



January 25, 2020

Docket ID: EPA-HQ-OPP-2017-0543

Environmental Protection Agency
Office of Pesticide Programs (OPP) Docket
EPA Docket Center (28221T)
1200 Pennsylvania Avenue, NW
Washington, DC 20460-0001

Subject: EPA-HQ-OPP-2017-0543, "Agricultural Worker Protection Standard; Revision of the Application Exclusion Zone Requirements: Pesticides"

The Weed Science Society of America (WSSA), along with the Aquatic Plant Management Society, the North Central Weed Science Society, Northeastern Weed Science Society, Southern Weed Science Society and the Western Society of Weed Science represent over 3000 weed scientists from around the world. Members include academic, governmental, and private industry research scientists, university extension professionals, educators, graduate students, and federal, state, county, and private land managers. We welcome the opportunity to comment on the Revision of the Application Exclusion Zone (AEZ) Requirements. We applaud the Environmental Protection Agency (EPA or the Agency) for its efforts and time on the current standards and for allowing public comments to improve and simplify the AEZ for pesticide applicators.

In this letter, the National and Regional Weed Science Societies wish to communicate their support for the proposed changes to the AEZ Requirements.

When Handlers May Resume Application

To clarify the current AEZ requirements and reduce suspended pesticide applications, the Agency has proposed the following language to when pesticide handlers may resume application after a person has entered the AEZ: “handlers may resume a suspended application when no workers or other persons (other than appropriately trained and equipped handlers involved in the application) remain in an AEZ within the boundaries of the establishment.” This ensures that paused pesticide applications are not permanently suspended, reducing wasted time and cost for the applicator.

The proposed rule would also allow pesticide applicators to continue their application when a person they do not have control over (e.g. utility or maintenance personnel) are inside the AEZ boundaries, so long as the applicator still follows the 2015 Worker Protection Standard (WPS) “do not contact” rule and ensures that the pesticide will not contact the person through either direct contact or drift.

The Weed Science Societies support this clarifying language to allow for resuming of suspended applications so long as the persons are deemed safe according to the “do not contact” provision in the WPS. This clarifying language will help many pesticide applicators ensure they are following regulations and maintaining a safe environment for all.

AEZ Requirements for Outdoor Production

The Agency has added clarifying language and redefined AEZ boundaries that are now based on type of sprayed applications (aerially, air-propelled, or fumigants vs liquid spray) rather than defined by droplet size and lowering the AEZ to 25-feet for ground pesticide applications. These revisions simplify compliance for pesticide applicators and reduce the need for additional record-keeping.

Expand Exemption to Immediate Families

The Agency has proposed allowing immediate family members to remain inside closed buildings inside the AEZ boundaries during pesticide applications, with the hopes that this would reduce the burden to applicators who are on their own family farm. It is assumed that immediate family members, including children, would still be as safe as under the current regulations due to the applicators goal of protecting his/her family members. The Weed Science Societies agree that this would reduce considerable burden on farmers and their family members, and also agree this is a safe adjustment to the current regulation.

We applaud and commend the EPA’s efforts toward stakeholder outreach and for the AEZ regulation revisions that are simpler to both understand and abide by. These revisions still maintain the safety of those working with or near pesticide applications, as determined by the WPS. We, the National and Regional Weed Science Societies, fully support the proposed changes as documented in EPA docket# EPA-HQ-OPP-2017-0543 and recommend that the EPA should move forward with finalizing the Proposed Revisions.

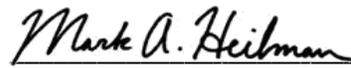
Sincerely,



Larry Steckel

President

Weed Science Society of America



Mark Heilman

President

Aquatic Plant Management Society



Stott Howard

President

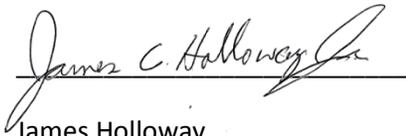
North Central Weed Science Society



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