

SAEAC Focus Group

Meeting Minutes

July 26, 2017

Present:

Name – affiliation

Eddie - University of Washington
Scott Dahlman - OFS
Steve Castagnoli - OSU
Rose Kachadoorian - ODA
Dave Silen - Holiday Tree Farms
Nargess Shadbeh - Oregon Law Center
Mike Doke - Columbia Gorge Fruit Growers

Oregon OSHA staff present

Michael Wood
Renée Stapleton
Heather Case
Garnet Cooke (Contact)
Trena VanDeHey
Sarah Rew (Recorder)

Welcome and Introductions

Those in person introduced themselves. Michael Wood gives an overview of the history and purpose of this committee. Today's meeting will focus on the AEZ (application exclusion zone), a possible compliance alternative, different pesticide application methods and possible incentives for innovation.

Advisory committee role and responsibilities

The committee is open to the public. Our goal is to involve stakeholders in the development of our administrative rules, which includes providing information about the fiscal impacts of potential rule requirements.

Background

Prior to the first meeting, everyone on the SAEAC email list was provided with links to the adopted rules and to the text of the three rules being considered as a starting point for this rulemaking.

- [Changes to the Worker Protection Standard](#) (rules adopted February 14, 2017 and effective January 1, 2018)
- Rule language currently under consideration (not yet adopted):
 - 40 CFR 170.405(a)
 - 437-004-6405 Compliance Alternative for Protected Spaces
 - 437-004-6406 Spray Drift

Group Discussion

Garnet Cooke discussed using the requirement of a respirator to determine the AEZ. In the 1992 version of WPS the EPA allowed the applicator to forego the label required respirator when the cab was equipped with a properly functioning ventilation system declared in writing by the manufacturer. The manufacturers withdrew their certifications after the enclosed cabs were found to be grossly contaminated. This was not due to the failure of the charcoal filters, but that the tractor operators were tracking contamination into the cabs. However, this concept could be applied to the AEZ discussion. The idea was discussed that if the label required a respirator than the AEZ could be 150' and no shelter in place as an option. If no respirator is required than 100' AEZ with a shelter in place as an option.

Discussed the concept of an excellence program such as: North Carolina's Gold Star Program. If something similar to the excellence program was implemented, it would raise the bar for health and safety in the agriculture community that could lower the AEZ requirements.

Discussed the various innovations ideas that may used to reduce the AEZ:

- Drift reduction technology
- Electrostatic sprayers
- Ultrasonic sprayers
- Calibration

[Sprayers 101](#) is referenced as a great resource for farmers.

Timeline

Our goal is to file proposed rules with the Secretary of State during the summer of 2017. We will subsequently hold public hearings, accept public comment, and adopt the final rules with an effective date of January 1, 2018 – the same effective date as the previously adopted modifications to the Worker Protection Standard rules.

Action

Next meeting:

August 8, 2017 12:30 - 2:30

Contact:

Garnet Cooke, Agricultural Health Compliance Officer, Oregon OSHA
(503) 378-4730 | Garnet.R.Cooke@oregon.gov