

TEXT OF EMERGENCY REGULATIONS

Current wording is indicated by regular type.
Originally proposed deletions are indicated by ~~strikeout~~.
Originally proposed additions are indicated by underline.

TITLE 3. CALIFORNIA CODE OF REGULATIONS
DIVISION 6. PESTICIDES AND PEST CONTROL OPERATIONS
CHAPTER 2. PESTICIDES
SUBCHAPTER 4. RESTRICTED MATERIALS
ARTICLE 4. USE REQUIREMENTS

Amend section 6450.2(e) to read:

6450.2. Methyl Bromide Field Fumigation Buffer Zone Requirements.

- (a) The commissioner shall approve buffer zone sizes and durations based upon local conditions.
- (b) The operator of the property to be treated shall assure that all buffer zone distances are measured from the perimeter of the application block.
- (c) The buffer zone restrictions shall begin at the start of fumigation. The buffer zone restrictions shall remain in effect for at least 36 hours after the completion of the injection to the application block.
- (d) Two buffer zones, an inner and outer for each application block, shall be approved by the commissioner after the proposed worksite plan is submitted.
- (e) Inner Buffer Zone Restrictions.
 - (1) The inner buffer zone shall be at least 50 feet ~~and~~. The inner buffer zone shall not extend into adjoining property except as provided in (3) and (4) below.
 - (2) The operator of the property to be treated shall assure that no persons are allowed within the inner buffer zone except to transit and perform fumigation handling activities.
 - (3) The inner buffer zone may extend into adjoining agricultural property if the adjoining property operator gives written permission and allows the operator of the property to be treated to post the inner buffer zone boundary on the adjoining property with signs. If such written permission is given, the operator of the property to be treated shall assure that:
 - (A) the inner buffer zone boundaries on the adjoining property are posted with signs while the buffer zone is in effect; and
 - (B) the signs are posted so that the wording is clearly visible, to persons with normal vision, from a distance of 25 feet and shall contain the following words: "METHYL BROMIDE INNER BUFFER ZONE" and "KEEP OUT" and "NO ENTRE"; and
 - (C) the signs are posted at intervals not exceeding 200 feet.

(4) The inner buffer zone may extend across roads, highways, or similar means of travel or sites approved by the commissioner. The requirements in 6450.2(e)(3) shall not apply.

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NOTE: Authority cited: Sections 11456, 12976, 12981, 14005 and 14102, Food and Agricultural Code.
Reference: Sections 115 01, 12981, 14006 and 14102, Food and Agricultural Code.

Amend section 6450.3(a)(1)(C)2 to read:

6450.3. Methyl Bromide Field Fumigation Methods.

(a) The fumigation shall be made only in accordance with the following restrictions, except for experimental research purposes pursuant to a valid research authorization issued according to section 6260.

(1) Nontarpaulin/Shallow/Bed

(A) Application rate shall not exceed 200 pounds of methyl bromide per acre.

(B) The application tractor shall be equipped with an air fan dilution system.

(C) Rearward-curved (swept-back) chisels shall be used with:

1. closing shoes and bed-shaper, or closing shoes and compaction roller; and

2. chisel injection points positioned beneath and ~~behind~~ ahead of the closing shoes.

(D) Injection depth shall be between 10 and 15 inches. The injection depth to preformed beds must not be below the bed furrow.

(E) Injection spacing shall be 40 inches or less.

(F) The soil shall not be disturbed for at least 3 days (72 hours) following completion of injection to the application block.

(G) The application block restricted entry interval shall be 3 days.

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NOTE: Authority cited: Sections 11456, 12976, 12981, 14005 and 14102, Food and Agricultural Code.
Reference: Sections 11501, 12981, 14006 and 14102, Food and Agricultural Code.