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GENERAL COMMENTS

No.	Comment	Commentor
1	This notification requirement should also extend off the individual farm to notification of other farms, residences, schools and other businesses within ¼ mile of the field being treated. The proposal should be revised to make the pesticide applicator responsible for notifying all property operators within ¼ mile of a field to be treated and these property operators should in turn be required to notify all persons who reside or can be anticipated to be within ¼ mile of the treated field between the time the notification is given and notice of completion is received. Notification of neighboring operators should occur in writing and with sufficient advance notice to allow for changes in work practices. Posting of the treated area is not sufficient for off-farm notification. ***Comment is beyond scope and intent of proposed regulatory actions.***	2, 4
2	Currently fieldworkers are only entitled to pesticide training once every five years. Pushing for required mandatory education for farm workers in the fields on an annual basis would definitely help people understand the risks, understand what's happening, and are able to take proper measures. We urge you to follow-up this proposed regulation with a proposal to require annual fieldworker training. ***Comment is beyond scope and intent of proposed regulatory actions. Worker Health and Safety is considering a future rulemaking package for this regulatory change.***	4, T-1
3	These proposed regulations must permit alternative notification to either the farm management company, grove management company or other representative of the absentee landowner to receive the notification of the scheduled application. The main concern is with the Department's introduction of the concept of "dual responsibility" to both the property owner and any contractor hired to comply with the notification requirements. This new requirement would create a significant compliance burden for absentee farmers. ***Given the definition for "operator of the property" found in 3 CCR 6000, if the "absentee landowner" has deferred the day-to-day management decisions to a farm management company or any other contractor, the absentee landowner would not be responsible for making the required notices. This responsibility would fall on the person(s) delegated to manage the landowner's property.***	5
4	When adopting the foregoing regulations, DPR should be mindful that its proposed regulations not be inconsistent with	5

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	Federal regulations and label requirements. Some of our members have experienced circumstances with County Agricultural Commissioners in which potential local requirements were inconsistent with Federal labeling requirements. VCAA requests that the proposed regulations be harmonized and be consistent with those labeling requirements, as well as the Federal WPS regulations. ***DPR agrees with this comment and modified the text of the regulations based on discussions with U.S. EPA. The modified regulations are now more consistent with the federal Worker Protection Standard (WPS).***	
5	All notifications of pesticide applications must include posting for those who might not be immediate neighbors but casual passers-by or callers to the property. ***Comment is beyond scope and intent of proposed regulatory actions. This proposal does not involve notification of bystanders.***	7
6	The exclusion of structural applications is a dramatic oversight from the proposed neighborhood notification. ***Structural applications are not excluded from notification requirements. Structural Pest Control Operators must be in compliance with section 8538 of the Business and Professions Code as this section gives the notification requirements they must follow. This is stated in subsection 6618(b)(3) of the proposed regulations.***	7
7	We are unable to clearly understand the rationale behind making the amendments listed within your proposed regulatory changes. We believe this proposal will likely create an additional burden for our agricultural communities by requiring additional measures when the current requirements, when followed accordingly, are sufficient. ***DPR became aware that in many cases, it was unclear who should give the required notices. This resulted in non-compliance with the current notification regulations. DPR made proposed changes to clarify who is responsible for giving the required notices.***	9
8	The requirements for written notification of a rescheduled application may prove burdensome, in sequences where conditions warrant multiple cancellations of an application. ***The proposed changes to these regulations do not specify that a written notification is required when noticing a rescheduled application.***	14
9	Our concerns are in regards to the implementation costs of the regulations that will be incurred by agricultural operators, contractors, and applicators; and the interpretation of the proposed language by DPR field staff and our local Agricultural	14, 16

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	Commissioner's enforcement staff. DPR staff is urged to survey the affected industry and Agricultural Commissioner's offices to collect hard data that will determine the increased costs associated (i.e., extra paperwork) with these modifications prior to finalization and implementation. ***The intent of the proposed regulatory changes is to clarify current regulation. DPR's analysis did not indicate that there would be additional work resulting from the proposed changes. Therefore, the required Economic and Fiscal Impact Statement did not indicate the need for further cost evaluations.***	
10	What about this scenario: Application is completed at 5:55 am; operator of the property is notified at 5:59 am. How does the operator of the property "assure that" the contractor is notified who subsequently notifies the workers who have already entered the work area nearby at 6:00 am? Answer: Posting, and it is already DONE THAT WAY! ***The notification regulations allow employers to comply by posting the treated fields instead of oral notification in most instances.***	16
11	List of pesticides should be Common Name, EPA # OR active ingredient, NOT all. ***Some pesticides have very similar product names with different active ingredients. All three are required to ensure complete and accurate recordkeeping.***	16
12	Mandatory medical tracking of all loaders and applicators should be one of the amendments you consider. ***Comment is beyond scope and intent of proposed regulatory actions. This proposal does not involve medical tracking of workers.***	17
13	The proposed changes are necessary with the EXCEPTION of providing fieldworkers with the active ingredient and EPA registration number. How do you translate a chemical name (active ingredient) in Spanish or any other language besides English? ***Since pesticide product names can be similar, the U.S. EPA registration number is needed to provide fieldworkers with accurate information. There is no requirement for providing fieldworkers the translated chemical name (active ingredient).***	18
14	Due to the great level of variability among farming operations, mandating specific rules of posting that may not be economically or logistically feasible, would place a great majority of farmers/applicators at a disadvantage. The requirements of posting information regarding an application should be loosely defined so applicators, employees, and operators are given	19

