

Imperial County Metam-Sodium/Potassium Permit Conditions

July 1, 2016 through June 30, 2017

1. All Metam-Sodium/Potassium applications must comply with these permit conditions and any additional provisions required by the following documents:
 - a. Specific conditions added to a job permit or notice of intent
 - b. The current pesticide product label
 - c. Fumigant Management Plan and Post-Application Summary
 - d. CA Code of Regulations and Food and Agriculture Code

Where requirements differ, users must follow the more restrictive conditions.

2. Notice of Intent (NOI) for **all** applications of metam-sodium/potassium must:
 - a. Indicate the **exact** method of application (i.e. flood irrigation, drip irrigation, etc.)
 - b. Indicate the distances to schools/registered daycares or any structure within one mile.
 - c. Be submitted one (1) week prior to application date for each application.
 - d. Include the time (within a 12-hour window) the application is scheduled to start. If the application fails to begin within the 12-hour window, a new NOI is required, but another waiting period would not apply.
 - e. Include the Fumigant Management Plan (FMP) map, with all details clearly marked (see #8).
 - f. Include the certified applicator's 24-hour contact telephone number.
 - g. Include buffer zone size and buffer zone duration.
 - h. Include any written agreement(s) required by labeling to allow the buffer zone to extend onto any areas not under the control of the owner of the application block, if applicable.
3. Certified Applicator Training is required for Private Applicator Certificate (PAC) holders. Any certified applicator supervising a soil fumigant application must have successfully completed one of the soil fumigant training programs listed on the following EPA website <http://epa.gov/fumiganttraining> for the active ingredient in this product. The training must be completed prior to application and every 3 years. The Fumigant Management Plan (FMP) must document the date and location where the soil fumigant training program was completed. This applies to all certified private applicators. QAC and QAL holders certified with subcategory O meet this training requirement and are exempt.
4. Certified Applicator Supervision of Handlers is required by a QAC or QAL, both with subcategory O certification or a certified PAC as described above (#3).

For all applications except water run, from the start of the application until the application is complete, a certified applicator must be at the application block in the line of sight of the application and must directly supervise all persons performing handling activities.

For water-run applications (e.g. drip, flood) a certified applicator must be in the line of sight of the application at the start of the application, including set-up, calibration, and initiation of the application. A certified applicator may leave but must return at least every two hours to inspect the equipment to ensure proper functioning and must directly supervise all trained handlers until the application is complete; trained handlers may perform these monitoring functions in place of a certified applicator but they must be under the supervision of a certified applicator and be able to communicate with a certified applicator at all times during monitoring activities via cell phone or other means.

For handling activities that take place after the application is complete until the entry restricted period expires, the certified applicator is not required to be on-site but must have communicated in a manner that can be understood by the site owner and the handlers responsible for carrying out those activities, the information necessary to comply with the label and procedures described in the FMP (e.g. emergency response plans and procedures).

5. Fumigant Handler Training Requirements:

- Certified Handler* Metam-Sodium/Potassium Manufacturer Stewardship Training - **required for at least one handler** who must be on site to conduct all aspects of the application and sealing processes. (This is the class offered in both English and Spanish that is scheduled this year for July 20, 2016.)

* A metam-sodium/potassium manufacturer certified handler is a person annually trained in a metam-sodium/potassium course approved by DPR and who is knowledgeable of the method of application, applicable pesticide label requirements, permit conditions, and the appropriate accident response plan for each application site. The certified handler must have proof of being a metam-sodium/potassium manufacturer certified handler at the work site. Proof of certification is issued annually for handlers attending this training.

Training Requirements for All Fumigant Handlers (including Certified Handlers):

- The permittee shall also ensure that handler and respirator training requirements, record keeping, and fit testing required in 3CCR sections 6724 and 6739 have been fulfilled and are current for each person handling metam-sodium/potassium.
- In addition, label required "Fumigant Safe Handling Information" must be provided every 12 months for all handlers and is available at <http://epa.gov/fumigantraining>

6. Fumigant Management Plan (FMP), DPR-ENF-227, must be completed prior to submitting a NOI, must be kept for 2 years, and must be available at the worksite addressing all of the following:

- a. Supervising certified applicator on-site
- b. Owner/operator of the application block property
- c. County/Tribal notification
- d. Recordkeeping
- e. General site information
- f. General application information
- g. Emergency response plan
- h. Communication plan for certified applicator/property operator/handlers
- i. Respiratory program
- j. Soil conditions/temperature
- k. Tarp plan (when tarps are used)
- l. Buffer zone information (including written permission from owner/operator of acres not under control of the owner/operator of the application block)
- m. Posting fumigant-treated acres
- n. Posting buffer zones
- o. Air monitoring plan
- p. Emergency preparedness and response measures
- q. Difficult to evaluate sites (DES)
- r. Other good agricultural practices (GAPs)
- s. Other requirements
- t. Attachments
- u. Authorized on-site personnel
 - Date and signature of certified applicator supervising application is required.
 - All FMPs must be submitted to Ag Commissioner for review at least **1 week** prior to proposed application date.
 - **The Agricultural Commissioner must be notified immediately if the emergency response plan is implemented.**

7. Post-Application Summary (Field Fumigation), DPR-ENF-228, must be completed and signed within 30 days of the application, attached to the FMP, and kept for 2 years addressing the following:

- a. General application information
- b. Weather conditions

- c. Tarp perforation/removal – tarp used and tarp repair
- d. Application air monitoring results
- e. Drip application monitoring results
- f. Posting
- g. Deviations from the FMP
- h. Incidents
- i. Complaints – complaints received
- j. Attachments
 - Date and signature of certified applicator supervising application required.

