

Department of Pesticide Regulation's Respiratory Protection Regulation Title 3 CCR Section 6739 for Pesticide Handlers



Department of Pesticide
Regulation
Worker Health and Safety Branch
Industrial Hygiene Services

Scope

This regulation applies to persons required (either by label, permit conditions, regulatory requirements or employer) to wear respiratory protection.

This includes, but is not limited to, mixer/loaders, applicators, field workers, fumigators, supervisors, foremen, and those whose work tasks place them in a pesticide treated environment.

More than likely, this means you.

General Requirements Respiratory Protection Program 6739 (a)

- Must develop a **written program** with **worksite-specific procedures** when respirators are necessary or required by the employer
- Must update program as necessary to reflect changes in workplace conditions (pesticide uses, use of engineering controls) that affect respirator use conditions.

Continued

General Requirements Respiratory Protection Program 6739 (a)

- Must designate a **program administrator** who is qualified by appropriate training or experience to administer or oversee the program and conduct the required program evaluations.
- Must provide respirators, training, and medical evaluations at no cost to the worker.

Continued

General Requirements Respiratory Protection Program Elements 6739 (a)

- A. Selection
- B. Medical evaluation
- C. Fit testing
- D. Proper use for routine and emergency
- E. Maintenance, cleaning and care
- F. Ensure breathing air quality
- G. Training in respiratory hazards (IDLH if applicable)
- H. Training in donning, doffing, limitations
- I. Program evaluation

Voluntary Respirator Provision 6739 (b)

- Employer may provide respirators at worker's request or permit workers to use their own respirators, if employer determines that such use in itself will not create a hazard
- If voluntary use is permissible, employer must provide users with the information contained in subsection (r)

Continued

Voluntary Respirator Provision 6739 (b)

- If respirators are employer supplied, employer must establish and implement those elements of a written program necessary to ensure that employee is medically able to use the respirator and that it is cleaned, stored, and maintained so it does not present a health hazard to the user.
- Exception: Employers are **not** required to include in a written program employees whose only use of respirators involves voluntary use of filtering facepieces (dust masks/TC-84A FFp).

Continued

Selection of Respirators 6739 (c)

Employer must select and provide an appropriate respirator based on the respiratory hazards to which the worker is exposed and workplace and user factors that affect respirator performance and reliability. **Label directions are appropriate guidance for selection of respirators.**

Selection of Respirators 6739 (c)

- Select a **NIOSH-approved respirator** that shall be used in compliance with the conditions of its certification
- Select respirators from a sufficient number of models and sizes so that the respirator is acceptable to, and correctly fits, the user
- Where exposure cannot be identified or reasonably estimated, the atmosphere shall be considered Immediately Dangerous to Life or Health (IDLH)

Continued

Definitions: Physician or Other Licensed Health Care Professional (PLHCP)

An individual whose legally permitted scope of practice (i.e., license, registration, or certification) allows him/her to independently provide, or be delegated the responsibility to provide, some or all of the health care services required by paragraph (c), *Medical evaluation*.

Medical Evaluation 6739 (d)

- Employer must provide a medical evaluation to determine worker's ability to use a respirator, **before fit testing and use.**
- Employer must identify a PLHCP to perform medical evaluations using a medical questionnaire or an initial medical examination that obtains the same information.
- Evaluation form must be filled out confidentially during worker's normal work hours or at a time and place convenient to the employee. Must be understood by the worker.

Continued

Medical Evaluation 6739 (d)

- The medical evaluation must obtain the information requested by the questionnaire in subsection (q): Medical Evaluation Questionnaire.
- After review of medical evaluation and/or physical examination of the worker, PLHCP shall provide employer with a written recommendation as to the worker's ability to use a respirator.

Continued

Fit Testing

6739 (e)

Before a worker uses any respirator with a **negative or positive pressure tight-fitting facepiece**, the worker must be fit tested with the same make, model, style, and size of respirator that will be used.

Continued

Facepiece Seal Protection

6739 (f)

- Respirators with tight-fitting facepieces must not be worn by workers who have facial hair or any condition that interferes with the face-to-facepiece seal or valve function
- Corrective glasses or goggles or other PPE must be worn in a manner that does not interfere with the face-to-facepiece seal
- Workers wearing tight-fitting respirators must perform a user seal check **each time they put on the respirator** using the procedures in Title 8, Section 5144, Appendix B-1 or equally effective manufacturer's procedures

Continued

Cleaning and Disinfecting

6739 (h)

- Provide each user with a respirator that is clean, sanitary and in good working order
- Use manufacturer's recommendations
- Clean and disinfect at the following intervals:
 - as often as necessary when issued for exclusive use (cleaning only)
 - before being worn by different individuals when issued to more than one employee (clean and disinfect)
 - after each use for emergency respirators and those used in fit testing and training (clean and disinfect)
 - use only a registered material for disinfection

Training and Information

6739 (m)

Employers must provide effective training to workers who are required to use respirators. Training must be understandable to workers.

Continued

Training and Information

6739 (m)

- Training must be provided prior to use, unless acceptable training has been provided by another employer within the past 12 months
- Retraining is required **annually**, and when:
 - changes in the workplace or type of respirator render previous training obsolete
 - there are inadequacies in the employee's knowledge or use
 - any other situation arises in which retraining appears necessary
- The basic advisory information in subsection (r) must be provided to workers who wear respirators when use is not required by label, regulation, permit condition or by the employer.

Recordkeeping

6739 (p)

- A record of fit tests must be established and retained.
- A written copy of the current program must be retained.
- Medical recommendations must be retained.
- Written materials required to be retained must be made available upon request to affected workers, the local CAC or others designated by the Director of DPR.
- Records must be retained during employment requiring respiratory protection and for three years

Medical Recommendation Form

6739(s)

This form, or one substantially similar, is to be used by the PLHCP to state to the employer if the worker can wear the respiratory protection required when handling pesticide. It allows the PLHCP to recommend other types of respiratory protection if medically necessary.

A copy of this recommendation is to be furnished to the worker.

So What's Different?

- Medical Questionnaire, Evaluation by PLHCP, Written Recommendation for Use
- Voluntary Respirator Use Program
- Respirator Program Administrator
- Documented Program Evaluation With Employees
- Maintain Copies of Prior Written Program
- Three Year Record Retention

Additional Information

Department of Pesticide Regulation

www.cdpr.ca.gov

Sample Written Respiratory Protection Program

www.cdpr.ca.gov/docs/whs/pdf/hs_1513.pdf

Cal OSHA

www.dir.ca.gov/dosh