# TEXAS DEPARTMENT OF AGRICULTURE
## COMMISSIONER SID MILLER

October 7, 2016

Mr. Jim Jones
Assistant Administrator
U.S. Environmental Protection Agency
Office of Chemical Safety and Pollution Prevention
MC 7101M
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Mr. Jones:

In response to your recent letter, I would like to convey my concerns for the impending implementation of the revised agricultural worker protection standard (WPS) regulations. This represents a significant change in the WPS regulations. The Texas Department of Agriculture (TDA) while recognizing the need for updating the regulations, requests that the Environmental Protection Agency (EPA) delay implementation of the regulations to give our agricultural businesses more time to become familiar with the law and train their employees.

In your letter, you presented what EPA has done to educate its partners and a list of trainings that have taken place since the revised regulation was adopted in September 2015. Although TDA agrees that EPA has provided many educational opportunities, the list does not include any training for EPA Region 6 stakeholders. This is a significant omission to an area with a large number of agricultural employers in multiple southern states within EPA Region 6. Additionally, EPA just recently made available the new *How to Comply* manual as well as the *Train the Trainer* manual. In a state the size of Texas, it will be difficult, if not impossible, for TDA and our educational partners to adequately train our stakeholders during a period of mid-October until January 2, 2017. TDA has just scheduled a state-wide inspector training for WPS for all of our inspectors the second week of January. This training was delayed due to the lack of availability of the *Train the Trainer* and *How to Comply* manuals.

TDA asks for a delayed implementation date of January 2, 2018, for all sections of the new WPS regulation. I feel that this will provide time for states to adequately train staff and agricultural employers which will lead to a higher compliance rate resulting in a safer work environment for agricultural workers. Thank you for your consideration.

Sincerely,

Sid Miller
Commissioner

cc: National Association of State Departments of Agriculture (NASDA)

P.O. Box 12847
Austin, Texas 78711

TexasAgriculture.gov

(512) 463-7476
Fax: (888) 223-8861