

**SUPPORTING STATEMENT
FOR AN INFORMATION COLLECTION REQUEST (ICR)**

21460. IDENTIFICATION OF THE INFORMATION COLLECTION

1(a). Title of the Information Collection

Worker Protection Standard Training and Notification

OMB No.: 2070-0148; EPA No.: 1759.05

1(b). Short Characterization/Abstract

This information collection request (ICR) estimates the third party response burden of paperwork activities under the Worker Protection Standard (WPS) requirements, codified at 40 Code of Federal Regulations (CFR) Part 170. The Environmental Protection Agency (EPA, or the Agency) is responsible for the regulation of pesticides under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). 40 CFR Part 170 established requirements to protect agricultural workers and pesticide handlers from hazards of pesticides used on farms, on forests, in nurseries and in greenhouses.

The regulations contain the standard and workplace practices, which are designed to reduce or eliminate worker exposure to pesticides and establish procedures for responding to exposure-related emergencies. The practices include prohibitions against applying pesticides in a way that would cause exposure to workers and others; a waiting period before workers can return to areas treated with pesticides (restricted entry interval); basic safety training (and voluntary training verification) and posting of information about pesticide hazards, as well as pesticide application information; arrangements for the supply of soap, water, and towels in case of pesticide exposure; and provisions for emergency assistance. The training verification program facilitates compliance with the training requirements by providing a voluntary method for employers to verify that the required safety information has been provided to workers and handlers.

Information is exchanged between agricultural employers and employees at farm, forest, nursery and greenhouse establishments to ensure worker safety. No information is collected by the Agency under this ICR. It is estimated that the annual response burden is approximately 2.3 million hours valued at \$102.6 million.

2. NEED FOR AND USE OF THE COLLECTION

2(a). Need/Authority for the Collection

In accordance with FIFRA Section 25 (Attachment A), the Agency issued final regulations on August 21, 1992, revising the WPS at 40 CFR 170 (Attachment B). The WPS at 40 CFR Part 170 is designed to reduce the risks of illness or injury resulting from workers' and

handlers' occupational exposure to pesticides used in the production of agricultural plants on farms or in nurseries, greenhouses, and forests and also from the accidental exposure of workers and other persons to such pesticides. It requires workplace practices designed to reduce or eliminate exposure to pesticides and establishes procedures for responding to exposure-related emergencies. The notification and training requirements are necessary to provide agricultural workers and pesticide handlers with the information they need to protect themselves from pesticide poisoning and other injuries.

2(b). Practical Utility/Uses of the Data

Basic pesticide safety information/training, instructions on safe operations and repair of equipment, notification regarding use of specific pesticides, and the applicability of exceptions/exemptions to WPS reentry restrictions provide agricultural workers, pesticide handlers, agricultural employers, and medical personnel with basic information so they are more informed and better prepared to take precautionary or responsive measures, as appropriate. This training and notification are targeted to agricultural workers who perform tasks related to the cultivation and harvesting of plants in areas treated with pesticides, and pesticide handlers who mix, load, and apply pesticides for use in these areas.

Training verification certificates have been produced by the Agency for authorized trainers to issue to workers and handlers once they have completed the WPS training requirements. The EPA training verification program is a voluntary program and the issuance of the training verification cards is not a WPS requirement. However, agricultural employers are relieved of the responsibility of safety training if their agricultural workers and pesticide handlers possess valid EPA training verification cards. Participating States issue the cards to qualified training providers within the State. The program is intended to assist in substantiating WPS pesticide safety training, minimize the need for retraining (given the migrant nature of much of the workforce), offer an uncomplicated system for verifying training, provide a means for training quality control, and allow states flexibility in administering the program.

3. NON-DUPLICATION, CONSULTATIONS, AND OTHER COLLECTION CRITERIA

3(a). Non-duplication

Not applicable. This is the only notification activity of its kind and notifications required in this program are required only once per event. Consequently, the possibility for duplication does not exist. The WPS provides for an exemption from the requirements of training for certified applicators of restricted-use pesticides trained under the Certification and Training Program found in 40 CFR Part 171. Therefore, no duplication of training is imposed. Additionally, the WPS training verification program was explicitly developed to eliminate duplication of training.

