D. Unfunded Mandates Reform Act

Pursuant to Title II of the Unfunded Mandates Reform Act of 1995, EPA has assessed the effects of this regulatory action on State, local, or tribal governments, and the private sector. This action does not result in the expenditure by State, local, and tribal governments in the aggregate or by the private sector of \$100 million or more in any one year.

List of Subjects in Part 170

Environmental protection, Intergovernmental relations, Occupational safety and health, Pesticides and pests.

Dated: September 25, 1995. Carol M. Browner, *Administrator.*

Therefore, 40 CFR part 170 is proposed to be amended as follows:

Part 170—[Amended]

1. The authority citation for part 170 would continue to read as follows:

Authority: 7 U.S.C. 136w.

2. In § 170.120, by revising paragraph (c)(2), redesignating existing paragraphs (c)(3) through (c)(7) as (c)(4) through (c)(8) respectively, and adding a new paragraph (c)(3) to read as follows:

§170.120 Notice of applications.

* * * * * (c) * * *

(2) On all use sites, the sign shall be at least 14 inches by 16 inches in size, and the letters shall be at least 1 inch in height unless a smaller sign and smaller letters are necessary, because the treated area is too small to accommodate a sign of this size. In nurseries and greenhouses only, a smaller sign may be used when a 14 inches by 16 inches sign may interfere with operations or the clear identification of the treated area. If a smaller sign is used, under any of the conditions above, it must be at least X inches x Y inches and meet the requirements of paragraph (c)(1) of this section.

(3) The grower may replace the Spanish portion of the warning sign with another non-English language which is read by a majority of workers who do not read English. The replacement sign must be in the same format as the original sign and be visible, legible, and weatherproof.

[FR Doc. 95–24212 Filed 9–28–95; 8:45 am] BILLING CODE 6560–50–F

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 170

[OPP-250108; FRL-4969-5]

Worker Protection Standard; Decontamination Requirements

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to amend the Worker Protection Standard (WPS) for agricultural pesticides by modifying the current requirements for decontamination sites for workers. EPA is proposing to shorten the time that decontamination sites are required when certain pesticides are used; all other decontamination provisions are unaffected by this proposal. The objective of the proposed change is to provide flexibility and encourage the use of low-toxicity pesticides, while ensuring that there is no increase in worker risk. EPA is also clarifying existing decontamination requirements so that agricultural employers will better understand their responsibilities under this WPS provision.

DATES: Written comments, data, or evidence must be identified by docket number and should be submitted on or before November 13, 1995.

ADDRESSES: Submit written comments in triplicate to: By mail: Program Resources Section, Public Response and Program Resources Branch, Field Operations Division (7506C), Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person, bring comments to: Rm. 1132, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA.

Comments and data may also be submitted electronically by sending electronic mail (e-mail) to: oppdocket@epamail.epa.gov. Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comments and data will also be accepted on disks in WordPerfect in 5.1 file format or ASCII file format. All comments and data in electronic form must be identified by the docket number "OPP-250108." No Confidential Business Information (CBI) should be submitted through e-mail. Electronic comments on this document may be filed online at many Federal Depository Libraries. Additional information on electronic submissions can be found in Unit VIII. of this document.

Information submitted as a comment concerning this document may be

claimed confidential by marking any part or all of that information as CBI. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A copy of the comment that does not contain CBI must be submitted for inclusion in the public record. Information not marked confidential may be disclosed publicly by EPA without prior notice. All written comments will be available for public inspection in Rm. 1132 at the Virginia address given above from 8 a.m. to 4 p.m., Monday through Friday, excluding legal holidays.

FOR FURTHER INFORMATION CONTACT: By mail: Joshua First or Allie Fields, Office of Pesticide Programs, Field Operations Division, Certification, Training, and Occupational Safety Branch (7506C), Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. By telephone: (703) 305–7437 and (703) 305–5391, respectively. By e-mail: first.joshua@epamail.epa.gov. SUPPLEMENTARY INFORMATION:

I. Statutory Authority

This proposal is issued under the authority of section 25(a) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), 7 U.S.C. 136w(a).

II. Background of the Worker Protection Standard

In 1992, EPA revised the Worker Protection Standard (40 CFR part 170) (57 FR 38102, August 21, 1992) which is intended to protect agricultural workers from risks associated with agricultural pesticides. The 1992 WPS expanded the scope of the original WPS to include not only workers performing hand labor operations in fields treated with pesticides, but also workers in or on farms, forests, nurseries, and greenhouses. It also included pesticide handlers who mix, load, apply, or otherwise handle pesticides for use at these locations in the production of agricultural commodities. The WPS contains other requirements for training, notification of pesticide applications, use of personal protective equipment, restricted entry intervals, decontamination, and emergency medical assistance.

This proposed WPS amendment is one of a series of Agency actions in response to concerns raised by persons affected by the final WPS rule since its publication in August 1992. In addition to this proposed amendment, EPA will also be publishing a notice soliciting public comment about possible modifications to the requirements for the WPS warning sign.