

Worker Protection Standard (WPS) Requirements for Marijuana Growers

By following this guidance on Worker Protection Standards (WPS) requirements, marijuana growers will be in general compliance with WPS rules. The rules (Washington Administrative Code, or WAC) go into greater detail than presented here and may allow exceptions under certain conditions. We advise employers to read the rules and guidance documents listed under Resources. The Environmental Protection Agency's (EPA) "How to Comply" manual is especially helpful.



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TABLE OF CONTENTS:

1. <i>General Duties and Requirements</i>	2
2. <i>Pesticide Safety Training</i>	2
3. <i>Decontamination Supplies and Requirements</i>	3
4. <i>Personal Protective Equipment Requirements</i>	6
a. <i>Summary of PPE Requirements</i>	7
5. <i>Entry Restrictions into the Treated Area</i>	8
a. <i>Summary of Entry Restrictions</i>	9
6. <i>Notification of Pesticide Applications</i>	10
a. <i>Greenhouses</i>	10
b. <i>Posting Information About Pesticide Applications</i>	10
7. <i>Display of Pesticide Safety Information</i>	11
8. <i>Emergency Assistance</i>	12
9. <i>Resources</i>	13
a. <i>Contacts</i>	13
b. <i>Online Resources</i>	13
10. <i>Appendix A - Emergency Eye Flushing for Pesticide Handlers</i>	14
11. <i>Appendix B - Greenhouse Entry Restrictions Associated with Pesticide Applications</i>	14
12. <i>Appendix C - Size and Posting Distance for Smaller Warning Signs in Greenhouses</i>	16
13. <i>Appendix D - Measuring the Application Exclusion Zone (AEZ)</i>	17
14. <i>Appendix E - WPS Training Verification Record</i>	18

Worker Protection Standards (WPS)

Requirements for Marijuana Growers

State and federal laws require employers to protect their employees from the risk of pesticide poisoning and injury. When a pesticide label contains an Agricultural Use Box (See Figure 1 below), agricultural employers and handler employers must abide by the Worker Protection Standards (WPS). WPS requirements are federal standards (40 CFR part 170) that are referenced on the pesticide label.

These standards have been incorporated into WSDA rules (WAC 16-233). The Washington State Department of Labor & Industry (L&I) also has WPS rules (WAC 296-307), which they are currently updating to be consistent with WSDA's rules. Since several products on WSDA's allowed pesticide list for marijuana growers have an Agricultural Use Box on the label, employers in the marijuana industry must abide by WSDA and L&I rules when using these products. L&I also has additional worker safety requirements that go beyond the WPS requirements.

The box at the right (Figure 1) is an example of an Agricultural Use Box typically found on a pesticide label. Notice that the restricted-entry interval (REI) and the personal protective equipment (PPE) requirements for early-entry workers vary according to the pesticide selected for use.

Two major groups of agricultural employees are addressed in the WPS - handlers and workers.

- **Handlers** deal directly with pesticides or their residues, such as mixers, loaders and applicators, and those that clean pesticide contaminated containers and equipment.
- **Workers** do hand-labor tasks (weeding, planting, cultivating and harvesting) or other tasks involved in the production of agricultural plants.

IMPORTANT: Any requirement or restriction for greenhouses also applies to indoor grow operations. WPS defines greenhouse as "any structure or space that is enclosed with non-porous covering and that is of sufficient size to permit worker entry. The term includes, but is not limited to polyhouses, mushroom houses, rhubarb houses, and similar structures..." An indoor grow operation with artificial light fits under this definition of greenhouse. Whenever you see the term "greenhouse" in this document, it is referring to all types of indoor grow operations.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. This Standard contains requirements for the protection of Agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE) and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 12 hours.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated such as plants, soil, or water, is:

- Coveralls over
- Chemical-resistant gloves made of any waterproof material such as polyethylene or polyvinyl chloride
- Shoes plus socks

