

**OREGON OSHA
PESTICIDE EMPHASIS PROGRAM
ANNUAL REPORT**

FY 2002

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Oregon OSHA Pesticide Emphasis Program FY 2002 Annual Report

Introduction

This report is an outcome of a Memorandum of Agreement (MOA) established between Oregon OSHA (OR-OSHA) and the Environmental Protection Agency (EPA) in August 2000. This unfunded agreement establishes a formal working relationship around enforcement of the Worker Protection Standard (WPS).

OR-OSHA has enforcement authority for WPS based on a MOA with the Oregon Department of Agriculture (ODA). It was established in 1991 and updated in 2000. The agreement establishes OR-OSHA as the lead agency for WPS enforcement, and describes the working relationship between these two agencies on matters involving pesticide safety in the occupational setting.

OR-OSHA is a state-plan program operating through grants from federal OSHA and with state funding. The division embraces a “full service” occupational safety and health program, which includes Enforcement, and Voluntary Services which includes consultation, public education, standards and technical services. The state program attributes its success to a strong partnership with business and labor while maintaining a strong regulatory presence in Oregon.

Data Elements

The data elements examined in this report are based on OR-OSHA’s Program Directive A-235, entitled “Local Emphasis Program for Pesticides.” This year’s report includes graphics which illustrate a three year comparison of the inspection data. For this past growing season, five Standard Industrial Classifications (SICs) were selected to focus inspection activity on pesticide usage and worker protection issues:

- SIC 0139 Field Crops, except Cash Grains, Not Elsewhere Classified
- SIC 0171 Berry Crops
- SIC 0172 Grapes
- SIC 0175 Deciduous Tree Fruits
- SIC 0191 General Farming

Other SICs (0181 Nurseries, 0782 Lawn and Garden Services, Forestry related, 0761 Farm Labor Contractors, and 5261 Garden Centers) inspected involving pesticides and/or the Worker Protection Standard are included and that data is offered in the full discussion. These inspections were as a result of non-emphasis Agricultural Health programmed inspections, complaints or referrals.

Data Summary

A review of the data revealed:

- Out of the 174 pesticide related violations cited in FY 2002, 25% were cited as serious; in FY 2001 there were 152 pesticide related violations with 47% cited as serious.
- FY 2002 was the first year denoting Tier One and Tier Two inspections. Tier One inspections are those where pesticides have been applied within the previous thirty days. Tier Two inspections are those where pesticides have not been applied within the previous 30 days. Of the selected SIC inspections 79% were Tier One.
- The percentage of inspections with citations was down in FY 2002 except for SICs 0172 and 0175, however, when looking at the percentage of health inspections only (as compared to combined safety and health inspections) with violations, the percentage was much higher: 74% vs 46%.
- Only one WPS violation was cited by safety out of 28 inspections coded as a WPS inspection.
- The number of employees covered were down for all SICs except for comprehensive health.
- The scheduling list was changed to designate employers with less than ten employment and greater than ten, utilizing a random sort of all employers within the selected SICs. There were fewer attempted inspections, (designated triple zero inspections for internal tracking purposes) than in 2002.
- Forestry appeared as an area of concern, and combined with the incorporation of WPS into the new Division 7, Forest Practices, attention needs to be give to WPS in forestry.
- Programmatically, no training/end-of-year was held for the group; two health compliance officers attended EPA training out of state.
- No procedures were put in place to coordinate between sections to address areas being cited other than distribution of the annual report.
- EPA Region X conducted a review of the program for FY 2000 which was found to be favorable.
- OR-OSHA participated in the EPA WPS National Assessment's Hazard Communication R2K committee.
- The number of pesticide related consultations was down substantially from the previous year, with only 9 consultations conducted in the Selected SICs for FY 2002, as compared to 63 conducted in FY 2001.
- Health compliance officers conducted three speaking engagements related to pesticides, one in Albany regarding general pesticide safety, one in Medford for the Hispanic Interagency Commission, and one for WPS in forestry in Springfield.

In the Selected SICs, violations affecting handlers accounted for 74% of the violations, with worker-related violations at 26%. For violations examined by subject, two categories account for almost half of all violations cited. Hazard Communication and Central Posting were each cited 22% of the time. Training for both Hazard Communication and WPS accounted for an additional 13%, with decontamination-related violations at 13%. Separately, respiratory violations accounted for 10% with other personal protective equipment violations at 8%.

Combined, these two related categories would account for 18%, placing this category ahead of training. Pesticide storage issues accounted for 10%, while field posting accounted for 2% of the violations.

