

Chapter 7: Structural Fumigation Use Monitoring Inspection Report (PR-ENF-107)

Purpose

The Structural Fumigation Use Monitoring Inspection is performed to inspect Branch 1 structural pest control businesses during one of the phases of a structural fumigation as described below. Your inspection should document whether or not the handler and employer are complying with pesticide labeling requirements, laws and regulations, training, worker safety, and other regulatory requirements. You also determine whether the operator is mitigating any possible hazard to persons, non-target animals, or property. Your inspection of equipment in use indicates if it is safe for handlers and the environment. Your observations provide a picture of the employer's safety program and the employee's knowledge of pesticide handling requirements and safety precautions.

Special header information

The following are directions for how to fill out the information blocks of this inspection form not found on most other forms. Please refer to the General Inspection Procedures chapter for more information on how to fill out this form.

Business Registration Number: Add the registration number of the business being inspected. Check the "UNL" (unlicensed) box if a person/business is fumigating without a valid Structural Pest Control Board (SPCB) registration.

Required Distance Maintained: Check the "N/A" box if methyl bromide is not being used. If methyl bromide is used, check "YES" or "NO" to document whether the minimum distance required by 3CCR section 6454 is maintained.

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Special header information (continued)

Individual License Number: Add the license number of the person in charge of the activity being inspected and check the appropriate box for the license type. An Operator (OPR) or Field Representative (FR) is required to be on site when the fumigant is introduced, when the tarps are broken at the end of the aeration period, and when the structure is certified safe for reentry. Also, a licensed Operator or Field Representative must be present for, and assure completion of, Steps 1 through 4 of the CAP. An unlicensed person must not apply fumigants unless supervised by a licensee on site. The crew preparing the structure for fumigation does not require licensing. A box for UNL (unlicensed) is provided for a person fumigating without a valid license.

Fumigation Check Boxes: Check the appropriate box on the Structural Fumigation line as to which phase of the fumigation you are inspecting as described below.

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Types of structural fumigation inspections

Structural fumigations have three distinct phases. They are:

1. **Application** - The closing or “shooting” phase, beginning with structural preparation and tarpaulin placement, and ending when the fumigant release is completed.
2. **Aeration** - The opening or commencement of aeration phase, beginning when the inlet devices are opened and fans are turned on. Aeration continues until active ventilation has been maintained for 12 hours. The aeration phase for inspection purposes may begin when the operation to remove the tarps is initiated and ends when all tarps and seals have been removed from the structure and steps 2 and 3 of the California Aeration Plan (CAP) have been completed; and
3. **Certification** - The certification or clearing phase, when the operator or field representative certifies the structure safe for reentry. (Step 6 of the CAP).

The inspector should witness the critical fumigation activities performed by the operator or field representative during a fumigation phase and address as many inspection requirements as possible to qualify the inspection as complete. Because circumstances may prevent the ideal inspection situation, the complete inspection criteria allow limited flexibility. The inspector must:

1. Make personal contact with the operator or field representative; and
2. Evaluate the maximum number of fumigation requirements possible.

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Application phase – minimum criteria

The minimum inspection activities that must be performed during the application phase are:

1. Observe the fumigant release;
2. Determine compliance or non-compliance with all records and paperwork requirements at the site; and
3. Determine compliance or non-compliance with all the pesticide regulatory and labeling requirements on the inspection form pertaining to the application phase. Request the operator or field representative to sign the inspection form at the site.

The only exception to the minimum criteria occurs when the structure cannot be entered. Some inspection requirements can only be addressed when inside the structure. The inspector can request the operator or field representative to open the tarpaulin prior to releasing the warning agent or fumigant, allowing entry to directly address the requirements that can only be checked from inside the structure. When requirements cannot be directly addressed because entry into the structure cannot be gained, include an explanation on the inspection report. An application phase inspection can still be considered complete if entry into the structure is not possible. All other inspection activities pertaining to this phase that can be addressed without entering the structure must be performed. An application phase inspection must be conducted while the licensee is at the site and before the conclusion of the fumigant release in order to be considered a complete inspection.

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Aeration phase minimum criteria

The minimum inspection activities that must be performed during the aeration phase are:

1. Verify the structure has been ventilated for the minimum required time (see Table 2 of the CAP) prior to the removal of tarpaulins;
2. Observe the breaking of the tarpaulin seal and compliance with CAP steps 2 and 3;
3. Determine compliance with the records requirements at the site; and
4. Determine compliance of all pesticide regulatory and labeling requirements on the inspection form pertaining to the aeration phase. Request the licensee to sign the inspection report at the site.

The only exception to the minimum criteria is when the inspector misses the breaking of the tarpaulin seal. Inspections are complete if the licensee is at the site and the inspector can perform all the remaining inspection activities pertaining to this phase.

Certification/ clearing phase minimum criteria

The minimum inspection activities that must be performed during the certification/clearing phase are:

1. Be present when the licensee certifies the structure safe for reentry;
2. Verify that the reentry certification has been properly completed;
3. Verify compliance with requirements related to the conditions inside the structure; and
4. Verify the proper posting of the attic and/or basement and request the licensee to sign the inspection form at the site.

See the table at the end of this chapter or inspection requirements for each phase.

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Tarpaulin inspections

Tarpaulin inspections, verifying placement of signs, or other inspection activities that do not qualify as complete inspections are considered partial inspections. See Tarp/Aeration Check at the end of this chapter.

Tarpaulin inspections must include verification of compliance with CAP specifications (i.e. number, location, and size of inlet and aeration devices, ducting, and remote operation of fans). Document compliance with the CAP by adding 3CCR section 6780(b) to the Requirements in the blank space provided.

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Requirements Structural Fumigation Use Monitoring

Inspection Report, Continued

**1. Registered in
County**

**FAC section
15204.5(a)**

Scope: All structural pest control companies registered with the Structural Pest Control Board (SPCB) and performing structural pest control in the county. This regulation applies to the use of all pesticides as well as non-pesticide methods of pest control.

