

# VOLUNTARY VACATING/ENCROACHMENT AGREEMENT

## 1,3-Dichloropropene/Chloropicrin Field Fumigation

<b>PERMITTEE NAME:</b>		<b>PERMIT NUMBER</b>	
<b>PEST CONTROL BUSINESS NAME:</b>			
<b>CERTIFIED APPLICATOR NAME:</b>		<b>PHONE NUMBER:</b>	
<b>FUMIGANT PRODUCT NAME:</b> <b>EPA REG. NO.:</b> (Labels Available Upon Request)		<b>ACTIVE INGREDIENTS:</b>	
FUMIGATION SITE(S)/DESCRIPTION			
SITE	ACREAGE	LOCATION DESCRIPTION	PROPOSED START DATE/TIME

The Permittee/Certified Applicator, listed above, has 1,3-Dichloropropene setback requirements and/or Chloropicrin buffer zones that extend onto your property line, and may limit the number of acres they can fumigate. Therefore, the Permittee/Certified Applicator is requesting to enter into a voluntary agreement with you to vacate structures and/or encroach upon any outdoor areas owned, managed, and/or occupied by you (**PROPERTY OPERATOR**), to reduce fumigation limitations impacted by these fumigant setbacks and/or buffer zones.

PROPERTIES WITHIN SETBACKS AND/OR BUFFER ZONES				
(1,3-Dichloropropene Vacate Period = 7 Days, Chloropicrin Vacate/Buffer Zone Period = 48 Hours)				
STRUCTURE/FACILITY TYPE DESCRIPTION/ADDRESS (e.g. Home, Office, School, Shop, RV, Barn, etc.)	VACATE PERIOD	ENCROACHMENT PERIOD	PERMISSION GRANTED (YES/NO)	INITIALS
			YES/NO	
			YES/NO	

The Certified Applicator shall assure all setback and/or buffer zone distances are measured in compliance with label and/or regulatory requirements. Notification of the application start date and time will be provided to the structural property owner, manager, and/or occupant, a minimum of 48 hours prior to application. A copy of this written agreement will be provided to the County Agricultural Commissioner at the time a Notice of Intent to apply the fumigant(s) is submitted. Prior to fumigation, the Certified Applicator will confirm all structures included in the agreement are vacated. Any changes in application dates and vacate/encroachment periods are communicated with the Property Operator within 24 hours following application completion.

The owner, manager, and/or occupant of the structures, listed above, shall ensure the following:

- **No person shall be present in these structure(s) and areas at any time during the application and through the end of the relative vacate and/or encroachment period.**
- Notifications will be provided to all occupants of any structures or outdoor spaces (e.g. family members, tenants, employees, contractors) regarding the dates and times the vacate/encroachment period(s) start and end, a minimum of 24-hours prior to commencement of the fumigation.
- Allow buffer zone signs to be posted on property with an encroachment agreement.

PROPERTY OPERATOR AGREEMENT	
I understand and agree to the above-listed requirements and voluntarily agree to vacate the above listed structures and/or allow for the fumigation buffer zones to encroach onto my property.	
<b>PRINTED NAME/TITLE</b>	
<b>PHONE NUMBER</b>	
<b>SIGNATURE/DATE</b>	