Figure 1

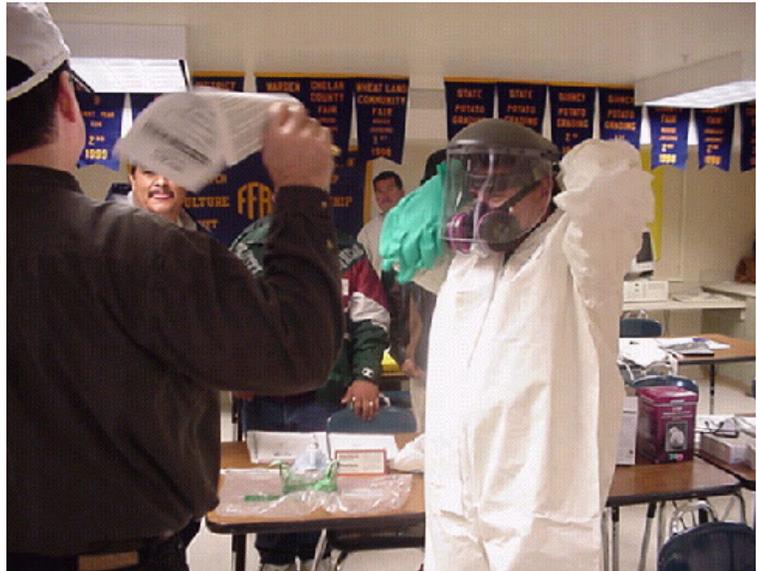
General Duties and Requirements

Employers must:

- Assure that workers and handlers receive the protections specified in the WPS.
- Provide information and directions to those who supervise workers and handlers to assure compliance with WPS.
- Use pesticides consistent with labeling, including WPS.
- Prevent applying pesticides in a way that will contact workers or other persons, either directly or through drift.
- Not retaliate against employees for attempts to comply with the WPS.

Pesticide Safety Training

If using pesticide products with WPS requirements (Figure 1), all workers and handlers must receive training on pesticide safety before they begin working at your grow operation. All training must use EPA-approved materials, and it may be presented orally from written materials or by video (see links to training materials under Resources). In either case, the training must be in a language that the workers and handlers can understand. You may use a translator such as a bilingual employee if necessary. The trainer (and translator if used) must be available to answer any questions by the employees during the entire training. Workers and handlers must be trained every year. Employers must keep training records for at least two years.



Training must be provided by a qualified WPS trainer. The best way for agricultural employers to comply with the training requirements is to either become qualified as a trainer, or have one or more of their employees qualified. New employees must be trained before they perform worker or handler tasks, and be trained annually thereafter.

You have two options to be qualified as a trainer:

1. Attend a WSDA Train the Trainer workshop or obtain a WSDA Private Applicator License. To find workshops, visit the WSDA website at agr.wa.gov and search for Farmworker Education, WPS Train the Trainer.
2. Obtain a Private Applicator License. Having one or more of your employees licensed by WSDA as a Private Applicator may be a more practical way to ensure you have a qualified trainer on your staff. Also, the Private Applicator can purchase and apply restricted-use pesticides if any become allowed on marijuana. Currently (June 2019) none are on the allowed list.

To obtain a Private Applicator License, a person takes an exam and pays fees for the exam and the license. Study materials and pre-license courses are available through Washington State University (WSU) Extension. WSDA recommends getting a “Private Applicator Pesticide Education Manual” available on WSU’s website to prepare for the Private Applicator exam. The manual can also be a helpful reference.

Pesticide safety training must comply with WPS requirements and must use EPA-approved training materials. Good sources of training materials are listed under Resources. Training records are required and must be kept for two years. Records must include the name, address and signature of the trained employee, along with a record of the training materials used and the trainer’s name and qualification. Appendix E contains a printable form for tracking employees’ WPS training. A fillable version is also available on the WSDA website at cms.agr.wa.gov/WSDAKentico/Documents/Forms/4159-WPSTrainingRecord.pdf.

Specific training requirements for workers and pesticide handlers can be found in WAC 16-233-101 and WAC 16-233-201.

Worker Protection Standard (WPS) — Training Verification Record

For: _____ On: _____
Agricultural Employer Date

Trainer: _____
Printed Name Signature

Trainer's Business Name (if not the Ag Employer): _____

Trainer's Qualification

WSDA Pesticide License Number: _____ Expiration Date: _____
WSDA Train the Trainer Certification: _____ Date Certified: _____

Source, Title, Description, and Number of EPA approved training materials used

Training Verification

By signing below I agree I attended the above described WPS training and was trained as a Worker and/or Handler. The training was presented in a language I understand, and my questions were answered.

