

**Advocacy Recommends that EPA Consider Alternatives to Minimize Costs  
of Worker Protection Standard Revisions for Small Businesses**

On August 18, 2014, the Office of Advocacy (Advocacy) filed a comment letter with the U.S. Environmental Protection Agency (EPA) regarding its proposed rule entitled, “Pesticides; Agricultural Worker Protection Standard Revisions.” A complete copy of Advocacy’s letter to EPA may be accessed at: <http://www.sba.gov/advocacy/>.

- Based on the recommendation of the Government Accountability Office (GAO) and the Children’s Health Protection Advisory Committee (CHPAC), EPA decided to revise the 1992 Worker Protection Standards. In the fall of 2008, EPA convened a Small Business Advocacy Review (SBREFA) panel for both of its proposal (Worker Protection Standard for Agricultural Pesticides and Certification of Pesticide Applicators), during which 21 small entity representatives (SERs) reviewed the planned proposed rulemaking and submitted comments and recommendations to EPA for consideration during the rulemaking development process to address potential burdens on small businesses.
- On March 19, 2014, EPA issued the proposed rule, which will:
  - Increase frequency of mandatory training of workers
  - Expand mandatory posting of no-entry signs
  - Require no-entry areas surrounding pesticide treated areas
  - Impose a new recordkeeping and retention requirement of 2 years.

Under the Regulatory Flexibility Act (RFA), EPA certified that the proposed rule will not have a significant economic impact on a substantial number of small entities.

- Based on small business feedback, Advocacy is concerned that this rule will result in impose unnecessary burdens and substantial costs for small businesses without increasing worker protection.
- Advocacy urges EPA to consider the recommendations made by the SBREFA panel, to reconsider some of the alternatives from the preamble, and to consider providing regulatory flexibility for small businesses.

For more information, visit Advocacy’s Web page at <http://www.sba.gov/advocacy>, or contact Assistant Chief Counsel Tayyaba Waqar by email at [twaqar@sba.gov](mailto:twaqar@sba.gov) or by phone at 202-205-6790.