

Chapter 5: Commodity Fumigation Use Monitoring Inspection Report (PR-ENF-105)

Purpose

A Commodity Fumigation Use Monitoring Inspection is performed to monitor treatment of post-harvest agricultural commodities, stored agricultural commodities, potting soil or other products.

Evaluation of fumigation activity provides information to better protect the public, pesticide handlers, and fieldworkers. Due to the high toxicity of fumigants and the nature of these substances, there are specific requirements designed to protect the public and employees. This inspection is designed to help you evaluate whether the property operator and licensed applicator is following these requirements and mitigating any hazards to persons, non-target animals, and the environment.

The Commodity Fumigation Use Monitoring Inspection has twenty-seven requirements listed to identify the compliance level at the fumigation site. It is essential to understand the permit conditions, when applicable, and the provisions of each requirement to perform an adequate evaluation of a fumigation activity.

Special header information

Review the “General Inspection Procedures” chapter of this manual for more information regarding Header information, how to fill out the form, and other items common to all inspections.

Business Type

Document the type of business performing the fumigation. Both agricultural and structural PCBs can perform fumigations of commodities in structures. (B&P Code § 8505) Note: DPR recommends that permits for commodity fumigations using methyl bromide or sulfuryl fluoride performed by a PCB be conditioned to require applications be conducted by a licensed agricultural PCB. (Section 5.1 of Volume 3 - Restricted Materials and Permit Management PUE Program Standards).

Fumigation Method

Fill in the applicable description (chamber, tarp w/bin, tarp w/o bin, etc.).

Commodity/Site

Include the type of commodity treated and the site (ex: almonds/warehouse, strawberries/chamber, lemons/van, rice/sea container).

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Chapter 5: Commodity Fumigation Use Monitoring Inspection (PR-ENF-105), Continued

Special header information, continued

Buffer Zones – Treatment/Aeration

Check the appropriate box for the type of inspection performed.

Buffer Zone Distance:

Refer to permit conditions and verify that required buffer zones are established. Document the buffer zone distance in the space provided.

Requirements

1. Pest Control Business Licensed FAC § 11701

Scope: Any business performing pest control for another person for any compensation. This includes soliciting and advertising for pest control work. Pest control is defined in FAC § 11403.

Verify that the business is licensed in the proper category. Is the license valid for the current year?

Exemptions:

- Structural pest control businesses when registered with the SPCB. (FAC § 11531)

2. Pest Control Business Registered in County FAC § 11732

Scope: Any business performing pest control for another person for any compensation. This includes soliciting and advertising for pest control work. Pest control is defined in FAC § 11403.

Check your office records for PCB registration with your county. Is it valid for the current year? Is all equipment registered appropriately?

Exemptions:

- Structural pest control businesses must provide annual registration per FAC § 15204.5.

3. Labeling Available at Use Site 3CCR § 6602

Scope: All registered pesticides.

Registered labeling covering the intended use must be available at the use site. Registered labeling includes Special Local Need (SLN) labeling, Section 18 directions, and published University of California recommendations. Commercial advertising does not comply with

the requirements of this regulation, even if it includes use directions.

Labeling at the use site must not differ in any material manner with the labeling registered by DPR. Differences in the directions, restrictions or precautions are not acceptable. Differences in specimen labeling format (i.e., photocopies, CDs, and electronic copies) are considered acceptable unless the difference(s) could cause the pesticide to be used in a manner conflicting with the registered labeling or they create a false or misleading perception. If you suspect the labeling is inaccurate, refer the case to your DPR EBL for product compliance investigation.

Review the pesticide labeling to see what additional documents are required to be at the use site. These documents may include a technical information bulletin, a handbook or manual.

Check “N/A” for this requirement when performing aeration phase inspection (for proposed new form)

Exemptions: None.

4. Notice of Intent (NOI) Submitted 3CCR § 6434

Scope: Required prior to an agricultural use application of a California restricted material that requires a permit.

Most commodity fumigations are industrial use in which case this requirement would not be applicable. If this is the case, check “N/A”. DPR encourages CACs to condition non-agricultural permits to require NOIs to allow for inspections. Failure to submit an NOI required by permit condition would be a violation of FAC § 12973. Use of non-agricultural restricted materials must be inspected at least once per year. 3CCR § 6436

The NOI may be submitted by the operator of the property, the operator’s authorized representative, or by a pest control business. Regardless of who submits the NOI for agricultural use, the operator of the property is ultimately responsible for submission. In some cases involving ongoing use, a fumigant use schedule maybe substituted for individual or daily NOIs.