Employee Name (print)	Trained as Worker (employee signature)	Trained as Handler (employee signature)

AGR-4159 (N/2/20) Information collected by WSDA becomes a public record and may be disclosed unless exempted by federal or state law. Page 1 of ____

Figure 2 - Form 4159, see Appendix E for printable version

Decontamination Supplies and Requirements

Workers, handlers, and early-entry workers must have sufficient water, soap, and paper towels readily available. The water must be of a “quality and temperature” that will not cause illness or injury. Running water is best, but it is not required. Where there is no running water, employers must provide:

- At least one gallon of water per worker.
- At least 10 gallons of water for one handler or early-entry worker. For two or more of these employees, you must provide at least 20 gallons of water.

Also, handlers must have a clean change of clothes -- such as coveralls -- to put on in case their clothes become contaminated.

The photos in Figures 3 and 4 show examples of portable decontamination stations that can be towed to where handlers and early-entry workers are working. More permanent decontamination stations with plumbed, running water are appropriate where handlers and workers decontaminate at the end of the day.

Handlers and early-entry workers must also carry a pint of water (see Figure 5) with them, or it must be “immediately available” for emergency eye flushing when the pesticide label requires protective eyewear such as goggles or faceshield.



Figure 3



Figure 5



Figure 4

A plumbed or portable emergency eye flush station (see Appendix A for specifications) must be provided at:

- All mixing/loading sites and handler decontamination stations when the pesticide requires protective eyewear.
- All permanent mixing/loading sites.

Figure 6 shows an example of a portable emergency eye flush station.



Figure 6 - An example of a portable emergency eye flush station

Figure 7 is an example of a permanent, plumbed emergency eye flush station.



Figure 7 - An example of a permanent, plumbed emergency eye flush station

Decontamination supplies must be located:

- Within one-quarter mile of worker and handler activities.
- At the pesticide mixing/loading area.
- Where handlers and early-entry workers remove their personal protective equipment (PPE) at the end of the work period.

NOTE: *Specific decontamination supply requirements for workers and pesticide handlers can be found in WAC 16-233-150 and WAC 16-233-250.*

For workers who enter the treated area after the restricted-entry interval (REI) has expired, decontamination supplies must be provided for:

- Thirty days for pesticides with an REI of more than four hours.
- Seven days for pesticides with an REI of four hours or less.

Personal Protective Equipment Requirements

Personal protective equipment (PPE) such as respirator, chemical resistant gloves, and protective eyewear is worn to protect the body from contact with pesticides. The pesticide label indicates what PPE must be worn. PPE must be provided in clean and operating condition, and employers must make sure it is worn correctly.

PPE must be inspected before each day of use and any damaged PPE either repaired or discarded. PPE must be cleaned at the end of the day or before reuse. Any contaminated PPE must be kept separate and washed separately from any other clothing or laundry. PPE is considered contaminated until properly cleaned when used around pesticides or in a treated area.



Figure 8

All clean PPE must either be dried thoroughly before being stored or put in a well ventilated place to dry. It must be stored separately from personal clothing and apart from pesticide-contaminated areas. Do not store PPE in the pesticide storage area. See Figure 8.

Early-entry workers and pesticide handlers must have a clean place away from pesticide storage and pesticide use areas where they can put on, remove, and store their PPE. They must not wear home or take home contaminated PPE. Any person who cleans or launders PPE must be told:

- That it may be contaminated with pesticides.
- About the potentially harmful effects of exposure to pesticides.
- The correct way to handle and clean it to protect themselves from exposure.

Take appropriate measures to prevent heat-related illness when PPE is required.

Some pesticides require the use of respirators. If a respirator is required, make sure the correct cartridge is used (organic vapor, organic acid, particulate, etc.). Particulate-filtering, face-piece respirators must be changed out after eight hours of cumulative use, or if any of the following occurs:

- Breathing becomes difficult.
- The filter becomes damaged.
- The respirator manufacturer's directions or pesticide label require it.

NOTE: *The WPS rules define the acceptable types of PPE that must be worn. These definitions and other specific PPE requirements for pesticide handlers and early-entry workers can be found in **WAC 16-233-120** and **WAC 16-233-245**.*

Unless the respirator manufacturer's change schedule requires a shorter use, or allows longer use, cartridges or canisters for gas- and vapor-removing respirators must be replaced when eight hours of cumulative use is reached. Cartridges or canisters must be changed sooner if:

- Breathing becomes difficult.
- Any indication of odor, taste or irritation is present.
- The respirator manufacturer's directions require it.

