

Chapter 2: Pesticide Pre-Application Site Evaluation (PR-ENF-102)

Purpose A site evaluation conducted before the application is the final step in the permit evaluation process for an intended application under the certified functional equivalency program. Pre-Application Evaluations are performed on proposed applications that require a Restricted Materials Permit. Restricted Materials Permit applications are subject to many of the requirements of the California Environmental Quality Act, (CEQA). See also Pesticide Use Enforcement Program Standards Compendium Volume 3 Restricted Materials and Permitting, Chapter 8

Denials When conducting a Pre-Application Site Evaluation, your responsibility is to:

- Determine if the site matches the description in the Restricted Material Permit and the Notice of Intent (NOI).
- Evaluate the basis for the intended application.
- Determine if the proposed application can be made safely.
- Assess compliance with relevant laws, regulations and permit conditions.
- Record your observations.

If you determine that the site or other characteristic of the proposed application differs significantly from the permit or NOI, the application should be denied or modified to address any hazards and to comply with all relevant pesticide laws, regulations and permit conditions.

Site selection Prioritize the sites to be evaluated based on the toxicity of the pesticide, the proximity of sensitive areas, the potential for adverse effects, and the individual's noncompliance record. An on-site evaluation and a written recommendation review are conducted to assess the situation prior to application. This is intended to provide the CAC with the opportunity to mitigate any possible hazards by conditioning or denying the notice of intent or modifying the restricted materials permit.

The CAC is responsible for knowing local conditions, including meteorological conditions and areas that may be adversely impacted by pesticide applications. Evaluate the potential hazard to nearby dwellings (homes, labor camps), buildings, recreational areas, schools, people not involved in the application (including those people likely to be performing

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Pesticide Pre-Application Site Evaluation, Continued

Site selection
(continued)

field work at the time of the application), susceptible crops, bees, animals (livestock, pets), endangered or threatened species and any other sensitive areas. DPR's Prescribe program, which provides information on the locations of endangered or threatened species and the mitigation measures recommended for these areas, can be found at:
<http://www.cdpr.ca.gov/docs/endspec/precint.htm>

Use for non-agricultural permit monitoring

Although this evaluation form was not designed for use in evaluating non-agricultural permit uses pursuant to 3CCR § 6436, it may be used for that purpose. See Chapter 8 of the PUE Program Standards Compendium Volume 3 Restricted Materials and Permitting.

When evaluating a non-agricultural site check "N/A" for requirements 1 and 3 [3CCR § 6434 and § 6428(c)] as they apply only to agricultural permit uses. Evaluate the basis for the application pursuant to 3CCR § 6430 and § 6432 (not 3CCR § 6426(a) as listed on the form).

Complete all applicable parts of the form and use the "Remarks" section to identify any concerns.

Information Blocks Specific to the Pre-Application Site Inspection

A completed Pre-Application Site Evaluation must address all applicable requirements, as well as the completion of all other informational blocks on the form.

**Information/
header spaces**

Provide all of the information requested at the top of the form. If some of the information is not available on site, you can add it later. If certain information is unknown, unavailable or not applicable indicate this by printing an appropriate designation in the space provided. All information boxes must be addressed in order to consider the document a complete evaluation. An “Acknowledged By” signature is not required for a pre-application site evaluation

**Operator of the
Property
Evaluated**

Print the name of the person that has primary control over activities performed on the property. Control may be gained through ownership, rent, lease or contract agreement. The laws and regulations listed in the “REQUIREMENTS” section apply to the property operator even if the proposed application is to be performed by a pest control business (PCB) and the PCB submitted the NOI

**Mailing
Address**

Print the mailing address of the property operator.

**Property
Location**

Print the physical location (such as address, cross-streets, or other standardized location references such as canal/gate) where the proposed application is to occur.

**Permit/
Operator ID
Number**

Print the permit number or the operator ID number.

**Pest Control
Business**

If the proposed application is to be performed by a PCB, print the name of the PCB. If the proposed application is to be performed by the grower, print “N/A”. If a NOI is denied, you should inform the PCB as well as the property operator.

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Information Blocks Specific to the Pre-Application Site Inspection, Continued

**Basis For
Application
Evaluated**
3CCR § 6426(a)
3CCR § 6436

A pre-application site evaluation must evaluate the need for the application. The evaluation must also determine that all effective and practical mitigation measures have been adopted and that all feasible alternatives that would lessen significant adverse impacts to the environment have been considered and adopted.

