition.** The definition of *immediate family* was expanded to include spouse, parents, stepparents, father-in-law, mother-in-law, children, stepchildren, foster children, sons-in-law, daughters-in-law, grandparents, grandchildren, brothers, sisters, brothers-in-law, sisters-in-law, uncles, nieces, nephews, and first cousins. Immediate family are exempt from most WPS requirements; however they must follow the application exclusion zone (AEZ), REI, PPE and new respirator requirements.

**Training.** Safety training for workers and handlers is now required annually prior to completing duties. Training can only be completed by approved trainers. To be an approved WPS trainer you must either hold a restricted use applicator license, currently be designated as a trainer of certified applicators by EPA, state or tribe, or have completed an EPA-approved pesticide safety train the trainer program. Records must be kept for two years. Expanded training content will be required January 2, 2018. Certified pesticide applicators are exempt from worker/handler training while license is valid. Worker protection standard train-the-trainer courses are available at the [Iowa State Extension website](#).

**Pesticide Safety, Application and Hazard Information.** Employers must provide and display EPA pesticide safety posters (or equivalent), safety data sheets (SDSs) and pesticide application information at a central location within 24 hours of a pesticide application and before workers enter the treated area. The information must be displayed for 30 days after the REI and records must be kept for two years. Pesticide safety information must also be posted at decontamination areas.

**Application Restrictions.** Agricultural employers must keep all people, including workers, out of the application exclusion zone (AEZ) within the boundaries of the establishment. The AEZ is a 0-100 foot area around the application equipment dependent the pesticide application method. See an [animation of the AEZ](#).

**Decontamination Supplies.** Employers must have pesticide decontamination supplies onsite for routine washing, emergency decontamination, and eye flushing within 1/4 mile of workers and handlers. Supplies include 1 gallon of water per worker and 3 gallons of water per handler, soap and single-use towels, and clean clothing for handlers. Eyewash stations must be provided at mixing and loading locations for pesticides requiring eye protection. Stations must provide 0.4 gallons per minute for 15 minutes or 6 gallons of water to provide a gentle eye flush for 15 minutes. In addition, 1 pint of water must be available immediately for each handler.

**Emergency Assistance.** Employers must provide pesticide information to medical professionals in cases of pesticide exposure including the SDS, name, EPA registration number, active ingredient, and circumstances of exposure.

**Notification of treated area.** If the REI is greater than 48 hours (outdoor applications) or 4 hours (enclosed space applications) warning signs must be posted. If the pesticide REI does not fall within these limits the notification may be made orally or through warning signs.

**Respiratory Protection.** When a respirator is required by the pesticide label employers must follow OSHA guidelines for respiratory protection including fit tests, medical evaluations, and training. Records must be kept for two years.

*The WPS revisions listed above are not comprehensive. For more information and detailed WPS protections please utilize the resources listed below.*

### **For More Information**

See the EPA *How to Comply with the 2015 Revised Worker Protection Standard for Agricultural Pesticides*. This comprehensive manual can be downloaded from the [MSU PEP website](#) or can be purchased from MSU Extension Distribution (406-994-3273) for \$3. A manual specific to trainers titled: *A Manual for Trainers of Agricultural Workers and Pesticide Handlers* is also available on the [MSU PEP website](#). **Additional WPS information can be viewed online** at ‘[WPS webpage](#)’ or contact the MSU Pesticide Education Program at (406-994-5178; [pesticides@montana.edu](mailto:pesticides@montana.edu)). For additional training resources for workers/handlers contact your Montana Department of Agriculture field office at (406)444-5400 or see [MDA website](#).

**MSU PEP WPS Page:** <http://www.pesticides.montana.edu/wps/>

**MDA WPS Page:** <https://agr.mt.gov/I-Want-To/Learn-About/Pesticides/Worker-Protection-Standards>

**EPA WPS** <https://www.epa.gov/pesticide-worker-safety/agricultural-worker-protection-standard-wps>

**Iowa State Extension train-the-trainer program** <http://www.extension.iastate.edu/workerprotection/>