

US EPA ARCHIVE DOCUMENT



Update on:

Activity-Based Reentry

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October 21, 2004



What is Activity-Based Reentry?

- Setting multiple reentry restrictions for a single crop based on the hand labor task performed.
- Two ways to implement
 - Multiple REI
 - REI with exception or prohibition



Multiple REI

- More than one REI for the same crop depending on task being performed.

Example:

REI for harvesting & pruning is 14 days

REI for hoeing is 2 days



REI with Exception/Prohibition

- Single REI for a crop while allowing certain hand labor task be performed during the REI expires.

Example:

REI: 14 days. Exception: workers may enter treated area 48 hours after application to hoe.



Comparison of Approaches

- Both achieve same risk-management outcome.
- Multiple REI creates inconsistency with WPS posting requirements.
- Both require good communications



Independent of WPS Exceptions & Exemptions

- No Contact *(170.112(b))*
- Short-term *(170.112(c))*
- Agricultural Emergencies *(170.112(d))*
- Irrigation *(170.112(e))*
- Rose *(170.112(e))*
- Limited Contact *(170.112(e))*
- Certified Crop Advisors *(170.204(b))*



Concerns with Either Approach

- Compromise Effectiveness of WPS training
- Complex Labels Reduce Compliance
- Difficult to Enforce



Advantages of Approach

- Afford flexibility and helps maintain critical use
- Reflects understanding of risks
- Provides additional risk-management tool.



Current Guidance

- Developed in response to establishment of use of multiple REI
- Developed in consultation with:
 - States
 - EPA Field & HQ Enforcement staff
 - OPP risk-manager
 - OPP's Worker Protection staff



Guidance (cont.)

- Set single REI on longest duration with exception/prohibition
- Use sparingly based on agronomic need
- Ask for documentation of need to consider exception



Stakeholder Involvement

- Three stakeholder meetings
- Multiple meetings with states
- Arranged meeting with ARTF & States
- Individual Discussions with Worker and Grower Groups



Stakeholder Perspective

- States/EPA Enforcement
- Registrants
- Worker groups
- Grower groups



Stakeholder Suggestions

- More routine use of exceptions/prohibitions
- Remove “Unforeseen” language from low contact and irrigation exceptions
- Make products with exceptions double notification chemicals
- Expand Posting information
- Incorporate WPS exemptions on labels



Current Plan

- Continue case-by-case approach
- Internally consider stakeholder and co-regulators input



Guiding Principles for Any Changes in Current Approach

- Provide equal or better worker protection
- Maintain enforceability
- Manageable for growers
- Understandable to all stakeholders
- Opportunity for public input



List of Handouts

- Guidance
- Benefits Information
- Examples of Actual Labels
- SFIREG Position Paper
- ARTF Proposal
- FWJ Letter
- Summary of WPS Exceptions & Exemptions