Employees must be medically evaluated, trained and fit tested before wearing a respirator. Medical evaluation, training, and fit-test records must be kept for two years.

Summary of PPE Requirements:

- Provide handlers and early-entry workers with all label-required PPE in clean and operating condition.
- Make sure employees are wearing the PPE correctly.
- Inspect PPE for damage each day and discard any that cannot be repaired.
- Clean and dry the PPE at the end of the day.
- Store PPE separately from personal clothing and other personal items. Do not store PPE in a pesticide-contaminated area and never store PPE in the pesticide storage room.
- Do not allow handlers or early-entry workers to wear home or to take home PPE that has been used.
- Keep contaminated PPE separate and wash it separately from other laundry.
- Make sure the person who cleans or launders PPE knows that it might be contaminated with pesticides. Inform them of the potentially harmful effects of exposure to pesticides, and show them the correct way to handle and clean PPE to avoid exposure.

- Use the correct respirator and change cartridges when required. Cartridges must be changed if anything indicates they are not filtering properly or they have been used for eight hours. **Exception:** if the respirator instructions allow more than eight hours of use, and you can document the required data that would allow a longer use, then you can use the cartridges for up to the time allowed by the instructions.
- Take appropriate measures to prevent heat-related illness when PPE is worn.

Figure 9 shows applicators wearing very high-level PPE. None of the pesticide products on the current approved list (as of June 2019) require as much PPE as these applicators are wearing. It is acceptable to wear a higher level or more PPE than is required by the label, but never to wear less. When considering whether to require handlers to wear more PPE than required by the label, employers must consider how the extra PPE might cause over-heating and potential heat-related illness.



Figure 9

Entry Restrictions in the Treated Area

Only properly trained pesticide handlers who are wearing the required PPE may be in the treated area (entry-restricted area for greenhouses) while a pesticide is being applied. In most cases, the “entry-restricted area” and the “treated area” are the same thing. For greenhouse applications, however, the entry-restricted area may be larger than the treated area (see Appendix B and WAC 16-233-111[2]). The restricted-entry interval (REI) begins immediately after the pesticide application is complete. During the REI, no worker is allowed to enter the entry-restricted area except under the limited conditions listed below. All early-entry workers must be at least 18 years old.

No early entry by any worker is allowed until:

- At least four hours after the application is complete, unless the label specifically states the REI is zero hours.
- All applicable ventilation criteria in WAC 16-233-111(2) have been met.
- Any inhalation exposure level listed in the labeling has been reached.

Once the above three criteria have been met, early-entry workers are allowed into the entry-restricted area for “no-contact” activities and “short-term” activities as described below. No hand labor is allowed by early-entry workers.

- No-contact activities: Workers will have no contact with anything that has been treated with the pesticide, including but not limited to, soil, water, air, or surfaces of plants.
- Short-term activities: Cannot start until at least four hours after the application is complete and a worker can spend no more than one hour in a 24-hour period conducting short-term activities.

Workers must wear all PPE specified on the label for early entry, and decontamination supplies for early-entry workers must be readily available nearby. The decontamination supplies required for early-entry workers are the same as for handlers and includes eye flush if the pesticide label requires eye protection. Before an early-entry worker enters the treated area under an REI, the employer must make sure they have either read the pesticide label, or that all hazards, precautions, poisoning symptoms, first aid, and required PPE have been explained to them. Workers also must be informed about the specifics of the pesticide application and the conditions of early entry.

Once the REI has expired, workers are free to enter as needed. Workers may do hand labor or other tasks, and they do not need to wear PPE. However, if workers will have contact with any treated surface, decontamination supplies must be readily available nearby -- for either seven days or 30 days, depending on the REI.

NOTE: *Specific entry restrictions can be found in WAC 16-233-111 and WAC 16-233-306.*

- To help prevent pesticides from contacting people directly or through drift, an “application exclusion zone” (AEZ) of 0-to-100 feet applies to all outdoor applications. (See Appendix D)
- Pesticide applications must stop until everyone except properly trained and equipped handlers involved in the application are out of the AEZ that is on the same property as the application.
- If the AEZ extends beyond the property boundary and someone enters the AEZ, then the application must be suspended until the applicator has determined no one will come in contact with pesticides. Once it has been determined no one will be contacted by the pesticides, the application can resume.

