

**Proposed Changes to Worker Protection Standard (WPS)
L&I (WAC 296-307) and WSDA (WAC 16-233)**

L&I and WSDA intend to adopt changes to their respective WPS rules in order to be consistent with the language and requirements in both WACs that address the Worker Protection Standard.

	EPA CFR 40 Part 170	Current L&I WAC	Current WSDA WAC	Proposed WAC Wording	Comments
1	WORKER PROTECTION STANDARD	Worker Protection Standard is the proper reference. L&I has Worker Protection <u>Standards</u> in two locations.	WSDA has Worker Protection <u>Standards</u> in eight locations	Change to Worker Protection Standard where used in both WACS as a reference to the “Worker Protection Standard”. worker protection standard((s))	Change L&I and WSDA WACs when referencing the “Worker Protection Standard”. It is a singular reference rather than plural standards reference.
2	Eye-flush Eye-flushing Eye flush Eye flushing Eyeflushing	296-307-10905(3)(b)(vii) 296-307-10905(3)(c)(ix) 296-307-11225 title 296-307-11225(1)/(2)/(2)(a) 296-307-11415(9) Eye flushing 296-307-11225(4) Eye-flushing	Contents 16-233-221 16-233-101(3)(b)(vii) 16-233-101(3)(c)(ix) 16-233-221 title 16-233-221 (1)/2/(2)(a) Eye flushing 16-233-221(4) Eye-flushing 16-233-311(9) Eyeflushing	Change in both WACs to eye flushing .	L&I and WSDA will unify use of the term “eye flushing” in all locations to two words rather than a variation of word arrangements.
3	170.309(f) (2) Provide all of the following information to the treating medical personnel:	296-307-10825(6)(b) Provide all of the following information to that person or to the treating medical personnel:	16-233-021(6)(b) Provide all of the following information to the treating medical personnel:	(b) Provide all of the following information to the treating medical personnel, and upon request to the worker or handler : L&I: (b)Provide all of the following information to that person or to the treating medical personnel, <u>and upon request to the worker or handler</u> : WSDA: (b) Provide all of the following information to the treating medical personnel, <u>and upon request to the worker or handler</u> :	Both agencies modifying.

4	<p>170.311(a)(5)(ii) (ii) Anywhere that decontamination supplies must be provided on the agricultural establishment pursuant to 170.411, 170.509 or 170.605, but only when the decontamination supplies are located at permanent sites or being provided at locations and in quantities to meet the requirements for 11 or more workers or handlers.</p>	<p>296-307-10830(1)(d)(ii) Anywhere that decontamination supplies must be provided on the agricultural establishment pursuant to WAC 296-307-10930, 296-307-11225 or 296-307-11415, but only when the decontamination supplies are located at permanent sites or being provided at locations and in quantities to meet the requirements of ten or more gallons of water.</p>	<p>16-233-026(1)(d)(ii) Anywhere that decontamination supplies must be provided on the agricultural establishment pursuant to WAC 16-233-126, 16-233-221 or 16-233-311, but only when the decontamination supplies are located at permanent sites or being provided at locations and in quantities to meet the requirements for eleven or more workers or handlers.</p>	<p>Anywhere that decontamination supplies must be provided on the agricultural establishment pursuant to ..., but only when the decontamination supplies are located at permanent sites or being provided at locations and in quantities to meet the requirements for eleven or more workers or handlers.</p> <p>(ii) Anywhere that decontamination supplies must be provided on the agricultural establishment pursuant to WAC 296-307-10930, 296-307-11225 or 296-307-11415, but only when the decontamination supplies are located at permanent sites or being provided at locations and in quantities to meet the requirements ((of ten or more gallons of water)) for 11 or more workers or handlers.</p>	<p>L&I change to align with WSDA and EPA. No WSDA Change.</p>
5	<p>170.401(c)(4)(ii) Have completed an EPA-approved pesticide safety train-the-trainer program for trainers of workers.</p>	<p>296-307-10905(3)(d)(ii) Have completed a pesticide safety train-the-trainer program approved by the Washington state department of agriculture in accordance with chapters 15.58 and 17.21 RCW;</p>	<p>16-233-101(3)(d)(ii) Have completed a pesticide safety train-the-trainer program approved by the Washington state department of agriculture in accordance with chapters 15.58 and 17.21 RCW;</p>	<p>Have completed an EPA-approved pesticide safety train-the-trainer program for trainers of workers: or</p> <p>(ii) Have completed ((a)) an EPA-approved pesticide safety train-the-trainer program ((approved by the Washington state department of agriculture in accordance with chapters 15.58 and 17.21 RCW)) for trainers of workers; or</p>	<p>Both agencies modifying to align with EPA wording.</p>
6	<p>170.501(c)(4)(ii) Have completed an EPA-approved pesticide safety train-the-trainer program for trainers of handlers.</p>	<p>296-307-11205(3)(d)(ii) Have completed a pesticide safety train-the-trainer program approved by a state, federal, or tribal agency having jurisdiction.</p>	<p>16-233-201(3)(d)(ii) Have completed a pesticide safety train-the-trainer program approved by a state, federal, or tribal agency having jurisdiction.</p>	<p>Have completed an EPA-approved pesticide safety train-the-trainer program for trainers of handlers; or</p> <p>(ii) Have completed ((a)) an EPA-approved pesticide safety train-the-trainer program ((approved by a state, federal, or tribal agency having jurisdiction-)) for trainers of handlers; or</p>	<p>Both agencies modifying to align with EPA wording.</p>