3(b). Public Notice

In preparing to renew this ICR, EPA published a notice in the Federal Register which provided a 60-day public notice and comment period on the draft ICR (see 72 FR 64611; November 16, 2007). EPA did not receive any comments in response to this notice.

3(c). Consultations Required Prior to ICR Submission to OMB

During the preparation of this ICR renewal, EPA staff contacted the following respondent representatives to seek feedback on the burden estimates in the ICR, the clarity of instructions provided, and other questions pertaining to the requirements of the program.

Michael J. Weaver
Professor & Director
Virginia Tech Pesticide Programs
305 Sandy Hall - 0409
Blacksburg, VA 24061
E-mail: mweaver@vt.edu
Tel. No.: (540) 231-6543

Marjorie Lewis
Worker Safety Program Manager
New Mexico Dept. of Agriculture
PO Box 30005
Las Cruces, NM 88003
E-mail: mlewis@nmda.nmsu.edu
Tel. No.: (575) 646-2134

Luis A. Urias
Ag. Program Specialist
Idaho State Department of Agriculture
3904 E Flamingo - Suite B
Nampa, ID 83687
E-mail: LURIAS@agri.idaho.gov
Tel. No.: (208) 465-8478

All three of the parties consulted agreed that the respondent burden and cost estimates included in this ICR renewal request are accurate for most respondent activities. However, two of those consulted stated that the estimate of 30 minutes for new entrant rule familiarization is low, and two thought that the labor rates used for workers are too high. These estimates have not been adjusted in this final document, relative to the draft supporting statement. The burden estimate for rule familiarization has been corroborated in numerous similar consultations for multiple renewals of this ICR in the past. Additionally, the three parties consulted generally stated that the data collected is not available from another source (with a few possible similarities), the frequency of collection could not be reduced and still produce the same outcome, and the instructions to respondents are clear. The specific responses to EPA's consultation efforts are included as Attachment C.

3(d). Effects of Less Frequent Collection

Not applicable. Training/notifications in this program are required only once per event, as specified in 40 CFR 170. Consequently, the possibility for less frequent training/notification does not exist under current regulations, or without increased risk to agricultural workers and handlers.

3(e). General Guidelines

Two of the general guidelines of the Paperwork Reduction Act (PRA) are not met by this ICR. First, the information (e.g., safety information, training materials, and signs for posting) that employers are required to provide to workers and handlers is generally information that is not maintained by the employer and must be developed or purchased. Second, small entities are required to follow the same requirements as larger establishments under the WPS, unless exempted as a solely family-operated establishment.

Availability and Maintenance of Notice Information

The information that EPA requires agricultural employers provide to workers and handlers (e.g., safety information, training materials, signs for posting, etc.) is not typically maintained by the employer. Employers will generally need to develop or purchase these materials. However, some of the information may customarily be maintained, but in a different format than is required by the rule. Specifically, the pesticide application information that is required to be centrally posted may be maintained by the employer in various other forms, such as bills, receipts for pesticides purchased, or service contracts for individual applications by commercial applicators. Location information may be maintained in the form of field maps. The WPS requires that certain information about each application be centrally posted; including the location of the application, information about the pesticide, date and time of application and restricted entry interval, but the format of such information posting is left to the individual employer. Materials containing guidance on this required information have been distributed widely.

Small Entity Flexibility

Small entities are required to follow the same requirements as larger establishments under the WPS, unless exempted as a solely family-operated establishment. The protections of the WPS depend upon workers receiving the various training and notifications contained in the rule. These cannot be reduced for small establishments without seriously compromising the protections offered to workers and handlers.

3(f). Confidentiality

Not applicable. The Agency is not collecting information in conjunction with this activity. Further, this activity complies with the provisions of the Privacy Act of 1974 and OMB circular A-108.

4. THE RESPONDENTS AND THE INFORMATION REQUESTED

4(a). Respondents/NAICS Codes

Respondents affected by the collection activities under this ICR are agricultural

employers, including employers in farms as well as nursery, forestry, and greenhouse establishments. There are approximately 309,100 agricultural establishments in the U.S. that both hire labor and use pesticides, and 3 million to 4 million farm workers. The North American Industrial Classification System (NAICS) codes assigned to the parties responding to this information are as follows:

NAICS Code	Examples of Potentially Affected Entities
111 <i>Crop production</i>	Agricultural employers - farms
115 <i>Support activities for agriculture and forestry</i>	Agricultural employers - greenhouses and forestry

Workers' burden hours and cost estimates are included in Table 1 and in the total burden and cost for this information collection because workers must spend the time necessary to receive training and notifications from their employers. However, the requirements for all training/notifications are on the employer. It is assumed that workers are generally paid during training/notifications. Therefore, the burden and cost are effectively borne by the agricultural employer, even though the workers' time and wage rate are also used in the estimation.

