



**Department of
Environmental
Conservation**

Federal Worker Protection Standard Changes

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Federal Worker Protection Standard

VISIT - www.epa.gov/pesticide-worker-safety

First issued in 1992.

Most recent revision was in 2015.

Outreach and education was the focus in 2016.

Most new requirements went into effect **January 2, 2017**.

Some new requirements are expected to go into effect **January 2, 2018**.



Major Changes in the WPS:

Safety training

- expanded content (**January 2018**)
- must be provided each year
- no grace period to train workers

Expanded mandatory posting if REI is greater than 48 hours

New Application Exclusion Zone (AEZ) up to 100 feet surrounding application equipment

- Within farm/establishments property boundary
- Extends beyond establishments property boundary (**January 2018**)

Persons under 18 years old are prohibited from being a handlers or early entry workers unless they are immediate family

More Major Changes:

If label requires a respirator then a medical evaluation & training are required.

If the label requires the use of a “tight-fitting” respirator then a fit test is required.

Records of the following must be kept for **2 years**:

- Application-specific pesticide information & Safety Data Sheets
- Worker/Handler pesticide safety training
- Medical evaluations, respirator training & fit testing



Respirator Requirements in Revised Rule: 40 CFR 170.507(b)(10)

When a respirator is required by the labeling, handler employer must provide handlers with the following before the handler performs any activity requiring the respirator:

- Medical evaluation
- Respirator training
- Fit test (**ONLY FOR TIGHT-FITTING RESPIRATORS**)

Handler employer must maintain records for 2 years documenting completion of requirements

Medical Evaluation (29 CFR 1910.134)

- Agricultural Employer must provide handlers with a medical evaluation to ensure the handler's physical ability to safely wear the respirator
 - Conducted by a physician or other licensed healthcare professional
 - One time unless something changes or medical professional specifies that the medial determination is only good for a specific amount of time
 - Medical professional sends determination to employer specifying:
 - Whether the employee is medically able to use a respirator
 - Any restrictions on the employee's use of the respirator
 - The need for follow –up medical evaluations
 - Verification that the medical professional has given the employee a written copy of the medical determination
 - All other medical information is confidential



Respirator Training

40 CFR 170.507(b)(10)(ii)

Employer must provide handler with training in the use of the labeling-required respirator in a manner that conforms to the provisions of 29 CFR 1910.134(k)(1)(i)-(vi)

Ensure the handler knows how to use the respirator properly

Respirator Training Content (29 CFR 1910.134)

- Respirator Training – must be provided each year
- How to use the respirator
- Why the respirator is necessary and how improper fit, usage and maintenance can make the respirator ineffective
- The limitations and capabilities of the respirator
- How to select cartridges and canisters and know the schedule for changing cartridges



Respirator Training Content

- How to use the respirator effectively in emergency situations
- How to inspect, put on and remove, use and check the seals of the respirator
- Respirator maintenance and storage procedures
- How to recognize medical signs and symptoms that may limit or prevent effective use of the respirator
- Record of Training
 - Name and signature of handler trained
 - Date of training
 - Trainers name
 - Training topics



Fit Test (29 CFR 1910.134)

ONLY FOR TIGHT-FITTING RESPIRATORS

- Agricultural Employers must provide handlers with annual fit testing using the respirator specified on the label
- To ensure the respirator forms an adequate seal on the user's face
- Fit test kits are available



Fit Test Procedures (29 CFR 1910.134)

ONLY FOR TIGHT-FITTING RESPIRATORS

Quantitative fit test

- Measure leakage into the respirator
- Specialized equipment and trained operator

Qualitative fit test

- Pass/fail; relies on wearer's response to a substance (e.g., banana oil) introduced to a enclosure
- The person administering qualitative fit testing is able to prepare test solutions, calibrate equipment, perform test properly, recognize invalid tests and ensure test equipment is in proper working order



Fit Test Records

ONLY FOR TIGHT-FITTING RESPIRATORS

Fit test records (qualitative or quantitative):

- Name of handler tested
- Type of fit test performed
- Make, model and size of the respirator tested
- Date of the fit test
- Results of the fit test
 - pass/fail for qualitative
 - Fit factor and strip chart recording or other record for a quantitative fit test

RESPIRATOR FIT TEST RECORD

Company _____
 Address _____
 City _____ State _____ Zip _____ Fax _____
 Name of Fit Tester _____
 Signature _____

Date: _____
 If being conducted in compliance with State Regulation 26.05 (a),
 if other (not state or federal regulation) mark (with an X) _____

Type of OSHA approved fit test protocol used: (Qualitative) _____ Sealcheck _____ Bitest™ _____ Isocyanate _____ Infrared Spectra
 (Quantitative) Portacount/Buster II _____ Occupational Health Dynamics/Buster II _____

Name (print/print)	Signature	Respirator Fit Tester (Make, Model, Size, Seal)	Fit Test Date	Fit Test Type	Completed by (Printed name)
			<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	

Notes: _____

Respirator Seal Check (29 CFR 1910.134)

Anyone using a **tight-fitting respirator** must perform a user seal check to ensure an adequate seal is achieved each time the respirator is put on.

- Positive pressure check, negative pressure check or manufacturer's recommended check method
- This seal check is in addition to the fit test
 - Must be done every time the respirator is used



Remember to maintain records for 2 years documenting completion of requirements

Questions?

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