



California Environmental Protection Agency
Department of Pesticide Regulation

Workshop to Develop Regulation Concepts for Field Fumigation Notifications

April 9, 2015

Email questions during meeting to:
precomments@cdpr.ca.gov

Agenda

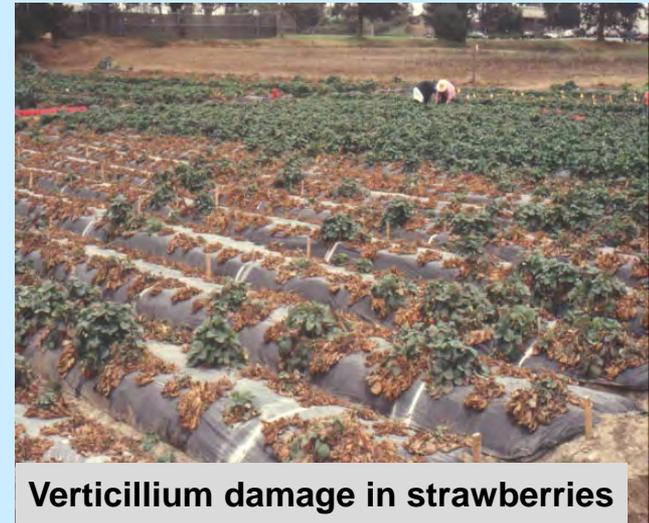
- Introductions and opening remarks – Brian Leahy, Director, DPR
- Current requirements – Randy Segawa, Special Advisor, DPR
- Agricultural commissioner perspective
- Grower perspective
- Non-governmental organization perspective
- Public perspective
- Next steps and closing remarks – Brian Leahy

Current requirements

- Background
- Current fumigation notification requirements
 - Label requirements
 - Methyl bromide regulations
- Summary

Background: uses

- Fumigants are applied to fields prior to planting for weeds, diseases, nematodes, and insects that are difficult to control
- Fumigants are injected into the soil with a tractor or applied through drip irrigation, and usually covered with a tarp



From Ajwa

Background: uses

- Fumigants are gases applied at high rates – potential bystander and residential exposure
- Most field fumigants are included in the top pesticides used in CA

Fumigant	2013 Rank
1,3-dichloropropene	4
Metam-potassium (MITC)	5
Chloropicrin	6
Metam-sodium (MITC)	9
Methyl bromide	11
Dazomet (MITC)	>100

Background: overview of pesticide use requirements

- EPA labels
 - Specify maximum amounts applied, application methods, crops, safety precautions, etc.
 - Fumigant labels include protections specifically for bystanders and residents
- DPR regulations (can be stricter than labels)
 - More stringent requirements for methyl bromide
 - All field fumigants are restricted materials, requiring permit
- County permit conditions (can be stricter than labels or regulations)
- The most stringent requirements must be followed, whether specified by labels, regulations, or permit conditions

Fumigant labels: triggers for emergency preparedness and response measures

- Required for chloropicrin, methyl bromide, MITC; 1,3-D excluded
- Measures are not required if buffer zone is 25 feet
- Certified applicator must provide response information for neighbors OR conduct sensory monitoring if:

Buffer zone is:	AND there are residences or businesses* within:
>25 ft but ≤100 ft	50 ft from edge of buffer zone
>100 ft but ≤200 ft	100 ft from edge of buffer zone
>200 ft but ≤300 ft	200 ft from edge of buffer zone
>300 ft or overlapping buffers	300 ft from edge of buffer zone

*Labels require extra protections for “difficult to evacuate” sites such as schools

Fumigant labels: response information for neighbors option

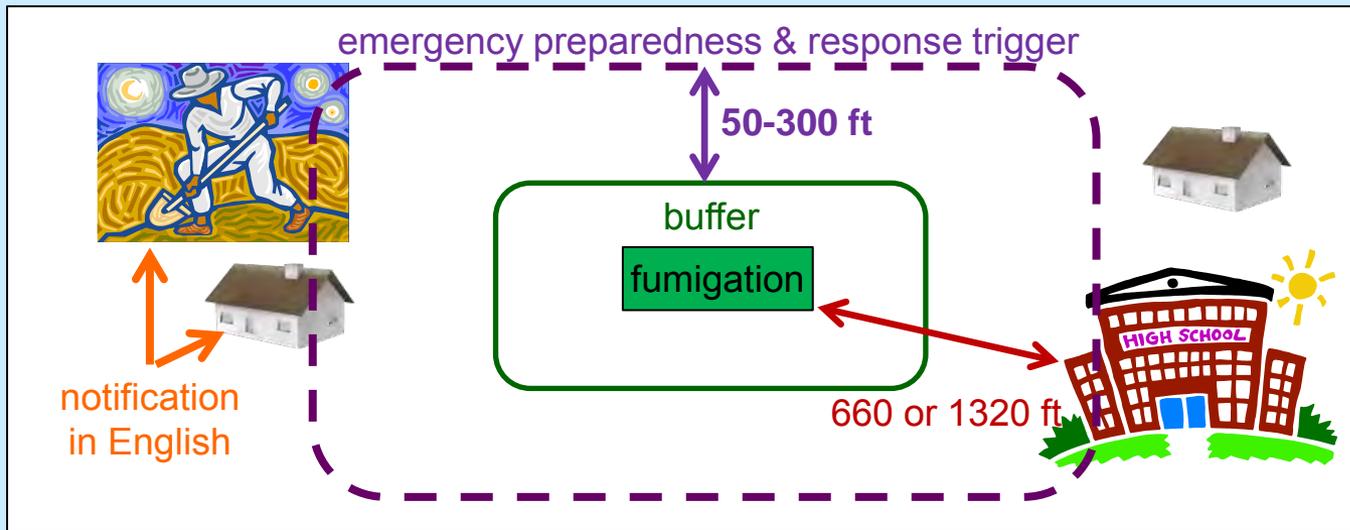
- For this option, labels require applicator to provide a mailing or door hanger in English at least 1 week before fumigation
- Notification includes
 - Location of fumigation (application block)
 - Fumigant product applied
 - Contact information for certified applicator and property owner
 - Time period application is planned (no more than 4-week window)
 - Early signs and symptoms, what to do if exposed
 - How to find additional information about fumigants