4(b). Information Requested

(i). Data items, including recordkeeping requirements

(1). Central Information:

Safety Poster. The agricultural employer must display pesticide safety information in a central location on the agricultural establishment, providing pesticide safety concepts and emergency medical care information. EPA supported the development of posters which are readily available at no cost from EPA or at a very low cost from commercial supply (at \$2.50 each). Employers need only add the name of the nearest medical care facility and post the poster in a central location. Employers are not obligated to use the EPA-developed poster and may create their own so long as the ten basic points described in 40 CFR 170.135(b) are included.

Treatment-Specific Information. The agricultural employer must display at a central location the following: the location and description of a treated area; the product name, EPA registration number, and active ingredient(s) of the pesticide; the time and date of application; and the restricted-entry interval for each pesticide application, if workers will be on the establishment within a specified time period during or following application.

(2). Training:

Basic Pesticide Safety Information. The agricultural employer must assure that each agricultural worker who has not received the complete pesticide safety training is provided basic pesticide information specified in 40 CFR 170.130(a)(3) in a manner the worker can understand.

Agricultural Worker Training. The agricultural employer must assure that each agricultural worker is trained in pesticide safety in a manner that the worker can understand within 5 days of employment on the establishment, or before workers enter treated areas to perform early-entry activities. The person who conducts the training must meet the criteria described in 40 CFR 170.130(c)(2) and the training must cover the eleven points described in 40 CFR 170.130(c)(3).

Pesticide Handler Training. The handler employer must assure that each pesticide handler is trained in pesticide safety, covering the 13 points described in 40 CFR 170.230(c) before they perform any handling task.

EPA supported the development of pesticide safety training materials for agricultural workers, pesticide handlers, and trainers for both groups of employees. Through the cooperation of the pesticide chemical industry, state agencies, and others, the materials were produced in large volume and distributed for no cost. Additional materials are commercially available for minimal cost (training handbooks available at \$1.00 or less, trainer notebooks available at \$3.50, and a reference guide is available at \$3.50 each). Additionally, the Agency has supported training efforts conducted by national farm worker organizations across the country, focusing on entry points and key paths for the migrant farm worker workforce.

(3). Training Verification:

The EPA training verification program is a voluntary program and is intended to relieve agricultural employers of the burden of repeat training of individuals in a mobile work force. Employers are relieved of the responsibility of safety training if their agricultural workers and pesticide handlers possess valid EPA training verification cards. States that agree to participate in EPA's voluntary training verification program submit an agreement form to EPA indicating the name of a State WPS contact and the number of training verification cards that they wish to receive from EPA. This is a one time filing. Participating States will issue EPA training verification cards to qualified training providers within the State. As a condition for being allowed to provide cards to workers and handlers, trainers are asked to keep class rosters of the names of those they have trained.

(4). Treatment-Specific Worker/Handler Notification:

Oral Notification and/or posting warning signs. Whenever specified on the pesticide label, the employer must notify workers who come within 1/4 mile of a treated area within a specified time period of any pesticide application. Notification may be either by posting a warning sign or by providing information orally, unless the pesticide label requires both posting and oral notification. Required specifications for the warning signs are contained in the 40 CFR 170.120(c). Signs are commercially available for approximately \$2.00 each. The oral notification must be in a manner that the worker can understand, and include the location and description of the treated area, the time during which entry is restricted, and instructions not to enter the treated area until the restricted-entry interval has expired.

(5). Handler and Emergency Information:

Handler Notice to Employer. Before the application of any pesticide on or in an agricultural establishment, the handler employer shall provide or assure the agricultural employer for the establishment is aware of the specific location and description of the treated area; the time and date of application; the product name, EPA registration number, and active ingredient(s); the restricted-entry interval; and whether posting and oral notification are required.

Safe Operation and Repair. The handler employer must assure that before the handler uses any equipment for mixing, loading, transferring, or applying pesticides, the handler is instructed in the safe operation of the equipment.