7

170.507(b)(5)
 Gloves must be the type specified on the pesticide product labeling.
 (i) Gloves made of leather, cotton, or other absorbent materials may not be worn while performing handler activities unless gloves made of these materials are listed as acceptable for such use on the pesticide product labeling.
 (ii) Separable glove liners may be worn beneath chemical-resistant gloves, unless the pesticide product labeling specifically prohibits their use. Separable glove liners are defined as separate glove-like hand coverings, made of lightweight material, with or without fingers. Work gloves made from lightweight cotton or poly-type material are considered to be glove liners if worn beneath chemical-resistant gloves. Separable glove liners may not

Table 3 and 4 to follow
 296-307-11220(2)(e)(iii)

**Table 3
 Chemical Resistance Category Selection Chart for Gloves**

(For use when selecting glove types to be listed in the PPE section on pesticide label. Only select glove(s) that indicate a high level of chemical resistance.)

Note: This table below provides examples of categories of chemical resistant materials that can be used to protect against different kinds of pesticides.

Solvent Category (see Table 4)	Barrier Laminate	Butyl Rubber ≥ 14 mils	Nitrile Rubber ≥ 14 mils	Neoprene Rubber ≥ 14 mils	Natural Rubber* ≥ 14 mils	Poly-ethylene	Polyvinyl Chloride (PVC) ≥ 14 mils	Viton ≥ 14 mils
A (dry and water-based formulations)	high	high	high	high	high	high	high	high
B	high	high	slight	slight	none	slight	slight	slight
C	high	high	high	high	moderate	moderate	high	high
D	high	high	moderate	moderate	none	none	none	slight
E	high	slight	high	high	slight	none	moderate	high
F	high	high	high	moderate	slight	none	slight	high
G	high	slight	slight	slight	none	none	none	high
H	high	slight	slight	slight	none	none	none	high

* Includes natural rubber blends and laminates.

HIGH: Highly chemical-resistant. Clean or replace PPE at end of each day's work period. Rinse off pesticides at rest breaks.

MODERATE: Moderately chemical-resistant. Clean or replace within an hour or two of contact.

SLIGHT: Slightly chemical-resistant. Clean or replace within ~~((ten))~~ 10 minutes of contact.

NONE: No chemical-resistance.

16-233-216(2)(e)

Currently WSDA does not include either Table 3 or 4 following the "glove" section of 216(2)(e)(iii).