Determine if the structural pest control company has registered with the agricultural commissioner prior to performing structural pest control for hire in your county. This can be accomplished by reviewing the company's records on file. The registration should cover a calendar year unless the structural pest control company's licensee specifies a shorter time. Branch offices working in your county must also be registered.

Exemptions: None

**2. County
Notified 24
Hours Prior**

**FAC section
15204.5(d)**

Scope: Fumigations by registered structural pest control businesses.

Has the agricultural commissioner been notified at least 24 hours prior to the start of the fumigation, or as approved by the agricultural commissioner on a case-by-case basis?

The notice shall include:

1. Name and address of the registered company or structural pest control operator.
2. Address of the area or area fumigated.
3. Pesticide to be applied.
4. Date of the intended application.

Exemptions: None

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Requirements Structural Fumigation Use Monitoring Inspection Report, Continued

3. Written Notice to Occupant

Scope: All applications of any pesticide by registered structural pest control companies.

(Application)

**BPC section
8538**

The written notice must be provided to the owner, or owner's agent, and tenant of the premises at least 48 hours prior to fumigation. If possible, interview the owner or occupant of the structure (house, apartment complex, etc.) and ask to review the written notice. The licensee performing the application may be the only person available. In this case, you should interview the licensee to determine if the notice has been provided. If a Branch 3 company gave the notice, the Branch 1 licensee on site will usually have a copy of it. If the notice was not provided to the Branch 1 licensee, ask for the Branch 3's contact information and ask for a copy to be provided to you. See code for required information.

Exemptions: None.

4. Occupants Fumigation Notice and Pesticide Disclosure Signed / Available

Scope: Structural fumigations by structural pest control companies.

(Application)

**16CCR section
1970.4**

The prime contractor must possess a signed and completed Occupants Fumigation Notice and Disclosure Form 43M-48 Rev. 10/22. The signed Occupant Fumigation Notice and Pesticide Disclosure Form or copy of thereof (written or electronic) must be in the possession of the fumigator at the fumigation site when the fumigant is released. The owner or owner's agent, manager, or designated agent of multiple-unit structure(s) may obtain signatures and/or verify that the notification was provided to the occupants for the prime contractor.

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Requirements Structural Fumigation Use Monitoring Inspection Report, Continued

**4. Occupants
Fumigation
Notice and
Pesticide
Disclosure
Signed /
Available**

The prime and subcontractor must retain signed copies of each Form 43M-48 for three years. Review the notice with the licensee.

- Compare information at your office to information the prime or subcontractor has available.
- Is the form signed by the occupants, and owner or owner's agent?
- Does the form contain the required information?

(Application)

If a signed form is not available on site prior to the release of the fumigant, stop the fumigation.

16CCR section
1970.4

Mark "Yes" when:

- There is a signed and completed Occupants Fumigation Notice and Pesticide Disclosure Form in possession of the fumigator at the fumigation site.

Mark "No" when:

- The fumigator does not have in their possession a signed or completed Occupants Fumigation Notice and Pesticide Disclosure Form at the fumigation site.

Exemptions: None

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Requirements Structural Fumigation Use Monitoring Inspection Report, Continued

**5. Registered
Label Available
at Use Site**

**3CCR section
6602**

Scope: All registered pesticide uses.

Check “N/A” for this requirement when performing aeration or certification phase inspections.

Registered labeling (including supplemental labeling) covering the specific use must be available at the use site. Review the pesticide labeling to see what additional documents are required to be at the use site, such as fumigation manuals. Commercial advertising does not comply with the requirements of this regulation, even if it includes use directions.

Labeling at the use site must not differ in any material manner with the labeling registered by DPR. Differences in the directions, restrictions or precautions are not acceptable. Differences in specimen labeling format (i.e., photocopies, CDs, electronic, or photographs) are acceptable unless the difference(s) could cause the pesticide to be used in a manner conflicting with the registered labeling or they create a false or misleading perception. If you suspect the labeling is inaccurate, refer the case to your DPR EBL for product compliance investigation.

Exemptions: None

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Requirements Structural Fumigation Use Monitoring

Inspection Report, Continued

**6. Labeling –
Site / Rate /
Concentration /
Other**

Scope: All registered pesticide uses.

**(Application,
Aeration, and
Certification)**

Review the labeling used and compare to the application activity. This requirement should be used for any violation of product labeling not covered by Requirements 7, 8 or 9.

**FAC section
12973**

- Is the application being performed under suitable climatic conditions, utilizing proper application methods and equipment, in compliance with labeled use directions?
- For example, is the applicator using the correct amount of fumigant gas according to the conditions entered in the calculator?
- Was a thermometer used to check the temperature?
- Is the structure sealed appropriately?
- What are the conditions of the site: Is the soil moist?
- Was the attic space, cabinets and drawers, appliances such as ovens, washer and dryer opened?

Verify there is no source of heat or spark in the structure, and the natural gas service is off at the main service valve. Electric appliances with heating elements (such as heaters, pianos, or organs) should be unplugged. All automatic switch controls for appliances and lights should be disabled since they may spark when activated.

The CAP requires that at least one operable window in each room be open at least three inches. (See [Compendium Volume 4 Appendix 6 California Aeration Plan \(CAP\) for Structural Applications](#)). Some labeling may read, “Open all windows as permitted by local laws and regulations.” This, or similar wording, means that the windows may be closed when required by local regulations. The CAP is a local regulation stemming from 3CCR section 6780(c). Therefore, when fumigating with a product with the language described, the applicator need only comply with the requirements of the CAP.

Exemptions: See 3CCR section 6000 conflict with labeling for exceptions.

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Requirements Structural Fumigation Use Monitoring Inspection Report, Continued

7. Labeling – Aeration / Certification

**FAC section
12973**

Scope: Registered fumigant uses.

When the fumigators are employing the CAP, check N/A when performing an aeration inspection. When the fumigators are employing the CAP, CAP requirements supersede Aeration Procedure 1 and 2 on sulfuryl fluoride labeling. Review the labeling and CAP to determine compliance with certification requirements.

