P: PERMIT PROCESS FOR COMMODITY FUMIGATION USING METHYL BROMIDE FOR QUARANTINE/PRE-SHIPMENT (QPS) USES

Under the Montreal Protocol and Federal Clean Air Act methyl bromide may only be used for quarantine or pre-shipment (QPS) purposes. The use of methyl bromide for non-QPS purposes is a violation of the Federal Clean Air Act. As defined in the handbook of the Montreal Protocol:

Quarantine applications, with respect to methyl bromide, are applications to prevent the introduction, establishment and/or spread of quarantine pests (including diseases), or to ensure their official control where:

(i) Official control is that performed by, or authorized by a national plant, animal, or environmental protection, or health authority.

(ii) Quarantine pests are pests of potential importance to the areas endangered thereby and not yet present there, or present but not widely distributed and being officially controlled.

Pre-shipment applications are those treatments applied directly preceding and in relation to export, to meet the phytosanitary or sanitary requirements of the importing country or existing phytosanitary or sanitary requirements of the exporting country.

Each application of methyl bromide requires a Notice of Intent (NOI) to be submitted at least 24 hours in advance. The NOI must also include the name of the destination country. Please note that submitting a monthly NOI for methyl bromide applications is not permissible.

For applications of restricted materials scheduled for the weekend or early Monday, NOIs must be submitted by 3:00 PM on the preceding Friday. Additionally, NOIs should be received by 3:00 PM on the business day prior to any holiday in Stanislaus County.

All pre-shipment methyl bromide fumigations must be monitored by the Stanislaus County Agricultural Commissioner's Office.

Each Methyl bromide fumigation site shall have a Work Site Plan submitted to the County Agricultural Commissioner's (CAC) Office. Permit conditions will be derived from said Work Site Plans. Permit conditions must be signed by the permittee 24 hours prior to submitting a Notice of Intent. The following steps must be completed:

Work Site Plan

1. If chambers are retention or pressure tested, the tests must be conducted annually, and test results must be submitted with the work site plan citing the method used. Prior to scheduling a retention or pressure test, coordinate with CAC staff to provide an opportunity to monitor the test.
2. Completed Work Site Plan.

3. Note any operational changes in your fumigation plan (fumigating twice per day instead of once, increased amount of product being used, new structures, etc.).
4. Draw a site map showing structures (storage buildings, pole barns, worker processing areas, guard house, etc.) and distances to where the fumigation area is located (bins, butler bins, chambers, where the fumigated product is stored, etc.).You must include stack height (if applicable) and the height of surrounding buildings. Indicate if there are any new structures. Identify all structures and indicate where there are workers (employee lunchroom, sorting lines, parking, etc.).
5. Additional information (additional air monitoring documentation, aeration procedures, etc.) may be requested to issue your final permit conditions.
6. The following special situations, due to the potential hazards they pose, must be evaluated jointly by the County Agricultural Commissioner and DPR to determine if the hazard(s) can be mitigated and the request approved:
    a) Application rate exceeds 8 pounds per 1000 cubic feet, or
    b) The total amount of methyl bromide used in any 24-hour period exceeds 1000 pounds, or
    c) The volume to be treated in any 24-hour period exceeds 250,000 cubic feet.

County Site Visit

The County Agricultural Commissioner's Office may do a site visit to clarify and/or verify the information submitted. You will be contacted for an appointment if this is necessary.

Evaluation

1. Return the completed Work Site Plans and site maps to the County Agricultural Commissioner's Office for evaluation.
2. Your final permit conditions will be issued to you upon completion of the evaluation of your work site plan information, possible site visit, and any additional information required.
3. If modifications were made to accommodate reduced buffers, meet air concentration levels, etc., then this will also need to be verified by the County Agricultural Commissioner's Office prior to issuance of final permit conditions.

Please note: Any final approval for modifications made to accommodate deviations from the regulations will require approval from the California Department of Pesticide Regulation. Please plan accordingly to accommodate the additional review time that may be required.

If you have any questions, please contact the Stanislaus County Agricultural Commissioner's Office at (209) 525-4730.