PHASE II
SOIL FUMIGATION LABELING (2012)
HISTORY

Jim Walsh
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PHASE II SOIL FUMIGATION

FUMIGANTS AFFECTED

- Methyl Bromide and Mbr/chloropicrin products
- Chloropicrin
- Metam sodium/potassium
- Dazomet
- 1,3-D with chloropicrin
PHASE II SOIL FUMIGATION LABELING

FEDERAL PROCESS

- 2004 – Public participation process begins
- 2005  - Draft risk assessment, nationwide meetings
- 2006 – Public comments on risk assessments
- 2007 - Public comments on mitigations
- 2008 – REDs issued, Tour & meeting in CA
• 2009 – Amended REDs issued
• 2010 – Phase I labels in effect at end of December
  • CA MITC permit conditions
• 2011 – Phase II to take effect (12/11)
  • Chloropicrin permit conditions for Central Valley
• 2012 – Actual date to take effect (12/12)
PHASE II SOIL FUMIGATION LABELING

- CA Phase I training
  - 12/2010 – 2/2011
    - Phase I Labeling
    - MITC permit conditions

- FAQ letter, Phase 2
  - (ENF 13-25) – March 2013

- Phase II overview letter
  - (ENF 12-16) – August 2012
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- Recommended Permit Conditions, Phase 2
  - (ENF 12-21 Amended) – March 2013
    - Implementation and enforcement status
    - Restricted Materials and Permitting (Revisions)

- FAQ letter, Phase 2
  - Due out in March 2013
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- CA Phase II training October – November 2012
  - Buffer zones
  - Emergency Preparedness and Response Measures
  - Registrant training and Outreach
    - Certified applicator training
    - Emergency responder training
    - Community outreach
PHASE II SOIL FUMIGATION

LABELING REGULATIONS

PERMIT CONDITIONS
Labeling vs Regulations vs Permit Conditions

- Basic rule:
  - When there are differences between labeling, permit conditions, and regulations or laws, the most restrictive requirement is enforced.
Labeling vs Regulations vs Permit Conditions

- Exceptions: DPR written guidance
  - ENF letter
  - Compendium

- Examples
  - Handler phone # and addresses on FMP
  - Allowance of regulatory respirator use without air monitoring (MBr/Pic - < 20%Pic)
The End

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