



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)
(Implements RCW 34.05.310)
Do **NOT** use for expedited rule making

Agency: Dept. of Agriculture

Subject of possible rule making: WAC 16-233 – Worker Protection Standards. The Department is proposing to adopt the current federal Worker Protection Standards specified in 40 C.F.R. §170 (Worker Protection Standard).

Statutes authorizing the agency to adopt rules on this subject: RCW 17.21.030, RCW 15.58.040, and chapter 34.05 RCW

Reasons why rules on this subject may be needed and what they might accomplish: In November 2015, the U.S. Environmental Protection Agency (EPA) updated their Worker Protection Standard (40 C.F.R. §170). This regulation specifies workplace practices designed to reduce or eliminate exposure to pesticides and establishes procedures for responding to exposure-related emergencies. This regulation is intended to reduce the risks of illness or injury to workers and handlers resulting from occupational exposures to pesticides used in the production of agricultural plants on agricultural establishments. Most of the new federal regulation goes into effect January 2017; with a few requirements going into effect January 2018. Revisions to chapter 16-233 WAC are necessary to remain uniform with current federal regulations.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: Washington State Dept. of Labor and Industries (LNI). The Dept. of Agriculture is coordinating the adoption of these rules with LNI.

Process for developing new rule (check all that apply):
 Negotiated rule making
 Pilot rule making
 Agency study
 Other (describe) Department staff will discuss any proposed amendments with affected stakeholders. Affected stakeholders will also have an opportunity to submit written comments on the proposed rules during the public comment period and will be able to present oral testimony at the public hearing.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:
(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

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DATE
October 5, 2016

NAME (TYPE OR PRINT)
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SIGNATURE


TITLE
Assistant Director

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STATE OF WASHINGTON
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