When inspecting an aeration where the CAP is not employed, fumigation crews must comply with labeling and 3CCR section 6780. The conditions of 3CCR section 6780 require that either continuous monitoring or SCBA be utilized when the CAP procedures are not followed. Use of SCBA when working above ground on ladders or rooftops should be evaluated for safety pursuant to 3CCR section 6600(b).

Exemptions: Labeling instructions for aeration are superseded by the CAP requirements.

8. Labeling – Bagging, Pets Removed, Etc.

**FAC section
12973**

Scope: All registered fumigant uses

Check “N/A” for this requirement when performing aeration phase inspections unless you are able to determine the compliance status.

Licensees shall follow labeling requirements for the bagging or removal of food and medicines and removal of pets and other items from the fumigation site prior to the introduction of the fumigant. Verify compliance by doing a walk-through of the structure prior to the introduction of the warning agent, fumigant, or after the structure is certified safe for entry. Are all spaces, (e.g. attic, crawlspace, areas beneath decks, porches, and the area between structure and tarp) inspected prior to fumigation?

“Domestic animals, pets” includes animals that belong to the occupant as well as those that do not. The fumigator is responsible to ensure that no pets are in any area enclosed by the tarp prior to introduction of the fumigant (see label directions).

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Requirements Structural Fumigation Use Monitoring Inspection Report, Continued

8. Labeling – Bagging, Pets Removed, Etc. (continued)

FAC section 12973

If you observe plants or animals (such as aquarium fish or vines growing on the structure) inside the structure or tarp, verify that the fumigator has informed the occupant that these plants or animals will be destroyed.

Sulfuryl fluoride labeling requires use of specific bags when bagging food, feed, or medications. Review product labeling for the type of bags allowed, do not substitute ordinary plastic bags. DPR considers medicines to include dental hygiene or similar substances that enter the mouth during use unless specifically exempted by labeling. This would include toothpaste, mouthwash, teeth whiteners and dental adhesives but not dental appliances such as toothbrushes, teeth whitener trays or false teeth. On March 10, 2010 the revised Vikane applicator manual was approved by DPR exempting dental hygiene products from double-bagging or removal. Fumigators using products without this labeling exemption are required to double-bag or remove dental hygiene products.

The sulfuryl fluoride labeling requires that mattresses and pillows that are enveloped in waterproof covers must be removed or that the covers must be removed. Mattresses include box springs. Newer labeling may allow for covers to be opened rather than removed.

Exceptions: Food, feed, drugs and medicines if they are in plastic, glass or metal bottles, cans or jars with the original manufacturer's airtight seal intact (refer to product labeling).

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Requirements Structural Fumigation Use Monitoring Inspection Report, Continued

9. Labeling – Personal Protective Equipment (PPE)

FAC section
12973

Scope: All persons handling registered pesticides.

Observe if the applicator is wearing required eye protection (face-shield or goggles) when introducing the fumigant. Sulfuryl fluoride labeling prohibits the use of gloves or rubber boots. Check labeling for prohibited PPE and clothing.

Labeling PPE requirements apply to both employees and employers. Review the labeling at the site to determine what PPE is required. Observe handlers to see if they are properly utilizing the labeling required PPE. If employee handlers are not wearing required PPE, determine and document if it was provided by the employer and is available on site. Is the PPE in good condition and well fitted? Address each piece of safety equipment separately.

Labeling required PPE used by non-employees (owners, property operators and others) must meet the maintenance and storage standards listed in 3CCR section 6738(a). Although 3CCR section 6700 – 6795 apply only to employees, standards provided in these sections are applicable when interpreting labeling requirements for non-employees as required in 3CCR section 6601. See Chapter 1, Application Standards.

Exemptions:

- All substitutions and exemptions listed in 3CCR section 6738.4. See [Compendium Volume 4 Appendix 1 Personal Protective Equipment Requirements Exceptions and Substitutions](#).
- All substitutions and exemptions provided in the CAP. [Compendium Volume 4 Appendix 6 California Aeration Plan \(CAP\)](#).

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Requirements Structural Fumigation Use Monitoring

Inspection Report, Continued

10. Regulations
– Personal
Protective
Equipment
(PPE)

Scope: Employees handling any pesticides when:

- Required by labeling or regulation.
- Mixing or loading.
- Cleaning, adjusting or repairing equipment.
- Applying using handheld, vehicle mounted or towed equipment.

(Application)

3CCR section
6738

Check “NO” for this requirement if any employee is not wearing all of the PPE required by the regulations and the registered pesticide labeling. Document the exact nature and circumstances of the violation. When required, PPE must be worn throughout the handling process. Respiratory PPE requirements are found in 3CCR section 6739.

If employee handlers are not wearing required PPE, determine and document if it was provided by the employer and is available on site.

All PPE must be cleaned and inspected daily. Worn, damaged or heavily contaminated PPE must be replaced immediately. Check the condition of PPE and ask handlers what procedures they follow for cleaning and replacement. See [Compendium Volume 4 Appendix 1 Personal Protective Equipment Requirements Exemptions and Substitutions](#).

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Requirements Structural Fumigation Use Monitoring Inspection Report, Continued

11. Respiratory Protection

3CCR section 6739

Scope:

- Employees when required by labeling or regulation or employer policy.
- When employees use respiratory equipment.

Verify that employees have been provided and are using the appropriate type of respirator as identified on the labeling, permit or regulation (organic vapor, dust/mist filtering, HEPA-only or other) and that the respirator is a National Institute for Occupational Safety and Health (NIOSH) approved respirator. Verify that the equipment is being used properly and has been properly maintained. See [Compendium Volume 4 Appendix 1 Personal Protective Equipment Requirements Respiratory Protective Equipment](#) for additional information on respiratory protection.

