August 17, 2016

Jack Housenger, Director
Office of Pesticide Programs
USEPA Headquarters
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Dear Director Housenger,

I am writing to you about two issues regarding the revisions to the Agricultural Worker Protection Standard (WPS) that were recently brought to my attention by several Pesticide State Lead Agencies (SLAs). The issues of concern are the availability of the Train-the-Trainer training materials and the Interpretive Guidance regarding Application Exclusion Zones (AEZ).

It is my understanding the Train-the-Trainer training materials will not be available until possibly November 2016. However, starting in January of 2017, trainers of workers must be: (1) certified applicators; (2) designated as trainers by EPA or the State or Tribal agency responsible for pesticide enforcement; or (3) have completed and EPA approved Train-the-Trainer course. Because of the lack of adequate time (2 months) for states to train trainers, or for currently non-certified applicators to become certified, AAPCO is requesting that EPA consider requiring the implementation of the new trainer requirements to coincide with when the new 2018 requirements take effect. This is especially important for states that do not currently have a Train-the-Trainer Program, but will initiate a Train-the-Trainer Program when the new EPA Train the Trainer materials are available.

In regards to the Application Exclusion Zone (AEZ), it is my understanding that EPA is working on an Interpretive Guidance on how to apply the (AEZ) in the field. AAPCO is requesting that EPA consider postponing its adoption until adequate discussion has occurred, and State Lead Agencies and the regulated growers and applicators have had time to comment, and familiarize themselves with the new requirements.

In addition, in regard to agricultural labor housing on a grower's property, AAPCO is requesting that EPA consider allowing SLAs the option of developing an equivalency program, which would

enable farm workers to safely "shelter in place" vs. leaving the AEZ. A number of states have stringent agricultural labor housing regulations or standards. It is believed by many, that if the housing is adequate (fully enclosed and tightly constructed), it is safer to "shelter in place" vs. leaving the AEZ and returning soon after the application. The option of an equivalency program would provide flexibility, and encourage growers to improve labor housing to meet equivalency standards.

Thank you for your attention and consideration of these issues. I look forward to your response and or further discussion.

Respectfully,

Dennis W. Howard

Dennis W. Howard
AAPCO President
Chief Pesticide Regulation Section
Maryland Department of Agriculture

cc: Amy Bamber, AAPCO Executive Secretary