INSPECTION PROCEDURES TRAINING
(including new Worker Protection WPS)
February 2017

Department of Pesticide Regulation
Inspection Procedures

• Welcome
• Overview Agenda and Handouts
• Compendium Vol. 4, Inspection Procedures
• Chapter 1, Introduction to inspections
Why we are here

• Purpose (Overview)
• The Compendium Procedures
• Training is not intended to review the entire manual. Contact your DPR regional office for training on specific topics
• Chapters (WPS changes – most changes will be in Chapters 3, 4, 9, and 10)
• Appendix
Overview

DPR’s Mission

• To protect human health and the environment by regulating pesticide sales and use, and by fostering reduced-risk pest management

Role

• CAC is responsible for the local pesticide use enforcement program
Compendium Volume 4
Inspection Procedures

Why we are here

• To improve quality and consistency of inspections
• Provide guidance on inspection procedures
• To address questions and comments on performing inspections
• It’s a comprehensive account of your inspection
Overview

The Compendium

• Is a series of manuals that have directives, interpretations, recommendations, and expectations

• New and updated procedures, polices, and interpretations will be updates to the Compendium

• Changes, deletions, suggestions, or additions to the Compendium should be made to DPR
Overview

The Compendium – cont.

Compendium supersedes ENF Letters

• Procedures in the Compendium are intended to be guidance for CAC and DPR employees and is not rule making.

• CACs can deviate from these procedures if the deviation does not adversely impact the effectiveness of the pesticide use enforcement program.
# Overview

## Compendium Volume 4

### How to use this manual

- **Introduction**  
  - To assist when performing inspections

- **Table of Contents**  
  - Chapter 1: General
  - Other chapters provide information and Guidance

### INSPECTION PROCEDURES – Table of Contents

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Overview
Compendium Volume 4

Structure

Chapters divided into two sections

1. Purpose, information or direction for the inspection
2. Addresses the requirement (Scope, Direction, Exemption)
Overview - Compendium Volume 4

Directions

• How to determine compliance law or regulation

Exemptions

• List of persons, activities, or situations where the law or regulation does not apply
• When the activity has a listed exemption, mark N/A
• N/A should be marked when the law or regulation does not apply to the activity

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<thead>
<tr>
<th>2. Proposed Application Complies with Permit Conditions</th>
<th>FAC § 12973</th>
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<td>Scope: Use of state restricted materials requiring a permit that has conditions.</td>
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<td>Determine if the application can be carried out in compliance with all conditions on the permit.</td>
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Overview - Compendium Volume 4

• Appendices
• Provides technical information
• PPE, Interviews, Backflow Prevention, Ground Water, California Aeration Plan, Fumigation Methods, Inspections Forms

Appendix 1: Personal Protective Equipment Requirements
Appendix 2: Inspection Interviews
Appendix 3: Backflow Prevention and Chemigation
Appendix 4: Groundwater Regulatory Requirements
Appendix 5: Reserved
Appendix 6: California Aeration Plan (CAP)
Appendix 7: Fumigation Methods
Appendix 8: Inspection Forms
Overview - Procedures

How to use the manual

• Scope
  – PCB Registered In County

• Guidance

• Exemptions

• Appendix
  – Provides guidance with sections that maybe lengthy or repeated in other inspections

2. PCB Registered in County FAC § 11732

Scope: Any business performing pest control for any person includes soliciting and advertising for pest control work.

Check your office records for PCB registration with the County.

Exemptions:
• Structural pest control businesses when acting under
certificates or licenses issued.
• Control of stump resprouting incidental to wood treatment, and plant. (FAC § 11531)
• Applications of preservatives to wood, fabrics, or materials treatment plant. (FAC § 11531)
• Household or industrial sanitation. (FAC § 11531)
Overview - Procedures

Inspection Procedures

- Inspections vs. Investigations
  - Inquisitive approach

Checklist vs. Reports

- Interviews
  - Used as evidence
- Narrative
  - Create a picture
- Comprehensive report
- Others will be reading your report
Overview
Procedures Chapter 1

General Inspection Procedures

• **Purpose of the inspection**

• **General Application of Standards 3CCR § 6601**
  - Labeling PPE or other restrictions are, owner/operator standard follows the same standard for employees

• **Consistent with Federal Standards 3CCR § 6701**
  - CA Worker Safety regulations are interpreted as strict and consistent with the Federal WPS
Overview
Procedures Chapter 1

• **Prioritizing Inspections**
  – County’s Enforcement Work Plan
  – Hazards

• **Ineffective Inspection Strategies**
  – Frequently inspecting the same business or facility when no violations are found
  – Not inspecting businesses or facilities with a compliance history
  – Several inspections of the same or different crews of the same business at the same or different site
Overview
Procedures Chapter 1

Determining Compliance (pg. 26, #7(f))

• Based on initial observation

• When a non-compliance is found and is corrected during the inspection, mark no on the inspection report.

• Document the non-compliance and describe what was observed in the remarks section

Registered pesticides vs. other pesticides (3 types)

1. Registered by U.S. EPA and/or CA

2. Unregistered, but should be if pesticide claims
   – Products intended to be used as pesticides

3. Exempted Pesticide Products
   – 3CCR § 6147 Exempted Materials/FIFRA § 25(b)
Overview

Procedures Chapter 1

Appropriate use of N/A (pg. 26, #7(g))

• When the law or regulation is not applicable
• When unable to confirm a requirement (explain why N/A was marked)

Compliance Action

• Cease and Desist
• Violation Notice
Overview
Procedures Chapter 1

Complete or Partial Inspections (pg. 25, Gen. Info. #a)

• Mark the “Complete” box for original or follow-up inspections when all applicable boxes are marked
• Mark the “Partial” box if the inspection is not a complete
Overview
Procedures Chapter 1

Follow-Up Inspections

• When a violation is found
• Complete or Partial (separate inspection)
• Record the serial number for original inspection
• Not required to be the same form as the original
Overview Chapter 1

Accuracy

Be accurate and review your report, is the report complete. Remember:

- It’s evidence
- Describes what you saw
- A report
- You’re not the only person reading the report

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Overview Procedures
Some Common Additions

4. Notice of Intent 6434 submitted - PCAs was removed

5. Certified Applicator Supervision-Restricted Materials 6406 – N/A if pesticide is not a restricted use pesticide or CA restricted material

9. Labeling PPE at the worksite - Interpretation for worksite, Volume 8 page 6-56

14. Employees Working Alone “Danger” – When two or more employees working together was changed from N/A to Yes
What’s New for Worker Protection in California 2017 (includes federal Worker Protection Standard WPS changes)
Worker Protection

Worker Protection Adoption, and Amendments

• History
• Definitions
• Worker Safety
  – General Safety Requirements
  – Handler Requirements
  – Field Worker Requirements
Worker Protection

History

• Mid-1970’s: California Worker Safety regulations, protect workers and handlers (closed systems and enclosed cabs)

• 1992: WPS
  – Issues: Availability of materials, insufficient number of trainers
  – Delayed implementation

• 1996: US EPA approved California’s request for WPS equivalency
Worker Protection
History

• November 2015: WPS changes published in Federal Register
• Oct. 2016: California’s Worker Safety Regulations. WPS equivalency approved
• Jan. 2, 2017: Implementation
Worker Protection Amendments

- Pesticide Safety Training for Fieldworkers and Handlers
- Notification
- Hazard Communication
- Drift related requirements
- Application Exclusion Zone (New)
- Minimum age Requirements
- Display of the Pesticide Safety Information
- Decontamination
- Exemptions
Worker Protection - Definitions 3CCR 6000

- **Application Exclusion Zone (AEZ):** Added, area around application equipment free of all persons
- **Enclosed Cab:** Simplified requirements, deleted acceptable for respiratory protection
- **Enclosed Space:** Replaced greenhouse, includes space enclosed entirely or in part. Ventilation requirements for all enclosed spaces
- **Field:** Amended, changed greenhouse to enclosed space
- **Worker housing:** Added, housing provided to workers
**Enclosed Cab: Revise definition.**

- Deleted approved for respiratory protection.
- Respirators need to be worn inside cab.
- It’s a barrier that surrounds the occupant(s), prevents dermal contact with the pesticide(s).
- Dust/Mist respirators do not have to be worn inside enclosed cabs.
Enclosed Space: Definition added.

- A space enclosed, entirely or in part, with a nonporous covering, and is used in production ag.
- Includes greenhouses, polyhouses, mushroom houses, hoop houses, and similar structures. Large enough for a person to enter.
Field: Amend definition
Changed Greenhouse to Enclosed Space.

• Area (including enclosed space) where Ag commodities (including forest and nursery products) are grown.
• Does not include range or pasture harvested by grazing animals.

Worker Housing Area:
Added definition.

• Housing provided to workers or handlers.
Worker Protection - Notification

Notice of Application 3CCR 6618: Section amended.
Notice of Application, additional requirements to include.
• Start time(s), and estimated end time(s) the application,
• If labeling requires posting, oral notification or both
• Application scheduling must be given to employees
• AEZ instructions

Notice of Completed Application 3CCR 6619: Section amended.
Notice of Application, additional requirements to include.
• Date(s) and time(s) application started and ended
• Application records will include application date(s) and time(s) started and ended
Minimum Age. 3CCR 6722: Section adopted.

Handlers and early-entry workers must be at least 18 (exemptions for owner’s immediate family).
Worker Protection - Hazard Communication

Hazard Communication for Handlers and Workers
3CCR 6723 and 6761

In addition to current requirements:
A-8 be posted and A-9 be displayed at all permanent decontamination facilities

- That serves 11 or more handlers or workers.
- Changes to A-8 and A-9 for emergency medical care must be made within 24 hours.
- Procedures for employee representative requesting records
Worker Protection - Information

Application Specific Information
3CCR 6723.1 and 6761.1

Section amended.

Additional information required includes:

• Crop/site treated and identification of treated area
• Date(s) and time(s) application started and ended
• Copy of the Safety Data Sheet(s) for pesticide(s) applied
• Information retained for two years.
Worker Protection - Training

Handler or Worker Trainer 3CCR 6724 and 6764
Section amended

In addition to current training requirements for Prod. Ag.

• Training must reasonably free of distraction, trainer is present
• Training for workers is every 12 months
  – Records maintained for 2 years
• Record must include
  – Employee’s printed name
  – Title(s) and source(s) of the training materials used
  – Employer's name
  – Trainer’s name and qualifications
  – Date
• Verification card removed from section
Worker Protection - Communication

Emergency Medical Care
3CCR 6726 and 6766

Employer to provide the following information to medical personnel treating employee(s):

- SDS(s)
- product name(s)
- EPA reg. number
- A.I. for pesticide(s)
- Circumstance of application or use of the pesticide
- How exposure may have occurred
Worker Protection - Drift

**Application Exclusion Zone (AEZ) 3CCR 6000:**
- Area surrounding application equipment, free of persons except handlers

No AEZ for all other applications

**Field Work During AEZ 3CCR 6762 100 foot Application Exclusion Zone**
- Applied by air, air blast or as a fine spray (<250 microns), as a fumigant, smoke, mist or fog

**25 foot AEZ**
- Applied other than air or air blast & sprayed greater than 12 inches from soil or plant a spray of medium or larger (>250 microns)
Worker Protection - Drift

When pesticide is applied for enclosed space prod. 3CCR 6762

- Entire enclosed space plus adjacent areas not sealed (fume., smoke, fog, aerosol, or mist)
- Entire enclosed space (fine spray) until ventilation criteria is met
- Treatment site plus 25’ when pesticide is applied >12” above soil or plant
- No AEZ for other application
- American Society of Agricultural and Biological Engineers S572.1 or comparable standard
Application Exclusion Zone (AEZ) in Outdoor Production

When the application is concluded, the AEZ no longer exists.