Exceptions:

- When performing a structural fumigation utilizing the CAP the use of SCBA is unnecessary unless a person enters a structure where the level of the fumigant is unknown or continuous monitoring shows the fumigant level at or above 1 ppm.
- When respirator use is allowed by the employer even though not required by labeling, permit or regulation, only certain parts of 3CCR section 6739 apply. See [Compendium Volume 4 Appendix 1 Personal Protective Equipment Requirements Voluntary Respirator Provisions](#).

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Requirements Structural Fumigation Use Monitoring Inspection Report, Continued

**12. Handler(s)
Trained**

Scope: Employees who handle any pesticides.

**3CCR section
6724**

Employees who are licensed by the SPCB as Operators or Field Representatives are considered trained for the purposes of this requirement.

Employees licensed by the SPCB as structural applicators (RA licenses) are not considered certified commercial applicators per 3CCR section 6000. These individuals must receive pesticide handler training from their employer.

Employers must train employees before they handle pesticides, update the training to cover new pesticides, and repeat training at least annually (12-month period) thereafter. Initial training may be waived if an employee submits a record showing the training has met the requirements of 3CCR section 6724, was received in the last year, and covers the pesticides and use situations applicable to the new employment situation. Handler training performed in other states does not meet all the 6724 requirements, due to the many unique aspects of California's pesticide safety program.

Employees handling tarps prior to the introduction of a fumigant are not considered handlers. Employees handling tarps after the introduction of a fumigant are considered handlers.

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Requirements Structural Fumigation Use Monitoring Inspection Report, Continued

12. Handler(s) Trained (continued)

3CCR section
6724

Observing the application can provide you with information about the employee's training. The following are some potential work practices to observe:

- How is the employee performing their handling task?
- Does the employee appear to have received adequate training? This includes being trained in the safe operation of pesticide equipment used for mixing, loading, transferring, or applying pesticides before using the equipment and at least annually thereafter. Reference 3CCR section 6742(a).
- Does the employee follow the pesticide labeling directions?
- Does the employee utilize required PPE appropriately?
- Were all precautions taken before the commencement of the application?
- During the application, does the employee monitor for the presence of bystanders, changing environmental conditions, and application equipment malfunctions?
- Interview the employee to determine who provided the training.
 - Where was the training conducted?
 - When was the training provided?
 - What topics were covered?
 - Does the handler recall signing a training record?

If the employee is a noncertified applicator handling restricted materials, confirm the noncertified applicator knows how to identify a restricted material, what pesticide- and site-specific instructions the certified applicator provided for this application, and how the noncertified applicator can communicate with the certified applicator.

If the responses you receive or the behavior observed causes concern, perform a Headquarter and Employee Safety Inspection to verify if the employee received training, when, and what topics were covered. Consider issuing a cease and desist order for the use activity if unsafe conditions are observed.

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Requirements Structural Fumigation Use Monitoring Inspection Report, Continued

**12. Handler(s)
Trained
(continued)**

See [Compendium Volume 4 Chapter 1 General Inspection Procedures Conducting the Inspection](#) “Talking to Employers and Employees”.

**3CCR section
6724**

Mark “YES” when:

- Employees handling pesticides are Operators or Field Representatives in the appropriate category; or
- Interviewed employees stated they have received pesticide handler training and all employee(s) appear trained after observing their work practices; or
- Training is confirmed by a headquarters records inspection report.

Mark “No” when:

- Employee(s) state they have not received initial or annual pesticide handler training, or your observations suggest the employee has not received pesticide training. Perform a headquarter records inspection as soon after the inspection as possible to confirm the employee’s statement or your observation.

Mark “N/A” when:

- The handler(s) is not an employee (e.g., owner, owner family member, or other non-employee).

Exemptions: None applicable to this inspection.

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Requirements Structural Fumigation Use Monitoring Inspection Report, Continued

13. Emergency Medical Care Posting

3CCR section
6726

Scope: All employees handling any pesticides.

Employers are required to post in a prominent place at the work site, or on the work vehicle, the name, address, and telephone number of a facility able to provide emergency medical care whenever employees will be handling pesticides, including procedures to be followed to obtain emergency medical care in case the identified medical facility is not reasonably accessible from that work location. The local poison control center's number or a supervisor's name with no additional information is inadequate as is the displaying of "911". Medical care information in an employee's wallet or in the glove compartment of the work vehicle does not meet the requirements of this regulation.

Exemptions: None

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Requirements Structural Fumigation Use Monitoring Inspection Report, Continued

14. Decontamination Facility	Scope: Employees handling pesticides with the signal word “Danger” or “Warning”
(Application)	Decontamination facilities are required on site during the application phase. The facilities are not required to be on site during the aeration or certification phases.
3CCR section 6734	The water must be of a quality and temperature that will not cause illness or injury and be suitable for eye flushing. Water that contains debris or algae is not acceptable. The employer should check decontamination supplies periodically and replenish as necessary. Decontamination facilities must be separate from drinking water. Waterless hand cleaners may be substituted for soap, but water must still be provided and used for decontamination. Hand sanitizer products are not acceptable as a substitution for water. Contents: • Sufficient water • Soap • Single use towels • One clean change of coveralls at each decontamination site Location: Non-agricultural and structural settings: • Within 100 feet of the mixing and loading site. Exemptions: None

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Requirements Structural Fumigation Use Monitoring Inspection Report, Continued

**15. SCBA
Worn /
Continuous
Monitoring /
CAP Used**

**3CCR section
6780(b) and (c)**

Scope: Employees involved in fumigations.

Employees entering an unknown atmosphere or above the permissible exposure limit (PEL) must wear self-contained breathing apparatus (SCBA). If the bell is ringing on the SCBA, no one may enter the structure, or if in the structure they must immediately evacuate the unknown atmosphere. Persons performing a structural fumigation do not need to wear SCBA if the aeration procedure is performed according to the California Aeration Plan (CAP) and appropriate precautions are taken to prevent exposure. See the CAP instructions [Compendium Volume 4 Appendix 6 California Aeration Plan for Structural Fumigations](#).