By contrast, with inspections involving the Non-Selected SICs, Hazard Communication and Central Posting combined accounted for just 21% of the violations, with Central Posting only cited 12%. Decontamination was cited 6%, with training cited at the same frequency as Central Posting. Notably higher were the combined respirator and PPE accounting for 31%. One inspection involving Thiram accounted for 12% of violations cited. Field posting was consistent with the Selected SICs at 2%. Oregon OSHA exceeded the number of inspections committed to the EPA.

Areas to be examined and addressed prior to the start of FY 2003's growing season are the expectations for safety compliance officers in relation to the WPS, training and inclusion into the program of forest activities, and improved coordination between sections of Oregon OSHA.

Graphics

This year's annual report contains graphics, rather than tables like those used in past reports which listed individual rule numbers cited. Graphs by Selected SIC, and Non-Selected SIC, indicate where the violations occurred by subject categories for FY 2002. Additional bar graphs indicate similar information by each of the Selected SICs for the past three years.

Pesticide Analytical Response Center

The Pesticide Analytical and Response Center (PARC) is mandated to coordinate member state agencies' response to pesticide-related incidents, collect incident information, and report investigation results (ORS 634.550). As a member agency, Oregon OSHA is involved in occupationally-related pesticide incidents when permission is granted by the individual to allow a referral to Oregon OSHA. In FY 2002 there were ten Oregon OSHA inspections involving eight human pesticide exposure incidents which met the classification of a Pesticide Analytical Response Center case. Five of these inspections occurred in the forestry/agriculture sector, four involved interior applications and one case involved landscaping. The pesticides involved were insecticides Talstar (2), Diazinon and Tetramethrin; fungicides Thiram and Copper-Count; and herbicides Velpar DF, Oust and Transline. Of the ten inspections, eight resulted in citations, for a total of 22 violations, 12 being cited as serious. Violations cited included hazard communication, lack of written programs and training, lack of an emergency eyewash, failure to provide notification of pesticide applications, personal protective equipment issues, various missing elements of the Thiram code, and lack of health hazard control measures.

**PESTICIDE ENFORCEMENT ACTIVITY
IN SELECTED SICs**

PARTIAL WORKER PROTECTION STANDARD INSPECTIONS (Workers Only)

*(Inspections conducted by Safety Compliance Officers - *Tier 1 and *Tier 2)*

SIC	0139	0171	0172	0175	0191	TOTALS
# Inspections	1	6	2	8	6	23
# Employees	3	244	23	79	205	554
# with Violations*	0	0	0	0	0	0

COMPREHENSIVE PESTICIDE INSPECTIONS (Workers and Handlers)

*(Inspections conducted by Health Compliance Officers - *Tier 1 and *Tier 2)*

SIC	0139	0171	0172	0175	0191	TOTALS
# Inspections	5	7	5	11	10	38
# Attempts	6	10	5	11	16	48
# Employees	51	141	75	106	172	545
# with Violations	4 (80%)	4 (57%)	5 (100%)	10 (91%)	5 (50%)	28 (74%)

COMBINED PESTICIDE INSPECTION TOTALS

SIC	0139	0171	0172	0175	0191	TOTALS
# Inspections	6	13	7	19	16	61
*Tier 1	4	9	7	16	12	48
*Tier 2	2	4	0	3	4	13
# Employees	54	385	98	185	377	1099
# with Violations	4	4	5	10	5	28
% Inspections with Violations	67%	31%	71%	55%	31%	46%

*Tier 1 Inspections: Pesticides used within the preceding 30 days plus the restricted entry interval

*Tier 2 Inspections: Pesticides used greater than 30 days plus the restricted entry interval

PESTICIDE ENFORCEMENT ACTIVITY

IN NON-SELECTED SICs

PARTIAL WORKER PROTECTION STANDARD INSPECTIONS (Workers only)

*(Inspections conducted by Safety Compliance Officers - *Tier 1 and *Tier 2)*

SIC	0181	0782	Forestry	0761	5261	TOTALS
# Inspections	2	0	0	3	0	5
# Employees	48	0	0	123	0	171
# with Violations*	1	0	0	0	0	1

COMPREHENSIVE PESTICIDE INSPECTIONS (Workers and Handlers)

*(Inspections conducted by Health Compliance Officers - *Tier 1 and *Tier 2)*

SIC	0181	0782	Forestry	0761	5261	TOTALS
# Inspections	8	2	7	1	3	21
# Attempts	8	3	7	1	3	22
# Employees	286	59	108	150	6	609
# with Violations	5	2	5	0	2	14

COMBINED PESTICIDE INSPECTION TOTALS

SIC	0181	0782	Forestry	0761	5261	TOTALS
# Inspections	10	2	7	4	3	26
Tier 1	6	<i>wps</i>	5	1	2	14
Tier 2	4	<i>exempt</i>	2	3	1	10
# Employees	334	59	108	273	6	780
# with Violations	9	2	5	0	2	18
% Inspections with Violations	90%	100%	71%	0	67%	69%