Summary of Entry Restrictions:

- Only properly trained pesticide handlers who are wearing the required PPE may be in the entry-restricted or treated area during the application.
- After the application is complete, no worker may enter until:
 - At least four hours after the application, unless the label specifically states the REI is zero hours.
 - The ventilation criteria in rule has been met.
 - Any inhalation exposure level listed in the labeling has been reached.
- Once the above three criteria are met, early entry is allowed. Workers who are properly trained and equipped with the required PPE may enter the restricted-entry or treated area to perform no-contact and short-term activities. No hand labor is allowed in either case.
- Decontamination supplies must be provided and readily accessible nearby for early-entry workers.
- After the REI has expired, workers have unlimited access to the treated area and no PPE is required. Decontamination supplies must still be provided for either seven days or 30 days, depending on the REI.

Specific entry restrictions can be found in WAC 16-233-111 and WAC 16-233-306.

Notification of Pesticide Applications

Workers must be notified of pesticide applications. If the label requires both oral notification and posting of warning signs, then both must be done. Warning signs must be the standard WPS sign, 14-by-16-inches, unless the standard sign is too large for the treated area. In which case, the rule allows for use of two smaller sizes. Follow specific posting locations and distance requirements that depend on the size of the lettering and symbol on the sign (see Appendix C).

If Oral notification is provided, it must be made to any worker that may enter the treated structure or may come within one-quarter mile of a treated outdoor area must provide:

- Location and description of the treated area.
- Time during which entry is restricted.
- Instructions not to enter the treated area until the restricted-entry interval has expired.

Greenhouses:

All greenhouse applications must be posted with warning signs when the REI is greater than four hours. When the label required REI is less than four hours, either oral notification or posted warning signs may be used, unless the label requires both oral notification and posting.

In greenhouses, the signs must be posted to be visible from all usual points where workers enter, including each aisle or other walking route. When the treated area has no usual points of worker entry, signs must be posted in the corners of the treated area or in any other location with maximum visibility.



Outdoor Grow Operations

All outdoor applications with greater than a 48-hour REI must post warning signs. When the label has a 48-hour or less REI, either oral notification or posted warning signs may be used unless the label requires both.

NOTE: *Specific notification requirements can be found in: **WAC 16-233-121.***

When posting, the signs must be visible from all usual points of worker entry, including at least each access road, footpath or other walking route that enters the treated area. When there are no usual points of worker entry, signs must be posted in the corners of the treated area or in any other location affording maximum visibility.

Figure 10 on the next page shows the standard 14-by-16-inch sign may be used or you can use smaller signs. If you use smaller signs, you may have to use more of them. With smaller signs, follow the specific posting distance requirements, depending on the size of the lettering and symbol on the sign (see Appendix C).

Display of Pesticide Safety Information

Safety Poster with Emergency Medical Care Facility Information

Certain safety information must be posted in various locations. You do not have to use the WPS Safety Poster (Figure 11), however it's the easiest way to make sure you include the ten required general pesticide safety items. You may purchase a poster from various sources or you can download WPS Safety Posters free from the Pesticide Education Resources Collaborative (PERC) website.

As the regulatory contact, add to the poster:

Washington State Department of Agriculture
 PO Box 42560
 Olympia, WA 98504
 Phone 1-844-388-2020.

Also, add the name, address, and telephone number of the medical facility where the injured person should go in case of emergency.

The general pesticide safety information must be posted at a location where it is readily seen and where workers can access it at all times they are present and at all permanent decontamination sites (see Figure 11).

Posting Information about Pesticide Applications

In addition to the general pesticide safety information, you must post the following information about all pesticide applications in an area where it is readily seen and accessed by workers at all times workers are present:

- Safety Data Sheets (SDS) for each pesticide applied.
- Location and description of the treated area.
- Product name, EPA registration number, and active ingredients (all found on the pesticide label).
- Date, and start and stop times when the pesticide was applied.
- Restricted-entry interval for the pesticide found on the pesticide label or four hours, whichever is longer, unless the label states the REI is zero hours.