Has an NOI been properly completed and submitted? Are any environmental changes noted? You may need to check this requirement at the office either before or after the inspection.

Exemptions: When all the information normally submitted on an NOI is already on the permit and an NOI is not required by the CAC, the NOI is not required.

5. Certified Applicator Supervision 3CCR § 6406

Scope: California Restricted Materials or Federally Restricted Use Pesticide being handled by a non-certified applicator.

A certified applicator must be available to direct and control an application by a non-certified applicator. The availability of the certified applicator shall be directly related to the hazards of the handling activity.

- Is the certified applicator aware of conditions at the application site?
- Can the certified applicator stop the application when conditions (ex: weather, odor) warrant?
- Does the non-certified applicator have a way to contact the certified applicator if there is a problem?

Some labeling requires physical/visual presence of a certified applicator. Whenever activities requiring physical/visual presence are being conducted, the certified applicator must be physically located on the premises or contiguous parcel. Whenever a certified applicator is supervising one non-certified handler, the certified applicator must maintain an “in line of sight” visual standard. In situations where there are two or more non-certified handlers, the certified applicator and the non-certified handlers being supervised must be able to contact each other directly, at all times, during the handling activities that require physically present supervision.

If the pesticide(s) being handled are not California Restricted Materials or Federally Restricted Use Pesticide, check this requirement as “N/A”.

Exemptions: None.

6. Complies with Permit Conditions FAC § 12973

Scope: All applications of restricted materials with permit conditions.

Look at the application rate, gas-tight fumigation lines, buffer and aeration zones, and aeration period, and then compare your observations with the permit conditions. For methyl bromide or sulfuryl fluoride - is the maximum amount of the fumigant used less than 1,000 pounds in a 24-hour period? No person is allowed to be inside an enclosed space, or inside enclosures that share a common wall with the fumigation chamber, during the fumigation.

If the application is introduced from an enclosed room, the enclosed room must be ventilated while occupied. A Nitrogen or compressed air must be used to purge fumigant lines prior to changing cylinders. Document, if the control room is mechanically ventilated during the fumigation and if workers are present. If the aeration is initiated manually, the applicator must wear a self-contained breathing apparatus (SCBA). For initiation of remote control aeration, the applicator is exempt from wearing SCBA. Aeration must be initiated during daylight hours (between one hour after sunrise and one hour before sundown), unless a standard height stack is used. Aeration must be a minimum of 4 hours when mechanical ventilation is used, and 12

hours when passive ventilation is used. In addition, the methyl bromide concentration within the fumigated space must be less than 5 ppm before the commodity can be moved.

The methyl bromide concentration in enclosed areas must be verified by a detection device as less than 5 parts per million, or labeling permissible exposure limit (PEL), before persons may enter without SCBA. **When methyl bromide is present at less than the labeling PEL, no individual may be inside the enclosed area without SCBA for more than 1 hour in a 24 hour period.** For more detailed instructions, refer to the permit and worksite plan, and Section Appendix G Commodity Fumigation of Volume 3 - Restricted Materials and Permit Management PUE Program Standards.

Review the permit conditions and make sure the conditions are followed. Labeling may have specific requirements, such as use of a fumigant detection device during the fumigation and buffer zone requirements.

Exemption: None.

7. Labeling – Aeration/Reentry FAC § 12973

Scope: All registered pesticide uses.

Review the labeling (including product manuals) to determine compliance with aeration and reentry requirements. Workers are not allowed to enter the treated area during aeration except under the conditions stated in requirement 5 above. Review the labeling for early entry requirements. Guidance: California Methyl Bromide Commodity Fumigation Reference Manual

Exemptions: None.

8. Labeling – Site/Rate/Buffers/Other FAC § 12973

Scope: All registered pesticide uses.

Review the labeling to determine if the site is listed on the labeling, the rate is appropriate for the site, any information relating to other requirements and that labeling-required buffer zones are observed. Review the labeling for other restrictions.

Exemptions: See 3CCR § 6000 definition of conflict with labeling for exceptions.

9. Labeling – Personal Protective Equipment (PPE) FAC § 12973

Scope: All registered pesticide uses.