For non-agricultural uses, the use of each permit shall be inspected at least once a year.

Review the permit and the recommendation (if one was made) and verify that the following items have been addressed:

- Criteria for determining the need for the application.
 - Feasible alternatives for the application.
 - Adoption of any reasonable mitigation measures.
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**Written
Recommendation
Requested/
Provided.**
FAC § 12003,
FAC § 12004,
3CCR § 6556

When a recommendation has been written for the application being evaluated, it must be reviewed. The PCA or pest control operator, upon request, shall immediately furnish a copy of the written recommendation to the CAC.

Indicate in the boxes provided whether the recommendation for the subject application has been requested by the CAC and if it has been provided. If you are evaluating a grower application and there is no written recommendation, check the “N/A” boxes in both places.

**Proposed
Application
Date and Time**

When a recommendation has been written for the application being evaluated, it must be reviewed. The PCA or pest control operator, upon request, shall immediately furnish a copy of the written recommendation to the CAC.

Indicate in the boxes provided whether the recommendation for the subject application has been requested by the CAC and if it has been provided. If you are evaluating a grower application and there is no written recommendation, check the “N/A” boxes in both places.

PCA Employer

If a PCA wrote the recommendation you review, print the name of the PCA’s employer in the space provided. If the adviser is self-employed, print “Same”. If a PCA did not write the recommendation you review or if you did not review a recommendation, print “N/A”.

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Information Blocks Specific to the Pre-Application Site Inspection, Continued

PCA Name	If a PCA wrote the recommendation you review, print the adviser's name in the space provided. If a PCA did not write the recommendation you review or if you did not review a recommendation, print "N/A".
PCA Recommendation Number	If the recommendation you review has a number, print it in the space provided. If the recommendation does not have a number or if you have not reviewed a recommendation, print "N/A".
PCA License Number	If a PCA wrote the recommendation you review, print the adviser's license number in the space provided. If you did not review a recommendation, or when the recommendation is written by the grower, print "N/A".
PCA Registered In County	If a PCA wrote the recommendation you review, indicate whether the PCA is registered in your county by checking the appropriate box. If a PCA did not write the recommendation you review or if you did not review a recommendation, print "N/A".
Outline map of treated area	Use the outline map to show the surrounding environment. Print the type of site that is on each side of the field in the space provided on the map outline. Do not print only "road" if roads border the field. The more appropriate designation would be "road/ cotton" or "road/ residential".
Environmental Hazards	Print a list or description of any environmental hazards you observe near the application site. If there are no environmental hazards at the site print "none".
Pesticide Name/ Manufacturer	Print the name and registrant (if known) of the pesticide in the space provided. If provided on the NOI document, include the U.S. EPA registration number(s) and signal word(s). If known, document the formulation type (such as wettable powder, liquid, granular). Document the rate (such as pounds/acre) and dilution (such as gallons of mix/acre) from the NOI.

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Information Blocks Specific to the Pre-Application Site Inspection, Continued

Signatures and distribution Complete the pre-application evaluation by printing and signing your name and providing the date and time the evaluation was completed. You do not need to obtain the signature of the property operator or the PCB or provide a copy of your inspection report to them unless non-compliances are noted.

When non-compliances are found If non-compliances are noted, deny the NOI, contact the property operator or permit holder or, if a PCB is involved, contact the PCB. Document the contact, applicator, date, and time, and how the person was contacted in the notification method section provided at the bottom of the form. Document the status of the application in the “Remarks” section of the inspection. Deliver a copy of the inspection to the responsible person in accordance with the General Procedures chapter

Requirements

1. Notice of Intent (NOI) Scope: Agricultural use of state restricted materials requiring a permit.

Consistent with Permit 3CCR § 6434

The NOI must be delivered to the CAC at least 24 hours prior to the start of the application unless the CAC determines that 24 hours are not necessary to adequately evaluate the intended application. Compare the information on the NOI with the Restricted Materials Permit. Pay particular attention to potential adverse effects (fieldworkers, schools, bodies of water, etc.). The NOI must be complete and consistent with the permit. When a NOI is required by the CAC, it must provide the information required by this regulation. If the required information is on the permit, it may be referenced on the NOI.

Only the date of the application, the method (including dilution, volume and rate) and the name of the PCB can be added to a permit through the NOI. All other changes must be made through a permit amendment.

When all the information normally submitted on an NOI is already on the permit, an NOI would not be required by the CAC.

