COUNTY OF GLENN
DEPARTMENT OF AGRICULTURE
720 N. Colusa Street, Willows CA 95988
530-934-6501 -- Fax 530-934-6503
Website: www.countyofglenn.net

Marcie Skelton
Agricultural Commissioner
Sealer of Weights & Measures

2021

Pesticide Use Near Schoolsites (CCR 6690)

This condition pertains to pesticide applications made for the production of an agricultural commodity within ¼ mile of a schoolsite or licensed day-care facility. The objective of the following permit condition is to mitigate the potential exposure of K-12 students and school staff to agricultural pesticides.

"Schoolsite" as used in sections 6690-6692 means any property used as a child-day care facility, as defined in Health and Safety Code section 1596.750, or for a kindergarten, elementary, or secondary school. This includes all areas of the property used on weekdays by children who attend such facilities or schools, or other property identified by the commissioner as a park adjacent to a school that is used by the school for recess, sports, or other school activities.

Pesticide Application Restrictions (CCR 6691)

Pesticide application restrictions will apply Monday through Friday, during the hours of 6:00 am and 6:00 pm, depending on the distance from the treated area to a schoolsite, the application equipment used, and type of pesticide applied. The type of pesticide is not the product formulation but the final form applied (e.g., if a powder is mixed with water and then applied, this is considered a liquid application). During these time periods, the operator of the property and the applicator shall assure that an application is not made within the distance of the schoolsite as specified below.

1) There must be a minimum ¼ mile distance restriction for applications using a/an:
    a) Aircraft
    b) Airblast sprayer or other ground application equipment with a pump that delivers spray into an air stream created by a fan
    c) Sprinkler chemigation equipment
    d) Dust or powder except as provided in subsection (3)(c)
    e) Fumigant
2) There must be a minimum of 25 foot distance restriction when using a:
    a) Ground-rig sprayer. However, if this type of equipment is used to apply a dust, powder, or fumigant, the ¼ mile distance restriction in subsection (1) applies.

b) Field soil injection equipment. However, if this type of equipment is used to apply a fumigant, the ¼ mile distance restriction in subsection (1) applies; or if used to apply a dust or powder, there is no minimum distance restriction.

c) Other application equipment not identified in this section, such as drip or flood chemigation equipment. However, if this type of equipment is used to apply dust, powder, or fumigant, the ¼ mile distance restriction in subsection (1) applies.

3) Notwithstanding subsections (1) and (2), there is no distance restriction when:

a) The application is made within an enclosed space, such as a greenhouse, However, when applying a fumigant, the ¼ mile distance restriction in subsection (1) applies.

b) The application is made using bait stations.

c) A pesticide is applied as a dust or powder using field soil injection equipment.

d) A pesticide is applied as a granule, flake, or pellet. However, when the pesticide product formulation is applied as a fumigant, or applied by aircraft, the ¼ mile distance restriction in subsection (1) applies.

e) An application is made using a backpack sprayer. However, when this type of equipment incorporates an airblast sprayer or is used to apply a dust or powder, the ¼ mile distance restriction in subsection (1) applies.

f) An application is made using a hand pump sprayer. However, when this type of equipment is used to apply a dust, powder, or fumigant, the ¼ mile distance restriction in subsection (1) applies.

4) Notwithstanding subsections (1) and (2), there is no distance restriction when:

a) School classes are not scheduled for the day of application.

b) The child day-care facility is closed during the entire day of the application.

5) In addition to the time period and distance restriction specified in subsections (1) through (3), fumigants cannot be applied when school classes are scheduled or child day-care facilities are open within 36 hours following fumigation.

6) Notwithstanding subsections (1) through (2), the application restrictions do not apply when there is a written agreement between the operator of the property, the principal or child day-care facility administrator, and the commissioner that specifies alternative application restrictions that the parties agree provide the same or a greater level of protection as provided by subsection (1) through (3). Any party may rescind the agreement at any time by notifying the other parties in writing. If an agreement is rescinded, then subsections (1) through (3) control. The commissioner shall enforce a written agreement for restrictions as if they were requirements in regulation.

Annual Notification (CCR 6692)

1) For all applications of pesticides expected to be made for the production of an agricultural commodity within ¼ mile of a schoolsite, the operator of the property to be treated shall provide annual notification to those specified in (2) no later than April 30 of pesticide(s) expected to be used from July 1st of the current year through June 30th of the next year.

a) Effective April 1st, 2018, if the operator of the property to be treated changes, the new property operator shall provide the notification as specified in (2) and (3) within 30 days of assuming control of that property for expected pesticide(s) to be used from the time the notification is provided through June 30th of the following year. If the notification made 30 days after assuming control includes information about the pesticide(s) expected to be used July 1st of the current year through June 30th of the following year, then (1) does not apply. Subsequent notifications must be provided as specified in (1).

2) The annual notification must be provided to:

   a) The principal of the public K-12 school and/or

   b) The administrator of the child day-care facility; and

   c) The county agricultural commissioner.

3) The annual notification must be in writing and include the following information:

   a) A summary of the operator of the property's requirements to provide annual notification to a schoolsite as described in subsection (1).

   b) A summary of the applicable pesticide application restrictions specified in section 6691.

   c) Operator of the property's name and contact information

   d) Map showing location of the field(s) involved and the school or child day-care facilities;

   e) County agricultural commissioner's contact information;

   f) National Pesticide Information Center Web site address;

   g) Information on the pesticide(s) expected to be used including: name of each active ingredient, or principal functioning agent for a spray adjuvant; example pesticide product name(s); and the U.S. Environmental Protection Agency or California registration number.

   h) The following statements: "This notification is informational only, and includes a list of pesticides expected to be used. Beginning July 1st, 2018, schoolsites will be informed of pesticides not on the list at least 48 hours prior to their use. The county agricultural commissioner may be contacted for questions or additional information; if violations of these requirements are suspected; or other non-emergency situations."

   i) A description of the option to negotiate an alternate to the required application restrictions as provided in section 6691, subsection (6).

4) Effective July 1, 2018, if a pesticide to be used was not included in the annual notification as specified in subsection (3)(g), the operator of the property shall provide this information to the schoolsite and commissioner at least 48 hours prior to the application.

5) The property operator shall retain a copy of each annual notification for two years and make them available to the Director or commissioner upon request. The commissioner shall retain a copy of each annual notification for one year.