Table 3 and 4 to follow

16-233-216(2)(e)(iii)

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B	high	high	slight	slight	none	slight	slight	slight
C	high	high	high	high	moderate	moderate	high	high
D	high	high	moderate	moderate	none	none	none	slight
E	high	slight	high	high	slight	none	moderate	high
F	high	high	high	moderate	slight	none	slight	high
G	high	slight	slight	slight	none	none	none	high
H	high	slight	slight	slight	none	none	none	high

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SLIGHT: Slightly chemical-resistant. Clean or replace within ~~((ten))~~ 10 minutes of contact.

NONE: No chemical-resistance.

Table 4

Solvent List (PRN 93-7, Supplement 2)

Solvent (chemical name or Trade name)	Chemical Resistance Category	Solvent (chemical name or Trade name)	Chemical Resistance Category
Acetone	B	Isopar L	E
Amyl Acetate	D	Isopar M	E
Aromatic 100	F or G	Isopar V	E
Aromatic 150	F or G	Isophorone	B
Aromatic 200	F or G	Isopropanol	C
Aromatic Petroleum	F or G	Kerosene	E
Butoxypolypropylene glycol	C	Methanol	C
Butyl acetate	D	Methyl amyl ketone	B

L&I adding Table 4

WSDA adding Table 3 and 4

Location of tables should be after (2)(e)(iii).

	<p>extend outside the chemical-resistant gloves under which they are worn. Chemical-resistant gloves with non-separable absorbent lining materials are prohibited.</p> <p>(iii) If used, separable glove liners must be discarded immediately after a total of no more than 10 hours of use or within 24 hours of when first put on, whichever comes first. The liners must be replaced immediately if directly contacted by pesticide. Used glove liners must not be reused. Contaminated liners must be disposed of in accordance with any Federal, State, or local regulations.</p>			<table border="1"> <tr><td><u>Cyclohexanone</u></td><td><u>B</u></td><td><u>Methyl Carbitol</u></td><td><u>C</u></td></tr> <tr><td><u>Diacetone alcohol</u></td><td><u>C</u></td><td><u>Methyl isobutyl ketone</u></td><td><u>B</u></td></tr> <tr><td><u>Diethanolamine</u></td><td><u>C</u></td><td><u>Mineral oil</u></td><td><u>E</u></td></tr> <tr><td><u>Diesel fuel</u></td><td><u>E</u></td><td><u>Mineral spirits</u></td><td><u>E</u></td></tr> <tr><td><u>Dipropylene glycol monothylether</u></td><td><u>C</u></td><td><u>Naphtha</u></td><td><u>E</u></td></tr> <tr><td><u>Ethanol</u></td><td><u>C</u></td><td><u>N-methyl pyrrolidone</u></td><td><u>B</u></td></tr> <tr><td><u>Ethylene glycol</u></td><td><u>C</u></td><td><u>Penreco 2251 oil</u></td><td><u>E</u></td></tr> <tr><td><u>Exxon 589</u></td><td><u>E</u></td><td><u>Petroleum Distillate (aliphatic)</u></td><td><u>E</u></td></tr> <tr><td><u>Heavy Aromatic Naphtha</u></td><td><u>F or G</u></td><td><u>Petroleum oil</u></td><td><u>E</u></td></tr> <tr><td><u>Hexylene glycol</u></td><td><u>C</u></td><td><u>Propylene glycol</u></td><td><u>C</u></td></tr> <tr><td><u>Isopar B</u></td><td><u>E</u></td><td><u>T 500-100</u></td><td><u>F or G</u></td></tr> <tr><td><u>Isopar C</u></td><td><u>E</u></td><td><u>Tetrahydro-furfuryl alcohol</u></td><td><u>C</u></td></tr> <tr><td><u>Isopar E</u></td><td><u>E</u></td><td><u>1,1,1-Trichloroethane</u></td><td><u>H</u></td></tr> <tr><td><u>Isopar G</u></td><td><u>E</u></td><td><u>Water</u></td><td><u>A</u></td></tr> <tr><td><u>Isopar H</u></td><td><u>E</u></td><td><u>Xylene</u></td><td><u>F or G</u></td></tr> <tr><td><u>Isopar K</u></td><td><u>E</u></td><td><u>Xylene range solvents</u></td><td><u>F or G</u></td></tr> </table>	<u>Cyclohexanone</u>	<u>B</u>	<u>Methyl Carbitol</u>	<u>C</u>	