

Implementation of the Phase II Soil Fumigant Labels

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With the final risk mitigation measures of the soil fumigant labels going into effect on December 1, 2012 (referred to as the Phase II provisions), growers and commercial applicators need to contend with how these changes impact their use of soil fumigants. Product labels containing methyl bromide, chloropicrin and chloropicrin containing fumigants (C-17, C-35), metam sodium/ metam potassium, and dazomet now have all provision changes in place (Phase I provisions were implemented December 31, 2010). The EPA-proposed “Risk Management Measures” are intended to lessen off-target movement and to reduce the potential for exposure to those that may live or work near fumigant applications. The EPA has developed a website with a “Soil Fumigant Toolbox” that provides training, outreach, and other resource materials for applicators and handlers, communities, state and local agencies, and others interested in current requirements for the soil fumigants. The Soil Fumigation Toolbox can be accessed at the following webpage: http://www.epa.gov/opp00001/reregistration/soil_fumigants/.

The risk mitigation measures as label provisions have increased the number and complexity of requirements regarding pesticide licensing, supervision, applicator and handler (employee/ service person) training, buffers, application field size, buffer zone posting, notification, good management practices, and pre-application/post-application management plans. A partial listing of the label provisions is shown below. The best advice is to always read label instructions before using a soil fumigant.

- All soil fumigants are now federal restricted use pesticides, requiring anyone buying or applying to have the proper pesticide license, training, and/or endorsement.
- There are additional certification and training requirements for applicators and handlers.
 - 1) In Washington State, Private Applicators have two options to become a certified applicator: either add the new WSDA Soil Fumigation RMM category to their license or complete the registrant-sponsored online certified applicator (or Acheiva) training, which is required every three years.
 - 2) Commercial licensees in Washington State can either maintain their old Soil Fumigation category and successfully complete the Acheiva training every three years or pass the new WSDA Soil Fumigation RMM category. By adding the new category, the licensee is not required to complete the Acheiva training.
 - 3) In addition, fumigant safe handling information that is specific to the active ingredient being applied must be reviewed every 12 months by all certified applicators and all handlers. Handlers must also be Worker Protection Standard (WPS) trained.

For more information about licensing and supervision of soil fumigant applications, refer to the WSDA “Soil Fumigation Licensing Fact Sheet.” The publication can be downloaded from <http://agr.wa.gov/Pestfert/Docs/SoilFumigationFactSheet.pdf>.

- Anyone entering a fumigation application block (field) or buffer zone must be a certified applicator associated with the application or a properly trained fumigant handler under direct supervision of the certified applicator. This means, if an irrigation system repairman comes out to fix your center pivot, the applicator-in-charge is responsible to ensure that the

repairman has been trained as a WPS handler and has received information specific to the active ingredient of the soil fumigant being applied in order for that person to enter either the buffer zone or the application block.

- Buffer zones are required around all applications from the moment the application begins and remain in effect for 48 hours after the application ends. Distances for buffer zones are listed in tables on the label. Several factors determine buffer zone size, which include, in part, method of application, field size, and gallons of product per acre. The buffer zone mitigation measure is one of the Phase II label changes that significantly impact soil fumigation usage, including whether a field can be treated or not.
- A notification and monitoring requirement, also a Phase II mitigation measure, requires the applicator either to notify residences and businesses within certain distances from the field or to monitor the buffer zone perimeter during the buffer zone timeframe.
- Facilities referenced as “difficult to evacuate site” – such as K-12 schools, licensed day care, hospitals, assisted living facilities, nursing homes, and prisons – cannot be within certain distances from an application block. If within the exclusionary zone – the size of which is based on buffer zone size, the application can be performed only if specific criteria are adhered to prior to the application; otherwise, the field size must be reduced or a different application method chosen to accommodate a smaller buffer distance.

Another change that went into effect with the Phase I labels (December 31, 2010) requires the certified applicator-in-charge to complete a Fumigation Management Plan and, after completion of the application, a Post Application Summary must be filed within 30-days.

In the fall of 2013, the EPA will begin the reregistration eligibility decision process for the next generation of soil fumigant labels. Any changes made to the current soil fumigant labels will most likely not be seen until the fall of 2016 – at the earliest.

The WSDA wants applicators to call if they have questions. We are more than willing to help work through their questions and possibly prevent a problem. WSDA has written several Interpretative Documents with the intent to clarify portions of the new soil fumigant labels. These PDF documents can be viewed or downloaded from the following URL:

<http://agr.wa.gov/PestFert/ChemFert/Publications.aspx#PolicyStatement>.

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