Review the labeling and determine what PPE is required. Both employees and employers are required to comply with PPE requirements specified on the labeling. Observe the employee handlers to see if they are wearing the labeling-required PPE such as SCBA or eye protection. If

the employee handlers are not wearing all required PPE, determine if it was provided. Is the PPE in good condition and well fitted? Address each piece of safety equipment separately.

Labeling required PPE used by non-employees (owners, property operators and others) must meet the maintenance and storage standards listed in 3CCR § 6738(a). Although 3CCR § 6700 – 6795 apply only to employees, these standards are applicable to interpreting labeling requirements for non-employees as required in 3CCR § 6601 General Application of Standards. See page 6.

Exemptions: All substitutions and exemptions listed in 3CCR § 6738, et seq. including substitutions listed for closed systems and/or enclosed cabs in 3CCR § 6738.4. See Appendix 1.

10. Regulations - Personal Protective Equipment (PPE) 3CCR § 6738

Scope: All employees handling any pesticide.

Check “NO” for this requirement if any employee is not wearing all of the PPE required by the regulations and the registered pesticide labeling. Document the exact nature and circumstances of the violation. When required, PPE must be worn throughout the handling process.

If employee handlers are not wearing required PPE, determine and document if it was provided by the employer and is available on site.

All PPE must be cleaned and inspected daily. Worn, damaged or heavily contaminated PPE must be replaced immediately. Check the condition of PPE and ask handlers what procedures they follow for cleaning and replacement.

See Appendix 1 for specific requirements and exemptions.

11. Respiratory Protection 3CCR § 6739

Scope:

- Employees when required by labeling, permit or regulation or employer policy.
- When employees wear respiratory equipment.

When a fumigation utilizing methyl bromide or sulfuryl fluoride is commenced from inside an enclosed space for commodity treatment, the handler(s) must wear a self-contained breathing apparatus (SCBA). Respiratory protection is required to be worn when the concentration of phosphine is unknown or exceeds the permissible exposure limit (PEL)

Verify that employees have been provided and are using the appropriate type of respirator as identified on the labeling, permit or regulation (organic vapor, dust/mist filtering, HEPA-only or other) and that the respirator is a National Institute for Occupational Safety and Health (NIOSH) approved respirator. Verify that the equipment is being used properly and has been properly maintained. See more information on respiratory protection in Appendix 1.

Exemptions:

- See 3CCR § 6738.4 on substitutions allowed when using closed systems or enclosed cabs.
- When respirator use is allowed by the employer even though not required by labeling, permit or regulation. (See Voluntary respirator provisions in Appendix 1).

12. Handler(s) Trained 3CCR § 6724

Scope: Employees who handle any pesticide.

Certified private or commercial applicators are considered trained. Check “YES” for this requirement if all handlers are certified applicators.

Employers must train employees before they handle pesticides, update the training to cover new pesticides, and repeat training at least annually (12 month period) thereafter. Initial training may be waived if an employee submits a record showing that training meeting the requirements of this regulation and covering the pesticides and use situations applicable to the new employment situation was received within the last year. Handler training performed in another state is not recognized due to the many unique aspects of California’s pesticide safety program. Pesticide safety training must be conducted by a person who meets the qualifications included in 3CCR § 6724.

Observe how the handler is performing his/her task. Does he/she appear to have received adequate training? Does the applicator follow the fumigant labeling directions? Does the applicator utilize required PPE appropriately? Were all precautions taken before the commencement of the application? During the application, does the applicator monitor the application conditions and equipment? Interview the employee to determine who provided the training. Where was the training conducted? When was the training provided?

If the responses you receive and/or the behavior observed causes concern, perform a Headquarter and Employee Safety Inspection to verify the training status of the employee. Consider issuing a cease and desist order for the use activity if unsafe conditions are observed. See the Compliance Action section on page 27 for more information.

PCAs are considered trained 3CCR § 6720(d)(1)

- Exemptions: None

13. Emergency Medical Care Posting 3CCR § 6726

Scope: All employees handling any pesticide.

Employers are required to post in a prominent place at the work site or on the work vehicle, the name, address, and telephone number of a facility able to provide emergency medical care whenever employees will be handling pesticides, and if the identified facility is not reasonably accessible from that work location, procedures to be followed to obtain emergency medical care. Employees are informed of the name and location of a facility where emergency medical care is available.

