

## **E: CHLOROPICRIN AND CHLOROPICRIN WITH 1,3-DICHLOROPROPENE**

This permit condition applies to:

- Products that contain only chloropicrin
- Products that contain both chloropicrin and 1,3-D (such as Telone C-17)
- Simultaneous application of a chloropicrin-only product together with a product that contains only 1,3-D (such as Telone II)

Note: Any application that includes 1,3-D is also subject to the specific permit conditions for 1,3-D. These conditions do not apply to chloropicrin used as a warning agent (2% or less).

Any conflict between these conditions and any other applicable conditions, regulations, and/or label statements shall be resolved in favor of the more restrictive requirement. Based upon site evaluation, the commissioner may impose additional restrictions.

### **Application Block Size Limits**

Application block size is limited to 40 acres at one location within a 24-hour period for untarped and non-TIF tarp applications. A maximum of 60 acres per 24-hour period may be treated for TIF tarp applications. 36 hours between applications is required, if fumigation of additional areas results in overlapping buffers.

### **Rate**

The maximum chloropicrin rate shall not exceed 200 pounds a.i. per acre unless specific approval is obtained from the Agricultural Commissioner and a recommendation is provided that addresses a specific pest problem and a need for a higher rate.

### **Application Timing**

All applications must occur between 1 hour after sunrise and end 3 hours before sunset. Sunrise/Sunset times will be determined by the local newspaper. For applications using TIF tarps these time restrictions do not apply. The fumigation cannot begin sooner than the time listed on the NOI and must begin within 12 hours of the scheduled time. If fumigation does not begin within the 12-hour period, a new NOI must be submitted.

### **Notice of Intent (NOI)**

NOI's for field fumigations are due 96 hours prior to the start of application. Monday applications, submit all requirements by the Tuesday prior. **The 96-hour waiting period will commence once all of the complete required paperwork has been submitted.**

- a. A copy of the site-specific Fumigation Management Plan must be presented at the time of NOI.
- b. Vacating Agreements and Written permission to allow the buffer zone to extend into adjoining agricultural property must be submitted at time of NOI.
- c. If a tarp will be used, the NOI must include a copy of the tarp invoice. (Confidential business information, such as pricing, may be omitted).
- d. Include a detailed map showing exact distances to sensitive sites and occupied structures that are within a ¼ mile of the application site.

### **Notification to Neighboring Property Operators (If applicable)**

- a. Map(s) indicating which neighboring properties have been notified
- b. Copy of written permission allowing buffer zone to encroach onto adjacent property
- c. Copy of written vacating agreement

### **Definitions**

Sensitive areas are defined as: Any site designated by the Commissioner. Difficult to Evacuate Areas are defined as: Pre-K to Grade 12 schools, state licensed daycare centers, nursing homes, assisted living facilities, hospitals, in-patient clinics, prisons and any other sites designated by the Commissioner.

### **Sensitive areas and Difficult to Evacuate areas:**

- a. A maximum of 10 acres per 24 hours may be treated within ¼ mile of Sensitive areas and Difficult to Evacuate areas.
- b. Applications within ¼ mile of a Sensitive area or Difficult to Evacuate area must be tarped, except individual tree and vine replants, less than 1 contiguous acre.
- c. Based on the evaluation of the application site, the Commissioner may impose additional site-specific restrictions.

### Buffer Zone Distances

For selective tree and vine replant fumigations, the minimum buffer zone will be 25 feet measured from the center of each injection site.

Chloropicrin product labels have been amended with California-specific use directions. The “Amended Labels Directions For Use” section includes the header “For Applications in California Only”. These California-specific use directions require applicators to follow buffer zone and California restrictions specified at [www.cdpr.ca.gov/chloropicrin.htm](http://www.cdpr.ca.gov/chloropicrin.htm).

### Buffer Zone Credits

Minimum buffer zone distances regardless of credits:

	TIF tarps that qualify for a reduction credit of 60%	All other applications	
		Non-TIF Tarped	Non-TIF Tarped/Untarped
		Application block less than or equal to 6 acres	Greater than 6 acres, up to 40 acres
Minimum buffer zone	25 feet	60 feet	100 feet

For applications using tarps, an application block shall only be covered with tarps of the same permeability. The Department of Pesticide Regulation (DPR) has created a California-specific list of totally impermeable films (TIF) that qualify to receive a 60% buffer zone reduction credit for soil fumigant products containing chloropicrin. The approved TIF list is on the DPR website at [https://www.cdpr.ca.gov/docs/emon/pubs/tac/dpr\\_tarp\\_list.pdf](https://www.cdpr.ca.gov/docs/emon/pubs/tac/dpr_tarp_list.pdf).

The County Agricultural Commissioner may further limit the type of tarpaulin allowed, when evaluations of proposed applications near sensitive sites using methods that result in high humidity conditions under the tarp, such as drip applications, may indicate the use of either larger buffer zones or use of specific tarp compositions known to be superior under these conditions.

These minimum buffer zones do not apply to applications to:

- Golf courses.
- Replant of individual vine or tree-sites (tree holes) less than one contiguous acre.
- Raised-tarpaulin nursery fumigations of less than one acre.
- Potting soil.
- Greenhouses and other similar structures.

For such applications, follow labeling restrictions and other applicable county permit conditions.

**All tarps** that qualify for any percentage reduction in buffer zone distance must not be perforated until a minimum of 9 days (216 hours) have elapsed after the application is complete, and must not be removed until a minimum of 1 day (24 hours) after perforation, unless a weather condition exists which necessitates early tarp perforation or removal as specified by the label.

### Overlapping Buffer Zones

If buffer zones for two or more applications overlap within 36 hours from the time the earlier application is complete until the start of the later application, certain restrictions apply based on the type of tarpaulin used (if any). Labels require a minimum of 12 hours to elapse from the time the earlier application(s) is complete until the start of the later application.

### School Properties

When a school property, Kindergarten through 12<sup>th</sup> grade, is within 1/4 mile (1320 feet) of a fumigation block, the injection must be completed 36 hours prior to the start of a school session. School sessions are those times when students are attending scheduled classes.