

SUPPLEMENTARY INFORMATION:

I. Background

This proposed WPS rule amendment is one of a series of Agency actions in response to concerns raised since publication of the final rule in August 1992 by those interested in and affected by the rule. In addition to this proposed amendment, EPA is publishing four other notices soliciting public comment on concerns raised by various affected parties. Other actions EPA is considering include: (1) modification to the worker training requirements; (2) requirements for crop advisors; (3) reduced restricted entry intervals (REIs) for low risk pesticides; and (4) reduced early entry restrictions for activities involving limited contact with treated surfaces. The Agency is interested in receiving comments on all options and questions presented.

Section 170.112(e) of the Worker Protection Standard for Agricultural Pesticides (WPS) (40 CFR part 170), published at 57 FR 38102 (August 21, 1992), provides a mechanism for considering exceptions to the WPS provision that limits early entry during a restricted-entry interval (REI) to perform agricultural tasks, including irrigation tasks. The Agency has received requests for exceptions to the early entry limitations for performing irrigation tasks from parties in the States of California and Hawaii. The California parties also requested an indefinite entry period for frost-prevention tasks; this request has been returned to the requesters for additional supporting information and may be considered later. The Agency is proposing for consideration a national exception to the WPS early entry restrictions for performing irrigation tasks. The purpose of this notice is to solicit further information and comment on the proposal to assist the Agency in determining whether the conditions of entry under any of the proposed exceptions would pose unreasonable risks to workers performing the permitted irrigation tasks during a restricted-entry interval. In addition, EPA solicits further information about the economic impact of granting or not granting the proposed exceptions. For further information please contact the person list under FOR FURTHER INFORMATION CONTACT above, or your regional or State official as noted in the following List:

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