- Field
- AEZ
- Treated Area
**WPS - Drift**

**Droplet Size/Spray Quality and Relation to AEZ**

### Color Codes for Droplet Size

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<th>Category</th>
<th>Symbol</th>
<th>Color Code</th>
<th>Approximate VMD Range</th>
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<tr>
<td>Very Fine</td>
<td>VF</td>
<td>Red</td>
<td>&lt; 150</td>
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<tr>
<td>Fine</td>
<td>F</td>
<td>Orange</td>
<td>150 – 250</td>
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<tr>
<td>Medium</td>
<td>M</td>
<td>Yellow</td>
<td>250 – 350</td>
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<tr>
<td>Coarse</td>
<td>C</td>
<td>Blue</td>
<td>350 – 450</td>
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<tr>
<td>Very Coarse</td>
<td>VC</td>
<td>Green</td>
<td>450 – 550</td>
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<tr>
<td>Extremely Coarse</td>
<td>XC</td>
<td>White</td>
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VMD – Volume Median Diameter (droplet in microns)

100 foot AEZ

25 foot AEZ

Pesticidestewardship.org
Worker Protection - Decontamination

Decontamination Facilities
Handler 3CCR 6734 and Worker 3CCR 6768 amended

For production Ag the employer shall assure:

• Sufficient water, soap, and single use towels.
• At least 3 gallons of water/handler
• At least 3 gallons of water and change of coveralls for early entry worker
• At least 1 gallon/worker
• Sanitizing gels and liquids, or towelettes are not acceptable.
• Employees know the location of the decontamination site.
WPS - Decontamination cont.

Eye Wash 3CCR 6734(b)

• At least one eyewash system at the mix/load site immediately available when labeling requires protective eyewear or closed system is used.

• Eyewash system is capable of:
  – Gently running water at 0.4 gallons /min. (26 oz.) for at least 15 min., or
  – Six gallons of water for a gentle eye-flush for about 15 min. (0.4 gal. water for 15 min = 6 gal.)
Worker Protection - Field Entry

Field Entry 3CCR 6770 amended

No Contact Activities
• Operating tractor and equipment where contact is prevented was removed

Short-term, limited contact
• No hand labor activities are performed

Early Entry 3CCR 6771 amended

Employer provides the employee with;
• Location of where early entry work is to be performed
• Pesticides applied
• Dates and times with REI begins and ends
• Location of PSIS
• Decontamination
• One clean change of coveralls
Field Posting 3CCR 6776

Section amended

Posting required when (unless controlled)

- Application to entirely enclosed space
- REI greater than 4 hours (other than entire enclosed space)
- Treated fields with REI greater than 48 hours
- Within 100 feet of worker housing
Fumigation Enclosed Areas

Fumigation Enclosed Areas 3CCR 6782

• When using a fumigant for production ag, any employee in an enclosed area during application shall maintain continuous visual or voice contact with employee outside of enclosed area
Worker Protection - Exemptions

Safety of Employed Persons. 3CCR § 6720(d) Section amended.

- Exemptions removed.
- Employees of PCAs and registered foresters are no longer exempt (Emer. Med. Care, Decontamination, PPE, Resp. Protection, Field Entry (REI)).
Equipment Maintenance

3CCR 6744. Operator to inform those servicing equip. for prod. Ag

• Equip. maybe contaminated with pesticides

• Procedures for handling application equip. and limiting exposure

• Personal hygiene practices, decontamination for preventing exposure and removing pesticide residues
Worker Protection - Exemptions

Enclosed Cabs Respiratory Protection 3CCR 6738.4(e) Section amended

- Work clothing worn instead of label required PPE
- Labeling PPE must be available
- Dust/Mist Respirator does not need to be worn inside cab
- Other types of respirators do need to be worn

Closed Systems PPE 3CCR 6738(c) Section amended

- Certain PPE maybe worn instead of labeling required PPE
- Labeling PPE must be available
- Also includes certain dry formulations (water soluble packet)

Water Soluble Packet
Worker Protection - Exemptions

PPE Aircraft 3CCR 6738.4 amended

• When operating aircraft was removed.
• Exemption for CR gloves and protective eyewear while operating aircraft was deleted
• Work clothing instead of labeling PPE when inside enclosed cockpit
• Used chemical-resistant (CR) gloves in a CR container.
• Helmet and visor equivalent to wide brimmed hat and eye protection
Worker Protection - Review

- History
- Definitions
- Worker Safety Requirements for
  - Handler Requirements
  - Field Worker Requirements

Amended regulations can be found at,
http://www.cdpr.ca.gov/docs/legbills/rulepkgsl/16-001/16-001_final_text.pdf
Questions?
Pre-Site Chapter 2

**NOIs**

- **Volume 3, Restricted Material Permit**
  - Permit Eval., Chapters 7.3
  - Site Eval., Chapter 8

**NOI Denials**

- **Due Process Related to Permits**
  - Permit Refusal Form pg. 10-4
Field Worker Safety

Chapter 3

Purpose:
To ensure compliance with worker protection standards. Manage workers and fields to prevent exposure to residues and drift.

Posting compliance and Enclosed Space Ventilation Criteria apply to the property operator.
Field Worker Safety
Chapter 3 Amendments

Req. 2, 6618. Notice of Application
• Notice not to enter the field to be treated and its AEZ

Req. 3, 6768. Decontamination Facility
• 1 gal water/worker, 3 gal water/early entry worker
• Worker informed of decontamination location

Req. 4 3CCR § 6761. Hazard Communication
• A-9 displayed at all permanent decontamination facilities and facilities servicing for 11 + workers
• Info updated within 24 hrs.
Field Worker Safety
Chapter 3 Amendments

Req. 6, 6724. Field Worker Training
• Training annually (12 mo.)

