

## **Imperial County Agricultural Commissioner Pest Control Aircraft Pilot Registration**

### **Personal Protective Equipment (PPE)** [3 CCR 6738.4]

Pilots are exempt from some PPE requirements while operating an aircraft.

- A helmet may be worn instead of chemical-resistant headgear.
- A helmet with the face shield lowered to cover the face may be worn instead of protective eyewear.
- Work clothing may be worn instead of personal protective equipment, including when required by pesticide product labeling, when occupying an enclosed aircraft cockpit (aircraft must have enclosed doors to qualify). Additionally, filtering facepiece respirators and dust mist respirators are not required to be worn if the enclosed aircraft has a properly functioning air ventilation system.

### **Pesticide Drift** [FAC 12972, FAC 12973, 3 CCR 6614, and 3 CCR 6600]

Unfortunately, many of our Enforcement Responses against pilots are involve drift incidents or complaints of drift. To minimize drift, please keep the following in mind:

- Follow label instructions regarding drift and buffers.
- Consider increasing buffers as needed (sensitive sites in the vicinity, weather, etc.).
- Ensure that weather conditions are favorable to prevent drift throughout the entire application.
- Monitor the treatment area throughout the entire application for bystanders or other persons in or entering the area.
- If bystanders are found in the area, discontinue application until ground staff confirm that they have left the vicinity.



### **Notice of Intent Requirements**

A written notice of intent (NOI) shall be in the possession of the Agricultural Commissioner's Office (CAC) at least 24 hours prior to commencing the use of restricted materials unless the CAC grants a specific waiver or if fumigants are being applied (see "Fumigants").

The date and hour of the intended start time shall be on the NOI, must reflect at least 24 hours from when this office receives the NOI, and the application shall not begin before the intended start time. The NOI will be valid until 11:59 p.m. on the fourth calendar day following the proposed date of application.

The NOI shall indicate that warning signs are required to be posted around the intended treatment area whenever required by the recommended pesticide product labeling or whenever the recommended application will result in a Restricted Entry Interval greater than 48 hours.

### **Alternatives and Mitigation Measures**

Title 3, CCR section 6426, requires the permit applicant (grower) and his/her pest control advisor to consider alternatives to the use of a restricted material before applying for a permit. If alternatives are not considered, our office will refuse the permit and direct the permit applicant to comply with section 6426.

### **Protection of Waterways**

No pesticides included on the permit shall be applied to any field during irrigation where run-off is likely to occur.

### **Maps and Mitigation Measures**

Each application site shall be identified on a clear and legible map. Sensitive sites (3CCR§6428) and all areas where a pesticide application may adversely impact health, environment, or property shall be clearly identified on the map, including the distances from the treatment site to the impacted areas.

Site-specific map conditions shall be indicated on the map. Permittee and applicator are responsible for complying with all conditions. The written recommendation must not conflict with any conditions.

Aerial applications to fields adjacent to inhabited properties or sensitive environmental areas shall utilize a buffer of at least 100 feet to prevent adverse impact to these areas. The written recommendation shall include a statement or map identifying areas where the 100-foot buffer extends into any portion of the area to be treated.

When pesticide product labeling requires warning signs to be posted for worker notification, the operator of the property shall post signs around the intended treatment area prior to the start of the application pursuant to 3CCR 6776. If a pest control business is performing the application, the application shall not begin until warning signs have been posted around the intended treatment area.

**Residential Area:** Three or more contiguous and inhabited properties



### Applications Near Schools or Daycares

- **No aerial applications within 1 mile** of school or daycare grounds when the school or daycare is in session or when school or daycare grounds are occupied.
- **No ground applications within 1/2 mile** of school or daycare grounds when the school or daycare is in session or when school or daycare grounds are occupied.
- **No aerial applications within 1/4 mile** of school or daycare grounds within 12 hours prior to when the school or daycare will be in session.

### Protection of Bees

Pesticides whose labeling includes the words “toxic to bees” shall not be applied to fields that have bloom, including weed bloom, at any time when bees are visiting the treatment area. Applications of pesticides toxic to bees may be approved based on one of the following conditions:

- The NOI states that there is no bloom at the treatment site; *or*,
- The NOI states that the application shall start no earlier than 1 hour after sunset and finish no later than 2 hours before sunrise; *or*,
- The licensed Pest Control Advisor establishes on the NOI that “Bees are not visiting the treatment area at the time of the application” (this statement is not required on applications to cornfields which will be completed no later than 2 hours after sunrise); *or*,
- The NOI establishes that there are no registered beekeepers requesting notification within 2 miles of the application site.

In all cases, the operator must comply with the more restrictive conditions and/or specific label requirements for bloom and bee protection.

### Phenoxy Herbicide Use Restrictions

Phenoxy herbicides, including 2,4-D; 2,4-DB; DMA salt of Dicamba (Banvel); and DGA salt of Dicamba (Clarity), shall not be applied except under the following conditions or by special job permit granted by the CAC:

- A statement establishing the following shall be included on the NOI:
  - No applications of **2,4-D** shall be performed when there are peppers, tomatoes, or cotton within 1 mile or cucurbits within 1/2 mile of the application site.
  - No applications of **2,4-DB** or **DMA salt of Dicamba** (Banvel) shall be performed when there are peppers, tomatoes, cotton, or cucurbits within 1/2 mile of the application site.
  - No applications of **DGA salt of Dicamba** (Clarity) shall be performed when there are peppers, tomatoes, cotton, or cucurbits within 1/4 mile of the application site.
- The locations of all crops that are susceptible to the phenoxy herbicide being applied within 500 feet of the treatment area shall be clearly identified by common name on the NOI.
- No aerial applications of phenoxy herbicides shall be performed between March 15 and September 30.



### **Fumigants**

Most fumigants require a complete, site-specific Fumigant Management Plan (FMP) as specified by the product labeling be submitted to and approved by the Commissioner each permit year for each application site. The FMP shall include a map detailing the application site, all applicable buffer zones, any sensitive areas, etc.

The first fumigant application at each site, each permit year, requires the NOI be submitted to the Commissioner at least one week prior to the intended application time. Subsequent NOIs for the same fumigant at the same site shall be submitted at least 72 hours prior to the intended application time.

### **Paraquat Use Restrictions**

- All persons handling paraquat must be certified applicators. Non-certified persons working under the supervision of a certified applicator are prohibited from handling paraquat. Prohibited activities for non-certified persons include mixing, loading, transferring, applying, assisting with the application, cleaning, or servicing equipment that may contain residue and other related activities that may result in an exposure.
- All persons handling paraquat must complete the U.S. EPA training before handling paraquat. The training can be found at <https://www.epa.gov/pesticide-worker-safety/paraquat-dichloride-training-certified-applicators>.
- All handling of paraquat must make use of the Tier 1 closed system as defined in 3CCR 6746(b) and 6746(f).

**I have received a copy of these requirements and understand that the California Food and Agricultural Code establishes that violations of pesticide use and worker safety requirements are subject to civil penalties of up to \$5,000 per violation.**

\_\_\_\_\_ Initial to acknowledge that you have read and understood the information in this document.