

36. Pesticide Use Near Schoolsites 3CCR § 6691

Scope: Pesticide applications made for the production of an agricultural commodity within ¼-mile of a schoolsite, made from Monday through Friday, between 6:00 a.m. to 6:00 p.m.

“Schoolsites” include:

- Child day care facility,
- Kindergarten, elementary, or secondary school used during the week, or
- Other property (such as parks used for school activities) identified by the commissioner.

Application restrictions do not apply when there is a written agreement with application restrictions as restrictive as or greater than 3CCR § 6691. The commissioner shall enforce a written agreement as if they were requirements in regulation. The agreement may be rescinded at any time; if an agreement is rescinded then 3CCR 6691 (a) through (c) apply.

Distance restrictions based on the following:

- Application equipment used, and
- Type of pesticide applied.

Minimum ¼- mile distance restriction for applications using:

- Aircraft.
- Airblast sprayer or ground application equipment when the liquid pesticide is in the airstream.
- Sprinkler chemigation equipment.
- Dust or powder, (except when injected into the soil there is no restriction), or
- A fumigant.

Minimum 25 foot distance restriction for applications using:

- Ground-rig sprayer, (exempt when applying, dust, powder, or fumigant).
- Soil injection, (except when applying fumigant).
- Other application equipment not identified, such as drip or flood chemigation, (except dust, powder, or fumigant).

There is no distance restriction for:

- Applications in an enclosed space (such as a greenhouse), (except fumigants).
- Bait stations.
- Dust or powder soil injections.
- Granule, flake, or pellet pesticides, (except fumigants or aircraft applications).
- Backpack equipment, (except when the pesticide is in the airstream created by the backpack equipment).
- Hand pump sprayer, (except for dust, powder, or fumigant)

There is no distance restriction when:

- Classes not scheduled for the day of application.
- Child day care facility closed during the entire day of the application.

- **No applications of fumigants are allowed when classes are scheduled or child day care facilities are open within 36 hours following fumigation.**

Mark “Yes” when:

- Application requirements are followed.
- Written agreement is followed.

Mark “No” when:

- Application requirements or written agreement is not followed. Document the details of why the application is in violation in the remarks section of the inspection report.

Mark “N/A” when:

- Property operator does not have an application site within 1/4-mile of a schoolsite.

Exemptions:

- When the facility does not meet the definition of a schoolsite.