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	the freedom to craft a strong safety program that best fits their individual practices. ***DPR's requirements specific to field posting have not been revised with this regulatory action. DPR only proposes to mandate that the specific location of the application-specific information display be included on Pesticide Safety Information Series leaflet A-9.***	
15	Expecting a farmer to notify any potential person who can enter his treated field before it has been sprayed is nearly an impossible task. What is wrong with the current regulation where persons who are entering the property come by and check spray maps that indicate what is scheduled to be sprayed and what has been sprayed? Will this lead us to post every field when an application of any material has been applied to the field? Is posting a field considered to be adequate notification? ***The current system of notification, as described, may still work, though without knowing the specifics, we can't definitively make that determination. Posting a field in lieu of notification, before and after a pesticide application, is allowed pursuant to section 6776(b-f), unless the pesticide product labeling requires both oral notification and the posting of treated fields.***	20
16	I strongly encourage your department to ban any future pesticide use, because not only has it been proven that even the smallest concentrations of pesticides found in natural systems act as an endocrine disruptor in many organisms, but if we start to undermine the effect of its use for one business, how will we direct the future use of others? ***Comment is beyond scope and intent of proposed regulatory actions. The proposed regulatory changes do not include exclusions of pesticide use at any location.***	21
17	This is a great opportunity to finally, for the State of California, include Pesticide Neighbor Notification in its regulatory section for non-agricultural use notification requirements by offering neighbors the protection from unnecessary pesticide exposure by simply posting notice 48-hours before and after pesticide application. States like New York and Countries like Canada have adopted "pesticide neighbor notification" regulations that offer protection to adults and children alike, from unnecessary pesticide exposure and recognize the importance of letting people know when pesticides are applied. In 2000, the State of New York and its counties enacted the "Neighbor Notification Law." The law provides counties and New York City new notification requirements for residential lawn applications of pesticides. The Legislature enacted the law in response to growing "public concern about the health risks of exposure to pesticides." Providing notice when lawn pesticides are applied enables neighbors to take precautions to reduce their exposure to these toxic chemicals.	22-53, 55-82, 84, T-2

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	California should follow suit with New York State and countries like Canada, who recognize that posting notice 48-hours before and after a pesticide is applied to a residential home, to protect the human health of neighbors, including children, save lives and reduce health care cost. ***Comment is beyond scope and intent of proposed regulatory actions. This proposal is not about neighbor notification of pesticide applications.***	
18	Please hold a workshop in Fresno in order to gather feedback from affected farming operations and applicators on these proposed regulations. The hearing in Santa Barbara is not convenient and will in all likelihood be sparsely attended. ***Workshops were held in Fresno, Imperial, and Monterey counties prior to the initiation of this regulatory proposal. A request for public hearing in Santa Barbara was requested during the public comment period.***	83
19	The language in the proposed regulatory changes is still a little bit vague and doesn't really go far enough to help improve communication between pesticide applicators, growers, and contractors. We hear directly from the workers that oftentimes they are still required or asked to go back into fields, probably when the restricted entry interval has not yet expired. So workers would need to have access to information in terms of when those periods of no entry are expiring so that they know and are confident that it's safe to reenter. Making it clear to workers that they must receive authorization, even written or verbal, from the operator of the property before they can be sent back into the field after an application and that they obey and understand the restricted entry level would reinforce the issue of workers being sent into treated fields before they should be. ***The proposed regulations and changes made in response to comments are intended to improve communication and clarify who is responsible. Early entry into a field is a violation of existing regulations and should be handled through compliance and enforcement actions.***	T-1
20	Another issue that constantly keeps coming up is that when workers see signage, a lot of times it creates confusion because there aren't expiration dates on those signs. Many of those signs look like they've been there just for years, and after a while, it creates confusion and people just start to ignore the signage. This is an issue that still needs to be addressed. ***Comment is beyond scope and intent of proposed regulatory actions. This proposal is not about what constitutes proper***	T-1

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	and adequate posting and signage.	

SECTION 6618. NOTICE OF APPLICATIONS.

No.	Comment	Commentor
21	Based on discussion with DPR the notification requirements in this section are intended to include fieldworkers and pesticide handlers employed directly by the operator of the property as well as those employed by a pest control business (PCB) or any hired contractor to work on the agricultural establishment where there are treated fields. ***This comment is correct.***	1
22	Provisions under subsection 6618(a) are considered to be quite overreaching. First, it is unclear as to the rationale for expanding this notification and posting requirement for the use all pesticides, as currently proposed by DPR. Restricted materials are required to meet a higher standard for worker health and safety concerns. However, the vast majority of products are not restricted materials that require this elevated level of safety attention. We recommend limiting the scope of this proposed regulation to those products that meet the restricted materials category. ***Current regulation found in section 6618(a) requires notice be given before <u>any</u> pesticide is applied and has never been limited to restricted use materials. This requirement will not be changed in these proposed regulatory actions.***	3, 6, 10, 11
23	Research production has been inappropriately included under subsection6618(a). Based on critical scientific work that many of our members provide and rely on, this proposed regulation would only serve to impede that research which is conducted in fields with experimental plots. A high degree of safety standards have been regularly maintained. We are unaware of any incidents arising from these particular research fields. Absent any significant and incontrovertible evidence to the contrary, we recommend that such important work to advance science and technology in agriculture be exempted from these proposed requirements.	3, 10, 11

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	Notification before the use of any pesticide for research production of an agricultural plant commodity is currently required in subsections 6618(a)(2) and (b) and will remain the same in the proposed regulatory changes for these sections.	
24	The term "ample time" is not defined in the regulation and is not found in 3CCR section 6000. The use of this language seems broad and could be difficult to enforce. Since the intent of the regulation is to insure that no one is in harm's way with respect to the application of a pesticide, it would appear that giving a time specific period is more protective of employees and third parties who may unwittingly come into contact with pesticides. For some residents who are chemically sensitive and concerned about pesticide use, this could be interpreted as the time needed to vacate their home with adequate time to board their pets. It appears to be subject to broad interpretation. Why not instead require the pesticide applicator to provide notification 24- or 48-hours before the application rather than "in ample time" for all subsequent notifications because "ample time" will be subject to repeated and possibly inconsistent interpretation. Will DPR define "ample time" in 3CCR 6000? ***This is a performance-based requirement; mandating specific time does not take into account the huge differences in business requirements that exist in California. DPR considers "ample time" to be enough time for all the required notifications to be made and all persons notified to take appropriate action. DPR realizes that the time will differ depending on the circumstances of each situation and has added language to this effect in the modified text.***	4, 5, 13
25	Our comment is that as long as the "Notice of Application" followed the notification procedures developed for an operation, then the "ample time" requirement has been met. This is a performance-based standard; we do not endorse separate policies being developed within individual counties which may seek to establish a prescriptive time period. ***DPR agrees with the commenter's understanding of "ample time". These regulations are performance-based because DPR believes that prescriptive time periods would not allow enough flexibility given that at times, circumstances are often unknown or unpredictable (i.e., local weather conditions in a county).***	14
26	The use of "Appropriate Action" in this section seems broad and could be difficult to enforce. Suggest defining "appropriate action" in 3CCR 6000, or modifying language. Suggest replacing "appropriate action" with "action based on the application type and location on the property." Will DPR define this word in 3CCR 6000? ***"Appropriate action" as used in these proposed regulatory changes, implies that all persons who have been notified of the scheduled application (i.e., fieldworker's and their supervisor) must take action appropriate enough to keep away from***	13

