

## Attachment A

### Summary of Consultations for the Renewal ICR, entitled "Agricultural Worker Protection Standard Training, Notification and Recordkeeping"

OMB Control No.: 2070-0190; EPA ICR No.: 2491.04; Docket No. EPA-HQ-OPP-2018-0031

Representatives were contacted from the following organizations:

- BlackBerry Bottom Farm (Blackberry farm)
- Greenwood Mushroom (Mushroom operation)
- Green Leaf Plants (Greenhouse operation)
- Shannon Farm Services (Orchard grower & Consultant)

Of the four representatives contacted, Shannon Farm Services provided responses to our consultation questionnaire. The questions asked, and the responses received, are provided below.

#### Questionnaire and Responses:

(1) Clarity of Instructions

The ICR is intended to require that respondents provide certain data so that the Agency can utilize them.

- Based on the instructions (regulations, PR Notices, etc.), is it clear what you are required to do? If not, what suggestions do you have to clarify the instructions?

*The instructions are clear but a simple list without the legal fluff would be better.*

- Do you understand that you are required to maintain certain records - for example, records of pesticide safety training for workers and handlers, pesticide application information, and respirator fit testing, medical evaluations, and training for handlers?

*I believe that the record keeping requirements are clear and as a consultant I give my growers a simple sheet with most of the requirements except their actual start and stop times and the acres treated, (in some cases) as well as the total amount of product used. There is however a lot of confusion around the respirator fit test and the ability to find a third-party testing facility to administer the test.*

- Considering that there is no required format for recordkeeping, is it difficult to record the information in ways that are clear, logical and easy to complete?

The basic record keeping requirements are easy to follow but an ‘APP’ to record some specific info would be helpful.

(2) Electronic Record keeping

- What do you think about electronic alternatives to paper-based records?

Electronic alternatives to paper based formats would be helpful but they need to be versatile to various sized operations. Some programs available now are too complicated and require inputting a lot of info that makes them more difficult to use.

- Are you keeping your records electronically? If yes, in what format?

I currently use an Excel format that a friend of mine developed. I have tried Agrian for myself and my growers but I am burdened by the amount of info required prior to making a recommendation.

- What benefits would electronic recordkeeping bring you in terms of burden reduction or greater efficiency in compiling the information?

Ideally an electronic format with drop down choices would be helpful but their needs to be a simplistic approach and the ability to duplicate multiple farms and have flexible application options. For example, in the Mid Atlantic fruit growers spray Alternate Row Middles (ARM), which is foreign to some people in other parts of the country but a normal practice here.

(3) Burden and Costs

- Are the labor rates accurate?

Some programs cost money.

- The Agency assumes there is no capital cost associated with this activity. Is that correct?

It would be different at different operations depending on the size of the operation and the diversity of the operation.

- Bearing in mind that the burden and cost estimates include only burden hours and costs associated with the paperwork involved with this ICR (e.g., the ICR does not include estimated burden hours and costs for conducting studies), are the estimated burden hours and costs accurate? If you provide burden and cost estimates

that are substantially different from EPA's estimates, please provide an explanation of how you arrived at your estimates.

No response provided.

- Are there other costs that should be accounted for that may have been missed?

Loss of productivity doing things on the farm that make money rather than cost money rather than more paper work. Growers are continually being hit with more regulations from WPS requirements to food safety that are not required by their foreign competitors. It is not level playing field. Due to this additional paperwork some operations are hiring more people to allow them to comply while they struggle to find help to pick their product. And some of the regulations are ridiculous for example why does a grower need to post a field during an REI if the employee is required to go to the central posting location prior to entering the farm? Why can't there be a list of fields not to enter at the central posting location. The workers need to share some responsibility for their safety as well.