

Implementation Schedule

EPA is requiring important new safety measures for soil fumigant pesticides to increase protections for agricultural workers and bystanders – people who live, work, or otherwise spend time near fields that are fumigated. These measures are for the soil fumigants chloropicrin, dazomet, metam sodium/potassium, and methyl bromide.

This fact sheet summarizes the soil fumigant product label changes that are going into effect during each of two phases. For detailed information on these new requirements for soil fumigants, visit EPA's Soil Fumigant Toolbox, www.epa.gov/oppsrrd1/reregistration/soil_fumigants/.

Phase 1 Changes That Went Into Effect December 31, 2010

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Agricultural Worker Protection: Persons engaged in any of a number of activities that are part of the fumigation process are considered “handlers.” New restrictions address respiratory protection, tarp handling and an entry-restricted period.

Handler Training Information: Labels require fumigant registrants to develop and disseminate training information and materials for fumigant handlers (those working under the supervision of the certified applicator in charge of fumigations).

Good Agricultural Practices: Many good agricultural practices recommended on older fumigant labels became mandatory on the new labels to minimize inhalation and other risks from fumigant applications. Examples of good agricultural practices include proper soil preparation/tilling, ensuring optimal soil moisture and temperature, and appropriate use of sealing techniques.

Application Method, Practice and Rate Restrictions: Labels restrict certain fumigant application methods that lead to risks that are difficult to address. These include certain untarped applications for some fumigants. The label also lowers the maximum application rate, thereby reducing the potential for inhalation exposure and risk.

Restricted Use Pesticide Classification: EPA determined that all of the soil fumigants undergoing reregistration meet the criteria for restricted use. Therefore, EPA has reclassified metam sodium/potassium and dazomet, which had not been restricted, as restricted use pesticides.

Site-Specific Fumigant Management Plans (Partial): Labels require fumigant users to prepare a written, site-specific fumigant management plan (FMP) before fumigations begin. In Phase 1, FMPs do not need to address any of the requirements that go into effect during Phase 2. These written plans will help prevent accidents and misuse, and will capture steps to take in case an accident occurs. EPA is developing FMP templates for each fumigant.

Phase 2 Changes that Go Into Effect in Late 2012

Phase 2 Changes that Go into Effect December 1, 2012:

Buffer zones: New labels will require fumigant users to establish a buffer zone around treated fields to reduce risks from acute inhalation exposure to bystanders. Buffer zone distances are scenario-based using applicable site conditions, and will be provided in look-up tables on product labels. EPA is also giving “credits” to encourage users to employ practices that reduce emissions (for example, use of high-barrier tarps). Credits will reduce buffer distances. Some credits will also be available for site conditions that reduce emissions (e.g., high organic or clay content of soils).

Posting requirements: For buffer zones to be effective, bystanders need to be informed about the location and timing of fumigations. New labels will require buffer zones be posted at usual points of entry and along likely routes of approach to the buffer unless a physical barrier prevents access to the buffer. The signs must include a “do not walk” symbol, fumigant product name, and contact information for the fumigator.

Site-Specific Fumigant Management Plans (Complete): In addition to the FMP requirements listed above, FMPs will need to include those requirements that go into effect in Phase 2.

Emergency Preparedness and Response Requirements: New labels will require registrants to provide information to first responders in high fumigant use areas. In addition, EPA is requiring site-specific measures in areas where bystanders may be close to fumigant buffer zones. Fumigators may choose *either* to monitor the buffer perimeter or to provide emergency response information directly to neighbors.

- If the applicator chooses to monitor, the emergency response plan stated in the FMP must be implemented if the person monitoring experiences sensory irritation or if air concentrations reach action levels on labels. This monitoring must be done four times per day during the buffer zone period at times when the greatest potential exists for fumigants to move off-site.
- If the applicator chooses instead to provide emergency response information directly to neighbors, the certified applicator supervising the fumigation must ensure that nearby residents and business owners/operators have been provided the response information at least one week prior to the fumigant application. The method for distributing information to neighbors must be described in the FMP.

Applicator Training Programs: EPA has required fumigant registrants to develop and implement training programs for certified applicators in charge of soil fumigations.

Information for Handlers, Communities, and First Responders: EPA has required fumigant registrants to develop and disseminate safety information for fumigant handlers (those working under the supervision of the certified applicator in charge of the fumigations). EPA has also required fumigant registrants to develop and implement community outreach programs and information for first responders to ensure that information about fumigants and safety is available within communities where soil fumigation occurs.

Compliance Assistance and Assurance Measures: In states that require notification of fumigant applications, applicators must notify State and Tribal Lead Agencies for pesticide enforcement about fumigant applications they plan to conduct. This information will aid those states in planning compliance assistance and assurance activities.