The local poison control center's number or a supervisor's name with no additional information is inadequate as is the displaying 9-1-1". Medical care information in an employee's wallet or in the glove compartment of the work vehicle does not meet the regulation requirements.

Exemptions: None

14. Decontamination Facility 3CCR § 6734

Scope: For all pesticides.

- Non-production agriculture and non-agriculture settings - employees handling pesticides with the signal word "DANGER" or "WARNING"
- Commercial or research production of an agricultural plant commodity - employees handling any pesticide.

Contents:

- Sufficient water
- Sufficient soap
- Sufficient single use towels
- One clean change of coveralls

Location:

Non-production agriculture and non-agricultural settings:

- Within 100 feet of the mixing and loading site.

Production plant agriculture:

- At the mixing and loading site and.
- Within 1/4 mile of each handler or at closest point of vehicular access.
- The decontamination site for pilots may be at the loading site regardless of the distance from the field being treated.

The requirement for decontamination facilities would be located within 100 feet of the mixing or loading site. In the case of gases such as methyl bromide or sulfuryl fluoride, this would be the area where the fumigant is "introduced" from the cylinder into the fumigated space.

Decontamination materials must be together (not scattered around the site) 3CCR § 6701, which requires that Worker Health and Safety regulations be interpreted at least as strict and consistent with the federal Worker Protection Standard. CFR § 170.311(c) specifically requires that decontamination supplies, "be located together". The water must be of a quality and temperature that will not cause illness or injury and be suitable for eye flushing. Water that contains debris or algae is not acceptable.

Waterless hand cleaners may be substituted for soap but water must still be provided and used. Hand sanitizing gels and liquids or wet towelettes are not acceptable.

Exemptions: None.

15. SCBA Worn / Continuous Monitoring / Plan Followed 3CCR § 6780(b) & (c)

Scope: Employees involved in fumigations.

3CCR § 6780 (b) - Whenever an employee may be exposed above an exposure standard to methyl bromide, sulfuryl fluoride, or other fumigants for which only air-supplied respirator equipment is approved, the employer shall either:

- Require the use of SCBA.
- Employ continuous monitoring.
- Employ another plan, method, or work practice approved by the Director.

Do the employees wear SCBA when entering an unknown atmosphere?

The employer shall provide and require the employee to wear approved respiratory protective equipment when fumigant concentrations cannot be controlled, and an employee's exposure exceeds the Permissible Exposure Limit (PEL) as specified in Title 8, California Code of Regulations, § 5155, Airborne Contaminants, or more stringent requirements by product labeling. For information on PELs go to <http://www.dir.ca.gov/Title8/5155table_ac1.html>.

3CCR § 6780(c) – The Director may accept a Fumigation Safety Program that describes methods, work practices, devices or processes that the Director determines will ensure that employees will not be exposed to concentrations of fumigants in excess of the PEL. Familiarize yourself with permit conditions that have specific requirements for the number of SCBA at the use site, when to utilize the SCBA, and method of ventilation.

Exemptions: None.

16. Accident Response Plan at Worksite 3CCR § 6780(d)

Scope: Employees at a fumigant use site.

The employer shall have an accident response plan at the worksite to protect employees, and train employees on the accident response plan procedures. At least two basic pieces of information should be included in the Accident Response Plan. The first should be information regarding the security of the area where the problem occurred. The second is information on whom to contact in the event of a problem. Contacts may include the operator of the property, fire department, health department, or hazardous materials response team.

Emergency information must be in writing, available at the work site, and include emergency phone numbers. This information should also be covered during the routine training required by regulation. General information on spills and leaks are available on the labeling, and should be referenced in the plan.

Ask the handlers what actions they would take if an accident or leak occurred. If handlers refer to

the appropriate parts of the labeling and produce phone numbers of persons to contact in an emergency, they are probably informed of an Accident Response Plan.

Check “N/A” when performing aeration.

Exemptions: Exemptions not applicable to this inspection.

17. Two Trained Employees 3CCR § 6782(a)

Scope: Fumigations of enclosed areas involving employees. Two trained employees must be present when:

- The fumigant is introduced.
- An employee enters the fumigated area to facilitate aeration.
- An employee enters the fumigated area to determine the concentration level and either the labeling or regulations require PPE.

Methyl Bromide and chloropicrin labeling also require two trained persons. The two persons may be two employers, two employees or one of each. If an employer is working alone cite FAC § 12973.