**Tier 1 Inspections: Pesticides used within the preceding 30 days plus the restricted entry interval*

**Tier 2 Inspections: Pesticides used greater than 30 days plus the restricted entry interval*

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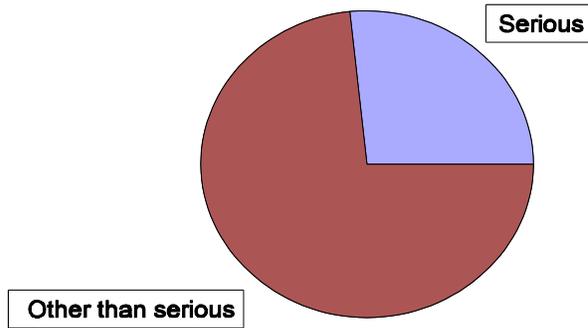
COMBINED INSPECTION DATA

SIC	# Insp.	Insp. w/ violation	WPS violations		WPS penalties	Violations non/WPS		Non/WPS penalties	# Repeat	# Employee
			Ser.	OTS		Ser.	OTS			
0139	6	4	6	13	\$935	7	7	\$440	0	54
0171	13	4	0	10	0	0	15	0	0	385
0172	7	5	0	14	0	0	6	0	0	98
0175	19	10	8	24	\$630	11	24	\$630	0	185
0191	16	5	9	2	\$565	3	15	\$330	0	1377
0181	10	9	3	13	\$665	7	13	\$555	0	334
Forest	7	5	1	4	\$105	0	7	0	0	108
Garden stores	3	2	0	3	0	0	2	0	0	6
0782	2	2	0	0	0	8	1	\$605	0	59
0761	4	0	0	0	0	0	0	0	0	273
TOTALS	87	46	27	83	\$2900	36	90	\$2560	0	1879

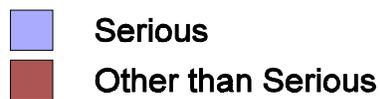
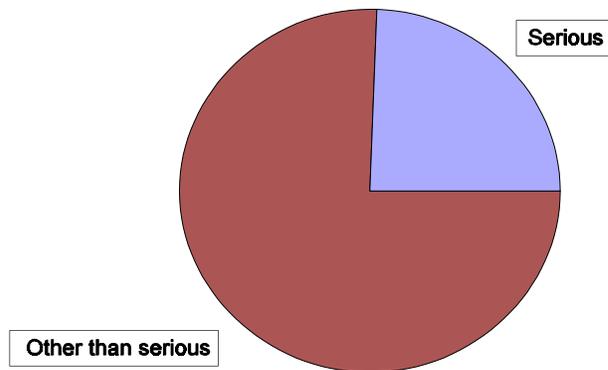
<p>TOTAL PESTICIDE RELATED VIOLATIONS = <u>236</u> SERIOUS 27% TOTAL WPS VIOLATIONS = <u>110</u> SERIOUS 25%</p>

