



# Arizona Department of Agriculture

1688 W. Adams Street, Phoenix, Arizona 85007  
(602) 542-3575 FAX (602) 542-0466

## **Minutes for the Pesticide Groundwater use Reporting Subcommittee of the Task Force on the Regulation of Structural Pest Management – June 15, 2012**

Room 126 of the Arizona Department of Agriculture, 1688 W Adams Street, Phoenix.

The meeting was called to order at 1:30 pm. Lin Evans (telephonically), Kevin Etheridge and Jack Peterson were present. Ken Fredrick joined telephonically at approximately 1:35 pm.

The question was asked if members wanted to allow subcommittee members to participate in the meetings via conference call. Motion: To allow members of subcommittee to participate by telephone by Kevin Etheridge, second by Lin Evans. Motion carried 3 – 0 vote. Ken Frederick was asked about this when he called in as well, and he was in favor of allowing this option.

The document prepared by Kevin Etheridge on areas where pesticides are applied by pest management professionals (PMP) was discussed. It came down to two areas - termite treatments around homes – not under slab or before slab pour, and pre-emergent weed control. (Attachment )

Next the group began discussion of the groundwater protection list and the draft rule that had been prepared. (Attachment ) It was asked that the list of active ingredients that had been detected be brought to the next full task force (TF) meeting. The number of active ingredients (AI) on the list was discussed and the idea of putting an end date for AIs was suggested. So the words "has been detected in the past 5 years" was agreed to be added under A of the rule. It was the belief that there are only about 3 AIs that would currently require any reporting.

A discussion was had on reporting by zip code. It was understood that the zip code would provide more precise information as to where the AIs were applied. However, after it was pointed out that the PMP may do 8 treatments in a day, all in different zip codes. The question was how to keep track of the amount that is used in each zip code. It was pointed out that based on experience in California, a separate log book was required and it would take a fair amount of time to do this. It was agreed that the reporting be at the county level. Should problems arise from an AI being detected, the PMPs can be contacted and more precise information can be obtained from the PMP through the records they are already required to keep.

The question was asked as to how long records needed to be kept? Ag's record keeping requirements are 2 years and it was agreed to be consistent with this. It was discussed that it may be a good idea to match this with other OPM record keeping requirements. Ultimately it was decided if people didn't want to remember the 2 years, but remember the 3 years required by OPM for other records, that was ok. There is no problem with keeping records longer.

Finally there was discussion of listing what uses need to be included in reporting as part of the rule. Although rule change will be needed to add or delete uses, it was decided that for clarity we should put in what is included so it was more easily understood. Exemption language was also agreed to – "at or above grade within a stem wall or footer".

The termite treatment information was felt to be easily taken from the TARF. The pre-emergent reporting area is a whole new reporting requirement so the ultimate goal is to make this as easy as possible with the ultimate goal being an on-line form. This could be developed as an off shoot to the department's 1080 database. IT staff was already working on the issue.

Based on this meeting, the rule will be redrafted putting in the changes agreed to by the subcommittee. The draft will then be sent out to the subcommittee members and another short conference call will be public noticed and held to approve the draft before it is sent out the full TF.

The meeting adjourned at 2:25 pm.

Prepared by: Jack Peterson on 6-15-12

DRAFT

**R3-7-505. Groundwater Protection List Reporting**

**A.** For each application of a soil-applied pesticide containing an active ingredient that appears on the Arizona Department of Environmental Quality groundwater protection list and has been detected, the QP shall submit the following information to the Department on a quarterly basis in a format or form approved by the department which includes within 30 days after the application:

1. The county zip code of use,
2. The name of product used and the EPA registration number,
3. The amount applied,
4. The dates covered by the report,
5. Business license number

**B.** For the purposes of this section, "soil-applied pesticide" means a pesticide intended for application to or injection into the soil ~~by ground based application equipment or by chemigation,~~ or the label of the pesticide requires or recommends that the application be followed within seventy-two hours by ~~flood or furrow~~ irrigation. (includes: post construction exterior trench and rod, post construction exterior trench and treatment, pre-emergent weed control, preventative treatment)

The following will be a good representation of the types of treatments performed at residences and commercial properties.

**Spot Treatment / General Treatment / Crack & Crevice Treatment / Dusting / Fogging / Space Treatment / Fumigation / Pre-treat / Trench and Rod Treatment / Heat Treatment / Trench and Treat / Foam Application / Preventative Treatment / Sub-surface Treatment / Drill and Treat / Paint-on Application / Baiting**

The types of treatments that will come in contact with the soil may include:

Termite Work: Most all treatment for subterranean termites will be soil applied; excluding lumber applied applications and foam injections to wall voids. Methods that will provide treatment directly to the soil are: rodding and injection through a concrete slab, exterior rod and treatment, trench and treatment, soil pretreatment.

Pest Control work: Topical treatments by back pack or power application equipment at the exterior of a structure.

Weed Control: Applications to the soil by power application or back pack application; pre-emergent only. Post emergent is generally applied to the target weed.

I would suggest the following:

Reporting should be by County, using total quantities of products; either annually, quarterly or monthly. Monthly being the least desirable. Reporting is limited to materials listed on the Ground Water Table. Report only Pre-Treatments and Pre-Emergent Weed Applications (this is where the largest amounts of active will be used). Explore the possibility of altering the TARF for termite pre-treatment reporting. Design a form of reporting that is simple and includes: County – Material – EPA Number – Date (time frame for report) – Amount – Gallons – Ounces - Pounds. Define exemptions in rule as requested below.

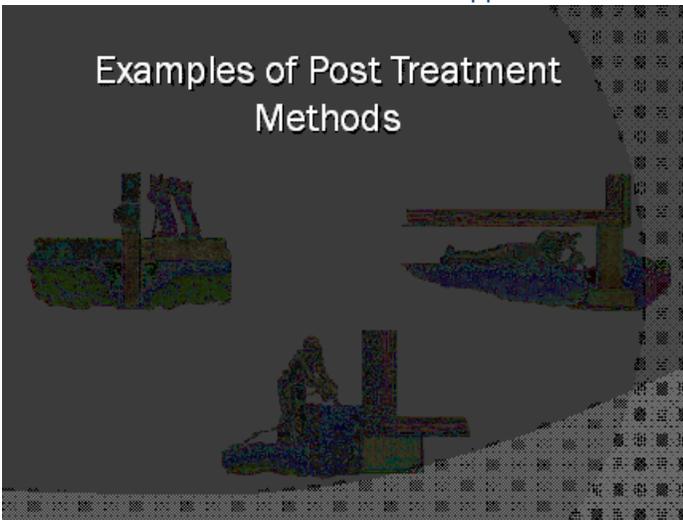
**Exempt Pest Control Applications (material usage is minimal using only 1 – 6 oz product mixed in water solution over several applications in most cases) any requirement to report would be very burdensome. Consider that a full pest route services 15-18 properties per day, tracking would be a financial burden on most companies.**

**Exempt Termite Post Applications: Termite post applications may be limited in the amount of active used. For example on a 170 foot trench and treat you will use 68 gallons of mixed solution. Depending on product, this will not represent a lot of active ingredient.**

**Exempt Post Emergent Weed Applications: Directly applied to the target weed.**



Soil Applied Pre-Treatment



Examples