other changes it considered at this time, EPA desires comments on these possible changes. Should EPA receive comments on these options that the Agency finds to be compelling, it is possible that one or more of the options could be implemented.

## A. Options EPA Considered

1. Eliminating the requirement of a decontamination site after crops are harvested. EPA considered the option of eliminating the decontamination requirement after certain crops are harvested. EPA is not proposing this option for the following reasons.

First, tasks which occur after harvesting can result in high exposures to pesticide-treated surfaces and, therefore, high exposures to pesticide residues if residues remain. Implementing this option would contradict EPA's regulation that tasks resulting in any contact with pesticidetreated surfaces must be accompanied by a decontamination site. Depending on the persistence of the pesticide residues and the time that has elapsed between application and harvest, the risks could still be high. For example, this option could not be applied to orchard crops, melons, and other crops where significant amounts of live plant material or foliage remain after the crop harvest. Because so many different crops leave similar amounts of foliage after harvest, determining the crops that are ineligible for this option would be too resource-intensive.

Second, in those cases where the treated surfaces have been completely removed during harvest, the rule already allows entry with no contact without requiring decontamination supplies.

Finally, the costs of providing a decontamination site (which consists of water, soap, and disposable towels) are quite low. In certain situations, potential exposure to pesticide residues from activities in treated areas, and potential risks, even after harvest, can be high. Therefore, the Agency believes that the risks avoided by having decontamination sites available to workers appear to justify the very small costs of meeting that requirement.

2. Ending the decontamination requirement when REIs expire. EPA considered eliminating the requirement for decontamination sites after the particular REI has expired. This option is appealing because the REI represents the time of greatest exposure potential and the greatest potential acute risk. The WPS establishes interim REIs, based on toxicity, for pesticides which have not been through the reregistration process. Excluding the interim REIs set by the WPS, EPA sets permanent REIs through the registration, reregistration and special review processes to coincide with the dissipation of pesticide residues, thereby minimizing potential worker exposure to residues.

EPA is not proposing this option for several reasons. First, pesticide residues often remain even after the REI. The residues present after the REI may not always pose an acute risk, but EPA is also concerned about other risks that they may pose, such as reproductive effects and carcinogenicity. If the decontamination requirements were to be eliminated immediately following the expiration of the REI, the workers would be subject to higher risks. The Agency believes that washing with soap and water will mitigate, to a substantial extent, the potential acute, chronic, and subchronic risks posed by pesticide residues which may remain after the REI.

Second, EPA does not yet have complete data sets on residue dissipation for all pesticides which have not been through the reregistration process; thus, interim REIs may not accurately reflect all potential risk to workers. Based on its experience with the reregistration process, the Agency believes that some REIs may be increased in the future.

3. Relating the length of time a decontamination site is required to toxicity category. EPA considered relating the length of time a decontamination site is required to broad toxicity categories (such as Toxicity Categories I through IV). EPA is not willing to propose this option because many pesticides can present risk beyond the REI, particularly for the higher toxicity pesticides. Pesticides can also present other than acute risks and EPA believes that provision of decontamination supplies should continue as currently required for most pesticides.

EPA is willing to propose a reduced decontamination period for a specific subset of pesticides, such as certain determined low-toxicity pesticides that have had 4-hour REIs approved for their use. EPA believes that pesticides that qualify for 4-hour REIs have been shown to present far less risk than pesticides with longer REIs. EPA does not believe that it is prudent to completely eliminate the decontamination requirement for these low-toxicity pesticides based upon the assumption that additional risks, such as carcinogenicity and mutagenicity, may still exist.

## B. Proposed Change

This proposal is in response to the input EPA has received from its stakeholders. It addresses only the requirement that decontamination sites be provided to workers for 30 days after the expiration of REIs. Other decontamination provisions will not be affected by this proposal.

1. Reasons for proposal. In considering the requests to change the decontamination requirement, EPA has reassessed the initial analysis used to establish the 30-day requirement. This reassessment is based on two factors. The first is the Agency's experience with recent data from the reregistration process. Through the reregistration process, it has been demonstrated that many pesticides pose additional risks, such as carcinogenicity and developmental effects. Second, agricultural pesticides that have not been through the reregistration process lack complete or substantially-complete data sets, making it difficult for the Agency to make an accurate estimate of the risks that these pesticides may pose. Although the Agency has established product specific REIs for pesticides that have completed the reregistration or special review processes, the Agency believes that products with permanent REIs, as well as those products with interim REIs should retain the 30 day decontamination period.

However, EPA has sufficient information to support the proposition that, because different pesticides pose different levels of risk, the current decontamination requirement does not adequately fit all pesticides. EPA is willing to decrease the time a decontamination site is required for pesticides which have been demonstrated to pose low or insignificant worker risks. The criterion EPA is using to determine which pesticides pose low or insignificant worker risks is a 4-hour REI. Any enduse pesticide that has had 4-hour REIs approved will have met or exceeded the standard for low or insignificant risk described in the May 3, 1995 Policy Statement (60 FR 21965).

In that policy statement, EPA identified 114 active ingredients which do not appear to pose any significant risks to workers. Based on substantial data sets (many of the 114 active ingredients have complete data sets) and a thorough screening of each pesticide, EPA believes that the 114 active ingredients listed in the Policy Statement present low risk. This is because of the active ingredients' low acute toxicity, an absence of reported worker poisonings associated with their