Emergency Information. If the employer has reason to believe that a person who is or has been employed by an agricultural establishment or a commercial pesticide handling establishment to perform pesticide handling tasks has been poisoned or injured by exposure to pesticides as a result of that employment, the employer must provide that person or treating medical personnel information about the pesticide, the antidote and first aid information from the product label, the circumstances of handling the pesticide, and the circumstances of exposure to the pesticide.

(6). Use of Exceptions/Exemptions Notification:

Use of Exceptions/Exemptions Notice. Employers must notify workers, either in writing or orally, in a language the worker understands, if the establishment is operating under conditions of an EPA-approved exception/exemption to the early entry provisions of the WPS. The exceptions/exemptions are intended to provide flexibility, if needed, to growers to conduct certain otherwise prohibited activity during a time period when exposure to pesticide residues is of concern.

There are currently two nationwide exceptions and one exemption for which third party notification would be required. They include some circumstances for conducting irrigation activities, some circumstances for conducting activities

which result in limited contact with pesticide treated surfaces, and some circumstances for conducting crop advising activities, all during a restricted entry interval following pesticide application.

(ii) Respondent Activities

In assuring that training is provided to their workers and handlers and providing WPS notifications, agricultural employers generally engage in the following activities:

Activity	Description
Learn rule requirements	Read WPS, 40 CFR Part 170, and read specific pesticide labels.
Acquire poster and warning signs	Create own pesticide safety poster and warning sign, obtain poster and signs free if available from EPA and States, or purchase for low cost from commercial supply.
Fill in medical information on safety poster and post specific application information	Fill in the name of the nearest medical care facility on the centrally-displayed pesticide safety poster; record the location and description of the treated area, the product name, and active ingredient(s) of the pesticide, the time and date the pesticide is to be applied, and the restricted-entry interval for the pesticide at a central location for each pesticide application.
Post notices or provide oral notification	Post the basic pesticide safety poster at a central location; post warning signs at usual points of entry or in corners of the treated area for each application or provide oral notification to workers
Arrange for training of workers and pesticide handlers	Become an authorized WPS trainer or arrange for state personnel or other qualified trainer to train workforce. Arrange for training all new employees within 5 days of their employment.
Issue and review training verification cards	Obtain verification cards and issue to workers or handlers after training is completed or arrange for an authorized WPS trainer to provide verification cards.
Provide treatment information to employers, handlers and medical personnel	For pesticide treatments performed for hire, notify the agricultural employer of the specifics of the treatment (time, product used, REI's, etc.) and ensure that handlers have label information available during application. If a medical emergency exists, provide medical personnel with specific information from the pesticide label and the circumstances of application.
Notify workers and handlers of terms of exceptions/exemptions allowing for tasks to be performed in treated areas	When using WPS exceptions or exemptions, the agricultural employer must explain the exception to the workers and handlers.

5. THE INFORMATION COLLECTED – AGENCY ACTIVITIES, COLLECTION METHODOLOGY, AND INFORMATION MANAGEMENT

5(a). Agency Activities

Not applicable. This ICR involves activities conducted by third parties. EPA does not collect any information under this ICR. Participating States are responsible for implementing voluntary training verification programs.

5(b). Collection Methodology and Management

Not applicable. This ICR involves activities conducted by third parties. EPA does not conduct any activities under this ICR. Participating States are responsible for implementing voluntary training verification programs.

5(c). Small Entity Flexibility

The protections of the WPS depend upon workers receiving the various training and notifications contained in the rule. These cannot be reduced for small establishments without seriously compromising the protections offered to workers and handlers. As such, small entities are required to follow the same requirements as larger establishments under the WPS, unless exempted as a solely family-operated establishment under 40 CFR 170.204(a). Under this exemption, the owner of an agricultural establishment is not required to provide certain protections to himself or members of his immediate family who are performing handling tasks on their own agricultural establishment.

5(d). Collection Schedule

Not applicable. This ICR involves activities conducted by third parties. EPA does not conduct any activities or collect any information under this ICR. Participating States are responsible for implementing voluntary training verification programs.

6. ESTIMATING THE BURDEN AND COST OF THE COLLECTION

Table 1 lists the estimated burden hours and cost associated with training and information exchanges required by the Worker Protection Standard. The estimates are based on the agricultural establishment and employment figures used in the WPS regulatory impact analysis, as well as information obtained by the Agency during the implementation of the WPS and from contacts at the state level and within the US Department of Agriculture (USDA).