Req. 8, 6762. Field Work During Application
• Application Exclusion Zone

Req. 9, 6770. Entry After Application Short – Term, Limited Contact
• No hand labor activities
Field Worker Safety
Chapter 3 Amendments

Req. 10, 6771. Early Entry Requirements
• Additional info provided to worker
• 3 gal water/early entry worker
• 1 clean change of coveralls

Req. 11, 6776. Posting
• When REI is greater than 48 Hr. (unless controlled)
Pesticide Use Monitoring  
Chapter 4 Amendments

Purpose

To ensure applications, and mix/load activities are in compliance with permit conditions, pesticide labeling, law and regulatory requirements, and mitigating to any possible hazards. When possible, conduct mix/load inspections with an application. Inspect equipment during use to determine if equipment is safe.
Req. 9, 6738.3. PPE

- Chemical resistant gloves used to apply pesticide must be stored inside a chemical resistant container if brought inside a cockpit.
Req. 9, 6738.4. Exemptions

• When operating aircraft was deleted from the exemptions
• Protective footwear was removed

Req. 9, 6738.4. Exemptions

• Work clothing instead of labeling PPE when inside an enclosed closed cockpit
• Helmet is used instead of chemical-resistant hat
• Helmet with visor lowered instead of protective eyewear
• Respirators are not required in enclosed cockpit
Pesticide Use Monitoring
Chapter 4 Amendments

Req. 9 6738.4. Exemptions

- Dust mist respirators (TC-84C) are not required to be worn inside enclosed cabs if the ventilation system is properly working and maintained
- All other label required respirators are to be worn
Pesticide Use Monitoring
Chapter 4 Amendments

Req. 9, 6738.4 Exemptions

• Certain PPE can be reduced when closed system is used
Req. 15, 6734. Decontamination

- At least 3 gal. of water/handler
- No sanitizing gel or liquids, or towelettes
Pesticide Use Monitoring
Chapter 4 Amendments

Req. 16, 6734(c).
Decontamination

• At least one eyewash system at M/L site when eye protection is required by label and system capable of;
• 0.4 gal. (gently running) water/min., or
• 6 gal. of water for a gentle eye-flush
Req. 17, 6776. Field Posting

Posting is required, if site is not controlled, workers within ¼ mile, and when

- Application to entire enclosed space
- Enclosed space when REI is > 4 Hrs.
- Treated field REI is > 48 Hrs.
- Worker housing is within 100’
3CCR 6884. San Joaquin Valley Ozone Nonattainment Area (NAA) Use Prohibitions

**Pesticides:** Pesticides containing abamectin, chlorpyrifos, gibberellins, or oxyfluorfen (primary A.I.) in the San Joaquin Valley ozone NAA between May 1 through October 31

**Crops:** alfalfa, almond, citrus, cotton, grape, pistachio, and walnut

**Counties in SJV NAA:** Fresno, Kings, Madera, Merced, San Joaquin, Stanislaus, Tulare, and parts of Kern
## Most common errors

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<tr>
<td>Inspection Serial # repeated/missing</td>
<td>ISN</td>
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</tr>
<tr>
<td>Violation Notice Unchecked</td>
<td>VIO</td>
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</tr>
</tbody>
</table>
Commodity Fumigation - Chapter 5

- 3) Labeling available at use site
- 5) Certified Applicator Supervision
- 6) Complies with permit conditions
- 11) Respiratory protection
- Mark N/A when inspecting the aeration phase (added)
- Ability to have immediate voice communication via radio....(removed)
- The enclosed space must be ventilated while occupied
- Is required to be worn when the concentration of phosphine is unknown or exceeds the permissible exposure level
Commodity Fumigation - Chapter 5

- 16) Accident response plan at worksite
- 17) Two trained employees
- 18) Warning signs posted, required information
- Mark N/A when preforming aeration (added)
- Exemption: owner and one trained employee present (removed)
- Requirements are now spelled out (wording, font, symbols)
Field Fumigation

Chapter 6
Field Fumigation
Chapter 6

Chapter 6 errors

<table>
<thead>
<tr>
<th>Error</th>
<th>Code</th>
<th>Count</th>
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<tr>
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<td>RQX</td>
<td>75</td>
</tr>
<tr>
<td>Bus Lic. #/type missing</td>
<td>BL</td>
<td>54</td>
</tr>
<tr>
<td>Ind Lic. #/type missing</td>
<td>IL</td>
<td>45</td>
</tr>
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<td>Prod ag/other unchecked</td>
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<td>23</td>
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<td>Fum method missing (form 105 and 106 only)</td>
<td>FM</td>
<td>17</td>
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<td>Supervisor interviewed unchecked</td>
<td>SI</td>
<td>13</td>
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<td>Commodity Missing</td>
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<td>5</td>
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<td>Other Error</td>
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<tr>
<td>Violation Notice Unchecked</td>
<td>VIO</td>
<td>0</td>
</tr>
</tbody>
</table>
Field Fumigation - Chapter 6

1) PCB Licensed

2) PCB Registered

4) NAA Emission Allowance
   - San Joaquin Valley
   - Sacramento Metro
   - South Coast
   - Southeast Desert
   - Ventura

Exemptions: SPCB acting under their license (removed)
Mark N/A if grower applied
Mark N/A when county is a non-attainment area
   - Less than 5 acres when below threshold acreage
   - Tree site fume less that 1 contiguous acre (removed)
   - Potting soil, enclosed spaces (added)
Field Fumigation
Chapter 6

• 6) Notice of Intent (NOI) submitted

• 10) Labeling – site/rate/buffers/others

• If fumigation does not commence within 12 hours of NOI start time a new NOI must be submitted

• Review Fumigant Management Plan (FMP)
Field Fumigation
Chapter 6

• 18) Field Posting

• 24) Methyl Bromide Worksite Plan

• If the field is not correctly posted, cite the operator of the property

• Link to DPR approved TIF tarps http://www.cdpr.ca.gov/docs/emon/methbrom/tarps.pdf.
Field Fumigation - Chapter 6

• 9. Labeling – Aeration/Reentry FAC § 12973

Scope: All registered fumigant uses.

Review the labeling to determine compliance with aeration and reentry requirements. Workers are not allowed to enter the treated area or buffer zones during aeration except as permitted in.....

