training information for such a long period of time. The groups asserted that more frequent retraining is needed for farm workers who are illiterate or have poor reading skills, and cannot rely on written materials to refresh their training.

In response to these concerns, EPA proposes to revise the Worker Protection Standard as described in units V. and VI. of this document.

## V. The Grace Period and Interim Grace Period

EPA is proposing three options for consideration and comment: the first option involves eliminating the 15-day grace period so that employers would have to train workers before they enter a treated area, and providing a 1-year interim period before the 0- day grace period would go into effect, the second option involves shortening the 15-day grace period so that employers would be required to train workers between 1 and 5 days after the worker has been hired and the third option involves requiring a weekly training program. The Agency is interested in receiving comments on all options presented.

(1) Shortening the grace period from 15 to 0 days after a 1 year interim grace period. The Agency is considering eliminating the training grace period If the grace period were eliminated entirely, all new workers would have to be trained before entering a treated area. An interim grace period of 1 year is being proposed to allow employers to prepare for the elimination of the grace period.

Training new workers before any possible exposure may be the most protective option. No worker would lack training because he or she had not worked enough days with a single employer. By eliminating the grace period, it is expected that compliance would be easier for the employer and state enforcement officer, because there would be no need to determine whether the worker had accumulated the requisite number of workdays on the establishment.

A 0-day grace period could result in the need for more frequent, possibly daily, training sessions. More frequent training sessions could result in increased training costs. Also, workers may have to be trained more than once if the employer could not assure that the worker had already received training.

(2) Shortening the grace period from 15 days to between 1 and 5 days. The Agency is considering shortening the grace period from 15 days to between 1 and 5 days. Workers would be trained earlier and perhaps better able to avoid or mitigate pesticide exposures. By

shortening the grace period, the possibility that workers would remain untrained because they moved frequently from employer to employer without accumulating the requisite number of days at any given establishment to require training would decrease.

Shortening the grace period is likely to increase the costs of training, since employers with higher rates of turnover in the workforce would have to schedule more frequent training sessions. Any grace period at all could mean that agricultural employers would need to track the number of days of entry each worker has accumulated in order to determine whether training must be provided. This could present a burden which could be substantial depending on the number of workers hired at the establishment, and the number who possess training verification cards.

(3) Requiring a weekly training program. The Agency is considering an option, where an employer would be required to provide a training session once a week to all untrained workers. This option might reduce the instances of workers entering treated areas before being trained, while reducing the training burden on employers by allowing predictability in providing training on a scheduled basis. A weekly training session may also result in less disruption to field labor activities. Also, a weekly training session may reduce cost by allowing for more trainees per session. For establishments with employee turnover, a weekly training session allows employers to "accumulate" new hires over the span of the week, potentially resulting in fewer training sessions needed than if employers were required to train each employee before applicable field entry. A weekly training session for untrained workers may, however, add a

recordkeeping burden to the employer. The Agency is interested in receiving information and comments on all options, particularly the benefits expected to be gained by shortening the grace period, as well as expected costs. Specifically, the Agency is seeking information on the following: the practicality and effectiveness of the options, how the frequency of new hires may effect the frequency of training sessions, the rate of turnover in employment among agricultural workers and handlers, situations where training before entry would not be possible, the risks and/or benefits of providing safety training information before or after entering a treated area, the feasibility of providing training on a short notice to English and non-English speaking

workers, mechanisms that are available or will be available to provide training on short notice, the impact on the employer and agricultural worker of a 1 year interim grace period before the 0day grace period would go into effect, specific problems caused by eliminating or shortening the interim grace period 5 years to 1 year and what could be done to eliminate those problems, what the regulated community has done to develop training programs in the 2 years since the WPS was issued and the estimated costs of a 0-day, 1 to 5-day grace period or a weekly training regimen.

## VI. The Retraining Interval for Workers and Handlers

The Agency is proposing for comment three options for the retraining interval for workers and handlers; (1) retaining the 5 year retraining interval, (2) shortening the retraining interval from 5 to 3 years or (3) provide annual retraining.

Since chemical use patterns frequently change, and new hazards may be identified for existing chemicals, a shortened retraining interval would be helpful in mitigating the potential hazards to farm workers and handlers.

The cost to employers of providing training to workers and handlers during an "out" year (any year after the first year of implementation) increases as the retraining period decreases. First year training costs are unaffected by the retraining interval. All workers must be trained during the first year, and handlers must be trained before they first handle pesticides. Due to turnover in the workforce, training after the first year will not be limited to every third year for a 3 year retraining interval. Rather, some mix of training and retraining will occur during all typical out years. A shorter retraining interval may require more training sessions during the average out year, with higher total costs. Also, if training of new workers and retraining of workers in out years are done at the same time, the costs of retraining (regardless of frequency) may be partially subsumed in the costs for initial training.

The Agency is interested in receiving information and comments on all options, particularly the benefits expected to be gained by shortening the retraining interval, as well as the impacts of a 5 year, 3 year and annual retraining interval. Specifically, the Agency is seeking information on the following: worker and handler retention of safety training information, whether agricultural workers and handlers have a greater need for retraining than workers in other occupations, the