6(a). Estimating Respondent Burden

New entrant rule familiarization

There are an estimated 309,085 establishments that hire labor and use pesticides, and are therefore affected by the WPS requirements. New agricultural employers must learn the rule requirements when they enter the industry. It is assumed that of the affected entities, as many as 50,000 may be new entrants each year. It is further assumed that learning the requirements of

the rule takes an average of 30 minutes.

Central Information.

It is assumed that there is one centrally-posted safety poster per establishment that hires labor and uses pesticides (309,085). However, as the poster could last indefinitely, not all establishments need a new poster every year. It is assumed that affected establishments put up a safety poster once every 3-4 years, with an assumption of 100,000 safety poster events annually. It is also assumed that an average of 10 minutes is needed to fill in medical information on the safety poster, and to post it.

For treatment-specific information, it is assumed that there will be one centrally posted notice per pesticide treatment per establishment that hires labor. It is also assumed that it will take an average of ten minutes for employers to post the notice.

Annual notifications equal the number of establishments that use pesticides and hire labor (309,085) multiplied by the average number of pesticide treatments (approximately 3.5) per establishment. The average number of 3.5 pesticide treatments is a good proxy only if each time a grower applied a pesticide he treated his entire acreage that normally is treated in a year. This is not always the case since many grow multiple crops, and even within a single crop a farmer may not treat all acres the same, or not all at once. A correction for this is to multiply the average number of pesticide treatments by an assumed factor of 3 (EPA estimate based on general knowledge) to equal an average of approximately 10.5 pesticide treatments per establishment, and accordingly, an estimated 3,245,393 treatment-specific central notification events.

Training

The estimated burden and cost to farmers for the time taken to train workers and pesticide handlers is based on the Agency's experience obtained during the implementation of the WPS, as well as from additional information provided by personnel from the USDA and state agricultural agencies. The number of events is based on either the number of agricultural establishments or individuals involved, or a multiple of this number based on the estimated number of occurrences per year. The time for each event is based on field experience in accomplishing such events and is for a typical year.

Training verification.

Upon the completion of the training, the WPS provides for the issuance of "EPA-approved Worker Protection Standard training certificates" to workers and handlers to allow employers to verify that workers and handlers have received WPS safety training. The EPA Training Verification Program is a voluntary program and the issuance of the training verification cards is not a WPS requirement. However, agricultural employers are relieved of the responsibility of safety training if their agricultural workers and pesticide handlers possess valid EPA training verification cards. Participating States will issue the cards to qualified training providers within the State. The program is intended to assist in substantiating WPS pesticide

safety training, minimize the need for retraining (given the migrant nature of much of the workforce), offer an uncomplicated system for verifying training, provide a means for training quality control, and allow states flexibility in administering the program. The verification activity has a total annual burden of 4,765 burden hours (sum of burden to gather information and file or disclose information) and is covered in this ICR.

Treatment-Specific Worker and Handler Notification.

It is assumed that: employers either orally notify workers of pesticide treatments or post treated areas (except for pesticides which are Toxicology Category I for dermal or eye, which require both); greenhouses will always post treated areas, and all others will always orally notify workers; for non-greenhouse establishments notification (one oral and/or one posted) is necessary for each pesticide treatment when workers will be within 1/4 mile of the treated area during the restricted entry interval (REI); oral notification takes five minutes; posted notification takes 8 minutes.

Total oral notification events are calculated as the number of oral notifications on non-greenhouse establishments, which orally notify workers of all treatments when workers will be within 1/4 mile, plus the number of oral notifications on greenhouse establishments, which orally notify workers only for Toxicity Category I treatments. Therefore, for all establishments other than greenhouses, multiply the number of establishments which hire labor and use pesticides (309,085) by the average number of pesticide treatments per establishment per year (10.5), and multiply by the average percent probability that workers will be within 1/4 mile of the treated area during the REI (50%). For greenhouses, multiply the number of establishments (11,350) by the average number of treatments made per greenhouse establishment per year (50), and multiply by the percent of treatments which are Toxicology Category I for dermal or eye (5%).

