

SOIL FUMIGANT LABEL CHANGES

USEPA Phase 1 and Phase 2 (2010-2012)

California Dept. of Pesticide Regulation
February 2013



SOIL (FIELD) FUMIGANTS

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Fumigants affected by USEPA label changes

- Methyl Bromide and MeBr/Chloropicrin
- Chloropicrin and Chloropicrin/1,3-d
- Metam sodium/potassium (MITC-generating)
- Dazomet

SOIL (FIELD) FUMIGANTS - USEPA

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USEPA review

- 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, meetings in CA
- 2009 – Amended REDs issued
- 2010/11 – Phase I labels in effect Dec. 2010 and also Calif. MITC (metam) permit conditions
- 2012 – Phase II labels in effect Dec. 2012

SOIL (FIELD) FUMIGANTS

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- In California, these active ingredients were already Restricted Materials and require a restricted materials Permit from the County Agricultural Commissioner CAC
- Federally, in 2010 all became Restricted Use Products RUPs

SOIL FUMIGANT LABELING

Inspector Training/Guidance

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- USEPA and DPR trained California CAC inspectors Dec. 2010-Feb 2011 on USEPA phase I labeling and new Calif. MITC (metam) permit conditions
 - DPR issues ENF 11-9 overview letter on phase I labeling
 - DPR issues ENF 11-25 Q/A letter on phase I labeling
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- DPR issues ENF 12-16 overview letter on phase II labeling
 - DPR trained CAC inspectors on USEPA phase II labeling Oct-Nov 2012
 - DPR issues ENF 12- 21 recommended permit conditions

SOIL FUMIGANT PHASE II LABELING – What's new for December 1, 2012 labeling

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what's new for phase II...

- ✦ **Buffer zones (calculations, distances, duration, overlapping, credits, transit)**
- ✦ **Notification of neighbors or monitoring the b.z., written agreement with agric. under different operator, etc.**
- ✦ **Emergency preparedness and response measures**
- ✦ **Proximity to Difficult to Evacuate sites, as scaled by the buffer zone**

SOIL FUMIGANT PHASE II LABELING – What's new for December 1, 2012 labeling (cont'd)

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what's new for phase II...

- ✦ **Additional items for Fumigant Management Plan FMP and Post Application Summary PAS**
- ✦ **Registrant-based training for certified applicator (In California, Category O is equivalent, but private applicators must take approved registrant training)**
- ✦ **Registrant must provide handler, emergency responder, and community outreach information**

PHASE II SOIL FUMIGATION

Labeling vs. Regulations vs. Permit Conditions

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- Basic rule - when there are differences between labeling, permit conditions, and regulations/laws, the most restrictive requirement is enforced
- California has existing laws/regulations and permit conditions. Some matched new labeling, some didn't (i.e. MeBr regulations identify an inner and an outer buffer zone, DPR credits for tarp and post-app water)
- DPR worked to reconcile and identify differences for CAC staff - and the effects on Permits and Notices of Intent NOI

RESOURCES - SOIL FUMIGANTS

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- DPR overview letter ENF 2012-9
- DPR website www.cdpr.ca.gov , specifically at http://www.cdpr.ca.gov/docs/emon/fumigants/fum_labels.htm which links to USEPA Toolbox
- Upcoming Question/Answer ENF letter
- USEPA fact sheet on phase 1 and phase II
- USEPA web-based buffer zone calculator
- Local County Agricultural Commissioner

SOIL FUMIGATION

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