

Patricia D. Hastings

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Cc: "Nancy Santiago" <Nancy.Santiago@dep.state.nj.us>
Sent: Tuesday, December 18, 2007 12:58 AM
Subject: NJDEP WPS Compliance Assistance Notice

Nancy Santiago of the New Jersey Department of Environmental Protection Pesticide Control Program (PCP) Worker Protection Unit has announced that the program will be providing '**compliance assistance' inspections from January through March 31, 2008**. This announcement is a follow-up to a notice that private applicators will/have received in the mail from the NJDEP. The content of the two-sided mail insert is provided below as 'Compliance Assistance for Private Pesticide Applicators' and 'Common Compliance Problems'.

Please let private applicators know of this opportunity to be inspected without threat of enforcement action under these regulations. They may contact Nancy with any questions or to make an appointment for an inspection. She may be reached directly at 609-984-6914, or at the PCP main number at 609-984-6568.

Compliance Assistance for Private Pesticide Applicators

The Department of Environmental Protection, Pesticide Control Program (PCP) measures the success of pesticide use and farm worker protection rules on the number of farms in compliance, not the number of violations issued.

Consider requesting a compliance assistance inspection to prepare for a successful 2008. Common problem areas in pesticide record keeping, worker notification, storage and other areas will be addressed without the threat of enforcement action.

By working together, we can help ensure that the environment, your employees, and New Jersey agriculture overall remain healthy and productive. For further information, or to schedule a compliance assistance visit, please call the PCP's Worker Protection Unit at (609) 984-6914. For a list of common problem areas, see the reverse side.

Also, visit the PCP's web site at www.pcpnj.org for the actual regulations (particularly Subchapters 8, 12, and parts of 9 and 10) and more information on worker protection (WPS). For a list of "Most Common Violations at Farms" (June 2007) for all areas of environmental protection, visit the Department's "compliance advisory" web page at www.nj.gov/dep/enforcement.

Common Compliance Problems

1. Lack of pesticide safety training for field workers, or pesticide handlers (those who mix or apply pesticides, or handle application equipment).
2. Failure to obtain a private pesticide applicator license (since November 2003, the pesticide applicator license requirement was expanded to include the use of "general-use" or "over-the-counter" pesticides, in addition to the longstanding requirement for licensing for the use of "restricted" pesticides).
3. Failure to record the finish time of a pesticide application which serves as the start of a "Restricted Entry Interval" (REI). The REI is the time that must elapse between the end of a pesticide application and when it is permissible for a worker to enter the treated area or field, according to the pesticide label directions. Farmers who record only the start of a pesticide application as the time of application in their required records may send their workers back into sprayed fields too soon, in

- violation of the REI.
4. Missing one or more of the required items in the “central posting” of pesticide safety information for farm workers and handlers.
 5. Failure to inform the local fire department in writing of the pesticides stored and the location of the storage area, including the required cover letter for this information.
 6. Failure to maintain correct pesticide application information.
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Resources:

- The homepage of the NJDEP PCP Worker Protection Unit is www.state.nj.us/dep/enforcement/pcp/pcp-wps.htm.
 - The New Jersey subchapters cited above for the Worker Protection regulations may be found online at www.state.nj.us/dep/enforcement/pcp/pcp-regs.htm.
 - NJDEP Warning Advisory dated June 2007 entitled 'Most Common Violations Detected at Farms'; posted on the NJDEP Compliance Advisory webpage at www.nj.gov/dep/enforcement/advisories/2007-04.pdf.
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