Calculations for Annual Number of Oral Notifications

Non-greenhouse establishments

309,085 establishments * 10.5 treatments annually * 50% probability of workers present within 1/4 mile of the treated area during re-entry interval = 1,622,696 oral notifications annually by non-greenhouse establishments

Greenhouse establishments

11,350 establishments * 50 treatments annually * 5% of treatments involving pesticides that are classified as Toxicology Category I for dermal or eye = 28,375 oral notifications annually by greenhouse establishments

Total Annual Number of Oral Notifications

1,651,071 (i.e., 1,622,696 + 28,375)

Total posted notifications are calculated as the number of posted notifications on non-greenhouse establishments, which do posted notifications only for Toxicity Category I treatments and when workers will be within 1/4 mile, plus the number of posted notifications on greenhouse establishments, which do posted notifications for all treatments. Therefore, for all establishments other than greenhouses, multiply the number of establishments (309,085) by the

average number of pesticide treatments per establishment per year (10.5), multiply by the percent of treatments which are Toxicology Category I for dermal or eye (5%), and multiply by the average percent probability that workers will be within 1/4 mile of the treated area during the REI (50%). For greenhouses, multiply the number of establishments (11,350) by the average number of treatments made per greenhouse establishment per year (50).

Calculations for Annual Number of Posted Notifications

Non-greenhouse establishments

309,085 establishments * 10.5 treatments annually * 50% probability of workers present within ¼ mile of the treated area during re-entry interval * 5% of treatments involving pesticides that are classified as Toxicology Category I for dermal or eye = 81,135 posted notifications annually by non-greenhouse establishments

Greenhouse establishments

11,350 establishments * 50 treatments annually = 567,500 posted notifications annually by greenhouse establishments

Total Annual Number of Posted Notifications

648,635 (i.e., 81,135 + 567,500)

Handler and Emergency Information.

Using the estimates for worker and handler notification and training, the number of events for handler-initiated notifications and the number of handler sessions on safe equipment operations was estimated. It was assumed that each commercial application would trigger a handler notification to the agricultural employer and that the same number of handlers would need instruction in safe equipment operation as would need the pesticide safety training.

It was also assumed that one percent of workers and handlers trained in any given year would require medical attention and request that pesticide-specific emergency information be provided to medical personnel. These workers and handlers are the most likely to be entering treated areas during the course of their employment.

Exceptions/Exemptions Notification.

There are 279,359 farms with irrigation in the United States (1992 Census). The average annual number of pesticide applications is estimated to be 3.5 for irrigated acres. It is assumed to take about 2.5 minutes to supply the information to the irrigation workers. It is further assumed that 20 percent of the pesticide treatments would invoke the irrigation exception. The same working assumptions have been applied to the limited contact exception.

Crop advisors often enter fields, orchards, or other crop production areas to scout for pests, monitor the effectiveness of recent pesticide treatments, and determine the need and timing for additional treatments. The crop advisor exemption allows for entry into treated areas during a restricted entry interval in certain circumstances. It is estimated that there are 10,000

such instances annually for crop advisors when the crop advisor employer is required to notify their employees who will enter the treated area, of the restricted entry status and use of the exemption. The estimated average burden for notification of the crop advisor exemption is 15 minutes. This average burden is considerably longer than for notification of the two exceptions, discussed above. The longer time is primarily because the crop advisor work may involve more contact with treated plant surfaces than the exceptions do, and crop advisors must be advised of the necessary personal protective equipment to be used for the specific crop, pesticide, and situation.