FY 2002

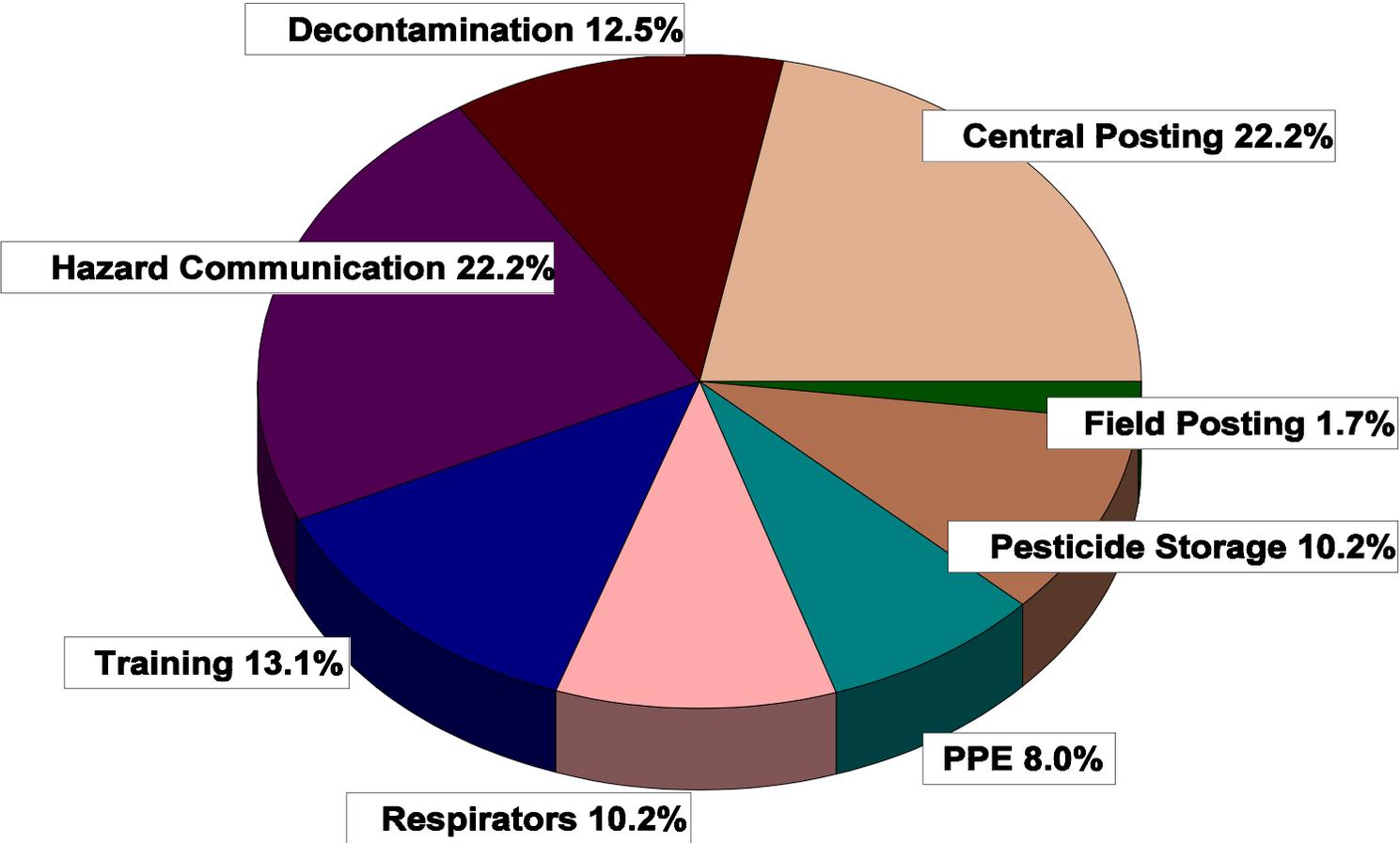
SEVERITY OF PESTICIDE RELATED VIOLATIONS