3CCR § 6782(c) requires that the second employee have access to the PPE required by the labeling to allow safe entry for potential rescue action. This means that a second SCBA must be available on site when entry is made into IDLH (immediately dangerous to life and health) atmospheres. See also 3CCR § 6739(g).

Ask the employees how and when they were trained. What safety precautions do they take when engaging in the three activities listed above? What would be their response if the person entering the enclosed area was injured or incapacitated?

Exemptions:

- When a solid fumigant is introduced into an enclosed area from outside the enclosed area only one trained person needs to be present.

18. Warning Signs Posted, Required Information 3CCR § 6782(d)

Scope: Employees at a fumigant use site.

Verify that warning signs are posted prior to the commencement of fumigation. Warning signs shall be posted in plainly visible locations on or in the immediate vicinity of all entrances to the space under fumigation. Signs shall not be removed until fumigation and ventilation have been completed. The signs shall be:

- Printed in red on white background
- In English and Spanish in letters not less than two inches “Danger – Fumigation”
- Skull and Crossbones with letters not less and one inch the name of the fumigant

- Date and time of fumigation injection,
- Name, address and telephone number of the applicator performing the fumigation.

Exemptions: None

19. Treated Area / Products Managed 3CCR § 6782(g)

Scope: Employees at a fumigant use site.

After the completion of the fumigation, the treated area shall be managed to prevent employee exposure.

- How is the treated area being managed?
- What precautions were taken to protect the worker(s) from being exposed to a concentration in excess of the PEL?
- If the product labeling has more stringent requirements, make sure the requirements are met.

Ask and observe how the fumigated product is managed to prevent exposure from off gassing. For information on PELs go to <http://www.dir.ca.gov/Title8/5155table_ac1.html>.

Exemptions: None

20. Methyl Bromide and /or Chloropicrin – Properly Sealed Space 3CCR § 6453(a)

Scope: Methyl bromide and/or chloropicrin use on nursery stock or other agricultural commodities, potting soil, soil mixes, appliances, or equipment.

The fumigation shall be done in a properly sealed fumigation chamber, railroad car, truck trailer, or under a gas-confining tarp approved by the commissioner or director. Refer to permit conditions for specific tarp requirements and method of sealing. Check structure or tarp and seals. If aeration ducts are used, ask how they are sealed. Evaluate that the fumigant is injected in a manner that minimizes gas loss.

Exemptions: None

21. Accurate Measurement 3CCR § 6604

Scope: Weighing or measuring any concentrate pesticides.

Are pesticides being accurately weighed or measured? Are the measuring devices calibrated to the smallest unit in which the concentrate is being used?

Ask the applicator how he/she adjusts the flow meter to achieve the desired rate. Document your observations (equipment and manufacturer’s name and how the fumigant introduced is measured).

Exemptions: Pesticides packaged and labeled as ready-to-use.

22. Protection of Persons / Animals / Property 3CCR § 6614

Scope: Application of any pesticide.

The applicator shall evaluate prior to and while making the application, the equipment, weather conditions, and both target and surrounding areas, to determine the likelihood of damage or contamination. High winds, inversions, proximity to residential areas or other gatherings of people and other sensitive sites are examples of conditions which may increase the hazard potential of the application. Are there any fieldworkers near the site during the pesticide application? Even though there may not be drift, consider if there is:

- A reasonable possibility of the contamination of persons not involved in the application.
- A reasonable possibility of damage or contamination to non-target crops, animals (including bees), or property.

Exemptions: Public agencies or their contractors operating under a cooperative agreement with the Department of Public Health pursuant to section 116180 of the Health and Safety Code are exempt from the provisions of 3CCR § 6614(b)(1). (3CCR § 6620)

23. Equipment Registered PCB FAC § 11732

Scope: Equipment used by PCBs to mix or apply any pesticide.

Verify that equipment is registered with the CAC.

Exemptions:

- Equipment used for structural pest control. (FAC § 11531)

24. Equipment Identified PCB 3CCR § 6630

Scope: Vehicles (such as trucks, tractors or trailers) used for mixing or applying any pesticides by an agricultural or structural pest control business.