Table 1 - Total Annual Burden and Cost Estimates										
Category	Activity	Total No. People/ Events	Per Event Average						TOTALS ¹	
			Grower (\$50.34/hr) ²		Worker (\$17.37/hr.) ²		Total per Event		Burden (hours)	Cost (\$)
Burden (minutes)	Cost (\$)	Burden (minutes)	Cost (\$)	Burden (minutes)	Cost (\$)	Burden (hours)	Cost (\$)			
New Entrant Rule Familiarization	Learn requirements (new entrants)	50,000	30	25.17	0	0.00	30.00	25.17	25,000	1,258,500
Central Information	Safety Poster	100,000	10	8.39	0	0.00	10.00	8.39	16,667	839,000
Training	Treatment-specific information	3,245,393	10	8.39	0	0.00	10.00	8.39	540,899	27,228,847
	Basic Safety Info Conveyance	169,000	2	1.68	0	0.00	2.00	1.68	5,633	283,582
	Ag. Worker Training	339,000	20	16.78	20	5.79	40.00	22.57	226,000	7,651,230
	Pesticide Handler Training	185,000	25	20.98	20	5.79	45.00	26.77	138,750	4,951,525
Training Verification	Gather Information	35,733	5	4.20	0	0.00	5.00	4.20	2,978	149,900
	File or Disclose Info	35,733	3	2.52	0	0.00	3.00	2.52	1,787	89,940
Treatment-specific worker/handler Notification	Oral Notifications	1,651,071	5	4.20	0	0.00	5.00	4.20	137,589	6,926,230
	Posted Notifications	648,635	8	6.71	0	0.00	8.00	6.71	86,485	4,353,655
Handler and Emergency Information	Handler Notice of Ag. Employer & Labeling Info.	1,875,705	10	8.39	5	1.45	15.00	9.84	468,926	18,452,248
	Safe Operation and Repair	185,000	10	8.39	10	2.90	20.00	11.29	61,667	2,087,725
	Provide Emergency Info. on Pesticide Treatments	52,400	20	16.78	10	2.90	30.00	19.68	26,200	1,030,970
Exceptions/Exemptions Notification	Irrigation Exception	195,300	2.5	2.10	2.5	0.72	5.00	2.82	16,275	550,990
	Limited Contact Exception	195,300	2.5	2.10	2.5	0.72	5.00	2.82	16,275	550,990
	Crop Advisor Exemption	10,000	15	12.59	15	4.34	30.00	16.93	5,000	169,275
TOTALS									1,776,131	76,574,607

1 Totals were determined as follows: Total Burden Hours: (total # events x burden minutes)÷60. Total Costs: (total # events x total per-event costs).

2 Updated estimates of fully loaded wage rates. See part 6(b) and Attachment D for sources and methodology for deriving these estimates.

6(b). Estimating Respondent Costs

Agency economists revised the estimated wages, benefits and overhead for all labor categories for affected industries, state government, and EPA employees based on publicly available data from the US Bureau of Labor Statistics. The formulas used to estimate the labor rates and formulas used to derive the fully loaded rates and overhead costs for this ICR renewal are presented in Attachment D.

Methodology: The methodology uses data on each sector and labor type for an Unloaded wage rate (hourly wage rate), and calculates the Loaded wage rate (unloaded wage rate + benefits), and the Fully loaded wage rate (loaded wage rate + overhead). Fully loaded wage rates are used to calculate respondent costs. This renewal uses 2006 data.

Unloaded Wage Rate: Wages are estimated for labor types (management, technical, and clerical) within applicable sectors. The Agency uses average wage data for the relevant sectors available in the National Industry-Specific Occupational Employment and Wage Estimates from the Bureau of Labor Statistics (BLS) at http://www.bls.gov/oes/current/oes_nat.htm.

Sectors: The specific North American Industry Classification System (NAICS) code and website for each sector is included in that sector's wage rate table (see Attachment G). Within each sector, the wage data are provided by Standard Occupational Classification (SOC). The SOC system is used by Federal statistical agencies to classify workers into occupational categories for the purpose of collecting, calculating, or disseminating data (see http://www.bls.gov/oes/current/oes_stru.htm).

Loaded Wage Rate: Unless stated otherwise, all benefits represent 43% of unloaded wage rates, based on benefits for all civilian non-farm workers, from <http://www.bls.gov/news.release/ecec.t01.htm>. However, if other sectors are listed for which 43% is not applicable, the applicable percentage will be stated.

Fully Loaded Wage Rate: We multiply the loaded wage rate by 50% (EPA guidelines 20-70%) to get overhead costs.

The total respondent burden in terms of hours is estimated to be 2,293,364 hours annually. The total respondent cost for this ICR renewal is estimated to be \$102,612,181 annually. The labor rates for the farm workers and growers (\$17.37/hr and \$50.34/hr) subject to the WPS requirements were estimated using the methodology cited above. Workers' burden hours and cost estimates are included in Table 1 and in the total burden and cost for this information collection because workers must spend the time necessary to receive training and notifications from their employers. However, the requirements for all training/notifications are on the employer. It is assumed that workers are generally paid during training/notifications. Therefore, the burden and cost are effectively borne by the agricultural employer, even though the workers' time and wage rate are also used in the estimation.