Mark this N/A when performing an application inspection.
Field Fumigation - Chapter 6

• Review the Fumigant Management Plan (FMP)
• 4 Digit Fume Code
• Buffer Zones
• Review Volume 3 Restricted Materials and Permitting
4 Digit Fume Code
4 Digit Fume Code

- Can be found:
  - [http://www.cdpr.ca.gov/docs/emon/vocs/vocproj/ffm_code.pdf](http://www.cdpr.ca.gov/docs/emon/vocs/vocproj/ffm_code.pdf)
  - Appendix 7

- Refer to Fumigant Management Plan (FMP) or Work Site Plan (WSP) (methyl bromide)

- Verify code
# 4 Digit Fume Code

## California Department of Pesticide Regulation

Volatile Organic Compound Regulations

**Field Fumigation Methods (FFM), FFM Code for Pesticide Use Reporting, and Emission ratings**

<table>
<thead>
<tr>
<th>Regulation Section</th>
<th>Field Fumigation Method</th>
<th>FFM Code</th>
<th>Emission Rating (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>6447.3(1)</td>
<td>Non-tarpaulin/Shallow/Bed</td>
<td>1101</td>
<td>100*</td>
</tr>
<tr>
<td>6447.3(2)</td>
<td>Non-tarpaulin/Deep/Broadcast</td>
<td>1102</td>
<td>74*</td>
</tr>
<tr>
<td>6447.3(3)</td>
<td>Tarpaulin/Shallow/Broadcast – Nobel Plow</td>
<td>1103</td>
<td>48</td>
</tr>
<tr>
<td></td>
<td>Tarpaulin/Shallow/Broadcast – Nobel Plow – Strip</td>
<td>1104</td>
<td>74*</td>
</tr>
<tr>
<td></td>
<td>Tarpaulin/Shallow/Broadcast – Closing shoes and compaction roller</td>
<td>1105</td>
<td>100*</td>
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<tr>
<td>6447.3(4)</td>
<td>Tarpaulin/Shallow/Bed</td>
<td>1106</td>
<td>100*</td>
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<tr>
<td>6447.3(5)</td>
<td>Tarpaulin/Deep/Broadcast</td>
<td>1107</td>
<td>48</td>
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<tr>
<td></td>
<td>Tarpaulin/Deep/Broadcast – Strip</td>
<td>1108</td>
<td>74*</td>
</tr>
<tr>
<td>6447.3(6)</td>
<td>Drip System - Hot Gas</td>
<td>1109</td>
<td>100*</td>
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<tr>
<td>6447.3(3)</td>
<td>Tarpaulin/Shallow/Broadcast – Nobel Plow – with tarp eligible for 60% credit</td>
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<td>48</td>
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<td>Tarpaulin/Shallow/Broadcast – Nobel Plow – Strip – with tarp eligible for 60% credit</td>
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<td>74*</td>
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<td>Tarpaulin/Shallow/Broadcast – Closing shoes and compaction roller – with tarp eligible for 60% credit</td>
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<td>6447.3(5)</td>
<td>Tarpaulin/Deep/Broadcast – with tarp eligible for 60% credit</td>
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<td>Tarpaulin/Deep/Broadcast-Strip – with tarp eligible for 60% credit</td>
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<td>6447.3(6)</td>
<td>Drip System - Hot Gas – with tarp eligible for 60% credit</td>
<td>1149</td>
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<td>Other label method for Methyl Bromide (with or without chloropicrin)**</td>
<td>1190</td>
<td>---</td>
</tr>
</tbody>
</table>
Buffer Zone
Buffer Zones

• **Buffer Zones –Inner/Outer - Buffer Zone Distance Required:**
  
  – For methyl bromide
  
  Measure the buffer zones (inner and outer) in feet and document the measured distances. Refer to the permit conditions to verify correct distances.

• **For other fumigants** – if there is only one applicable buffer zone, record the measured distance in the outer buffer zone block. Print ”N/A” in the inner buffer zone block.
See also Compendium Volume 3
Restricted Materials and Permitting

• Appendix G – Commodity Fumigation
• Appendix H – Aluminum and Magnesium Phosphide
• Appendix I – Methyl Bromide (enclosed spaces)
• Appendix J – 1,3-Dichloropropene (field)
• Appendix K – Chloropicrin and Chloropicrin Combinations (field)
• Appendix L – Metam Sodium, Metam Potassium, and Dazomet (field)
• Appendix M – Methyl Bromide (field)
U.S. EPA Federal Worker Protection Standard WPS Revisions

Region 9 U.S. EPA
# Structural Inspection

## Chapter 7 and 8

### Structural Fumigation Use Monitoring Inspection Report 107

**FIRM ADDRESS**:  
STATE: [State]  
CITY: [City]  
ZIP: [ZIP]

**BUSINESS LICENSE NUMBER**:  
[License Number]

**APPLICATION SITE ADDRESS**:  
[Address]

<table>
<thead>
<tr>
<th>ACTIVITY</th>
<th>PERSONAL PROTECTIVE EQUIPMENT USED</th>
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</thead>
<tbody>
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### Structural Use Monitoring Inspection Report 108

**FIRM ADDRESS**:  
STATE: [State]  
CITY: [City]  
ZIP: [ZIP]

**BUSINESS LICENSE NUMBER**:  
[License Number]

**APPLICATION SITE ADDRESS**:  
[Address]

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</thead>
<tbody>
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</tbody>
</table>
Structural Inspections Chapters 7,8
New Revisions of Structural Activities

  - SPCB – Structural Pest Control Board
  - BPC – Business and Professions Code
Structural Inspections Chapters 7,8
Code Changes in 2015-16

SB 1244 (2015)
BPC 8504.1 definition of “pesticide”

• To include any spray adjuvant and any substance, or mixture of substances, that is intended to be used for preventing, destroying, repelling, or mitigating any pest or organism.
Structural Inspections Chapters 7, 8
SPCB Code Changes 2015-16