Exemptions: None

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Requirements, Continued

2. Proposed Application Complies with Permit Conditions FAC § 12973

Scope: Use of state restricted materials requiring a permit that has conditions.

Determine if the application can be carried out in compliance with all conditions on the permit.

Exemptions: None

3. Environmental Conditions Consistent with Permit and NOI 3CCR § 6428(c)

Scope: Agricultural use of state restricted materials requiring a permit.

The NOI must reflect any changes in the environment since the permit was issued. Are surrounding fields and cultural facilities consistent? Can the application be made in compliance with groundwater regulations?

Exemptions: None

4. Conditions Consistent with Restricted Materials Regulations 3CCR § 6443 – 6487.5

Scope: Use of the following state restricted materials:

- Use of pesticides registered for agricultural, outdoor industrial or institutional use containing chemicals listed in 3CCR section 6800(a).

Verify that no conditions exist on site that would prevent the application being evaluated from being performed in compliance with the regulatory requirements. Determine that the recommendation accurately documents hazards and stipulates use restrictions. For example: “Do not apply 2,4-D below the high water mark on canal sides.”

Exemptions: Exemptions vary by regulation.

Restricted Materials Regulations

Regulation specific requirements you may be able to address in a pre-application are described below.

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Requirements, Continued

Restricted Material	3CCR Section	Guidance
Phenoxy herbicides (timber)	6443	For aerial applications of phenoxy herbicides related to timber production: <ul style="list-style-type: none"> Was the permit posted? Did the permittee mail copies of the permit to persons owning property within 300 feet of the treatment area? Has there been a request for review of the permit?
Methyl bromide	6447.1, 6447.2	For field fumigations: <ul style="list-style-type: none"> Were property operators within 300 feet of the outer buffer zone notified of the fumigation? Will the inner buffer zone extend into another property? Does the outer buffer zone extend onto a property that contains a sensitive site?
1,3-D, Chloropicrin, Metam-sodium metam-potassium	6448.1 6449.1 6450.1	For field fumigations in non-attainment areas during May through October: When soil moisture is not addressed in labeling, does the site meet regulatory soil moisture requirements?
Chloropicrin	6453	For nursery or commodity fumigations of potting soil, agricultural commodities or equipment: Will the fumigation be performed in a properly sealed chamber or under a gas confining tarp?
Dazomet Sodium tetrathio-carbonate	6450.2 6451.1	Does the method of application identified in the permit or notice of intent match a specifically identified method described in the dazomet or sodium tetrathiocarbonate labeling?
Bentazon	6457	Bentazon use is prohibited in Del Norte and Humboldt counties. Bentazon use is prohibited in rice production.
Aldicarb	6458	Aldicarb use on cotton, potatoes, sugar beets, dried beans, citrus or field grown ornamentals is prohibited from September 1 to March 1. Determine that the rate noticed is in compliance with the crop and crop stage in the referenced regulatory table.
Propanil	6462	Aerial applications prohibited within four miles of prune fields. Limited exemption in Butte county, see 3CCR § 6452(c). Ground applications prohibited within one mile of prune fields. Limited exemption, see 3CCR § 6452(d).

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Requirements, Continued

Restricted Material	3CCR Section	Guidance
Phenoxy and certain herbicides	6464	The subject regulation restricts the use of Dicamba, certain 2,4-D formulations and propanil on described areas in Sacramento, Madera, Fresno, Kings, Tulare, Kern and San Joaquin counties.
Cotton harvest aids - DEF/Folex, Paraquat	6470	Paraquat applications prohibited within one-eighth mile of schools or residential areas. DEF or Folex applications prohibited within one-half mile of residential areas or any schools in session or due to be in session within 24 hours of application. DEF or Folex applications prohibited within one-eighth mile of schools.
Carbofuran	6474	Applications to alfalfa are prohibited within one mile of feeding areas of waterfowl or geese, widgeon or coot nesting areas.
Fenamiphos	6476	Applications prohibited to residential or institutional turf areas and to recreational turf areas (golf courses excepted). Determine that irrigation water will not run off the treated area.
Tributyltin	6488/89	Use is restricted to aluminum vessel hulls, vessel hulls that are at least 82 feet long and outboard motors and lower drive units.
Chemicals listed in 3CCR § 6800(a)	6487.1 through 6487.5	When registered for agricultural, outdoor industrial or institutional use: Determine that the site is configured in such a way that the application can be made in compliance with runoff and leaching restrictions in artificial recharge basins, canals and ditches, and in leaching and runoff groundwater protection areas.

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