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	the field to be treated. The "appropriate action" is measured by determining whether or not all persons required to be notified of a scheduled application made an effort to stay out of the field to be treated. "Appropriate action" will not be defined in section 6000.	
27	Written notification from pesticide applicator to the property operator should be required. ***DPR intends this to be a performance-based standard. The proposed text was written to allow flexibility on how notification is given. However, written notification is certainly an acceptable method for noticing the operator of the property.***	4
28	Section 6618(a)(1-7) - Suggest the addition of 'or authorized agent' with the operator of the property as a contact type for notification to be consistent with the identification of the employees employers as used in each subsection. Because of absentee ownership in larger farming operations and farms, it is common to have an on site manager ('authorized agent') rather than the operator who manages all operations. Also wherever contractors are mentioned, it is suggested that 'packers' be added to the type of employees needing to be notified of a pesticide application. Packing houses often have their own crews and do not always fall into the contractor definition as they are at times the owner of the fruit. ***See response to comment #3. Packing house employees would be covered under proposed subsections 6618(a)(3) and (4).***	13
29	Section 6618(a)(1) - This proposal adds the word "assure" to the noticing and changes the verbiage from "shall" to "must". We suggest that a definition be provided for "Shall" and "Must" and suggest retaining "shall." We also request that, when used in regulatory text, defined terms be capitalized and spelled exactly in definitions section 6000, Definitions. ***The term "must" is used if the passive voice is appropriate and to indicate the imperative. It is not DPR's practice to capitalize words defined in section 6000 in regulations.***	13, 14, 16
30	Section 6818(a)(1) and 6618(b)(1)(A) - Inserting the *time* of the application would be very important, not only to the operator of the property, but to other third parties who may be performing work on the operator's property, or even residents who do not want to be present during the application. It is conceivable that if the time of day is placed in the notification, certain agricultural practices and other pre-application work could either be completed on a timely basis or not performed at all. If the notification only contains the *day* of application, the operator of the property is not able to schedule work accordingly. It is unclear as to how the date only requirement equates to more effective communication, and perhaps more importantly, greater absorption of such notification.	5, 9, 13

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	The intent in removing the requirement to include time of the scheduled application is to keep employees and any hired employers out of the field to be treated on the date of the scheduled application.	
31	Section 6618(a)(1)(D) - Would the person performing pest control be required to provide any and all precautions to be observed as printed on the pesticide product labeling, including potential hazards to bees, aquatic life, etc.? ***No. Modification to the text of the regulations deleted that requirement to require those precautions (i.e., human hazard precautionary statements) printed on the pesticide labeling, or included in applicable laws and regulations, related to the protection of employees or other persons during or after application.***	5
32	Under section 6618, DPR proposes to require that if any change in the date of application should occur, each pest control employee shall assure the operator of the property received the notice of this change prior to the application. Based on responses from our members, this notification practice has routinely and successfully been performed by pest control businesses. Making this a regulatory requirement that is subject to DPR and CAC daily enforcement seems highly impractical and an injudicious use of limited resources with much more compelling priorities. ***The proposed requirement's intent is to assure this notification is complied with consistently throughout the state.***	3, 10, 11
33	The Federal WPS requirement is that the agricultural employer must notify workers of any pesticide application on the farm or in the nursery or forest, unless they can assure that from the start of the application until the end of the application and during any restricted-entry interval, the worker will not enter, work in, remain in, or pass through on foot the treated area or any area within ¼ mile of the treated area. Reversing the language to require operators to only notify people who "may" walk within ¼ mile of the field to be treated requires a determination of who may enter. Under California regulations what is the basis, or what is considered 'reasonable, for determining who "may" enter or walk within ¼ mile of the treated field? ***DPR agrees with commentor and has proposed new language in the modified text.***	1
34	Sections 6618(a)(3) and 6618(a)(4) - We are concerned that this construction for notification, which is repeated in proposed section 6618(a)(4), seems to allow field entry during and after a field has been treated with pesticide before the notice of completion of pesticide application is received. This is a serious problem because the notice of completion can be delivered as long as 24 hours after the application is completed. To correct this problem the word "enter" should be struck and substituted with "<u>expected to enter or walk within ¼ mile of</u>" in both subsections (a)(3) and (a)(4).	4

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	The intent of subsections 6618(a)(3) and (4) is to prevent employees from entering a field to be treated on the date of a scheduled application and until notice of completion is received. DPR has revised the text in section 6618 to clarify the notification requirements.	
35	The Federal WPS definition of an agricultural employer is broad and includes owners and contractors to avoid circumstances in which confusion about responsibility could lead to failures to adequately protect workers. All agricultural employers are equally responsible under the law (see 14.17 WPS Interpretive Policy, March 1995). California's attempt to clarify who is ultimately responsible for notifying employees appears to have resulted in notification gaps.The operator does not need to notify pest control businesses (PCBs) or contractors unless they "may enter" the field to be treated. If the operator determines that PCB or contractor employees will not enter the field to be treated, then the operator is not required to notify the PCB or contractor of the scheduled application. Consequently even though the third tier of notification regulations requires PCBs and contractors to notify their workers who may walk within ¼ mile of the file to be treated, the operator is not required to notify the PCB or contractor in the first place unless they determine the PCB or contractor employees may enter the field to be treated. ***Text of regulations has been modified to remain more consistent with the federal WPS (see 40 CFR 170.120). Notification is given to all employees and their employers unless certain exemptions apply. Emphasis is placed on these exemptions just as they are with the WPS.***	1
36	Sections 6618(a)(3) and 6618(a)(4) - This concept of "dual responsibility" is fraught with many complications. "Dual responsibility" creates liability burdens and conflicts that need to be resolved before finalizing this new rule. Once the property owner has notified the contractor and/or the professional applicator of the scheduled application, it should be incumbent upon the latter to notify his/her employees of the intended application. Failure on the part of either the contractor and/or professional applicator to notify their employees should not impute liability to the operator who has fulfilled its obligation to notify. We request clarification from DPR on how this amendment clearly identifies a responsible party. ***If the operator of the property gives the notices required in proposed subsection 6618(a)(3) and documents that fact, he or she has fulfilled their obligation to notify. If any employer notified of a scheduled application by the operator of the property fails to notify his or her employees, they would be in violation of proposed subsection 6618(a)(4). In this case,***	5, 9, 11, 14

