

For leaching or runoff ground water protection areas: Is the handler applying a 3CCR § 6800(a) pesticide? If so, is the handler complying with the selected management practice, as modified by alternative management practices approved by the director as specified on the restricted materials permit. See Appendix 4 for more information. Violations should also be noted in restricted materials permit requirements numbers 4, 5 and 6 as appropriate.

Exemptions: See 3CCR § 6487.3 - § 6487.5 for exemptions.

32. Wellhead Protection 3CCR § 6609

Scope: Any person mixing or loading any pesticides within 100 feet of a well. Any person applying any 3CCR § 6800(a) or (b) pre-emergent herbicide within 100 feet of a well.

Are there any unprotected wellheads within 100 feet of the mix/load activity or rinsing or maintenance of spray equipment for any pesticides? Are there unprotected wellheads within 100 feet of the application of any 3CCR § 6800(a) or (b) pre-emergent herbicides? If there are, determine if the wellheads are protected from irrigation and rainfall runoff contacting any part of the wellhead by berms or other means.

Note: This regulation refers to pre-emergent herbicides in two places: 3CCR § 6609(a)(4) and 3CCR § 6609(c). In both cases the term pre-emergent herbicides applies only to pre-emergent herbicides listed in 3CCR § 6800(a) and (b). Applications of pre-emergent herbicides not listed, such as oxyflourfen (Goal), pendimethalin (Pendulum and Prowl), prodiamine (Barricide and Endurance) or flumioxacin (Chateau and Payload) are not affected by this regulation.

Exemptions:

- Wells sited so that irrigation or rainfall runoff water does not move from the perimeter of the wellhead toward the wellhead and contact or collect around any part of the wellhead.
- Wells protected by berms that prevent movement of surface runoff water from the perimeter of the wellhead toward the wellhead.

33. Dormant Insecticides 3CCR § 6960

Scope: The operator of the property when making a dormant application of insecticides.

When making a dormant insecticide application via ground rig, the operator of the property must meet at least one of the requirements specified in 3CCR § 6960(b).

Dormant insecticide aerial applications are only allowed if soil conditions do not allow field entry or approaching bloom conditions necessitate aerial application and all the conditions in 3CCR § 6960(b) are met.

No dormant insecticide applications can be made if a storm event is forecasted within 48 hours of the application.

Dormant is defined as beginning at the time a substantial percentage of the leaves have fallen and ending when there is budbreak.

Ground Application Exemptions:

- Applications of dormant oil or biocontrol agents such as spinosad or Bacillus species.
- Applications to hydrologically isolated sites.
- Applications that divert any runoff to a recirculating system and/or a holding system for 72 hours before release into a sensitive aquatic site.

34. Surface Water Protection in Outdoor Nonagricultural Settings 3CCR § 6970

Surface water regulations do not appear on the inspection form. They will be added the next time the inspection forms are revised. When inspecting a maintenance gardener or other agricultural business licensee application of one of the pyrethroid listed in 3CCR section 6970 you should add this regulation in one of the spaces provided at the bottom of the Requirements Section (See page 24 General Information (b)). The following information is provided for assessing compliance of 3CCR sections 6970 – 6972.

Scope: Pest control business applications of any pyrethroid listed in 3CCR § 6970 to outdoor nonagricultural sites.

Most applications of the listed pyrethroids may only be made to outdoor nonagricultural sites using the following methods in order to reduce surface water contamination: spot treatments, pin stream or crack and crevice. Broadcast applications may be made to permeable horizontal surfaces but not within two feet of impervious horizontal surfaces.

Perimeter band treatments to vertical surfaces such as walls, foundations and fencing are allowed up to two feet above grade level. Perimeter band treatments around buildings must not extend more than 3 feet from the base of the building.

No applications (except to the underside of eaves) may be made during precipitation, to standing water, within 25 feet of a downgradient aquatic habitat or to any drainage system component.

Broadcast treatment of termiticides may be applied to preconstruction sites when the treated soil is covered with a waterproof cover or concrete prior to precipitation.

Exemptions:

- Injection into soil or structural materials, such as bricks, concrete or wood. [3CCR § 6972(a)]
- Post construction rod or trench termiticide application methods. [3CCR § 6972(b)]
- Applications to below ground insect nests or nests made of mud or paper combs. [3CCR § 6972(c)]
- Application of baits in weatherproof stations or gel baits. [3CCR § 6972(d)]
- Applications to water in compliance with a NPDES permit. [3CCR § 6972(e)]
- Application to the underside of eaves. [3CCR § 6972(f)]
- Fogger or aerosol applications. [3CCR § 6972(g)]