Verify that the CAP procedures are followed.

- Do inlet and aeration devices comply with number, size, and location requirements?
- Do fans and ducting comply with size and location requirements?
- Has the structure been aerated for the proper duration?
- Do the employees break down and remove the tarps according to CAP requirements?
- Is the certified applicator present as required by the CAP?

During a “blow open” and aeration operations following fumigation of a typical residential structure, an overexposure situation to employees may exist. SCBA may not always be practical due to conditions at the work site (such as use on ladders, on rooftops, pulling tarps, etc.) For this reason, the employer is given alternative methods of providing for exposure mitigation. One alternative is to employ continuous monitoring to warn employees before the PEL is reached.

Another alternative is to operate under the provisions of a Fumigation Safety Program approved by the director. The CAP is one method that allows the employer to modify the work site to reduce or manage the airborne hazard by means other than requiring employees to wear a SCBA.

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Requirements Structural Fumigation Use Monitoring Inspection Report, Continued

**15. SCBA
Worn /
Continuous
Monitoring /
CAP Used
(continued)**

Each structure may present unique aeration problems that must be assessed at each work site. Common sense and good practice dictate that when atypical sites are aerated, personnel must rely on additional monitoring and respiratory protection to ensure exposure remains below labeling permitted exposure levels. Contact the DPR Worker Health and Safety Branch if you find a licensee interested in developing a fumigation safety program.

**3CCR section
6780(b) and (c)**

Exemptions: None.

**16. Accident
Response Plan
at Work Site

(Application)**

Scope: Employees at a fumigant use site.

Check “N/A” when performing an aeration or certification phase inspection unless there is a fumigant container on site.

**3CCR section
6780(d)**

In the event of an accident or emergency (such as spills, fire, leaks, etc. other than normal operating conditions), the employer shall have an accident response plan at the worksite to protect employees. At least two basic pieces of information should be included in the Accident Response Plan:

- Information regarding the security of the area where the problem occurred, and
- Whom to contact in the event of a problem. Contacts may include the operator of the property, fire department, health department or hazardous materials response team.

Emergency information must be in writing, available at the work site, and include emergency phone numbers. This information should also be covered during the routine training required by regulation. General information on spills and leaks is available on the labeling, and should be referenced in the plan.

Ask the handlers what actions they would take if an accident, leak, etc., occurred. If handlers refer to the appropriate parts of the labeling and produce phone numbers of persons to contact in an emergency, they are probably informed of an Accident Response Plan.

Exemptions: None.

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Requirements Structural Fumigation Use Monitoring Inspection Report, Continued

17. Two Trained Employees at Fumigation and Aeration

Scope: Whenever a fumigant is used in an enclosed area and employees are present.

Check “N/A” when performing the certification phase inspection.

3CCR section 6782(a)

Two trained persons must be present when:

- When the fumigant is introduced.
- When enclosed area is entered to facilitate aeration.
- When the enclosed area is entered to determine concentration (certify safe for reentry) and PPE is required (when CAP not used).

Are two trained persons present and two SCBAs available during introduction of the fumigant? Generally, two trained persons are not required to be present during the initiation of aeration when utilizing the CAP since no one enters the structure or during the certification phase because the licensee does not require PPE when appropriately using a continuous monitoring device.

3CCR section 6782 (c) requires that the second employee have access to the PPE required by the labeling to allow safe entry for potential rescue action. This means that a second SCBA must be available on site when entry is made into immediately dangerous to life or health (IDLH) atmospheres. See also 3CCR section 6739(g).

Exemptions: None.

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Requirements Structural Fumigation Use Monitoring Inspection Report, Continued

**18. Fumigation
of Enclosed
Spaces / Proper
Entry**

**3CCR section
6782(e)**

Scope: Employees at a fumigant use site.

Unprotected employees are prohibited from entering a fumigated enclosed space unless the concentration in the area is known to be at or below the PEL. Employees who are wearing the proper respiratory equipment are allowed to enter a fumigated enclosed space to determine the fumigant concentration or facilitate aeration. Ask the licensee how they determine the fumigant concentration. Is test equipment, such as a CLIRCheck or SF-ExplorIR Plus, available on site? If you question whether the structure is safe to enter, ask the licensee to take another test in your presence. If the bell is ringing on the SCBA, no one may enter the structure, or if they are in the structure they must immediately exit the structure.

Check “YES” for this requirement if employees are kept from entering a structure prior to it being certified as safe to enter or are wearing appropriate SCBA.

Exemptions: None

**19. Proper
Management of
Treated Area**

**3CCR section
6782(g)**

Scope: Employees at a fumigant use site.

Ask how is the treated area being managed? What precautions were taken to protect the worker(s) from being exposed to a concentration in excess of the Permissible Exposure Limit (PEL)? If the product labeling has more stringent requirements, make sure the requirements are met.

Exemptions: None.

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Requirements Structural Fumigation Use Monitoring Inspection Report, Continued

20. Connecting Structures

Scope: Structural fumigations.

16CCR section 1970.6

Verify that the prime contractor asked the owner or designated agent about any construction elements that could allow the fumigant to pass to any adjacent structure. Check the fumigation log to verify that the licensee has conducted a thorough search for any construction elements (e.g., conduits, drains or vacuum systems).

When any adjacent structure is found to be connected to the structure to be fumigated, the connection must be closed, or the connected structure must be vacated and managed as a fumigated structure.

Exemptions: None.

21. Accurate Measurement

(Application)

3CCR section 6604

Scope: Weighing or measuring of concentrated pesticides.

Are pesticides being accurately weighed or measured? Is a functioning scale used to measure the fumigant release? Are the measuring devices calibrated to the smallest unit in which the fumigant is being used?

The warning agent must also be accurately measured. Refer to the fumigant's labeling directions for warning agent requirements.

Exemptions: None

Continued on next page

Requirements Structural Fumigation Use Monitoring Inspection Report, Continued

**22. Protection
of Persons /
Animals /
Property**

**3CCR section
6614**

Scope: Application of any pesticide.

