

EPA's Agricultural Worker Protection Regulation 2015 Revisions

DRAFT Outreach and Implementation Strategy

From Signature to Implementation

Background and Purpose

The EPA's revisions to the worker protection regulation will increase protections for the nation's two million farm workers and their families from pesticide exposure. The regulation, covering farms, forests, nurseries and greenhouses, has not been updated for 20 years. For many Americans, these revisions are long overdue. The revisions mark an important milestone for the farm workers who plant, tend, and harvest the food that we put on our tables each day. EPA's revised regulation will afford farm workers similar health protections to those already enjoyed by workers in other jobs. Protecting our nation's farm workers from harmful pesticide exposures is at the core of EPA's work to ensure environmental justice for all Americans.

EPA's [Agricultural Worker Protection Regulation](#) (40 CFR 170) was promulgated in 1992, but not implemented and enforced in the field until 1995-6. This delay was mandated by Congress until EPA created the necessary training materials for pesticide workers and pesticide handlers, the communications networks with affected stakeholders, the compliance assistance materials for agricultural employers, and the inspection guidance materials for state regulators. The 2015 revisions to the 1992 agricultural worker protection regulation will have a phased implementation that will allow us to make the necessary changes to training and compliance assistance materials for effective implementation.

EPA headquarters and regional staff need to build on prior outreach and existing stakeholder relationships by tailoring efforts to educate farmworkers, agricultural employers, state regulators, and health care providers about the health-related dangers of working with and around pesticides, and how the revised regulation can bring about needed protections.

Scope

This outreach strategy is designed to be implemented over the course of multiple years, throughout the country, by coordinated efforts at the headquarters and regional levels. It will focus specialized attention on agricultural areas, underserved communities and communities / populations at higher risk for exposure to pesticides.

Outreach on WPS will be an ongoing, multi-year effort focused on enhancing knowledge of the rule and its impact with the regulated entities. This strategy will seek to communicate messages via multiple channels to regulated entities and impacted communities. Wherever possible, EPA should partner with other organizations to maximize resources and amplify the potential impact.

Goals

In implementing this strategy, EPA will:

- Reach the regulated entities and impacted communities by leveraging existing federal, state, local and tribal government, advocacy, and agriculture partnerships and establishing new partnerships in areas where additional resources are needed.
- Conduct a nationally coordinated approach to deliver EPA's main messages on the implementation of the WPS revisions and avoid duplication of efforts through collaboration between headquarters and regions.
- Leverage EPA's national outreach and educational resources by identifying common and replicable activities that have proven successful.
- Develop a system to share outreach and education materials, activities, and best practices that are accessible by all implementing entities.

Implementation and Outreach Activities Overview:

National Activities:

- Develop outreach material, website, update existing training material, inspection guidance, how-to-comply, etc. Prioritize materials based on regional, state, and tribal feedback on which materials are essential to implementation success.
- Coordinate final rule rollout including talking points, press release, and national media events.
- Work with major stakeholder groups to gain commitments meant to amplify national announcement and events, serve as validators for importance of WPS revisions.
- Utilize Worker Safety Group SharePoint site to coordinate implementation activities with the regions, as well as host relevant draft and final documents.
- Work with EPA Ag Advisor, Ron Carlton to connect with Ag community (briefings, encourage outreach activities, speaking events).
- Engage national worker advocacy groups, Ag associations, private applicator certification programs, growers, and employers (including conference/convention attendance).
- Engage leadership of major government organizations in months leading up to signature (AAPCO, SFIREG, TPPC).
- Plan national WPS Pesticide Regulatory Education Program (PREP) course.
- Disseminate updated WPS training materials online and in hard copy, including mailing copies to regional, state and tribal contacts.

Suggested Additional Activities:

- Organize implementation forums and roundtable discussions in coordination with regions, states and tribes when appropriate.
- Conduct webinars to informally train stakeholders on the major WPS revisions.
- Co-author articles / blog posts on existing stakeholder platforms (newsletters).
- Initiate or utilize existing internships or fellowships with stakeholder organizations focused on 'grassroots' outreach.

Regional Activities:

- Provide feedback on implementation materials developed by HQ, for use in regions and by states and tribes, including stakeholder contact information.
- Commit to at least one amplification event to occur within one month of signature; facilitate, host and participate in amplification activities, including implementation forums and roundtable discussions, outreach to regional advocacy groups, grower groups and organizations, as needed.
- Coordinate with EPA Regional Ag Advisors (brief advisor on action, proposed outreach activities).
- Hold advance calls with state lead agencies and tribes to determine their outreach plans – include outreach materials, talking points.
- Coordinate with regional state agricultural associations and continue to participate in their regular meetings (ex: Northeastern (NEASDA), Midwestern (MASDA), Southern (SASDA), Western (WASDA)).
- Train state and tribal inspectors on updated WPS requirements.
- Attend and participate in any efforts initiated by HQ taking place in the region.
- Assist with training and outreach materials dissemination to state lead agencies and tribes.