Figure 10

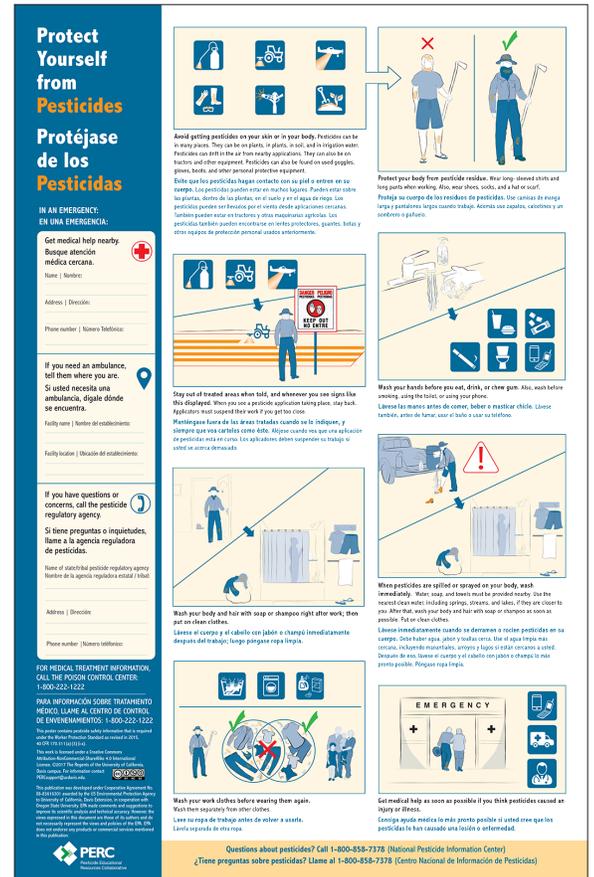


Figure 11 - WPS Pesticide Safety Poster with name, address and phone number of nearest emergency medical facility.

Post the information within 24 hours after the end of an application and keep it posted for 30 days after the REI has expired. The SDS and the pesticide application information must be kept on record for two years and must be made available to workers, handlers or their authorized representatives.

Specific posting requirements for displaying pesticide safety information can be found in WAC 16-233-026.

Emergency Assistance

If you have reason to believe that an employee has been poisoned or injured by a pesticide exposure, you must provide prompt transportation to an emergency medical facility. You must provide information about the circumstances of the exposure and the pesticide(s) involved. Take SDS and product labels with you.

Specific emergency assistance requirements can be found in WAC 16-233-021.

NOTE: *Specific emergency assistance requirements can be found in:*
WAC 16-233-121.

RESOURCES

WSDA Contacts:

Pesticide Compliance: 360-902-2040, compliance@agr.wa.gov

Pesticide Registration: 360-902-2080, pestreg@agr.wa.gov

Licensing and Recertification: 877-301-4555, license@agr.wa.gov

Online Resources:

Pesticide Educational Resources Collaborative - pesticideresources.org

Search for WPS. Includes safety poster and training videos.

U.S. Environmental Protection Agency - epa.gov/pesticides

Search for Worker Protection Standard. Also see “How to Comply Manual” and “Quick Reference Guide” under Additional Information.

Washington Pesticide Laws and Rules

Revised Code of Washington - apps.leg.wa.gov/RCW

- Pesticide Application Act: RCW 17.21
- Pesticide Control Act: RCW 15.58

Washington Administrative Code - apps.leg.wa.gov/WAC

- WSDA’s Worker Protection Standard rule: WAC 16-233
- Pesticide General Rules: WAC 16-228
- Chemigation and Fertigation Rules: WAC 16-202

Go to WSDA’s website at agr.wa.gov, and see:

- Worker Protection Standard
- Farmworker Education
- Pesticide Licensing
- Marijuana

Training and Study Materials

Washington State University Pesticide Safety Education - pep.wsu.edu/studymaterials

APPENDIX A

Emergency Eye flushing for Pesticide Handlers

Handler employers must provide a plumbed or portable emergency eye flush system at all pesticide mixing and loading stations or handler decontamination sites when a pesticide label requires protective eyewear. All permanent mixing and loading stations must have an emergency eye flush regardless of whether a label requires protective eyewear. The rule requires that the eye flush must be capable of delivering at least 1.5 liters (0.4 gallons) of water per minute for 15 minutes. To be consistent with Department of Labor & Industries' requirements in WAC 296-307-03930, WSDA requires an emergency eyewash be:

- Capable of irrigating and flushing both eyes simultaneously while the user holds their eyes open.
- Have an on-off valve that activates in one second or less and remains on without user assistance until intentionally turned off.