SB 1244 (2015)
BPC 8617(n) statute of limitations
For CAC enforcement of structural violations

🌟 CAC now has 2 years statute of limitations to take an enforcement action.
Structural Inspections Chapters 7,8
Code Changes 2015-16

SB 1244 (2015)
BPC 8505.17(c)
Monthly Pesticide Use Reports
Submitted to CAC

No longer need to include
total # of applications
Structural Inspections Chapters 7,8
MPURs Record Keeping

• SPC licensees to maintain a copy of the Monthly PUR for 3 years after submission to CAC.
Structural Inspections Chapters 7,8
Electronic Submission of MPURs

• For **electronically** submitted MPURs… add the SPCB stamp # into online report
SB 1244 (2015)

BPC 8551.5

New unlicensed applicators when first hired by a registered company can work under direct supervision for up to:

90 days
BPC 8590 (a)

Applicator license’s expiration Date
The applicator’s license would expire on June 30 of the 3rd year after the issuance

BPC 8505.12

Chloropicrin Warning Agent Waivers
The bill authorizes, in specified circumstances, waiving the use of warning agents in conjunction with structural fumigants.
Structural Inspections Chapters 7, 8
warning signs - colors

- **Effective 1-1-2015 / BPC 8505.10**

- Any **color** ink can be used on sign for:
  - Date/Time
  - Fume Company:
  - Name, Address,
  - Phone #

“Warning Info”

Red ink required
Structural Inspections Chapters 7, 8
Code Changes 2015-2017

AB 1685 BPC 8538
vs. 16 CCR 1970.4

☠ What changed in 2015 (8538)

☠ What changed in 2016…1970.4(a)

☠ And what has NOT changed yet
[1970.4(c) for B2 & B3]
AB 1685 BPC 8538 vs. 16 CCR 1970.4

★ In 2015 this bill added the “electronic notification option” to 8538(b) for initial notice IF an electronic mailing address is provided...

★ The Board revised section 1970.4(a) in 2016 BUT...that only applies to Branch 1 OFN.

★ The new wording for 16CCR 1970.4(a) states: ... “The properly signed form or a copy, written or electronic, shall be in possession of the licensed fumigator when the fumigant is released...”
Structural Inspections Chapters 7,8
SPCB Code Changes 2015-2017

AB 1685 BPC 8538 vs.16 CCR 1970.4
◊ We expect at some future date the SPCB will propose a subsection 1970.4(c) change to add electronic option for B2 & B3 apps but until then...

◊ Branch 2 & 3 need to follow the current existing requirements after applications (written notice posted, conspicuous place, etc.)
### Summary of AB 1685/16 CCR regulation changes

<table>
<thead>
<tr>
<th></th>
<th>Br I</th>
<th>Br II &amp; III</th>
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<tbody>
<tr>
<td><strong>B &amp; P Code 8538 (b)</strong></td>
<td>added to the written notice to be given at least 48 hours prior to application</td>
<td>added to the written notice to be given no later than prior to application</td>
</tr>
<tr>
<td>Electronic notification</td>
<td></td>
<td></td>
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<tr>
<td><strong>Title 16 CCR 1970.4</strong></td>
<td>1970.4 (a) allowed the electronic for the Branch I OFN (form 43M-48)</td>
<td>1970.4 (c) unchanged so far; the proposed changes will be in 2018 or 2019</td>
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<tr>
<td>Disclosure Statement</td>
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### Pest Control Headquarters Inspection Report 109

**Inspection Report 109**

**Name of Haunted Mansion**

**Name of Pest Control Trainer**

**Employee Prod Ag**

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Section</th>
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<th>No</th>
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<tbody>
<tr>
<td>1. Worker's Right to Know Permits</td>
<td>64142</td>
<td>Y</td>
<td>N</td>
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<tr>
<td>2. Noise Planning Application</td>
<td>6161</td>
<td>Y</td>
<td>N</td>
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<tr>
<td>3. App. Completion Records on file</td>
<td>6419</td>
<td>Y</td>
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<td>4. Operator (1) Number Obtained</td>
<td>6160</td>
<td>Y</td>
<td>N</td>
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<tr>
<td>5. Operator (1) Permit Expired</td>
<td>6401</td>
<td>Y</td>
<td>N</td>
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<tr>
<td>6. App. Use (2) Available on file</td>
<td>6014</td>
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<tr>
<td>7. Prof. Use Records Available on file</td>
<td>6405</td>
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<td>8. Emergency Med. Care Provided</td>
<td>872042</td>
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<tr>
<td>9. Change Fees</td>
<td>6700</td>
<td>Y</td>
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<tr>
<td>10. Property Storage of PE</td>
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</table>

**Safety Ag**

<table>
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<th>Section</th>
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</thead>
<tbody>
<tr>
<td>1. Notice Prior to Application</td>
<td>6610a</td>
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<td>N</td>
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<tr>
<td>2. Emergency Med. Care Planned</td>
<td>6720</td>
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<td>N</td>
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<tr>
<td>3. Change Fees</td>
<td>6720</td>
<td>Y</td>
<td>N</td>
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<tr>
<td>4. Project Storage of PE</td>
<td>6720a</td>
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<td>N</td>
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<tr>
<td>5. Health/Chemical Safety Manual Available on request</td>
<td>6720a</td>
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<td>N</td>
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<tr>
<td>6. Health/Chemical Stamped/Sealed/Expired</td>
<td>6720a</td>
<td>Y</td>
<td>N</td>
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<td>7. Health/Chemical Records Available</td>
<td>6720a</td>
<td>Y</td>
<td>N</td>
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<td>8. Health/Chemical Records Available</td>
<td>6720a</td>
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<td>N</td>
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**Records Ag**

