

The background of the slide is a scenic landscape. The top two-thirds of the image is a clear blue sky filled with delicate, white, wispy clouds. The bottom third of the image shows a lush green foreground of bushes and trees, with a distant view of rolling hills and a small town under a clear sky.

# Oregon Changes to the Worker Protection Standard

# Application Exclusion Zone An Oregon Varietal

- Oregon did not adopt 40 CFR 170.405(a) but instead proposed OAR 437-004-6405.
- An AEZ is NOT a buffer zone
- An AEZ does not have an REI
- Labels already say, “Do not allow contact....”



## **OR-OSHA Proposes 150ft Buffers for Pesticides**

Oregon Occupational Safety and Health Administration (OR-OSHA) has issued a proposed rule for the implementation of the updated Federal Worker Protection Standard (WPS). The proposed rule is related to the application exclusion zone (AEZ) which is an area around the application equipment during a pesticide application that moves with the application equipment like a halo. OR-OSHA has gone above the Federal standard by proposing AEZs that go up to 150ft for some pesticide products.

**TAKE ACTION NOW TO TELL OR-OSHA WHY THESE BUFFERS ARE UNNECESSARY**





**YOU have an opportunity to make a difference!**

**Oregon OSHA is amending farm worker safety rules and we have a chance to make clear: farm workers and their families deserve humane protection from toxic pesticide drift.**

Read my latest blog, "[Oregon Farm Workers are Fighting for their Lives](#)"

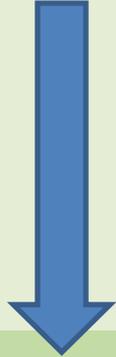
#### **BACKGROUND**

In Oregon, many farm workers live on the work site during the preparation season, the growing season and the harvest season (April–October). They live in what is called labor housing. Frequently, labor housing consists of small structures resembling shacks – there is no running water, bathroom or kitchen. Workers have to leave the structure to go to cooking, shower and bathroom areas. Windows are often boarded up with cardboard or plywood. Quite often, these are not air-tight structures.

In 2016 OSHA proposed draft rules to implement new federal rules to protect farm workers from pesticides. The issue is the Application Exclusion Zone, an area of 100 ft. from the active spray operation where no worker or other person is allowed to be present due to the likelihood of exposure to pesticide spray or drift. Oregon is not protecting workers with the required 100 ft. buffer zone!

Instead they are offering a "Compliance Alternative" to the federal rule. OSHA will require workers to stay inside their shabby shacks during a pesticide spray taking place all around their housing.

This means Oregon OSHA is proposing two pesticide exposure options that **do not** reduce the high health and safety risk that Oregon's farm workers



#### **BOTTOM LINE**

Neither sheltering in place or walking 150 ft. away from an active spray operation are adequate protections for farm workers and their families. Requiring a no-spray buffer zone around farm worker housing and living areas - where people sleep, eat, bathe and play - is the most effective way to minimize their exposure risks to pesticides. At a minimum, **OSHA must protect farm workers and their families using a 300 ft. no-spray buffer zone** that would help improve workplace safety and health for all workers in Oregon.

[READ more details->>](#)



#### **TAKE ACTION**

**Make clear to Oregon OSHA that farm workers and their families deserve humane protection from toxic pesticide drift.**

Our concern is that there are no pesticide-free buffer zones to protect the living areas where farm workers and their families sleep, cook, eat and play with their children.

- 1) See our [list of public hearings scheduled by Oregon OSHA](#) to take public testimony on their proposed rules.
- 2) Send [a RAPID RESPONSE email TODAY](#) to show your support for our position.

# Oregon Varietal

Application Method	Any other	ground boom / backpack sprayer (powered or unpowered)	air blast or aerial spraying	air blast or aerial spraying
Spray quality*	Medium or larger	Any size	Smaller than medium	Smaller than medium
Respirator required on the label	-	-	-	Required Respirator
Application Exclusion Zone (AEZ)	0 feet or Not required AEZ	25 feet	100 feet	150 feet
Stay or Evacuate from the AEZ**	-	Stay or Evacuate the AEZ	Stay or Evacuate the AEZ	Evacuate the AEZ

- a) All doors and windows closed; and**
- b) Any air in-take devices or mechanisms turned off; and**
- c) Provisions to protect or store personal or household items that are not located in an enclosed agricultural structure from potential contamination; and**
- d) A closeable storage area for shoes/boots to prevent tracking of pesticide into the structures where people live or reside.**

**a) Instructions on closing windows and doors to minimize exposure to outside air regardless of whether they are staying inside the enclosed agricultural structure or evacuating during nearby pesticide applications.**

**b) Instructions on how to close potential air-intakes and any other measures to minimize exposure to outside air during nearby pesticide applications.**

**c) The start and stop times for remaining inside the enclosed agricultural structures and how to determine when the application equipment is in range.**

**d) Instructions as to whether people can, as appropriate, evacuate or stay in an enclosed agricultural structure, how to maintain protective measures, and how long they must remain outside the AEZ.**

**e) Instructions on how to protect personal or household items in the AEZ from potential contamination.**

**6) Employers must provide information and will ensure that all adult occupants of enclosed agricultural structures within the AEZ have access to:**

**a) An information station located in close proximity to enclosed agricultural structures that contain information on pending applications, with a means of alerting occupants to changing information.**

**b) Information on how to prevent and reduce pesticide exposure.**

**c) Information about the location of the pesticide safety information required by Sec. 170.311(a)**

## **OAR 437-004-6406 Pesticide spray drift and innovative methods:**

**1) Agricultural employers and handler employers must ensure that pesticide spray applications under their control do not drift and make contact with labor housing areas or other structures used by employees, including enclosed agricultural structures within an AEZ.**

**2) To encourage innovation including the use of EPA's Drift Reduction Technology, and other methods that the employer can demonstrate reduces the potential for spray drift, Oregon OSHA may grant approval for an AEZ that differs from the rule requirements yet meets the intent of these rules through the variance process described in OAR 437-001-0400.**