Methyl bromide regulations: right to know notification

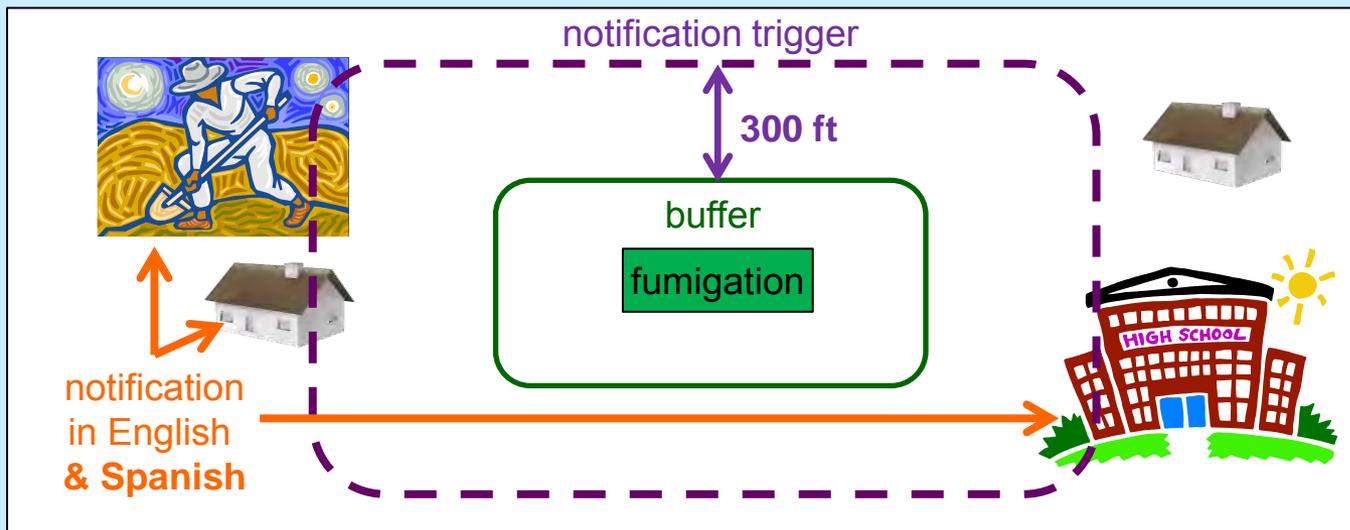
- Trigger for notification: schools, residences, hospitals, convalescent homes within 300 feet of buffer zone
- Property operator must provide initial written notification in English and Spanish at least 9 days before fumigation that includes
 - Fumigant name
 - Contact information for property owner
 - Contact information for ag commissioner
 - Time period application is planned
 - How to request subsequent notification of specific fumigation date
- If requested, the specific date and time (12-hour window) of fumigation must be provided at least 48 hours before fumigation

Fumigant notification

Label



DPR
Regulation



Other issues

- Compliance and enforcement issues
 - Difficulty in notifying certain properties, such as gated properties
 - Difficulty in identifying person that should be notified for properties with multiple people
 - Confirming that notification was delivered
- Schools – notification will be addressed in a separate regulation

Summary of notification

Issue	EPA Labels	DPR Regulation
Fumigants	Chloropicrin, dazomet, metam, methyl bromide	Methyl bromide
Purpose	Emergency preparedness	Right to know
Properties notified	Residences & businesses	Schools, residences, hospitals, convalescent homes
Trigger distances	Notify OR monitor if within 50-300 ft of buffer	Within 300 ft of buffer
Date notified	At least 1 week before fumigation	2-tier notification: 1) at least 9 days before fumigation; 2) 2 days prior to fumigation, if requested
Fumigation schedule	4-week window	12-hour window
Languages	English	English and Spanish
Manner notified	Mailings, door hangers, or similar	In writing, or means approved by ag commissioner

Summary of notification content

Information Included	EPA Labels (chloropicrin, dazomet, metam, methyl bromide)	DPR Regulation (methyl bromide)
Fumigant name	Yes	Yes
Location of fumigation	Yes	No
Contact info for property operator	Yes	Yes
Contact info for applicator	Yes	No
Contact info for ag commissioner	No	Yes
Specific fumigation date	No	Yes, if requested
Signs and symptoms of exposure	Yes	No
How to find more information	Yes	No

Questions?

- Presentation and other information will be available on DPR's website:
 - www.cdpr.ca.gov
 - “Quick Links” tab
 - Air link
 - Fumigant regulatory issues

Next steps and closing remarks

- Next steps
 - Late Fall 2015: regional workshops
 - Winter 2015/2016: responses to workshop comments
 - Spring 2016: proposed regulation noticed for public comment
 - Winter 2016/2017: regulation goes into effect

Additional information and submitting comments

- Presentation and other information will be available on DPR's website:
 - www.cdpr.ca.gov
 - “Quick Links” tab
 - Air link
 - Fumigant regulatory issues
- Submit comments in writing to
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