
THE PESTICIDE REVIEW

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Pesticide Use Near Salmon- Supporting Waters




The following excerpt was taken from EPA's website:

<http://www.epa.gov/espp/wtc/maps.htm>

A citizen suit was filed under the Endangered Species Act against EPA by a group of environmental organizations (Washington Toxics Coalition, et al. v. EPA). In response, the United States District Court for the Western District of Washington issued on January 22, 2004, an order that establishes pesticide buffer zones. Buffer zones are areas adjacent to certain streams, rivers, lakes estuaries and other water bodies, in which the court is ordering certain pesticides not be used. Generally, the buffers established by the Court are 20 yards for ground application and 100 yards for aerial application, adjacent to certain "salmon-supporting waters" in Washington, Oregon and California. The order applies to pesticide use in these three states, for any pesticide product containing one of more of the chemicals listed in the next column:

1,3-dichloropropene
2,4-D
azinphos-methyl
bensulide
bromoxynil
captan
carbaryl
carbofuran
chlorothalonil
chlorpyrifos
coumaphos
diazinon
diflubenzuron
dimethoate
disulfoton
diuron - crop
diuron - non-crop
ethoprop



fenamiphos
fenbutatin oxide
lindane
malathion
methidathion
methomyl
methyl parathion
metolachlor
metribuzin
naled
oxyflourfen
pendimethalin
phorate
prometryn
propargite
tebuthiuron
triclopyr BEE
trifluralin

If you plan on using any of these chemicals near any stream, creek, or waterway, visit EPA's website and read about the court ordered buffer zones. If you would like to look up the buffer zone for a particular pesticide, you can go to this webpage:

<http://www.epa.gov/espp/wtc/uselimitation.htm>

INSIDE THIS ISSUE

- 1 Pesticide Use Near Salmon-Supporting Waters
- 2 Fish & Game Trapping Laws
- 3 California Restricted Material Permits
- 4 Enforcement Response Policy
- 5 Chemically-Resistant Gloves

Fish & Game Trapping Laws

We recently ran an article about the Department of Fish & Game license exemption for licensed pest control companies when trapping rats, mice, voles, moles, or gophers. We want to ensure everyone knows that even though pest control companies don't need a Fish & Game license for trapping these animals, companies must still follow all other trapping requirements.

If you have trapping questions, call the Yountville Fish and Game Office at (707) 944-5500.

California Restricted Material Permits

Documenting alternatives & mitigation measures

The California Environmental Quality Act (CEQA) requires an environmental assessment for any activity that may impact the environment. In 1976, the Attorney General ruled that permits issued for the use of restricted pesticides are subject to the requirements of CEQA and therefore require an Environmental Impact Report (EIR). The Legislature immediately adopted a moratorium on the ruling and assembled an Environmental Assessment Team to determine how restricted material permittees across the State could comply with the EIR requirement.

The State's pesticide regulators created a functional equivalent to an EIR for users of restricted pesticides. The Attorney General accepted the plan and agricultural commissioners have been following the California Restricted Materials Permit protocol since the early 1980's.

What's new this year?

Among the many permit requirements, State pesticide protocol requires users of restricted materials to consider alternatives, and when appropriate, mitigation measures to reduce the hazards of using restricted pesticides.

You may have noticed that our permit application has a new column this year. We provided space for you to document the alternatives you considered for each restricted material listed on your permit application. Due to space restrictions in the permit application, if you need more room; feel free to use a separate piece of paper.

When you come in to sign for your permit, we will also document the mitigation measures you have implemented. The purpose of documenting the alternatives and mitigation measures is to have a written record that these requirements have been considered. Making a list of alternatives and mitigation measures ahead of time can help us streamline the permit issuance process. If you don't have anything in writing, it may take just a little longer to pick up your permit.

What are some examples of alternatives and mitigation measures?

An alternative to a restricted material can be a less-toxic material, a different formulation, mechanical control, traps, timing of applications, etc. Companies also can list other methods considered or pesticides they've tried to use to control a particular pest.

When appropriate, mitigation measures must be used to reduce the hazards of using a restricted material. Mitigation measures can include buffer zones, timing of the application, use of special application equipment, posting, adjuvants, etc.