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Section</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Business Licenses</td>
<td>1172</td>
<td>Y</td>
<td>N</td>
</tr>
<tr>
<td>2. Business Registration In County</td>
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<td>Y</td>
<td>N</td>
</tr>
<tr>
<td>3. Wm. Lic. In. Board Records</td>
<td>1172</td>
<td>Y</td>
<td>N</td>
</tr>
<tr>
<td>4. Pest. Regist. in the County</td>
<td>1172</td>
<td>Y</td>
<td>N</td>
</tr>
<tr>
<td>5. Bed Bugs Manual/Sealed</td>
<td>1172</td>
<td>Y</td>
<td>N</td>
</tr>
</tbody>
</table>
Pest Control Headquarters
Chapter 9 and 10

Chapter 9
Four inspections are covered in the 109 inspection report
1. Employee Production Ag
2. Employee Other (golf courses, schools, parks...)
3. Dealer Records
4. Pest Control Advisor

Chapter 10
Four inspections are covered in the 110 inspection report
1. Safety Ag – Business
2. Records Ag – Business
3. Safety Structural – Business
4. Records Structural - Business
• Requirements
  – Valid Restricted Materials Permit RMP
  – Notice of Application
  – Records
  – Emergency Med. Plan
  – PPE

• Haz Com/ Training Program
  – Haz Com Handler/FW
  – App. Specific Info Handler/FW
  – Training/Trainer Qualified
Respiratory Protection Program
- Written program
- Medical Eval.
- Fit Test
- Storage

Medical Supervision Program
- Records when using organophosphates or carbamates with signal word “Warning” or “Danger”

Pesticide Storage
- RMP
- Posting
- Containers
Pest Control Headquarters - Chapter 10

Ag PCB/Structural PCB

• Requirements
  – Notice Prior to App
  – Emergency Med. Care Plan
  – Change Area
  – PPE

• Haz. Com/Training Program
  – Hazard Communication
  – Trainer Qualified
  – Written Program

• Respiratory Protection Program

• Medical Supervision Program
Pest Control Headquarters
Chapter 10 - APCB/SPCB cont.

• Records
  – APCB
    • Business Licensed
    • Registered in County
    • Supervision
    • Pilot(s)
    • RMP
    • App. Completion Records
    • Use Records
    • Use Reports
Pest Control Headquarters - Chapter 10
APCB/SPCB cont.

— SPCB

• Monthly PUR
• Registered in County
• Qualified Branch Supervisor
• Use Records
• Fumigation Log
• Notice to Occupant
• Pesticide Storage
Pest Control Headquarters
Chapters 9 and 10

Requirements in Inspection 109 Ag
- App. Comp. Rec. 6619
- Emergency Med. Care Planned 6766 Field Worker
- App. Spec. Info. Handler 6723.1
- Haz. Comm. Field Worker 6761
- App. Spec. Info. Field Worker 6761.1
- Training Field Worker 6764

Requirements shared by Inspections 109 Ag and 110 Ag
- Notice Prior to Application 6618
- Emergency Med. Care Handler 6726
- Haz. Comm. Handler 6723
- Training Written Handler Program 6724(a)
- Trainer Qualified 6724(f)
- Handler Training 6724(b-e)
Pest Control Headquarters – Chapters 9 and 10

Notice Prior to Application 6618
• Dates(s) start time(s) and est. end time(s)
• If labeling requires posting, oral notice, of both
• Instruction about AEZ

Emergency Med. Care Handler 6726 (Prod. Ag)
• Info provided to Med. Personnel
  – SDS, EPA Reg. No.(s)
  – A.I.
  – Circumstance of application or use
  – Circumstance that could have resulted in exposure
Pest Control Headquarters
Chapters 9 and 10

Change Area 6732
Change area must meet much of the decontamination requirements in 6734
• 2. Notice Prior to Pesticide Applications

• 21. Medical Evaluation

• Public agencies complying with FAC §12978 check “Yes”

• Questionnaires are confidential under Health Insurance Portability and Accountability Act (HIPAA)
Recommendation Requirement in Ozone Nonattainment Area 3CCR § 6883
Scope: The operator of the property shall retain the written recommendation for the last two years after the application occurs of a high-volatile compound nonfumigation product
...specified in section 6881 during May 1 through October 31 in the San Joaquin Valley ozone non-attainment area, to one of the following crops: alfalfa, almonds, citrus, cotton, grape, pistachio, or walnut.
Pest Control Headquarters - Chapter 9
Dealer/ Adviser

- Main or Branch
- Number of Records
- Dealers
  - Licensed
  - Designate Agent (DDA)
  - Records (sales, QAL, QAC, PAC Statements, Operator IDs, out of county sales, etc.)
  - Storage
- PCA
  - Licenses, Registered
  - Recommendation Records
San Joaquin Valley Ozone Non-attainment Area
3CCR § 6886
Scope: Each dealer shall provide nonfumigant VOC information, in writing, to the purchaser at time of purchase or delivery if the sale is made to an operator in the San Joaquin Valley ozone non-attainment area.
Compendium Vol. Inspection Procedures

Appendix

Appendix 1 - Personal Protective Equipment Requirements
• Updated section numbers
• Labeling PPE, immediately available, stored in a chemical-resistant container. Regulations interpreted as strict as WPS Title 40 CFR Part 170

Appendix 2 - Inspection Interviews
• Shortened and removed some of the suggestions

Appendix 3 - Backflow Prevention and Chemigation: regulatory Requirements and Guidance
Appendix 4 - Ground Water Regulatory Requirements

Appendix 5 – place holder

Appendix 6 - California Aeration Plan (CAP) for Structural Fumigations

Appendix 7 – Fumigation Methods - Replaced contents with two links: to Volume 3 and to DPR Environmental Monitoring
Contents of Appendix 7 was replaced to provide reference to the following two lists:

- Volatile Organic Compound Regulations Field Fumigation Methods (FFM), FFM Code for Pesticide Use Reporting, and Emission ratings
  http://www.cdpr.ca.gov/docs/emon/vocs/vocproj/ffm_code.pdf

- List of allowed methods, by active ingredient, for each NAA
# 4 Digit Fume Code