Suggested Additional Activities:

- Utilize regional Listservs, social media, and outreach networks to share relevant information, including updated training material created by HQ. Work with state/local governments and tribes to cross-post up-to-date information.
- Initiate or utilize existing internships or fellowships with stakeholder organizations focused on 'grassroots' outreach.

State/Tribal Activities:

- Disseminate national and state/tribal outreach and training materials to growers and stakeholders via compliance assistance visits, attendance at grower meetings, etc.
- Leverage State Land Grant Universities/University Extension/Tribal Education networks and online resources to reach growers, ag producers.
- Conduct compliance assistance with growers.
- Update state/tribal webpages and social media with relevant information, including updated training materials.
- Update existing state/tribal-level training or educational material, if desired and appropriate.
- Attend and participate in any efforts initiated by HQ taking place in the state or Indian country.

Summary of WPS Implementation Plan & Schedule

	January-Sept 2015 Tasks leading up to & for the final rule	Oct 2015 – March 2016 Tasks for 6mos following publication of final rule	April – Sept 2016 Tasks to prepare for enforcement date & training deadline	Oct 2016 – March 2017 Implement training; follow up actions & amplification
General Communication	<ul style="list-style-type: none"> • Develop comm strategy and materials • At signature, release: press release, web, events, fact sheets, videos 	Additional public communications: blogs, events, social media, press interviews*	<ul style="list-style-type: none"> • Develop communications on enforcement date • Hold targeted events, other amplification (letters, op-eds, etc) 	Publish FRN announcing availability of training materials
Stakeholder Education	<ul style="list-style-type: none"> • Develop initial education materials, e.g., WPS comparison table, fact sheets, Quick Reference Guide (2pg) • Prioritize WPS publications for updating via discussions with Regions and States 	<ul style="list-style-type: none"> • Develop and hold PREP course, PIRT course & webinars • Develop detailed PPTs on key topics (e.g., respirator requirements; drift-related requirements) • Develop and issue revised “How to Comply” manual 	Deliver national and regional courses, trainings and webinars	Deliver national and regional courses, trainings and webinars
Regulatory Partners	<ul style="list-style-type: none"> • Form regional implementation strategy workgroup, vet strategy through HQ/Regional management • Hold “primer” call(s) with Regions at signature 	<ul style="list-style-type: none"> • Issue implementation guidance (including compliance monitoring strategy; updates to NPM guidance and state grant guidance) • Issue state equivalency guidance • Update inspector guidance and develop inspector pocket (smart phone?) guidance 	Issue equivalency decisions	
Training		<ul style="list-style-type: none"> • Revise worker train-the-trainer (TTT) manual and develop TTT program • Develop revised training materials 	<ul style="list-style-type: none"> • Implement the train-the-trainer program • Develop revised training materials 	Issue revised training materials for workers and handlers: English/Spanish training manuals & videos
Other	Update current interpretive guidance - Q&As as needed	<ul style="list-style-type: none"> • Develop policy/process to address rule questions • Update interpretive guidance Q&As as needed 	<ul style="list-style-type: none"> • Update interpretive guidance Q&As as needed • Issue revised safety posters, other pesticide safety information materials 	• Update interpretive guidance Q&As as needed
	<i>Ensure any contract, grants, or cooperative agreements needed are in place for each phase 3-6 months out.</i>			
	<i>*See separate communications plan for full details of communications rollout for the first month after signature.</i>			

Appendix I: Current Worker Safety Leads for EPA

HQ/OPP – Kevin Keaney, Anne Overstreet, Kathy Davis, Jeanne Kasai, Richard Pont

Region 1 - Andrea Szylvian

Region 2 - Audrey Moore

Region 3 - Magda Rodriguez-Hunt

Region 4 - Christine Fortuin

Region 5 - Donald Baumgartner

Region 6 - Elizabeth Reyes, Gregory Weiler

Region 7 - Doug Jones

Region 8 - Suzanne Stevenson

Region 9 - Katy Wilcoxon

Region 10 - Derrick Terada

HQ/OECA - Carol Galloway

HQ/OGC - Scott Garrison

Ag Compliance Center -Ginah Mortensen (based in R7)

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