6(c). Estimating Agency Burden and Cost

Not applicable. This ICR involves activities conducted by third parties. EPA does not conduct any activities or collect any information under this ICR. Participating States are responsible for implementing voluntary training verification programs. As such, EPA does not incur any burden or cost under this ICR.

6(d). Bottom Line Burden Hours and Cost Tables

Bottom Line Estimated Burden Hours And Costs		
	Hours	Costs
Respondents	1,776,131	\$76,574,607
Agency	n/a	n/a

6(e). Reasons for Changes in Burden

The total estimated annual respondent burden for this ICR renewal is 1,776,131 hours, a reduction of 517,233 from the 2,293,364 total estimated burden hours in the currently-approved ICR. This change is an adjustment and is the result of a correction to the estimated annual number of treatment-specific worker and handler notification events, both oral and posted. Although EPA had correctly explained the method of calculating the number of notifications in previous versions of this ICR, the figures presented in the corresponding tables that were used to tally the overall burden in previous years were inconsistent with EPA's explanation. The calculation of these numbers is explained in section 6(a) of this document, under Treatment-Specific Worker and Handler Notification.

6(f). Burden Statement

The total annual respondent burden for providing the training and notifications associated with the Worker Protection Standard is estimated to be 1,776,131 hours, with the incremental burden of the various activities ranging from 2 minutes per respondent to provide initial basic safety information to 45 minutes per respondent for handler training. This total estimate includes the third party WPS training and notification requirements, e.g., provisions requiring employers to: provide employees with pesticide-specific treatment (application) information in the form of oral or written notification, assure that employees receive basic pesticide safety information or training, provide emergency information on pesticide treatments, and notify employees when an exception/exemption to the WPS is being implemented, as well as a voluntary program to verify training and relieve duplication of training, and provisions requiring handler notification to employers regarding pesticide treatments (applications).

According to the Paperwork Reduction Act, "burden" means the total time, effort, or financial resources expended by persons to generate, maintain, retain, disclose, or provide information to or for a Federal agency. The agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB

control number. The OMB control number for this information collection appears at the beginning and end of this document. In addition OMB control numbers for EPA's regulations, after initial display in the final rule, are listed in 40 CFR Part 9 (Attachment E).

The Agency has established a public docket for this ICR under Docket ID No. EPA-HQ-OPP-2007-0299, which is available for online viewing at www.regulations.gov, or in person viewing at the OPP Regulatory Public Docket in Rm. S-4400, One Potomac Yard (South Building), 2777 S. Crystal Drive, Arlington, VA. This docket facility is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The docket telephone number is (703) 305-5805. You may submit comments regarding the Agency's need for this information, the accuracy of the provided burden estimates and any suggested methods for minimizing respondent burden, including the use of automated collection techniques.

Submit your comments, referencing Docket ID No. EPA-HQ-OPP-2007-0299 and OMB Control No. 2070-0148, to (1) EPA online using www.regulations.gov (our preferred method), or by mail to: Public Information and Records Integrity Branch (PIRIB), Mail Code: 7502P, Office of Pesticide Programs (OPP), Environmental Protection Agency, 1200 Pennsylvania Ave., NW, Washington, DC 20460, and (2) OMB by mail to: Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Attention: Desk Officer for EPA, 725 17th Street, NW, Washington, DC 20503.

ATTACHMENTS TO THE SUPPORTING STATEMENT

Attachments to the supporting statement are available in the public docket established for this ICR under docket identification number EPA-HQ-OPP-2007-0299. These attachments are available for online viewing at www.regulations.gov or otherwise accessed as described in section 6(f) of the supporting statement, and as noted below.

- Attachment A:** **7 U.S.C. 136w - FIFRA Section 25** - Also available online at the US House of Representatives' [US Code website](#)
- Attachment B:** **40 CFR 170 - Worker Protection Standard** - Also available online at the National Archives and Records Administration's [Electronic CFR Website](#)
- Attachment C:** **Record of Consultations Between the U.S. Environmental Protection Agency and Respondents to the Information Collection Request: "Worker Protection Standard Training and Notification"**
- Attachment D:** **Wage Rate Tables for Agricultural Employers and Agricultural Workers**
- Attachment E:** **Display Related to OMB Control #2070-0148** -Listings of Related Regulations in 40 CFR 9.1