The applicator, prior to and while making the application, must evaluate the equipment, weather conditions, and surrounding properties to determine the likelihood of harm or damage.

- Verify that all spaces within the tarp have been inspected for pets.
- Have all heat sources been removed?
- Has the main gas line to the structure been shut off?
- Have all electric switches been turned off?

Exemptions:

Public agencies or their contractors operating under a cooperative agreement with the Department of Public Health pursuant to section 116180 of the Health and Safety Code are exempt from the provisions of 3CCR section 6614(b)(1) when used in accordance with product labeling (3CCR section 6620)

Continued on next page

Requirements Structural Fumigation Use Monitoring

Inspection Report, Continued

23. Structure Vacated / Secured Against Reentry

**BPC section
8505.7**

Scope: Structural fumigations.

The structure must be vacated prior to the commencement of fumigation, and all entrances (windows are not considered entrances) to the structure must be secured against entry until the end of the exposure period. Prior to the introduction of the fumigant,

- Walk through and around the structure to verify that it is vacated and adequately secured.
- All outside doors on the structure must be barricaded or secured with a secondary lock.
- If CAP is not used, after the fumigation, the structure must be opened for ventilation and re-secured against entry until declared safe for re-occupancy by the licensee exercising direct and personal supervision over the fumigation.

A secondary lock may consist of a padlock, keyway lock, clamshell lock, or any other device that will prevent opening by anyone other than the licensee in charge of the fumigation. Prior to the introduction of the fumigant, check all outside doors, including garage doors and sliding glass doors, for proper secondary locks. The use of staples as a keyway lock is specifically prohibited. See also 16CCR section 1970.3.

Any doorway-sized opening that provides a path of access into the fumigated structure must be barricaded with ¼ inch plywood or material of equivalent or greater strength.

Exceptions:

- Windows are not entrances and do not need to be locked or barricaded.
 - A garage that has no car door is considered a carport or uninhabited structure and does not need to be barricaded if:
 - It does not provide an entrance to enter an inhabited building and;
 - There is no evidence the garage use is for human habitation.
- [16CCR section 1970.3(c)]

Continued on next page

Requirements Structural Fumigation Use Monitoring Inspection Report, Continued

24. Safe Equipment

Scope: Equipment used by employees to apply, load, or transfer any pesticide, including fumigants.

(Application)

3CCR section 6742

The employer must instruct employee(s) in the safe operation of pesticide equipment before using the equipment and at least annually. Ask the employee what training they have received from their employer on the equipment used to apply, mix, load, or transfer pesticides.

The employer must ensure equipment used for loading, transferring, or applying pesticides, including fumigants, is inspected daily before it is used, is in the operating condition intended by the manufacturer, and can be used without risk of effects to the employee, other persons, or the environment. Equipment with safety defects must be repaired or replaced before use.

If there are any valves, couplings, or transfer hoses, check to see if they are in good condition and are not leaking.

An owner or operator (non-employee) loading, transferring, or applying a fumigant is required to use pest control equipment that is in good repair and safe to operate. If they are using equipment that is not in good repair or safe to operate, the owner or operator would instead be cited for violation of 3CCR section 6600(a). Add the section to the inspection form and describe in the “Requirement Details” or “Remarks” section of the report specifics of the violation. Explain how the fumigation equipment was not in good repair or safe to operate.

Continued on next page

Requirements Structural Fumigation Use Monitoring Inspection Report, Continued

**24. Safe
Equipment
(continued)**

(Application)

**3CCR section
6742**

Mark “Yes” when equipment is used by employees:

- Is in the operating condition intended by the manufacturer without risk of reasonably foreseeable adverse effects to the employee, other persons, or the environment, and the standards of 3CCR section 6742 have been met.

Mark “No” when equipment used by employees:

- Is not in good operating condition; there are leaks or spills which may create an adverse effect on the employee, other persons, or the environment.

Mark “N/A” when:

- There are no employees involved in the use of any equipment used for loading, transferring, or applying a pesticide. If equipment is not in good repair and safe to operate, cite the operator for a violation of 3CCR section 6600.

Exemptions:

- Consumer products see 3CCR section 6720(e).
- The handler is not an employee.

Continued on next page

Requirements Structural Fumigation Use Monitoring Inspection Report, Continued

**25. Safety Kit /
2 SCBA
Available**

Scope: Branch 1 structural pest control businesses fumigation crews on a job site.

**(Application
and Aeration)**

All Structural fumigation crews are required to have in their possession on the job a fumigation safety kit. Crews shall be instructed in the use and care of the kit and safety equipment and in first aid methods. The kit shall contain the following:

**16CCR section
1971(a)(1)**

- Instructions published by the fumigant manufacturer.
- Two or more effective SCBA units.
- A chart of instructions for artificial resuscitation.

Check the pressure gauge on the air tanks.

- Do they have enough air to complete the job?
- If not, are extra tanks available?

The minimum allowable working pressure is 1500 psig (pounds per square inch gauge). The American National Standards Institutes (ANSI Z88.5 - 1981 6.3.3.1, "Replacement of Used Items") calls for replacement or refilling of cylinders that are below 80 percent of the pressure stamped on the cylinder.

A licensee must not enter a structure if the bell on the SCBA is ringing. If the bell begins ringing when the licensee is in the structure, the licensee must immediately leave the structure and replace the air supply bottle before reentering.

Exemption: Two SCBA are not required during the initial opening of inlet and aeration devices according to CAP or the certification phase if the licensee uses a continuous monitoring device and does not enter an enclosed area where the fumigant exceeds the PEL.

Continued on next page

Requirements Structural Fumigation Use Monitoring Inspection Report, Continued

26. Test Equipment

16CCR section 1971(a)(2)

Scope: Branch 1 structural pest control businesses fumigation crews on a job.