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	the operator of the property would not be liable. This is consistent with the federal WPS.	
37	An issue with the concept of "dual responsibility" is that there can be no conflict with the federal Migrant and Seasonal Worker Protection Act. The farmer should not be put in the position of having contract workers be classified as employees due to notification requirements. Dual Responsibility provisions, such as this, are unacceptable to producers and pest control businesses and must be avoided by DPR. ***The Migrant and Seasonal Agricultural Protection Act (MSPA) established employment standards related to wages, housing, transportation, disclosures and recordkeeping. The MSPA also requires farm labor contractors to register with the U.S. Department of Labor. These proposed regulations do not conflict with the MSPA.***	14
38	Section 6618(a)(5)(A) - Current and proposed regulation does not require notification if the treated field is posted with warning signs at regular intervals around the field unless the pesticide label requires both oral and posted notification. We agree in concept with this exception because we think posting is the most effective way to notify workers that a field isn't safe to enter. However, we think that the date and time the restricted entry interval expires need to be required on the posting sign for the level of notice to be comparable with oral notification requirements. We are also somewhat concerned by the fact that not all people within ¼ mile of a field will see the signs so dual notification by posting and oral notification would be preferable. ***Under our current and proposed regulations, field posting signs are required to be in place throughout the application and the restricted entry interval (REI) and must be removed within 3 days of the expiration of the REI. These posting requirements are sufficiently restrictive and the need to add additional information on these signs would be unnecessary.***	4
39	Section 6618(a)(5)(A) - It is our understanding that posting of the field pursuant to 6776(b-f), unless pesticide labeling requires oral and written posting of the treated field, will satisfy relevant requirements as to notification. ***Posting the field to be treated pursuant to section 6776(b-f) is one of the exemptions allowed (unless the pesticide product labeling requires both oral notification and posting a field to be treated).***	14
40	The proposed regulation does not require notification for applications that take place after sunset if not fieldworkers or other workers will enter the treated field or come within ¼ mile of the field before notification is completed. We oppose this loophole because some night workers who might come within one-fourth mile of the field will be overlooked and won't end up being notified. In addition, the likelihood of exposure to pesticide drift around treated fields is greatest at night when air conditions are often stagnant.	4

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	The 'sunset' provision has been eliminated from proposed subsection 6618(a)(5) and this subsection was revised to read more like the federal WPS. The WPS requires that notification of a scheduled application is given to all workers on the agricultural establishment unless certain exemptions apply. DPR proposes the same notification requirement as the WPS in proposed subsections 6618(a)(3) and (4) and stresses the exemptions that apply as noted in 6618(a)(5)(A) and (B). The operator of the property must notify any employee who will enter or walk within a ¼ mile of the field to be treated.	
41	There is no Federal requirement to provide notice of applications to persons other than fieldworkers and pesticide handlers. We think this is a good addition, however, the proposed regulations appear broader than the description in the Initial Statement of Reason. The regulation says the operator shall assure that notice is given to persons …"*whom the operator of the property would have reason to believe may enter the field to be treated during the date of the application and while the REI is in effect*." The IRS clarifies that the additional notification requirements apply to utility workers or irrigation district employees "*who have or maintain rights-of-way on the property*" but not to anyone else who may enter. Is the determination of who to notify based on legal rights-of-way? Is there a description of which other persons must notify in the regulation? ***The proposed regulation in subsection 6618(a)(6) of the modified text requires the operator of the property to notify persons, other than those having to be notified in subsection (a)(3), who the operator of the property has prior knowledge that he or she will likely enter the field to be treated on the date of the application and while the restricted entry interval is in effect. This includes, but is not limited to, utility workers and irrigation district employees. Notification required in this section is not based on legal rights-of-way, but rather on the operator of the property's prior knowledge that these persons routinely enter fields on their property. It does not pertain to trespassers or those transiting through the property without permission.***	1
42	Make the following changes to section 6618 (a)(6) The operator of the property shall assure that notice is given to persons, other than those specified in subsection (a)(3), whom the operator of the property would have reason to believe may enter the field to be treated during the date of the application and while the restricted entry interval is in effect. ~~This notice is not required when a field to be treated is posted as specified in section 6776(b-f).~~ ***DPR believes that posting fields is an acceptable alternative to oral notification.***	2
43	Section 6618 (a)(6) - Is it really feasible to require the operator of the property to notify persons, such as PG&E or local water district personnel, whom the operator of the property would have 'reason to believe' may enter the field to be treated during the date of the application and while the restricted entry interval is in effect? DPR needs to provide clarification on	5, 8, 9, 12, 13

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	what determines 'reason to believe,' when referring to entry into a treated field. Furthermore, clarifying how to notify those entities that may have unfettered rights-of-way access, the amount of time required to notify these entities, and what type of notification is required (i.e., written, registered mail, e-mail or facsimile transmission) remains unclear. Does the property owner have to "assure" that the third parties (i.e., PG&E or water district employees) actually receive the notification? We suggest that this subsection be further amended to allow for alternative posting methods, such as required information at a central location on the property. ***Notification required in this proposed subsection can be given by any means, including posting as specified in subsections 6776(b-f).DPR believes that posting at the field to be treated is more effective than displaying the same information at a central location that may be far away from the field to be treated. The language in this proposed subsection has been revised to clarify who the operator of the property would need to notify.***	
44	Section 6618 (a)(6) - Our understanding, and this should be clarified for enforcement purposes, is that notification is required only when the person would be in contact with the treated foliage or may enter into the treated area and experience contact with treated surfaces: for example, a pump motor located within the treated site. ***Requirements proposed in subsection 6618(a)(6) of the modified text would reinstate a protection that was in California regulations prior to the incorporation of the federal WPS. The intent is to prevent exposure during the application, as well as restricting entry into a treated field where exposure to pesticide residue on any surface may occur.***	14
45	Recommended changes to proposed section 6618(a)(7): We have a concern that the construction of this proposed section specifies that the notice specify that the field to be treated should not be entered "until authorized by the operator of the property." This seems to convey the message that workers or contractors can reenter the field whenever the property operator tells them to. This proposed section needs to be amended to read "until the <u>restricted entry interval has expired and reentry has been</u> authorized by the operator of the property." ***DPR does not agree that the suggested language is necessary. Under section 6770, the operator of the property cannot authorize entry into a treated field unless; 1) The restricted entry interval has expired; or 2) The operator of the property has assured that the restrictions to early entry are met.***	4
46	Adding the requirement for, "authorization by the property operator," appears to add another step to the process and does not appear to require documentation or to be given in a particular manner.	13

