

March 5, 2015

Administrator Gina McCarthy
United States Environmental Protection Agency
Washington, DC 20210

Re: Recommendations on Agricultural Worker Protection Standards

Dear Administrator McCarthy:

Pursuant to our charge to providing advice and recommendations about EPA efforts to “improve the environment or public health in communities disproportionately burdened by environmental harms and risks,” the National Environmental Justice Advisory Council (NEJAC) respectfully provides the following recommendations related to the Agricultural Worker Protection Standards.

1. Children under 18 years of age should not work as pesticide applicators. EPA should not allow children as young as 16 to apply pesticides because these children are still developing and high levels of exposure to pesticides could have life-long health effects.
2. Training and record-keeping should be improved. EPA should ensure that workers are provided with training on preventing take-home exposures to their families to protect their families’ health. This training should be provided in the appropriate language for persons who are limited English proficient using linguistically appropriate language that is non-technical. Also, EPA should require all workers to be adequately trained *before* they work; EPA should not allow a ‘grace period’ before full worker protection standard training is required. EPA should ensure that states that have taken responsibility for training ensure training is provided before workers begin applying pesticides in order to protect the health of the workers and their families.
3. The current requirement for central posting should be enhanced. Farmworkers should not be expected to question their bosses in order to obtain information about pesticide

applications that may endanger their health. Central postings should be in the appropriate language for non-English speaking workers in a linguistically appropriate non-technical language.

4. Workers, their families, and nearby residents should be better protected from drifting pesticides. The drifting pesticide safeguards should extend to workers in harm's way who work at a neighboring establishment and during the day after application when pesticide is volatilizing off the field. These protections should also extend to nearby residents and to the workers' families to protect their health.
5. Pesticide handlers deserve improved safeguards. NEJAC supports the improvements in the worker protection standard revisions and suggests additional improvements to protect worker health. Medical evaluation, fit-testing, and training should be required for all respirators and should not exempt dust and mist filtering masks. Medical monitoring should be required in the worker protection standard. Further, the worker protection standard should require the use of closed systems when handling highly toxic categories of pesticides.

After hearing compelling testimony during public comment on October 1, 2014, the NEJAC determined that the above recommendations are consistent with our charge to comment on EPA efforts to "improve the environment or public health in communities disproportionately burdened by environmental harms and risks."

Respectfully,

NEJAC