This regulation requires fumigation crews to have testing equipment (such as CLIRCheck or SF-ExplorIR Plus) capable of measuring the fumigant down to the threshold limit. The requirement to have testing equipment is tied to the pesticide labeling. Review the labeling and determine when testing equipment is needed. Testing equipment is needed whenever unprotected persons enter an area where there is an unknown atmosphere. Minimally, the fumigator would need testing equipment when certifying the structure safe to reenter.

Exemptions: The SPCB and DPR interpret this regulation to allow that testing equipment need not be on site when the fumigant is introduced if no one enters the enclosed space. (Guidance)

27. Re-entry Requirements

(Certification)

16CCR section 1973

Scope: Structural fumigations.

The licensee must:

- Use testing equipment to clear the structure as required.
- Release the property for occupancy by posting a Notice of Re-Entry (Form 43M-42). The Notice must be at least 8.5 x 11 inches in size and be printed in black on a white background. The notice must state the date and time the building is safe for re- entry.
- What type of device does the licensee have to test for completeness of aeration?
- Is the device appropriate to test for the fumigant used?
- Was it used appropriately? (For example, an Interscan, was warmed up and was the “ready” light on prior to use)
- Were the results below the allowable limits?

Exemptions: None.

Continued on next page

Requirements Structural Fumigation Use Monitoring

Inspection Report, Continued

28. Direct Supervision

BPC section 8505.2

Scope: Structural fumigations.

BPC section 8505.2 requires that structural fumigations only be performed under the direct and personal supervision of a Branch 1 operator (OPR), or field representative (FR) licensed by the SPCB. “Direct and personal supervision” means that the licensee responsible for the supervision shall be present at the site of the fumigation during the entire time the fumigants are being released, the time the ventilation is commenced, and at the time property is released for occupancy, BPC section 8502.3.

“The time ventilation is commenced”, is defined in 16CCR section 1970.5 as the period of time beginning when the seal is broken and ending when all seals/tarps are removed. The regulation requires the OPR or FR be present during this entire time.

The use of the CAP renders 16CCR section 1970.5 obsolete and requires that BPC section 8505.2 be interpreted to require direct supervision during the entire time the fumigants are being released, throughout the time steps 1 - 4 of the CAP Aeration and Reentry instructions are performed and at the time property is released for occupancy. When the CAP is not used BPC section 8505.2 and 16CCR section 1970.5 must be enforced as written.

Exemptions: None

29. Warning Signs on All Sides of Structure

16CCR section 1974

Scope: Structural fumigations.

Prior to commencement of fumigation, fumigation warning signs shall be posted on the structure (under the tarps) at or near all entrances and on each side of the structure. (The signs on the structure must remain posted until the structure is declared safe for re-occupancy). Fumigation warning signs must also be placed on the outside surface of the tarps and be clearly visible on all accessible sides of the space under fumigation and from any direction from which the site is approached. Additional fumigation warning signs shall be posted at all joint seams of the tarp at the first floor level.

Exemptions: None.

Continued on next page

Requirements Structural Fumigation Use Monitoring Inspection Report, Continued

30. Required Information on Warning Signs

**BPC section
8505.10**

Scope: Structural fumigations.

Warning signs shall be printed in red on white background and shall contain the following statement in letters not less than two inches in height: “DANGER—FUMIGATION”. Warning signs shall also have skull and crossbones not less than one inch in height and shall state in letters not less than one half inch in height:

- The name of the fumigant used.
- The date and time the fumigant was Introduced into the structure.
- The name, address, and phone number of the registered business performing the fumigation.

Exemptions: Warning signs placed inside a tarp need the date, but not the time of the fumigation.

31. Signs in Attic or Under- area Upon Completion

(Certification)

**BPC section
8505.11**

Scope: Structural fumigations.

Check “N/A” when inspecting the application or aeration phase.

Immediately after completion of the fumigation and certification of the structure, the licensee must post in the attic and in the under-area, adjacent to their entrances, a durable sign no less than 5 x 7 inches in size, stating the company name, the date of fumigation, and the fumigant used. If the structure has only an attic or under-area, then posting is only required in that area.

Exemptions: No sign is required in structures that do not have an attic or a crawlspace or have an inaccessible under-area for purposes of structural pest control.

Continued on next page

Requirements Structural Fumigation Use Monitoring Inspection Report, Continued

**32. Warning
Agent Used**

(Application)

**BPC section
8505.12**

Scope: Structural fumigations.

When a fumigant is used which does not have warning agent properties; a separate warning agent must be used. Sulfuryl fluoride and methyl bromide fumigations require chloropicrin to be used as the warning agent. When conditions involving abnormal hazards exist, the supervising licensee shall take such safety precautions in addition to those prescribed by regulation as are reasonably necessary to protect the public health and safety.

Verify that the warning agent is used properly. When the chloropicrin is introduced, it must be placed in a shallow dish over cotton or some similar absorbent material and released into the airstream of a fan. The industry recommends that the dish of chloropicrin be placed behind the fan, not in front of the fan.

Registered chloropicrin pesticides used solely as a warning agent are exempt from pesticide use reporting requirements. The following chloropicrin products can be used as a warning agent:

- Registered chloropicrin pesticides that have directions for use as a warning agent.
- Chloropicrin products marketed solely for use as a warning agent.

Exemptions: In circumstances when it is not possible to use chloropicrin, the structural pest control company must submit a warning agent waiver request to the CAC. If the waiver request is acceptable to the CAC, the CAC then submits it to DPR for approval. DPR will notify the CAC if the waiver is approved, denied, or may request modifications to the waiver.

Continued on next page

Requirements Structural Fumigation Use Monitoring Inspection Report, Continued

33. Equipment Properly Identified

Scope: Vehicles or equipment (ground rig, service rig, and similar equipment used for mixing or applying pesticides) used for mixing or applying pesticides by any structural pest control business.

(Application)

3CCR section 6630

All pest control businesses must identify each vehicle with markings readable at a distance of 25 feet. The identification must include either:

- Business' name, or
- The pest control business license number and a statement such as "Licensed Pest Control Operator", "Fumigation Division" or similar wording.