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	This does not add another step to the process since the operator of the property has always been required to give instructions as to when to reenter treated fields. In these proposed regulations, the notice required to be given to those persons specified in subsections 6618(a)(3), (4), and (6) in subsection 6618(a)(7)(C) are instructions to not enter the field to be treated until 'authorized by the operator of the property.' This phrase was added to clarify that this instruction is to be given to any noticed person so they understand they should not enter a treated field until the operator of the property tells them otherwise.	
47	Section 6618(b) - The purpose of this section to include notification of scheduled applications in non-agricultural settings would apparently require notification by gardeners to residences within 1/4 mile of an application. This would also apply to golf courses, parks, commodity fumigation sites, etc. Has DPR noticed the appropriate processors, licensees, golf courses, city parks and others affected by this proposed requirement as part of this public rule-making process? ***Regulatory changes made to this section do not require gardeners to notify residences within ¼ mile of an application. The Notice of Proposed Action was sent to those requesting notification on all of DPR's proposed regulatory actions, as well as posted on DPR's Web site, and published in the California Regulatory Notice Register.***	5
48	Section 6618(b)(1)(C) – The use of the term, 'treated property,' is ambiguous and unclear in this proposed regulatory section. 'Treated property' should be defined in 3CCR 6000 or perhaps the term 'area' could be substituted for 'property,' for clarification purposes. ***DPR has modified the text of this proposed subsection to require that notice from the person performing pest control to the operator of the property include any precautions printed on the pesticide label, or included in applicable laws and regulations that are related to the protection of employees or other persons. Precautions related to the use or management of the treated property are no longer required to be given in the modified regulations.***	13
49	Section 6618(b)(3) - Adding this language would clarify this subsection: Compliance by licensed Structural Pest Control Operators with the notice requirements of section 8538 of the Business and Professions Code meets **the person performing pest control and the operator of the property's** requirements of this subsection.	13

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	Adding another subsection regarding posting the treated area as meeting the requirements of notification. The subsection could be fashioned after 3CCR section 6776. Posting is already being used to meet this requirement. Why not specify the specifics of elements for posting: content, location, timing, etc… ***Structural Pest Control Operators must be in compliance with section 8538 of the Business and Professions Code as this section gives the notification requirements they must follow. Section 8538 requires registered structural pest control companies to provide the owner, or owner's agent, and tenant of the premises to be treated with clear written notice. This written notice can be considered a form of posting. Subsequently, there is no need to add another subsection for posting.***	
50	Section 6618(b) – We suggest adding another exemption to the notification requirements: Compliance by all state and local agencies performing regulatory invasive work when following all applicable guidelines set forth by the Department of Transportation meets the notice requirements of this subsection. ***Sections 8538 of the Business and Professions Code and 12978 of the Food and Agricultural Code both provide specific requirements for giving notice of pesticide applications. Although there may be similar requirements within Department of Transportation regulations, it is beyond the scope and intent of the proposed regulatory actions to make that determination.***	12

SECTION 6619. NOTICE OF COMPLETED APPLICATIONS.

No.	Comments	Commentor
51	24 hours is far too long a time between the completion of an application and obligation to receive and convey notice that a restricted entry interval is in effect. The proposal should be tightened to require that Notices of Completion be delivered as soon as the application has been completed. Modern electronic communication devices now make it feasible to immediately deliver the Notice of Completion orally to make sure it is received and then promptly follow-up with written electronic notification with required confirmation. The proposal should be strengthened by requiring that the pesticide applicator provide the notice in writing while still requiring assurance that this written notice is received by the farm operator. ***Employers and their employees should have already been notified of a scheduled application and are not permitted to enter the field scheduled to be treated until the completion notice has been received by the operator of the property and the restricted entry interval has expired. The applicator has up to 24 hours to supply the notice of completion.***	4

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52	This section should be consistent with and include the same set of people and employees as notified under section 6618 a(3). Aren't the same groups of employees being notified? ***Yes, proposed subsections 6619(a), (c), (d), and (g) require that the same set of people and employees are given a notice of completion along with pertinent information unless the exemptions in proposed subsection (e) apply.***	1, 13
53	Section 6619(b) - Maintenance of a written record does not work for most growers as they actually get verbally notified and then PCB's follow-up with a written notice with the billing. Is this a separate record or can it be the required written notice itself? ***Proposed subsection 6619(b) does not require growers to receive written notice from the PCB, only that the grower keeps a written record of the application completion notices. As long as the written notice received with the billing contains the information required in 6619(a), the written record fulfills the requirement.***	13
54	There are concerns about worker safety implications and the lack of clarity in proposed section 6619(c) with the use of the phrase "who may enter the treated field" as it misleadingly implies that reentry during the restricted entry interval is generally allowed and (we) think it should be substituted with the phrase "who may come within ¼ mile of the field." ***This language was revised to be consistent with the changes made in subsections 6618(a)(3) and (4). DPR believes the proposed language is clear.***	4
55	Section 6619(c) - As we understand this provision, as long as there are measures employed to "Assure" that "Notice of Completion" is communicated to the affected parties, this section is complied with. ***DPR agrees with the commentor's interpretation.***	14
56	In order to protect worker health from adverse effects of pesticide application, we recommend the following revisions to section 6619(e): <u>The operator of the property shall assure that operator(s) of properties within 1/4 mile of the treated field receive written notice of completion of an application within 24 hours of receiving the notice of completed application from the person applying the pesticides. The notice must include the location and description of the treated field and must reference the notice of application.</u>	2

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	Comment is beyond scope and intent of proposed regulatory actions. This proposal does not cover neighbor notification.	
57	Section 6619(g) **–** This subsection is ambiguous and would cause an unreasonable burden on the regulating agency to determine and prove that a violation of this subsection occurred. Additionally, it is our opinion that compliance with this requirement would be extremely difficult. We suggest the following amendment: "…whom the operator of the property would have reason to believe ~~may~~ <u>will</u> enter the treated field…" ***This subsection has been revised in the modified text to improve the clarity of this requirement.***	12
58	Section 6619(i) (Retention of Records) **-** VCAA questions the propriety of requiring the operator to retain copies of the notices of completion for a two-year period. California Food and Agricultural Code sections 11456, 12976, and 12981 do not require the retention of documents for a specified period of time nor does the initial statement of reasons explain the necessity of this recordkeeping requirement. VCAA proposes that the operators retain copies of the notices of completion for a period not-to-exceed 30-60 days following receipt from the professional applicator. ***This requirement to retain records for two years is current regulation. Record retention requirement is outside the scope of the regulation.***	5