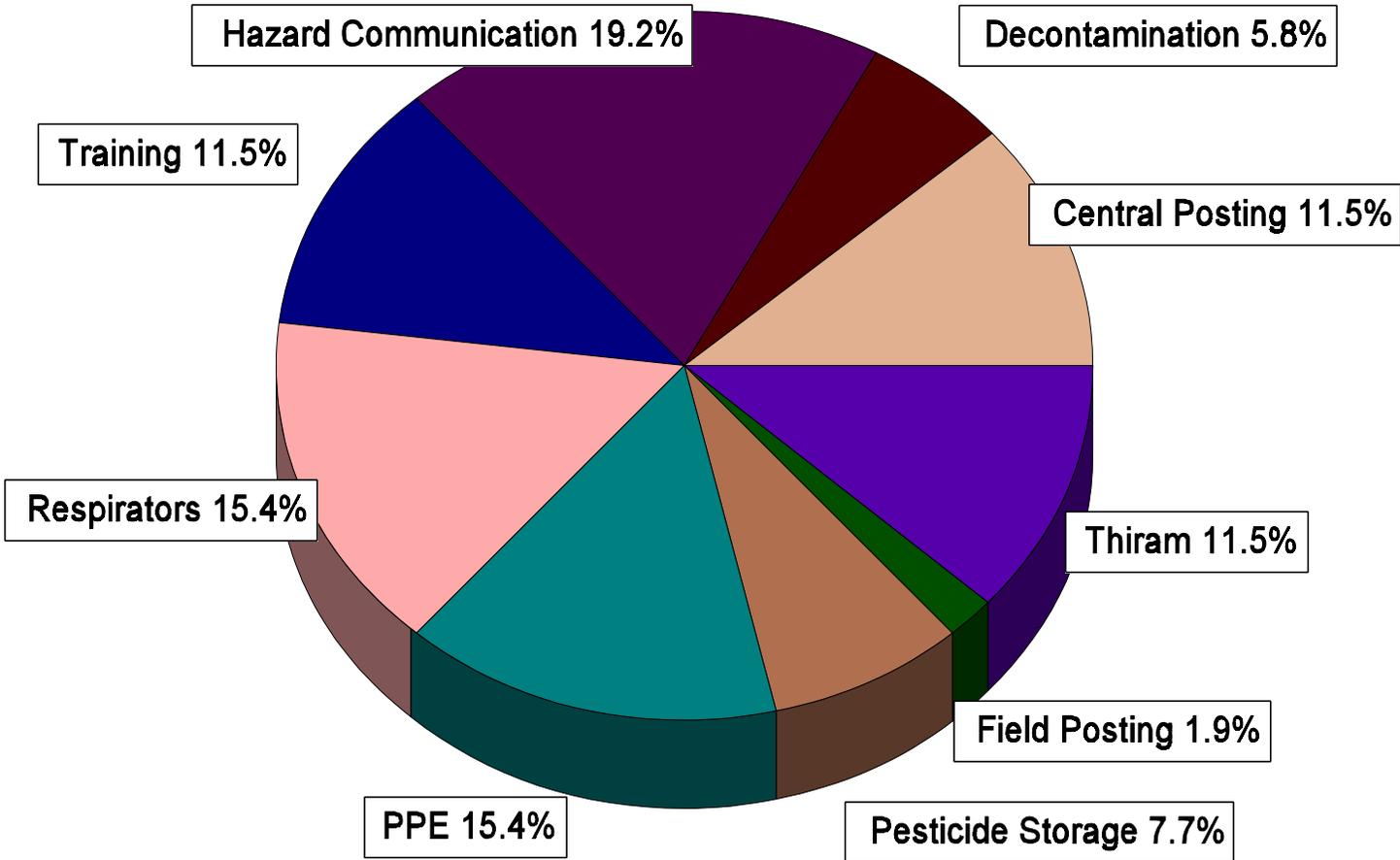
SEVERITY OF WPS VIOLATIONS



PESTICIDE VIOLATION CATEGORIES/ SELECTED SICs



**PESTICIDE VIOLATION CATEGORIES/
NON SELECTED SICs**



Pesticide Related Interventions - External Training

<u>Agriculture classes</u> 401 - Worker Protection Standard, workshops and on site training 203 - Personal Protective Equipment, workshops, on-site training, and Internet courses 205 - Hazard Communication Program, workshops, on-site training, and Internet courses	122 sessions
Total in attendance	778

<u>Health Compliance Officer Speaking Requests</u> Linn Benton - Pesticide Safety Hispanic Interagency Commission - WPS UAP Forest Practices - WPS Revisited	3 sessions
Total in attendance	150

Pesticide Related Interventions - Resource Center

Pesticide video loans	63
“Safe Practices When Handling Agricultural Chemicals” brochure	18,000
Washing pesticide contaminated clothing magnet (Spanish)	880
Division 4, Agriculture	95

**Pesticide Related Interventions - Consultative Services
Conferences**

Oregon Landscape Contractor's Conference	Nov 15-16, 2001
Willamette Valley Ag Expo	Nov 27-29, 2001
Northwest Agriculture Show	Jan 28-30, 2002
Oregon Logging Conference	Feb 20-23, 2002
Farwest Nursery Show	Aug 22-24, 2002

Consultations - By SIC

<u>0139</u>	<u>0171</u>	<u>0172</u>	<u>0175</u>	<u>0191</u>	<u>Total</u>
0	2	3	4	2	9

**OR-OSHA Resource Center
Pesticide-Related Videos Requested During FY 2002**

Item #	Name	English	Spanish	Times Req.
464	EPA WPS for Orchard Workers	x	x	2
465	EPA WPS for Pesticide Handlers	x	x	9
474	Oregon Pesticide Safety Guide	x		6
475	Oregon Pesticide Safety Guide		x	5
381	Chasing the Sun/Siguiendo El Sol	x	x	2
384	Greenhouse Pesticide Safety Training Workers & Handlers	x	x	0
352	How to Conduct Worker Protection Training/Train the Trainer	x		6
380	Pesticide Handlers and the Worker Protection Standard	x		1
383	Pesticide Handlers and the Worker Protection Standard		x	6
600	Pesticide Safety: Help Workers Protect Themselves	x		4
608	Pesticide Safety: Help Workers Protect Themselves		x	6
323	Pesticide Safety Worker Protection Oregon	x	x	6
392	Pesticide Training for Agricultural Employees	x	x	0
327	Shedding Some Light on Pesticide Protection	x		7
332	Worker Protection Standard An Overview	x		2
1051	Protecting Yourself From Pesticide Hazards <i>new</i>	x	x	1
	Total Videos Requested			63

Selected SICs

	FY 2002	FY 2001	FY 2000
Number of Inspections	61	62	47
Number with PRV*	28	34	29
# of Different Employers	51	59	29
Employers in compliance	15	19	3
Handler related violations	74%	56%	70%
Worker related violations	26%	44%	30%