APPENDIX B

Greenhouse Entry Restrictions Associated with Pesticide Applications

- (1) As shown in Figure 12 on page 15, when a pesticide application described in column A takes place in a greenhouse, or other enclosed area, the agricultural employer must not allow or direct any person, other than an appropriately trained and equipped handler, to enter or remain in the area specified in column B until the time specified in column C has expired. (No early-entry workers allowed in this time frame.)
- (2) After the time specified in column C has expired, until the expiration of any restricted-entry interval, the agricultural employer must not allow or direct any worker to enter or to remain in the treated area as specified in column D, except properly trained and equipped early-entry workers.
- (3) When column C specifies that ventilation criteria must be met, ventilation must continue until the air concentration is measured to be equal to or less than the inhalation exposure level the labeling requires to be achieved. If no inhalation exposure level is listed on the labeling, ventilation must continue until after one of the following has been met:
 - (i) Ten air exchanges are completed.
 - (ii) Two hours of ventilation using fans or other mechanical ventilating systems.
 - (iii) Four hours of ventilation using vents, windows or other passive ventilation.
 - (iv) Eleven hours with no ventilation followed by one hour of mechanical ventilation.
 - (v) Eleven hours with no ventilation followed by two hours of passive ventilation.
 - (vi) Twenty-four hours with no ventilation.

GREENHOUSE ENTRY RESTRICTIONS ASSOCIATED WITH PESTICIDE APPLICATIONS

A When a pesticide is applied:	B Workers are prohibited in:	C Until:	D After the expiration of time in Column C until the restricted-entry interval expires, the entry-restricted area is:
(1) As a fumigant	<i>Entire greenhouse plus any adjacent structure that cannot be sealed off from the treated area</i>	<i>The ventilation criteria of paragraph (c)(3) of this section are met</i>	<i>No entry restrictions after criteria in column C are met</i>
(2) As any of the following: (i) Smoke (ii) Mist (iii) Fog (iv) Aerosol	<i>Entire enclosed area</i>	<i>The ventilation criteria of paragraph (c)(3) of this section are met</i>	<i>Entire enclosed area is the treated area</i>
(3) Not in 1 or 2 above, and for which a respiratory protection device is required by the product labeling	<i>Entire enclosed area</i>	<i>The ventilation criteria of paragraph (c)(3) of this section are met</i>	<i>Treated area</i>
(4) Not in 1, 2, or 3 above, and was applied in one of the following ways: (i) From a height greater than 12 in. from the planting medium (ii) As a fine spray (iii) Using pressure greater than 40 psi	<i>Treated area plus 25 feet in all directions in the enclosed area</i>	<i>Application is complete</i>	<i>Treated area</i>
(5) Pesticide was applied by a method not stated in 1, 2, 3, or 4 above.	<i>Treated area</i>	<i>Application is complete</i>	<i>Treated area</i>

Figure 12

APPENDIX C

Size and posting distance for smaller warning signs in greenhouses

Excerpts from WAC 16-233-121(2)(b) The warning sign must have a white background. The words "DANGER" and "PELIGRO," plus "PESTICIDES" and "PESTICIDAS," must be at the top of the sign, and the words "KEEP OUT" and "NO ENTRE" must be at the bottom of the sign. Letters for all words must be clearly legible. A circle containing an upraised hand on the left and a stern face on the right must be near the center of the sign. The inside of the circle must be red, except that the hand and a large portion of the face must be in white. The length of the hand must be at least twice the height of the smallest letters. The length of the face must be only slightly smaller than the hand. Additional information such as the name of the pesticide and the date of application may appear on the warning sign if it does not detract from the size and appearance of the sign or change the meaning of the required information.

The employer may replace the Spanish portion of the warning sign with a non-English language read by the largest group of workers who do not read English. The replacement sign must be in the same format as the original sign and be visible and legible.