<u>SECTION 6761.1. APPLICATION SPECIFIC INFORMATION FOR FIELDWORKERS.</u>

No.	Comments	Commentor
59	The intent of the California regulations and the Federal regulations are significantly different on this point. Our review suggests that as currently proposed, amendments to Section 6761.1 would not bring this part of California regulations into full equivalency with the Federal WPS. Federal regulations require information about pesticide applications be displayed <u>before the application takes place</u>, if workers will be on the establishment during application, or at the beginning of any worker's first work period. The concern in 1998 that resulted in a determination of interim rather than full and final equivalency was based on the fact that California regulations allowed 24 hours between the end of the application and when information must be displayed. California's proposed regulations would require the operator of the property to manage the field as though it is under an REI until the completion notice is received and displayed. However, section 6619 still allows the applicator 24 hours to assure the operator receives notice of the completed application. As a result of the potential 24	1

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	hour time lag allowed under section 6619, there are scenarios where a worker or a crew could be exposed to recently applied pesticides, such as entry during an REI, either accidentally or as a result of noncompliance, and no information about that application would be displayed. ***DPR and U.S. EPA Region 9 have agreed to maintain interim equivalency as it pertains to displaying application-specific information (ASI). The final statement of reasons corrects DPR's understanding that the proposed changes to section 6761.1 will not bring DPR worker safety regulations into full equivalency with the federal WPS.***	
60	Under 6618 Notice of Application and 6619 Notice of Completion operators and contractors are required to instruct employees to not enter the treated field. We could not find a requirement to instruct workers to stay ¼ mile away from treated fields. However, section 6761.1 prohibits workers from being within ¼ mile of treated fields until the application–specific information is displayed. Notification of fieldworkers that walk within ¼ mile of a treated field is highly impractical and has not been proven to be an effective approach to avoid fieldworker exposure. It does not seem practical to place posting beyond the treated field. ***DPR agrees with these commentors' and has revised subsection 6761.1(b) to require the operator of the property to display the ASI when they receive notice of completion of an application and before any fieldworkers are allowed to enter the treated field.***	1, 3, 6, 8, 10, 11
61	The cotton industry has a concern with the requirement for "any fieldworker" to be notified as set forth in 6761.1(b). Does this include field workers not employed by the operator of the treated field? If so, how will this be conducted, especially if the information is at a central location as set forth in 6761.1(a)? ***The requirement set forth in this regulatory section applies to "any fieldworkers" employed to work on the operator's property. This does not limit it to employees specifically hired by the operator of the property, but includes employees of employers hired by the operator or the property, such as contractors, packing houses, etc.***	6
62	Section 6761.1(c) **–** The proposed amended regulation sets forth ambiguous requirements for this information to now be posted at the "worksite." A statement needs to be inserted into this subsection that provides concurrency with 3CCR section 6761, allowing posting of the location of application specific information at a central location where employees gather. We suggest the following amendment: "(c) The operator of the property and any contractor hired by the operator of the property shall display, at the worksite <u>or at a central worker staging location</u>, a description…" ***DPR agrees with the commentor's suggestion and has modified the text of the proposed subsection 6761.1(c).***	12

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63	The proposed requirement for the employer to provide a description at the worksite of the location on the farm where the application-specific information is supposed to be accessible is of almost no use to farmworkers because the information may be displayed many miles from the worksite, even in a different county. In some cases, fieldworkers may feel intimidated about going to farm headquarters to look at a display and confused by a display of pesticide use information for multiple fields. This is not comparable to right-to-know requirements for non-agricultural workers who are entitled to training and readily accessible labeling and other information about pesticides they work with and around. This proposed requirement opens the door for unspecified challenges regarding "description of the location." ***The intent of subsection 6761.1(c) is to ensure that fieldworkers know where to find and have unimpeded access to ASI.***	4, 14
64	We previously proposed that DPR require posting of a list of recently applied pesticides at the field. If workers travel to the field in a bus or must congregate at a central location at the beginning of the day it could also be displayed there. Many workers have told us that they want to know the names of pesticides and more information about the specific pesticides used in the fields where they work as well as interest in more comprehensive field posting and more frequent training about pesticides. Providing a pamphlet or crop sheet listing commonly used pesticides on a crop in a region with graphical information about immediate poisoning symptoms and long-term health risks for each pesticide would be best. Growers could list dates for those which had been used in a field and add in others as appropriate. Copies of these pamphlets could be supplied in a Lucite container at the field, like the type of container used to store flyers on home for sale signs. The field supervisor should be required to explain this information orally as a supplement to written materials. ***DPR has considered these suggestions and has determined that they are not feasible. DPR believes that the ASI display provides more pertinent information for informing fieldworkers of the specific pesticide used than crop sheets which list commonly used pesticides.***	4
65	Section 6761.1 - The requirement that the information must be "displayed" when the operator of the property receives notification of completion of an application could become problematic for absentee landowners since they may not receive notification for a number of days if it is sent by first class mail. Thus, information may not be displayed until a number of days or a week after application. Also, what if the operator does not receive notification until sometime in the early morning, i.e., 3 or 4 a.m.? The operator must display that information at that time. However, the office of the operator may not be open until 7 a.m. Again, there is no way that the display of the information can be completed *when* the operator receives the notification of completion of the application. This is obviously problematic since it is a requirement under the Federal WPS, as well.	5

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	See response to comment #3.	
66	This section is not tied to the actual completion of the application but to when notice is given to the operator. The operator displays the information after receiving notice which can be up to 24 hours after the application. The requirement to post prior to fieldworkers walking with ¼ mile of the field could be difficult for growers to comply with given the timelines allowed under the notification sections. This would exclude any contractors hired by persons other than the operator of the property. It is not uncommon for the packing or processing companies to hire the contractor to harvest the commodity, i.e., this is frequently done in the picking of citrus and avocados. ***DPR has modified proposed subsection 6761.1(b) and removed the restriction against not allowing fieldworkers to walk within ¼ mile of a treated field unless the ASI was displayed by the operator of the property. The proposed language requires that the operator of the property must display the ASI when they receive notice of completion of an application and before any fieldworkers are allowed to enter the treated field. The requirements set forth in section 6761.1 only pertain to fieldworkers employed to work in treated fields on the operator's property. If the operator of the property employs a contractor to perform fieldworker duties such as harvesting, then the operator of the property is responsible for displaying ASI for the hired contractor's employees as well.***	13
67	"The information must be displayed when the operator of the property receives notice of the completion of an application." As we understand this, field posting in compliance with applicable posting requirements would satisfy this requirement. ***Posting treated fields in lieu of displaying ASI is not in compliance with the requirements set forth in section 6761.1.***	14