*Pesticide Related Violations

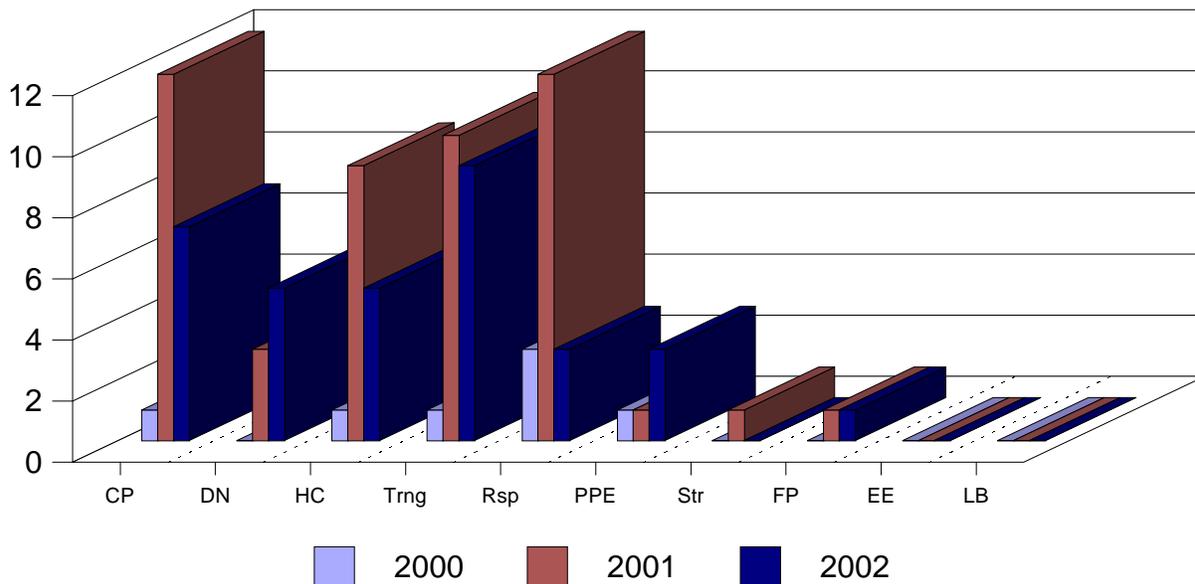
Non-Selected SICs

	FY 2002	FY 2001	FY 2000
Number of Inspections	26	28	19
Number with Citations	18	15	10
# of Different Employers	24	20	19

Combined Inspection Results

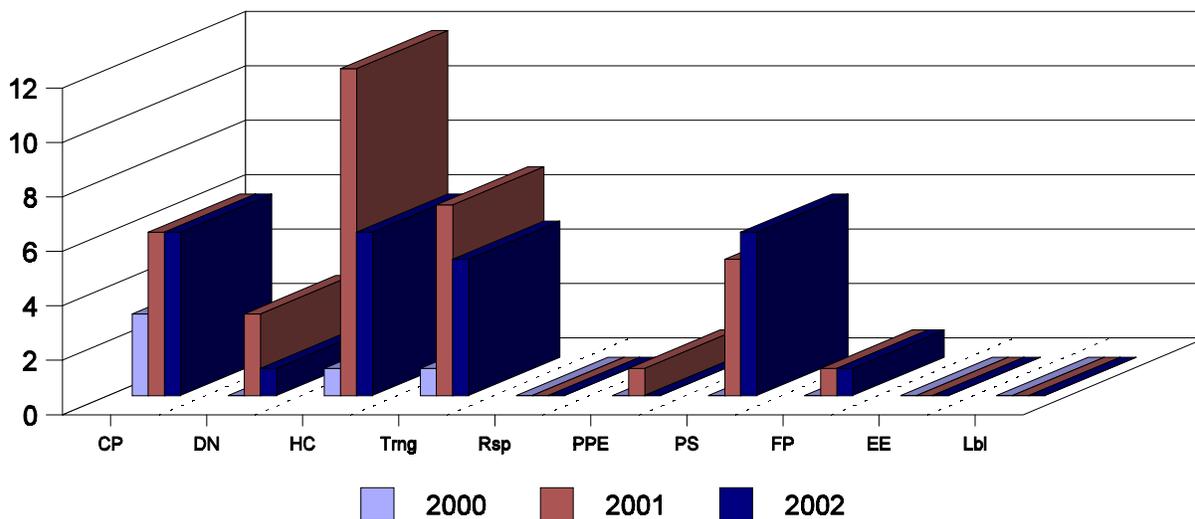
	FY 2002	FY2001	FY 2000
Total Inspections (all SICs)	87	90	66
Total WPS Violations	110	128	81
Total WPS Penalties	\$2900	\$4910	\$1710
Total Pesticide Related (non- WPS) Violation	126	119	36
Total Pesticide Related (non-WPS) Penalties	\$2560	\$2295	\$285
Total # of employees covered	1879	2241	2480