## California Department of Pesticide Regulation

### Volatile Organic Compound Regulations

#### Field Fumigation Methods (FFM), FFM Code for Pesticide Use Reporting, and Emission ratings

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<td>Methyl Bromide Fumigation Methods (With or without chloropicrin)</td>
<td>1100 series</td>
<td></td>
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<td>6447.3(a)(1)</td>
<td>Nontarpaulin/Shallow/Bed</td>
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<td></td>
<td>Tarpaulin/Shallow/Broadcast – Closing shoes and compaction roller</td>
<td>1105</td>
<td>100*</td>
</tr>
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<td>6447.3(a)(4)</td>
<td>Tarpaulin/Shallow/Bed</td>
<td>1106</td>
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</tr>
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<td>6447.3(a)(5)</td>
<td>Tarpaulin/Deep/Broadcast</td>
<td>1107</td>
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<tr>
<td></td>
<td>Tarpaulin/Deep/Broadcast – Strip</td>
<td>1108</td>
<td>74*</td>
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<tr>
<td>6447.3(a)(6)</td>
<td>Drip System - Hot Gas</td>
<td>1109</td>
<td>100*</td>
</tr>
<tr>
<td>6447.3(a)(3)</td>
<td>Tarpaulin/Shallow/Broadcast – Nobel Plow – with tarp eligible for 60% credit</td>
<td>1143</td>
<td>48</td>
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<tr>
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<td>Tarpaulin/Shallow/Broadcast – Nobel Plow – Strip – with tarp eligible for 60% credit</td>
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<td>1146</td>
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<td></td>
<td>Tarpaulin/Deep/Broadcast-Strip – with tarp eligible for 60% credit</td>
<td>1148</td>
<td>74*</td>
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<tr>
<td>6447.3(a)(6)</td>
<td>Drip System - Hot Gas – with tarp eligible for 60% credit</td>
<td>1149</td>
<td>100*</td>
</tr>
<tr>
<td></td>
<td>Other label method for Methyl Bromide (with or without chloropicrin)**</td>
<td>1190</td>
<td>---</td>
</tr>
</tbody>
</table>
California Department of Pesticide Regulation

METHYL BROMIDE

Field Fumigation Methods Allowed, by Geographic Area

Note: Restrictions on fumigation methods are in effect May 1 through October 31, in certain geographic areas (see table). From November through April, any label method may be used, anywhere in California. (Regulations and permit conditions that already restricted the use of fumigants still apply.)

<table>
<thead>
<tr>
<th>Methyl Bromide</th>
<th>Methods Allowed From May 1 Through October 31, by Geographic Area</th>
</tr>
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<tbody>
<tr>
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<td>Regulation Section (3CCR)</td>
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<tr>
<td>Nontarpaulin/Shallow/Bed</td>
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<td>Nontarpaulin/Deep/Broadcast</td>
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</tr>
<tr>
<td>Tarpaulin/Shallow/Broadcast - Nobel Plow</td>
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<tr>
<td>Tarpaulin/Shallow/Broadcast - Nobel Plow – Strip</td>
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<tr>
<td>Tarpaulin/Shallow/Broadcast - Closing shoe and compaction roller</td>
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</tr>
<tr>
<td>Tarpaulin/Shallow/Bed</td>
<td>(a)(4)</td>
</tr>
<tr>
<td>Tarpaulin/Deep/Broadcast</td>
<td>(a)(5)</td>
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<tr>
<td>Tarpaulin/Shallow/Broadcast – Nobel Plow–with tarp eligible for 60% credit</td>
<td>(a)(3)</td>
</tr>
</tbody>
</table>
Inspection Procedures and new worker protection WPS Recap
Volume 4 and Recap of WPS Revisions

• **Enclosed Space:** Replaces greenhouse and includes greenhouses, polyhouses, mushroom houses, hoop houses, and similar structures.

• **Application Exclusion Zone (AEZ):** Area surrounding application equipment during an application

• **Enclosed Cabs:** revised definition by removing ASAE reference and replaced with “prevents dermal contact”

• **Worker Housing Area:** On or near an ag est., housing is provided by the ag employer or other person recruiting employing ag workers.
Volume 4 and Recap of WPS Revisions

- **Fieldworker training:** Required annually and records maintained two years
- **Field Posting:** Post for any REI >48 hours or, entirely Enclosed space, enclosed space for an REI >4 hours, with some exceptions, and within 100’ of worker housing
- **Decontamination sites amended:** Specific water quantities for applicators, mixer/loaders, fieldworkers and early entry workers. Additional eye flush system requirements. Hand sanitizers (gels or liquids), or moist towelettes not allowed. Employees informed of decontamination location.
Volume 4 and Recap of WPS Revisions

- **Notice of application amended**: Now includes application start time and estimated end time, changes to the notice, instructions not to enter AEZ
- **Notice of completion**: Now includes start and end time
- **Age requirement**: Handler or early entry workers
- **Hazard communication**: PSIS A-8 and A-9 posted at all permanent decontamination facilities and at those servicing 11 or more handlers or workers. Emergency medical care changes updated within 24 hours.
Volume 4 and Recap of WPS Revisions

• **Training handlers or fieldworkers amended:** Location of training must be “reasonably free from distraction”; trainer present; additional record info.

• **Application-specific display:** Additional requirements and record retention

• **Field reentry:** Tractor or enclosed cab description of “no contact” was deleted; replaced with “no hand labor activities are performed” and additional info provide to worker
Volume 4 and Recap of WPS Revisions

• **Fumigating an Enclosed Area:** Employee maintains continuous visual or voice contact with another outside the enclosed area.

• **Emergency medical care:** Information for provided by the employer to medical care personnel.
Volume 4 and Recap of WPS Revisions

- **Equipment maintenance**: Information given to a cleaning, servicing, or repairing service.
- **Closed systems PPE exemption**: Is allowed for dry pesticide product formulations in certain circumstances (water soluble packets).
- **Aircraft PPE**: Chemical-resistant gloves inside a cockpit are stored in CR container. Certain PPE exemptions no longer apply.
- An employee (handler or fieldworker) representative requesting records must do so in writing and follow specific procedures.
Questions?