

Attachment C

October 4, 2021

Submitted via regulations.gov

Re: Proposed Renewal of an Existing Collection and Request for Comment; Agricultural Worker Protection Standard Training, Notification and Recordkeeping (EPA-HQ-OPP-2021-0316)

Dear Ms. Sui,

The undersigned organizations submit these comments in response to EPA's FR notice published on August 3, 2021, regarding the Worker Protection Standard's (WPS) training, notification and recordkeeping requirements. The below farmworker-serving and environmental organizations work daily to try to reduce pesticide exposures to the farmworker community, as well as to effectively respond to and treat pesticide poisonings when they occur.

Agricultural work is one of the most dangerous occupations in the United States. Farmworkers have the highest rate of chemically related illnesses of any occupational group, yet they are among the least protected people on the job. In addition to the daily risks farmworkers face directly, the chemicals that farmworkers are exposed to are often carried into their homes, putting the health of countless farmworker families and children at risk. Because many of the risks that farmworkers face result from spray applications that often occur throughout vast agricultural fields, the risks they face are also shared with many non-farmworker rural residents who may be exposed to the same pesticides.

The Worker Protection Standard (WPS) provides essential, basic protections for these workers, both those applying pesticides directly and those working in fields where pesticides are applied, as well as other bystanders. In addition to its many other important components, one of the main objectives of the WPS is to improve the quality of information that workers receive about pesticides that have been applied at their workplace. The provision of this information is a straightforward, simple and absolutely essential component of WPS protections.

The WPS' training, notification and record-keeping requirements help to ensure that workers are aware of and able to access key information about the pesticides being used in their workplace. It is not uncommon for employers to use multiple pesticides in a specific area during an extended period of time. Thus, the WPS' notification and recordkeeping requirements are needed for farmworkers or others who work or live near areas where these chemicals are applied to understand the different chemicals they may be exposed to. Farmworkers and pesticide handlers want and need information about the specific pesticides they have recently handled or encountered in the fields where they work.

Specific information about the chemicals applied is also crucial to helping to determine the medical treatment that those exposed to pesticides may need. This includes the need for information about immediate and long-term health hazards. Additionally, some health effects of pesticide exposure may not be immediately evident, so the need for key information may arise some time after the specific exposure incident.

Recordkeeping can also play an important role in improving enforcement of training requirements by state agencies and inspectors. Examination of the employer's training records, for example, is a reliable, efficient and cost-effective way to assess compliance. These recordkeeping requirements can also aid EPA's own monitoring of pesticide exposures, as they can help provide crucial data for the investigation of potential pesticide poisoning incidents, as well as allow scientific and medical researchers to study potential links between pesticide exposure and chronic health effects.

Thus, the WPS' training, notification and record-keeping requirements are necessary for the proper performance of the functions of the Agency. They are a key element for complying with EPA's mandate to avert "unreasonable risk" to farmworkers and their families, which can only be achieved if all stakeholders have complete and accurate information on how to prevent pesticide exposures, as well as access to key information needed to determine the cause and potential impact of specific exposures.

Sincerely,

Farmworker Justice
Alianza Nacional de Campesinas
California Rural Legal Assistance Foundation
Center for Biological Diversity
Clean and Healthy New York
Earthjustice
Environmental Protection Network
Farmworker Association of Florida
Migrant Clinicians Network
Northwest Center for Alternatives to Pesticides
Toxic Free NC