Violation Summary per Year for 0139 - Field Crops

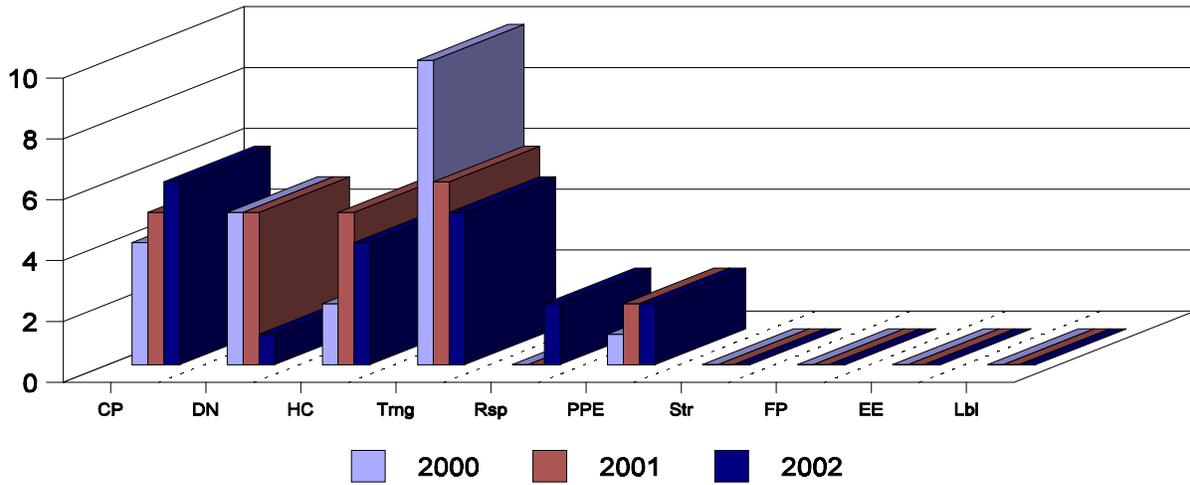


CP= Central Posting DN= Decontamination
 HC= Hazard Communication; Trng= Training
 Rsp= Respirator; PPE=PPE; Str= Storage
 FP= Field Posting; EE= Early Entry; Lbl= label

