



BOARD OF COUNTY COMMISSIONERS

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January 25, 2018

Mr. Garnet Cooke
Dept. of Consumer and Business Services/Oregon OSHA
350 Winter Street NE
Salem, OR 97301-3882

Re: OR-OSHA 150 ft. Pesticide Buffer

Dear Mr. Cooke,

The Yamhill County Board of Commissioners is strongly opposed to *the Oregon Occupational Safety and Health Administration* (OR-OSHA) proposed rule for the implementation of the updated Federal Worker Protection Standard (WPS). OR-OSHA has gone above the Federal standard by proposing Application Exclusion Zones (AEZ) that go up to 150 ft. for some pesticide products that could adversely impact those who farm in our rural county.

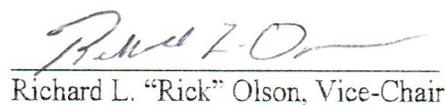
The Board takes exception to the proposed rule changes for many reasons including allowing "shelter in place" as a safer alternative for workers than having them leave their homes or workplaces during an application. Agricultural structures including: farmworker housing, office spaces, shops, and greenhouses can provide adequate protection in the rare event of off-target drift from a misapplication of pesticides. Requiring a larger 150 ft. AEZ for products that require respiratory PPE has no scientific justification. Liability for agricultural employers is unclear in the proposal. Pesticide applications are already tightly regulated by the Oregon Department of Agriculture and off-target drift is subject to civil penalties.

The EPA has stated that it will be delaying federal implementation of the new WPS which could result in Oregon applicators having much more stringent standards than applicators in any other state. This could cause additional impact to our farmers by making it more difficult to carry out their agricultural operations and could serve to make their products less competitive because of increased costs associated with the proposed rule change.

Please accept this letter from the Yamhill County Board of Commissioners opposing the proposed increased restrictions of the 150 ft. buffer for pesticides.

Sincerely,


Mary Starrett, Chair


Richard L. "Rick" Olson, Vice-Chair


Stan Primozich, Commissioner