Enforcement Response Policy

Effective December 1, 2006, the enforcement response policy was adopted into regulation!

In situations where a "Class B" or "Class C" violation occurs and the commissioner believes compliance can be achieved without the necessity of imposing a fine, he/she can request to limit the response to a compliance action. (Compliance actions include violation notices and formal compliance hearings.) In these situations, the commissioner must submit a "Decision Report" to the DPR Director for concurrence within 30 days of the date of the compliance action. If the Director does not concur with the commissioner's decision, an enforcement action must be taken.

If you have received a noncompliance on an inspection form or received a notice of violation, please be aware that another violation in the next two years could likely result in a fine!

Question Corner

If you have any questions, comments, or would like to suggest a subject for an article, please drop us a note at:

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Or e-mail us: scc.agriculture@aem.sccgov.org

Chemically-Resistant Gloves

Recent question about label requirements

When a pesticide label requires an applicator to wear chemically resistant gloves, what qualifies as chemically resistant?

When a pesticide label states that a handler must wear “chemically resistant gloves,” the frequency of contact and product concentration are very important in determining the type of material and thickness of a glove. Some gloves will protect you for a short amount of time, some much longer -- it all depends on the type of material the glove is made of, its thickness, and the pesticide involved. As soon as a chemical comes into contact with a glove, it starts to move into and possibly through the glove. The State DPR Worker Protection Division said gloves of 14 millimeters or thicker of viton, butyl rubber, nitrile, neoprene rubber, or natural rubber, will satisfy the thickness and chemically resistant requirement. If the label doesn't specify a particular type of glove material to be used, any of the materials listed above will be appropriate.

Be sure to read the pesticide label to see if the label specifies a particular type of glove material. One type of material can protect you better than another, depending on the solvents used in the pesticide formulation. Some solvents will eat through one material while another material will be impervious. There are even some pesticides on the market that will have the same active ingredient but will require completely different types of protective equipment due to the different formulations. Be sure to read those label requirements!

We received a question recently about the thickness of an applicator's gloves:

Will a nitrile or latex surgical glove qualify as chemically resistant?

If you are mixing and loading a material that requires a generic chemically resistant glove, you must use a 14 millimeter or thicker glove made of one of the materials listed above. Handling concentrates that require chemically resistant protective gear requires the handler to use proper chemically resistant gear. Surgical gloves are too thin to satisfy the chemically resistant glove requirement in this use situation.

As for the question of using thin surgical gloves made of one of the chemically resistant materials while applying pesticides; the answer depends upon specific label instructions, the concentration of the material, how the material will be applied, the signal word of the material, the risk of the material coming into contact with the handler, etc.

An example of an applicator applying a diluted “Caution” pesticide with hand-held equipment, using a thinner glove made of a chemically resistant material may be acceptable. The applicator in this instance would be less likely to come into contact with any spray due to the low pressure of the equipment and the material would also be diluted so if the material were to contact the thin glove, it should still protect the applicator. However, you must be aware, that the thin surgical-type gloves are much more delicate than their thicker counterparts and even though they afford some chemical protection, they cannot protect a handler for long amounts of exposure time nor against concentrates. -When in doubt, use a thicker glove!

Overall, it is the employer's responsibility to ensure their applicators are given appropriate protective gear. If you supply your applicators with thin chemically resistant protective gloves and the label requires a glove that is chemically resistant, you have to be very clear with your applicators when these gloves are allowed to be used. Using thin gloves while applying pesticides with drill and treatment equipment would not be appropriate. Spraying with high pressure equipment with thin surgical gloves is also questionable. The bottom line is that you are obligated to provide a safe work environment for your employees. Be sure your employees are provided with and wear the appropriate protective gloves.

If you should have any questions regarding safety gear, talk to your pesticide dealership or give your agricultural biologist a call!



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The Pesticide Review is published by the Santa Clara County Division of Agriculture. This newsletter is published several times a year and is intended to provide information and education to registered pest control companies in Santa Clara County.

Inside this issue:

- Pesticide Use Near Salmon-Supporting Waters
- Fish & Game Trapping Laws
- California Restricted Material Permits
- Enforcement Response Policy
- Chemically-Resistant Gloves