A vehicle used by a licensee only for the purpose of certifying a structure safe to enter would not need to be identified since it is not used for mixing or applying a pesticide.

Exemptions: None.

34. Pesticide Labeled / Closures

Scope: Storage and transportation of any container that holds or has held a registered pesticide.

(Application)

Verify that all pesticide containers carry the registrant's labeling and that all lids or closures are securely tightened.

3CCR section 6676

Service containers and measuring devices that are not used to store or transport a pesticide are not subject to this section.

Exemptions: None

Continued on next page

Requirements Structural Fumigation Use Monitoring Inspection Report, Continued

**35. Proper
Pesticide
Transport**

(Application)

**3CCR section
6682**

Scope: All pesticides in vehicles.

Persons should not be riding in the back of a truck used to transport pesticides. Some fumigant labeling requires an upright position, chaining during transportation, and/or to be stored in a cool, dry, well ventilated area. Violations of this regulation are often found in the storage box of the vehicle. Violations include pesticide containers not secured during transport, spillage of concentrates found in vehicles and storage of pesticides in the same compartment with food, feed or persons. Storage of PPE in the same box with pesticides is a violation of 3CCR section 6738(a).

Exemptions: None

Continued on next page

Requirements Structural Fumigation Use Monitoring Inspection Report, Continued

**36. Handling /
Use / Storage of
Pesticides**

(Application)

**16CCR section
1983**

Scope: Structural pest control use and storage of pesticide(s).

Inspect the fumigation site to determine whether the company has control over pesticide containers and stores them properly. They must:

- Store pesticides, partial and empty containers, in a manner that does not present a hazard to persons or property.
- Handle service kits containing pesticide(s) with extreme caution and prevent access to children and unauthorized persons.
- Lock or attend pesticides stored on trucks.

This requirement should be checked “N/A” only if no containers are present at the inspection site.

“Attended” means a responsible person in the vicinity at all times to maintain control over the pesticide to prevent contact by unauthorized persons.

Adjacent to roadways or populated areas, the person must have pesticides in sight.

“Enclosure” means a structure, a lockable storage compartment, a locked fenced area, or a truck or trailer with side racks. The enclosure must prevent entry from all sides. If the enclosure does not have a roof, the sides must be a minimum height of six feet above the ground.

Fumigants must be always locked when unattended. For fumigant cylinders, merely closing the bonnet without otherwise locking or securing it does not meet this requirement.

Exemptions: None

Continued on next page

Tarp / Aeration Check

Purpose

This type of inspection does not constitute a complete inspection and cannot be counted on the PRAMR (PR-ENF-099). Check the “Partial” box at the top of the form.

This section is only to be used for documenting unattended aerations or tarp checks of a structure under fumigation or under aeration. There are three phases of fumigation: application, aeration and certification. You should complete this section of the form only if you inspect the structure under fumigation or under aeration after the fumigation crew has left. Since no one is present to acknowledge your inspection during these times, you do not need a signature in the “Inspection Acknowledged” box. The time spent conducting partial inspection activities should be reported in “Section III. Structural Pest Control Inspections, Licensed Work Hours” on the PRAMR.

Requirements

1. Registered in the County	FAC section 15204.5(a)	See Requirement 1.
2. County Notified 24 Hours Prior	BPC section 8505.5	See Requirement 2.
3. Labeling – Aeration/Certification	FAC section 12973	See Requirement 7.
4. Warning Signs on All Sides	16CCR section 1974	See Requirement 29.
5. Structure Vacated/Secured Against Reentry	BPC section 8505.7	See Requirement 23. Mark N/A if tarps are still up.
6. Required Information on Warning Signs	BPC section 8505.10	See Requirement 30.
7. SCBA Worn/Continuous Monitoring/CAP Used	3CCR section 6780(b)	See Requirement 15.

Continued on next page

The table below identifies the requirements from the Structural Fumigation Use Monitoring Inspection Report that would typically be inspected during the fumigation phases listed. It is only a guide.

Requirement	Application	Aeration	Certification
1. Registered in County	X	X	X
2. County Notified 24 Hours Prior	X	X	X
3. Written Notice to Occupant	X		
4. Pesticide Disclosure Signed	X		
5. Registered Label at Use Site	X		
6. Label-Site/Rate/Conc./Other	X		
7. Label-Aeration/Certification		X	X
8. Label-Bagging, Pets Removed	X		X
9. Label-PPE	X	X*	X
10. Regulation-PPE	X		
11. Respiratory Protection	X	X*	
12. Handlers Trained	X	X	
13. Emergency Medical Care Posting	X	X	X
14. Decontamination Facility	X		
15. SCBA/Continuous Monitoring/CAP	X	X	X
16. Accident Response Plan	X		
17. 2 Trained Employees – App./Aerat.	X	X	
18. Fume Enc. Spaces/Proper Entry	X	X	X
19. Proper Mgmt. of Treated Area	X	X	X
20. Connecting Structures	X	X	X
21. Accurate Measurement	X		
22. Prot. Persons/Animals/Property	X		
23. Structure Vacated/Secured	X	X	X
24. Safe Equipment	X		
25. 2 SCBA/CPR Chart/Mfg, Instruct.	X	X	
26. Test Equipment			X
27. Re-Entry Requirements			X
28. Direct Supervision	X	X	X
29. Warning Signs All Sides	X	X	X
30. Req. Info Warning Signs	X	X	X
31. Signs-Attic/Under Area			X
32. Warning Agent Used	X		
33. Equipment Properly Identified	X		
34. Containers Labeled/Closures	X		
35. Proper Pesticide Transport	X		
36. Pesticide Handling/Use/Store	X		
37. Methyl Bromide Requirements	X	X	X
38. MB Tarps-Cond./Ret. Method	X	X	
39. MB-Warning Agents/Fan/Aeration	X	X	
40. MB-Measuring Concentration		X	

*** This requirement is applicable to the aeration of Fumigations not employing the CAP.**

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