Violation Summary per Year for 0171 - Berry Crops

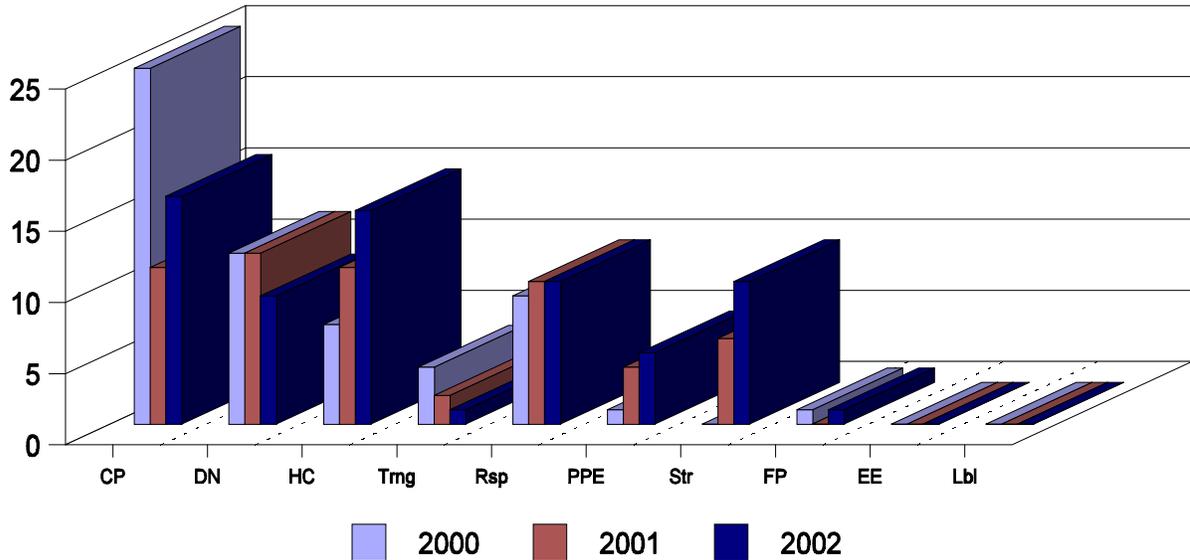


Violation Summary per Year for 0172 - Grapes

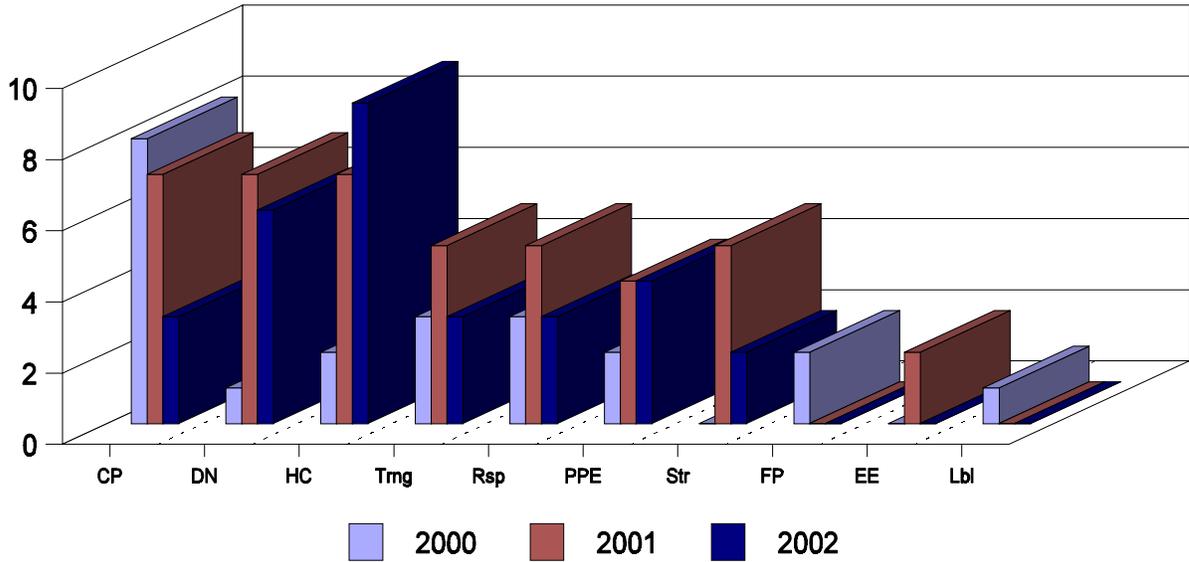


CP= Central Posting DN= Decontamination
 HC= Hazard Communication; Trng= Training
 Rsp= Respirator; PPE=PPE; Str= Storage
 FP= Field Posting; EE= Early Entry; Lbl= label

Violation Summary per Year for 0175 - Deciduous Tree Fruits

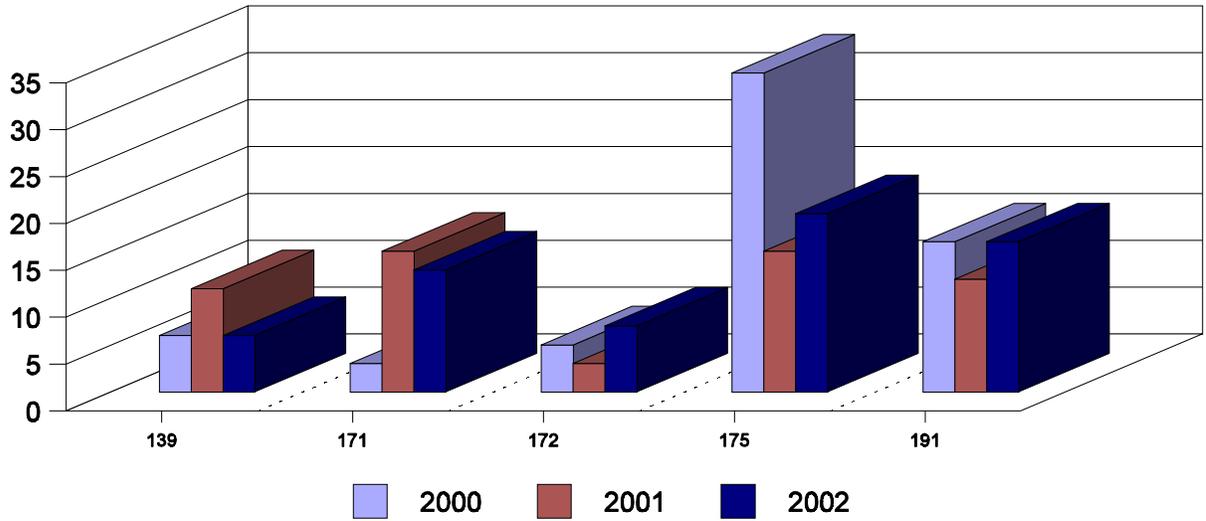


Violation Summary Per Year for 0191 - General Farming



CP= Central Posting DN= Decontamination
 HC= Hazard Communication; Trng= Training
 Rsp= Respirator; PPE=PPE; Str= Storage
 FP= Field Posting; EE= Early Entry; Lbl= label

Violation Numbers By Year & SIC



SIC 0139 - Field Crops
SIC 0171 - Berry Crops
SIC 0172 - Grapes
SIC 0175 - Deciduous Tree Fruits
SIC 0191 - General Farming