<u>Diacetone alcohol</u>	<u>C</u>	<u>Methyl isobutyl ketone</u>	<u>B</u>	<u>Diethanolamine</u>	<u>C</u>	<u>Mineral oil</u>	<u>E</u>	<u>Diesel fuel</u>	<u>E</u>	<u>Mineral spirits</u>	<u>E</u>	<u>Dipropylene glycol monothylether</u>	<u>C</u>	<u>Naphtha</u>	<u>E</u>	<u>Ethanol</u>	<u>C</u>	<u>N-methyl pyrrolidone</u>	<u>B</u>	<u>Ethylene glycol</u>	<u>C</u>	<u>Penreco 2251 oil</u>	<u>E</u>	<u>Exxon 589</u>	<u>E</u>	<u>Petroleum Distillate (aliphatic)</u>	<u>E</u>	<u>Heavy Aromatic Naphtha</u>	<u>F or G</u>	<u>Petroleum oil</u>	<u>E</u>	<u>Hexylene glycol</u>	<u>C</u>	<u>Propylene glycol</u>	<u>C</u>	<u>Isopar B</u>	<u>E</u>	<u>T 500-100</u>	<u>F or G</u>	<u>Isopar C</u>	<u>E</u>	<u>Tetrahydro-furfuryl alcohol</u>	<u>C</u>	<u>Isopar E</u>	<u>E</u>	<u>1,1,1-Trichloroethane</u>	<u>H</u>	<u>Isopar G</u>	<u>E</u>	<u>Water</u>	<u>A</u>	<u>Isopar H</u>	<u>E</u>	<u>Xylene</u>	<u>F or G</u>	<u>Isopar K</u>	<u>E</u>	<u>Xylene range solvents</u>	<u>F or G</u>	
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8	<p>170.507(d)(6) The handler employer must ensure that when filtering facepiece respirators are used, they are replaced when one of the following conditions is met:</p>	<p>296-307-11220(4)(f) The handler employer must ensure that when filtering facepiece respirators with particulate filtering elements are used, they are replaced when one of the following conditions is met:</p>	<p>16-233-216(4)(f) The handler employer must ensure that when filtering facepiece respirators are used, they are replaced when one of the following conditions is met:</p>	<p>The handler employer must ensure that when respirators with particulate filtering elements are used, particulate filtering elements are replaced as soon as any one of the following conditions is met:</p> <p>(f) The handler employer must ensure that when ((filtering facepiece)) respirators <u>with particulate filtering elements</u> are used, ((they)) <u>particulate filtering elements</u> are replaced ((when)) <u>as soon as any</u> one of the following conditions is met:</p>	<p>Both agencies the same, but different than EPA.</p>																																																																

9	170.605(b)(8) Location of the pesticide safety information required by 170.311(a) and the location of the decontamination supplies required by 170.605(h).	296-307-11415(2)(h) Location of the pesticide safety information required in WAC 296-307-10830(1) or 296-307-10835(1) and the location of the decontamination supplies required in subsection (8) of this section.	16-233-311(2)(h) Location of the pesticide safety information required in WAC 16-233-026(1) and the location of the decontamination supplies required in subsection (8) of this section.	<p>Location of the pesticide safety information required in WAC 296-307-10830(1) and the location of the decontamination supplies required in subsection (8) of this section.</p> <p>(h) Location of the pesticide safety information required in WAC 296-307-10830(1) (or 296-307-10835(1)) and the location of the decontamination supplies required in subsection (8) of this section.</p>	L&I change to align with WSDA and EPA. No WSDA Change. L&I had an additional WAC reference that was not applicable.
10	NA	Throughout standard	Throughout standard	<p>least (eighteen) 18 years old.”</p> <p>“during or within (seventy-two) 72 hours after his or her employment on”</p>	WSDA and L&I Formatting changes throughout to comply with Office of the Code Reviser updated Bill Drafting Guide regarding numbers formatting.