<u>SECTION 6770. FIELD ENTRY AFTER SCHEDULED OR COMPLETED PESTICIDE APPLICATIONS.</u>

No.	Comments	Commentor
68	Section 6770(a) – Using the term "field" in this proposed subsection is unclear and undefined. By way of example, what if a field is composed of 640 acres and the application took place in the southwest 40 acres and the grower has a crew working in the northeast 40-acre section of the field which is approximately 3/4 of a mile from the treated area? Would this be a violation? The wording of Section 6770(a) could be modified to reflect "a field to be treated" or "site to be treated" on the date of the scheduled application..." This would clarify the circumstances and would not create any undue harm to workers working in the same field albeit outside of a zone of danger. ***DPR agrees with these commentors' and has modified the language in proposed subsection 6770(a)(2).***	5, 14

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69	Subpart 6770(2) defines operating a tractor from inside an enclosed cab as a 'no contact activity.' Based on conversations between DPR and R9 staff, DPR agreed to amend this section to ensure handlers must keep immediately available all PPE listed on the labeling for the type of task being performed and wear the PPE if it is necessary to leave the cab and contact pesticide treated surfaces (see 170.240 and 14.16 WPS Interpretive guidance). Without this change, the text of the current regulation seems to allows early entry in enclosed cabs with no personal protective equipment available, which is less protective that the Federal WPS requirements and enclosed cab exemptions. ***DPR has modified proposed subsection 6770(d)(2)(A) to reflect this change.***	1
70	Please explain the reason for and implications of deleting 'air' in subsection (A). ***'Air' was inadvertently removed from subsection 6770(d)(2)(A) and has been put back into the modified text.***	1
71	This proposal should go further and prohibit all non-emergency early reentry work such as tractor driving and unforeseen irrigation work. Tractor operation should not be considered "no contact" activity because the tractor driver will have some inhalation exposure to the pesticide and inhalation standards have not been set for most pesticides. In addition, the tractor driver will be forced to have dermal contact if the tractor breaks down or gets stuck in the middle of the field. Irrigation is in practice, a high contact activity because it is often impossible to restrict contact with treated surfaces. Irrigators work long hours performing heavy work so required use of personal protective clothing and gloves contributes to an already high risk of heat illness. Emergency short-term reentry for irrigators may be permissible if the worker performing the activity has extensive training and adequate protective equipment. ***Revisions made in proposed subsections 6770(d)(2), (d)(3), and (d)(4) support the same requirements given in current regulation for "no contact," "short term, limited contact," and "short term, high contact" activities performed by early entry employees. Even though revisions made to these proposed sections do not prohibit all non-emergency early reentry work such as tractor driving and unforeseen irrigation work, it is important to note that exposure time is limited and personal protective equipment (PPE) is required. Subsequently, before any employee may enter a field under restricted entry as permitted by section 6770, the employer shall assure that the employee has been informed of the requirements set forth in section 6771(a)(1-10). This includes the prevention, recognition, and first aid for heat-related illness if PPE is used.***	4

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72	Section 6770(d)(4)(C) - This section appears somewhat confusing, as it is generally more protective to wear eyewear in all cases. However the intent appears to be to allow an exemption for use of eyewear if the label does not require. Suggest removing parenthesis around statement and removing the statement "whichever is more protective." ***Proposed subsections 6770(d)(3)(E) and (d)(4)(C) support the same requirements given in current regulation for early entry employees. The proposed language used in these subsections clarifies that in some cases, the early entry PPE required in these subsections will be more protective for early entry employees than what is stated on the pesticide label. Pesticide handler employees are required to wear protective eyewear pursuant to subsection 6738(b). Early entry employees such as fieldworkers would only have to wear protective eyewear if it was required on the pesticide label.***	13

SECTION 6771. REQUIREMENTS FOR EARLY ENTRY EMPLOYEES.

No.	Comments	Commentor
73	Section 6771 – Requiring training each and every time there is a reentry by an employee in a treated field under Section 6771 is duplicative and results in extra paperwork. ***Proposed subsection 6771(a) does not specify that employees must be trained every time they enter a treated field. This subsection requires that employees are told and understand the ten safety items listed in 6771(a) before they can enter a field under restricted entry, for which the reentry interval has not yet expired.***	5
74	VCAA objects to the term "in a manner that he or she can understand". This language is vague and could imply that an employer could be confronted with a multiplicity of language barriers. Requiring an employer to insure that workers can "understand" the 10 requirements listed in Section 6771 presupposes certain educational and comprehension levels that may be beyond the employee. WPS training and DPR A-9 leaflets distributed to employees during orientation and specific safety tailgate training meetings should be sufficient to satisfy this requirement. ***The use of "in a manner that he or she can understand" in proposed subsection 6771(a) remains consistent with its use in both current and proposed regulatory sections 6618 and 6619. Early entry employees may not enter a field under restricted entry as permitted in section 6770 if their employer cannot assure that the early entry employee understands the ten requirements.***	5

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No.	Comment	Commentor
1B	How does this current modification affect the request by many citizens, city council members, and non profit organization for the inclusion of "pesticide neighbor notification" as part of the amendment to current regulation. ***Comment is beyond scope and intent of proposed regulatory actions. This proposal is not about neighbor notification of pesticide applications.***	Teresa Bacci
2B	Ample time for notification still lacks clarity. The phrase: "This (subsequent notification) time will differ depending on the circumstances of each notification," does not provide clear notice to the entities covered by this regulation and will be rejected by the Office of Administrative Law based on the lack of clarity. We continue to recommend a set 24 hour time. ***The Administrative Procedure Act establishes rulemaking procedures and standards for state agencies in California. In section 11340.1 of this act "…It is the intent of the Legislature that agencies shall actively seek to reduce the unnecessary regulatory burden on private individuals and entities by substituting performance standards for prescriptive standards wherever performance standards can be reasonably expected to be as effective and less burdensome, and that this substitution shall be considered during the course of the agency rulemaking process…" Indicating a set time, such as 24 hours, would be considered a prescriptive standard and might be an unnecessary burden for some operations. Different sized operations will require different amounts of time to respond to these requirements. A very small operation may only need one or two hours to make all the required notifications, whereas a large corporate farming operation may need longer than 24 hours to comply with the notification requirements.***	CRLA
3B	In section 6618(a)(3), the scope of employees and employers covered by Title 3 CCR Section 6700 is too restrictive. As currently proposed, an employer could argue that they do not have to notify employees who are within a ¼ mile of a pesticide application because employees, or their employers, are not exposed to residues of pesticides after application to fields. A worker must be exposed to pesticide residues before they are entitled to receive notification. The regulation must state that <u>all</u> employees working on an operator's property within ¼ mile of a pesticide application receive notice. ***DPR disagrees with this comment. Section 6700 contains the scope of the California Worker Safety regulations and is based on law as California legislators determined necessary and desirable to provide for the safe use of pesticides and for safe working conditions for farmworkers, pest control applicators, and other persons handling, storing, or applying pesticides, or working in and about pesticide treated areas. Section 6700(b) specifies that the scope includes employees***	U.S. EPA Region 9 and CRLA