8. FMP maps may be a detailed sketch or labeled aerial photo, must be legible, and submitted with the NOI showing all of the following **within 1/4 mile (or the calculated buffer zone distance, whichever is larger)** of the fumigation site perimeters:

- a. Application site location, dimensions, and accurate acreage for area to be treated
- b. Surrounding fields/blocks/areas not under your control that would touch the buffer zone around the proposed treatment site (include canal and gate number for each of these sites if applicable)
- c. Metam tank location
- d. IID canal locations and names
- e. All IID water gate locations including delivery and check gates
- f. Field drain locations
- g. Buffer zone dimensions sketched with distances indicated around entire treatment area, including metam tank
- h. Roadways and right-of-ways
- i. Sidewalks and permanent walking paths
- j. Bus stops and other areas where people might stop/wait/congregate
- k. Planned locations of buffer zone signs

Indicate the following **within 1/2 mile** of fumigation site perimeters:

- l. Surrounding structures (including distance from edge of application site and labeled occupied or non-occupied)
- m. Location of any residential area (3 or more contiguous houses) and difficult to evacuate sites (prisons, nursing homes, hospitals, in-patient clinics, etc.)

Indication the following **within 1 mile** of fumigation site perimeters:

- n. Schools/registered daycares with distances from the application block labeled

9. Field Monitoring Requirements (all application sites)

The certified applicator must ensure that field monitoring is conducted and recorded on form Monitoring During Application (Field Fumigation) DPR-ENF-223 or equivalent according to the pesticide label, Fumigant Management Plan, Post-Application Summary, and that a record of all the following information is maintained and recorded:

- a. A copy of the written recommendation and notice of intent
- b. Date of application and starting time
- c. Soil conditions (immediately prior to application) moisture, texture, temperature and method used.
- d. Weather conditions (immediately prior to application) National Weather Service weather forecast must be checked including wind speed, wind direction, air temperature, and unforeseeable weather conditions
- e. Monitoring during application to record hourly time, wind speed, wind direction, and any unusual conditions observed at or adjacent to the application site (e.g., odor, symptoms of exposure, equipment failure, or spill).
- f. The applicator shall ensure that a post-application monitoring is maintained and the following information is documented on an hourly basis for a minimum of 12 hours after application completion (form attached). Attach these records to the Post-Application Summary form DPR-ENF-228 and keep for 2 years.
 - Time
 - Air Temperature (°F)
 - Wind speed (mph) and Wind direction (from)
 - Any unusual conditions observed at or adjacent to the application site (e.g., odor, symptoms of exposure, equipment failure, or spill).

The applicator must ensure that post-application field monitoring is conducted to identify and mitigate off-site odors that are sufficiently strong to adversely impact persons residing or working in the surrounding areas. **NOTE:** Monitoring is required for a 12-hour period after application. Monitoring is required **every hour** for sensitive areas when emergency preparedness and response measures are applicable, and within 1 mile of a school property when school is in session (or scheduled to be in session or otherwise conducting organized activities while the buffer zone is in effect). Otherwise, post-application monitoring is required **every two hours**. Use attachment DPR-ENF-224

10. Buffer Zones

- a. Label buffer zone credits are not allowed.
- b. Obtain permission from adjacent properties when the buffer zone of an application block extends onto an area not under the control of the owner of the application block. A written and signed agreement must be submitted with the NOI and attached to the Fumigation Management Plan.
- c. If the written agreement is not included in the NOI, the buffer zone cannot encroach beyond the property line of such areas (residential areas, occupied structures, etc., as described on the product label).
- d. The buffer zone period begins at the start of the application and continues for a minimum of 48-hours after application completion.
- e. Overlapping buffer zones: must coordinate applications with neighbors, allow minimum 12 hours after first application completion before starting overlapping buffer zone application, and determine if additional monitoring or notifications apply per label instructions.

11. Additional requirements for specific types of metam-sodium/potassium applications are as follows:

Shank Soil Injection - Sprinklers must be set in field prior to application

- Applications are prohibited within ¼ mile of any occupied structure.
- Applications are prohibited within ½ mile of difficult to evacuate sites and residential areas (three or more contiguous houses) or other highly populated areas.
- Applications are prohibited within 1 mile of schools/registered daycares which will be in session or otherwise conducting organized activities during the application and the 36-hour period following the end of the application.
- Post-application water treatments for shank methods must be documented. Use attachment DPR-ENF-225

Flood Irrigation / Drip Irrigation

- Applications are prohibited within ¼ mile of any occupied structure.
- Applications are prohibited within ½ mile of difficult to evacuate sites and residential areas (three or more contiguous houses) or other highly populated areas.
- Applications are prohibited within 1 mile of schools/registered daycares which will be in session or otherwise conducting organized activities during the application and the 36-hour period following the end of the application.
- Apply only into field head ditch in a location where no backflow contamination is possible. Do not apply into any lateral ditches that are not completely blocked to downstream water users.
- Drip system must be filled with water and tested for pressure variation, clogged emitters, and leaks before chemigation. The pressure must not exceed the pressure rating of the drip tape, and the pressure variation in the drip tape throughout the field must be less than three pounds per square inch. Drip system must be free of leaks and clogged emitters.
- After application, the drip system must be flushed with a volume of water at least three times the volume of the mainline and laterals of the drip system.

Sprinkler and Soil Drench applications are prohibited in Imperial County.

Permit Number: _____

Permit Name: _____

Print Name: _____

Signature: _____

Issuing Biologist: _____

Date: _____