Excerpts WAC 16-233-121(2) (c) The standard sign must be at least 14-by-16 inches with letters at least one inch in height. Outdoor (farms, forests, etc.) must use the standard size sign unless a smaller sign is necessary because the treated area is too small to accommodate a sign of this size. Enclosed space areas such as nurseries and greenhouses, the agricultural employer may use a sign smaller than the standard size sign. Whenever a small sign is used on any establishment, there are specific posting distances depending on the size of the lettering and symbol on the sign. If a sign is used with DANGER and PELIGRO in letters at least 7/8 inch in height and the remaining letters at least 1/2 inch in height and a red circle at least three inches in diameter containing an upraised hand and a stern face, the signs must be no further than fifty feet apart. If a sign is used with DANGER and PELIGRO in letters at least 7/16 inch in height and the remaining letters at least 1/4 inch in height and a red circle at least 1 1/2 inches in diameter containing an upraised hand and a stern face, the signs must be no further than twenty-five feet apart. A sign with DANGER and PELIGRO in letters less than 7/16 inch in height or with any words in letters less than 1/4 inch in height or a red circle smaller than 1 1/2 inches in diameter containing an upraised hand and a stern face will not satisfy the requirements of the rule. All signs must meet the requirements of (b) and (c) of this subsection.

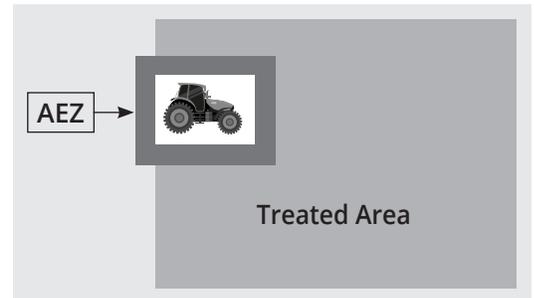
In greenhouses, the signs shall be posted so they are visible from all usual points of worker entry to the treated area including each aisle or other walking route that enters the treated area. When there are no usual points of worker entry to the treated area, signs shall be posted in the corners of the treated area or in any other location affording maximum visibility.

APPENDIX D

Measuring the Application Exclusion Zone (AEZ)

Measure the AEZ from the application equipment horizontally in all directions. The AEZ moves with the application equipment like a halo around the application equipment.

Once the application is over, the AEZ does not exist.



Size of the Application Exclusion Zone (AEZ)

The size of the AEZ is determined by the application method and spray quality.

Spray quality (defined by the American Society of Agricultural and Biological Engineers Standard S-572.1) considers several factors including the nozzle design, system pressure, and speed of the application equipment. The eight spray quality categories (referenced in nozzle charts) include:

Smaller than medium:	Medium or larger:
<ul style="list-style-type: none">• Extra Fine (XF)• Very Fine (VF)• Fine (F)	<ul style="list-style-type: none">• Medium (M)• Coarse (C)• Very Coarse (VC)• Extra Course (EC)• Ultra Course (UC)

The AEZ must be a minimum of 100 feet when the pesticide is applied by any of these methods:

- By air (fixed wing or helicopter)
- By air blast
- As a spray using a spray quality smaller than medium (i.e. fine, very fine or extra fine)
- As a fumigant, smoke, mist, or fog

The AEZ must be a minimum of 25 feet when the pesticide is both:

- NOT applied in a manner that would require a 100-foot AEZ (see above).
- Sprayed from a height of greater than 12 inches from the planting medium (soil) using a spray quality of medium or larger (i.e., medium, coarse, very coarse, extra coarse and ultra-coarse).

No AEZ is required when the pesticide is applied in a manner other than those covered above (i.e. less than 12 inches from the soil with medium or larger spray quality).

Note: The AEZ can extend beyond the treated area and even beyond the property boundary.

APPENDIX E

Form 4159 - printable form for tracking employees' WPS training is on the next two pages.

A fillable version is available on the WSDA website at:
cms.agr.wa.gov/WSDAKentico/Documents/Forms/4159-WPSTrainingRecord.pdf



Washington
State Department of
Agriculture

Pesticide Management Division
PO Box 42560
Olympia WA 98504
1-844-388-2020

Worker Protection Standard (WPS) — Training Verification Record

For: _____ On: _____
Agricultural Employer Date

Trainer: _____
Printed Name Signature

Trainer's Business Name (if not the Ag Employer): _____

Trainer's Qualification	
WSDA Pesticide License Number: _____	Expiration Date: _____
WSDA Train the Trainer Certification: _____	Date Certified: _____

Source, Title, Description, and Number of EPA approved training materials used

Training Verification		
By signing below I agree I attended the above described WPS training and was trained as a Worker and/or Handler. The training was presented in a language I understand, and my questions were answered.		
Employee Name (print)	Trained as Worker (employee signature)	Trained as Handler (employee signature)