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	who are exposed to residues of pesticides after application to fields. This language is to be interpreted according to the stated intent of the whole section--that is--the section is designed to reduce risk of exposure....and to provide safe working conditions for field and other workers. Thus, any interpretation that would limit the intent of reducing risk is overly strict. The language "who are exposed to residues" should be interpreted as applying not only to employees already in the field (are exposed), but to employees who may enter the field after application. This language is consistent with that of the federal WPS as both regulations require notification of a scheduled application unless the employee or employer will not enter or walk within ¼ mile of a field to be treated. DPR added a nonsubstantive clarifying phase "(which includes fieldworkers)" to sections 6618(a)(3) and (5); 6619(c) and (e); and 6770(a) and (b).	
4B	Re-notification requirements. Recommended changes to proposed section 6618(a)(2): To avoid confusion over the obligation to re-notify if a scheduled application date changes, section 6618(a)(2) should be amended to read "…If there is a change in the date of the scheduled application specified in (a)(1)(A), each person performing pest control shall assure that the operator of the property receives notice of this change prior to the application. <u>The operator of the property shall assure that notice of the scheduled application, and the notice of any change in date of the scheduled application is given, prior to application, to all employers and their employees specified below in (a)(3), (4) and (6)…"</u> This recommended language will improve clarity over the current proposed revision and cover those employees and their employers who would be notified of a change in the date of the scheduled application in proposed section 6618(a)(8), thus eliminating the need for 6618(a)(8). ***DPR does not agree that relocating the language as stated would improve clarity. For clarity and continuity during the notification process, DPR believes that proposed section 6618(a)(2) should follow the required notice that each person performing pest control must give the operator of the property. Similarly, for clarity and continuity at this stage of the notification process, proposed section 6618(a)(8)'s placement is imperative.***	CRLA
5B	Current regulatory language found in section 6618(b) explicitly defines the parties who are entitled to notification whereas the proposed regulatory language regarding the ¼ mile notification requirement is confusing and subject to misinterpretation by property operators, workers or their trainers or advocates. Such misinterpretation would put affected employers and their employees in harm's way. Existing regulatory language amended as follows is more clear…"For purposes of this subsection, persons include employees of the operator of the property, any hired contractors and their employees <u>and any other employers and their employees involved in agricultural work on a property</u> who may walk within ¼ mile of the treated field." If the modified text is maintained to conform with the format of the WPS, we suggest at least the following revision for improved clarity:	CRLA

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	Section 6618(a)(5) The notice specified in subsections (a)(3) and (4) is not required…if the operator of the property can assure that: (A) No change to posting option. (B) The specific employee(s) or employer(s) in question will not enter or walk within ¼ mile of the field to be treated from the start of the application until the notice of completion pursuant to section 6619(c) is received and subsequently during the restricted entry interval as set forth in section 6619(d)(2). ***The suggested changes would make this section more prescriptive, narrowly defining the persons that must be notified. DPR adopted similar language as found in federal WPS (see 40 CFR 170.120) in order to simplify and clarify the notification process. The term "employer" is equivalent to the use of USEPA's agricultural employer. This covers pest control operator contractors, labor contractors and anybody else who hires fieldworker employees. Both the operator of the property and the contractors they hire have a dual responsibility to notify all of their employees. The intent of this dual responsibility is to provide greater protection for employees who may enter a field or area to be treated during the course of their work. Dual responsibility will also make enforcement of this provision easier.*** ***The inclusion of the restricted entry interval (REI) within the commentor's recommendation is not overlooked, the notice of completed application given in 6619(c) must include the REI. This requirement is given in proposed subsection 6619(f)(2). Since the REI is not in place until the application is completed, it is more appropriate for the completion notice to include the REI.***	
6B	Section 6618(a)(5)(B) could specifically identify that the workers/employees (not just the operator of the property) must receive the notice of completion. ***Section 6618 addresses the requirements to give notice before an application. Section 6619 addresses the requirements to give notice of the completed applications. Both sections were written to define the four-step progression of the required notification. The person performing pest control must give notice to the operator of the property (1). The operator of the property then must give notice to employees covered under Section 6700 working on his/her property and the employers of these employees (2). Any employer that receives notice must then give notice to his/her employees (3). The operator of the property must also give notice to all other persons that he has prior knowledge of likely entering the field to be treated (4). DPR believes that the commentor's concerns are addressed in sections 6619(c) and (d).***	U.S. EPA Region 9

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7B	We strongly object to the proposed change to 6761.1(c) which would allow even the mere description of the location of the application-specific information to be displayed at a central location where fieldworkers gather rather than at the worksite, as is currently required. First, this change would deny fieldworkers who don't gather at this central location access to this information. Second, this is inconsistent with the reference in 6761 that specifies more narrowly," …in the event that fieldworkers gather at a central location prior to transport to the worksite the Pesticide Safety Information Series (PSIS) leaflet A9 may instead be displayed at that central location.". ***The commentor misinterprets the requirement of 6761.1(c). The intent of section 6761.1(c) is to ensure that fieldworkers are able to see an exact description of the location of the application-specific information, and to require this information be attached to or part of PSIS A9. Fieldworkers must be able to find application-specific information from the description and must have unimpeded access to this information. The required information will give these fieldworkers the very specific directions they need to have unimpeded access to the application-specific information. DPR does not agree that this is inconsistent with 6761. This requirement simply adds information to the PSIS A9 that is already displayed at the work site or at a central location if employees gather at a central location.***	CRLA
8B	We do not consider tractor driving in a treated field while an REI is in effect a "no contact" activity and we continue to oppose allowing their early reentry into treated fields. ***Comment is beyond scope and intent of proposed regulatory actions.***	CRLA