

(2) Whether use of personal protective equipment while performing irrigation work is feasible; and to what extent PPE is necessary to reduce risk to workers performing irrigation tasks.

(3) Whether it is reasonable to expect early entry irrigation workers to wear the early entry PPE required on the pesticide label.

(4) Whether feasible alternative practices would make routine early entry unnecessary to perform irrigation work.

(5) Whether an exception is necessary to perform all irrigation tasks on all crop sites, or whether the Agency decision should differentiate among irrigation tasks or crops.

(6) Whether an exception is necessary in all States, or whether the Agency decision should differentiate among States or regions (two or more States in one area) because of climate, water availability, or for other reasons.

(7) The economic impact on the agricultural industry (or portions of the agricultural industry) of continued limitation of irrigation tasks during WPS restricted-entry intervals if the requested exception (or part of the exception) is not granted.

(8) Other States' regulation of irrigation workers' exposure to pesticides.

B. Exposure Data to Evaluate Irrigation Exception Proposals

To fully evaluate the exception proposals, the Agency solicits specific information concerning the following:

(1) Potential worker exposure to pesticide residues related to early-entry irrigation activities, including setting-up, running, maintaining, checking, repairing, and moving irrigation equipment for different irrigation systems and equipment.

(2) The amount of potential worker exposure/contact with surface residues or pesticides, including residues on soil, foliage, and irrigation pipes and equipment, including the expected timing, frequency, and duration of exposure.

(3) The potential for field/site variables to affect potential exposure such as type of crop, crop height and density, crop row spacing, or whether surface residues are wet or dry.

(4) Minimal exposure irrigation practices including incidental or intermittent exposure to surface residues on soil, foliage, irrigation pipes and equipment; versus potentially high exposure practices involving prolonged or continuous hand and upper body exposure from contact with residues on medium to tall crops, or moving irrigation pipes that may have high

surface pesticide residues from being exposed in the field during pesticide spray operations.

C. Benefits Data to Support Exception

EPA is specifically interested in benefits data that include, but are not limited to, the following:

(1) Identification of the crops, specific production tasks and/or unique geographic areas for which this exception would apply. A well supported explanation of the use practices (e.g. typical rates, number and methods of application) that would be adversely impacted by denying the exception.

(2) Evaluation of technically and financially viable alternatives for each crop/task combination and projection of the most likely alternative(s) that would be adopted by the growers in each unique geographic area if no exception is granted (e.g., rescheduling pesticide application or irrigation tasks, using non-chemical pest controls or shorter REI pesticides, utilizing different irrigation systems or agronomic practices, producing different crops, or any other adjustments that may be relevant). The submitted evaluations of impacts should be supported with documented empirical data as fully as possible; if experimental data are lacking, the basis for projected impacts must be adequately explained and documented.

(3) Unique geographic estimates of grower impacts per acre for crop yield, market grade or quality, revenues, and production costs. These estimates should be based on the assumption that the growers will adopt the most likely alternative(s). Any new investment costs associated with the REI should be appropriately annualized. All estimates should be sufficiently documented for items such as current crop production budgets and comparative efficacy/performance studies for alternative pest control practices. Background information such as five previous years of data associated with total acres grown or harvested, total production/yield, farm level prices, market grades and other relevant information for each unique geographic area should be provided in order to establish a baseline.

(4) Aggregate grower level impacts on an annual basis for all estimated impacted acres in each unique geographic area. Estimation of expected crop price changes, if any, without the exception and the basis for these estimates.

(5) Estimation of any other significant economic impacts that are expected if the exception is not granted. Examples

include impacts on consumers and foreign trade, regional shifts in commodity production, or social/community effects associated with local employment and income.

D. Other Valuable Data Solicited

The Agency also solicits comment and information (including scientific data, where available) on the Agency's proposed exception and on several possible modifications to the proposed exception that the Agency is considering. These modifications include:

(1) Establishing specific criteria for determining whether the early-entry is a necessity rather than a convenience.

(2) Excluding from the exception all pesticides with the signal word DANGER in addition to (or rather than) those with "double notification."

E. Applicability of Exceptions

EPA remains convinced that routine entry for unlimited time periods into areas remaining under a restricted-entry interval should not be allowed except under rare circumstances. Therefore, if the Agency grants a special exception for irrigation tasks, it intends, to the extent feasible, to limit the exception to situations where entry during the restricted-entry interval is a technical and economic necessity. The Agency seeks comments and information about:

(1) Criteria limiting the exception to situations where the availability of irrigation water is unpredictable or the length of the REI exceeds the acceptable watering interval for the crop.

(2) Situations where entry during a restricted-entry interval is an economic necessity.

(3) Situations where entry during a restricted-entry interval is a technical necessity.

(4) Other possible criteria for limiting an exception to those circumstances where early entry is unavoidable.

(5) Excluding double-notification pesticides from any exception it may grant.

(6) Whether to exclude all products with the signal word DANGER from any exception it may grant. EPA notes, however, that signal words are based on the acute toxicity of the end-use (formulated) product by any route of entry. The signal word would not reflect any concerns about delayed effects or sensitization. Furthermore, a DANGER signal word may be a result of an irritating "inert" ingredient in the formulated product that is volatile and thus is no longer present beyond 4 hours after the application is complete. Also, the DANGER signal word may be based on oral or inhalation toxicity,