All pest control businesses must identify each vehicle with markings readable at a distance of 25 feet. The identification must include either:

- Business' name; or
- Pest control business license number and a statement such as "Licensed Pest Control Operator", "Fumigation Division" or similar wording. Vehicles used only to transport and apply pesticides are not required to have pesticide storage posting per 3CCR § 6674.

Exemptions: None

25. Containers Secured/Attended 3CCR § 6670

Scope: All containers that hold pesticides, emptied pesticide containers, and equipment that holds or has held any pesticide.

Equipment or containers that hold or have held pesticides must be attended or in a locked enclosure if they present a hazard to persons or property. The CAC has authority to take possession of unattended pesticide or containers that create a hazard. If pesticides, containers or equipment are not in a locked enclosure you must determine if responsible persons on site are adequately attending them. Factors include;

- Proximity of the containers to public access
- Proximity of the attending person to the containers and the level of attention the attending person can provide
- Are the containers near a road or trail?
- Are they in plain view of the applicator?
- Could someone access the containers without the applicator seeing them?
- All containers larger than 55 gallons that contain liquid pesticide may be secured with a locked closure in lieu of storage in a locked enclosure.

Also see 3CCR § 6672 (a) and (b) for container control requirements.

When inspecting property operators a higher standard should be applied. 3CCR § 6672(b) requires that each person that controls the use of a property must attend all pesticide containers or keep them in a locked enclosure. There is no element of this regulation that requires demonstration that the containers present a hazard.

“Attended” means a responsible person in the vicinity at all times to maintain control over the pesticide to prevent contact by unauthorized persons. Adjacent to roadways or populated areas, the person must have pesticides in sight. . Compendium Volume 8 Section 1.14

“Enclosure” means a structure, a lockable storage compartment, a locked and fenced area or a truck or trailer with side racks. The enclosure must prevent entry from all sides. If the enclosure does not have a roof, the sides must be a minimum height of six feet above the ground. Compendium Volume 8 Section 1.14

Fumigants must be locked at all times when unattended. For methyl bromide or sulfuryl fluoride cylinders, merely closing the bonnet without otherwise locking or securing it is insufficient to meet this requirement. This requirement should be checked “N/A” only if no containers are present at the inspection site.

Exemptions: None

26. Containers Labeled/Closures 3CCR § 6676

Scope: Storage and transportation of any container that holds or has held a registered pesticide

Verify that all pesticide containers carry the registrant's labeling and that all lids or closures are securely tightened.

Exemptions:

- Service containers that are properly labeled do not need the registrants labeling. (3CCR § 6678)
- Containers that have been triple rinsed do not need to have lids.

27. Proper Pesticide Transport 3CCR § 6682

Scope: All pesticides that are transported in vehicles.

Check the inside of the operator's service vehicle for any pesticides or pesticide containers. Persons should not be riding in the back of a truck used to transport pesticides. Some fumigant labeling requires an upright position and/or chaining of cylinders during transportation. Violations include pesticide containers not secured during transport, spillage of concentrates found in vehicles and storage of pesticides in the same compartment with food, feed or persons. Storage of PPE in the same box with pesticides is a violation of 3CCR § 6738(a). Refer to the product labeling for storage directions, including storage of the fumigant in a well ventilated area.

- Are pesticides are being transported in the cab?
- Are pesticides stored in an unoccupied cab?
- Question the handler or operator to determine if they are being transported in violation.
- Ask, "When did you put the pesticides in the cab?" and/or "Why did you put the pesticides in the cab?"

Base your compliance determination on the responses you receive. (In some cases, primarily in structural settings, pesticides may be stored in the cab in order to keep them locked up while the handler is performing an application).

Exemptions:

- Outer containers that are not contaminated. Guidance – based on § 3CCR 6686(c)

Pesticide Use near Schoolsites. 3CCR § 6691

Note... Add this requirement to inspection form when applicable for ‘on-farm’ commodity fumigation.

For compliances and violations, add the code section to the inspection by using the + button at the bottom of the CalPEATS inspection form.

Scope: Pesticide applications such as “on-farm” commodity fumigations made for the production of an agricultural commodity within 1/4-mile of a schoolsite, made from Monday through Friday, between 6:00am to 6:00pm must comply with the restrictions.

Unless there is a written agreement with application restrictions as restrictive as or greater than 3 CCR 6691, or unless exceptions apply in 3CCR 6691.

“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.

Mark “Yes” when:

- Application requirements are followed.
- The 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:

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

Exemptions:

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