

## CHAPTER 3 - PEST CONTROL PROGRAM FOR CIVIL WORKS PROJECTS

3-1. Purpose. This chapter establishes guidance for the management of pest control programs, including contracted services, at civil works projects.

3-2. Guidance.

a. The MSC Commander shall be responsible for providing guidance on Federal policies and regulations on pest control, including close coordination with the Environmental Protection Agency.

b. Where practicable pest control services should be accomplished through service contracts. All contracts for pest control services must receive technical review and approval from trained and/or certified applicator of general-use or restricted-use pesticide (commensurate with the work to be performed), prior to advertisement of the contract and procurement of services.

c. Corps of Engineers policy on vector control is to respond whenever a duly authorized public health agency declares an emergency health hazard involving Corps managed property. The commonly accepted condition for declaring an emergency health hazard is when a vector-borne disease organism is identified in a scientifically established percent of vectors or blood samples of animals that act as the natural reservoirs of such a disease. In addition, declarations of vector emergency health hazards are normally for a duration of one vector breeding season, based upon findings of monitoring activities in that season.

d. Information on pesticide spills (location, date, amount, type and cleanup action) shall be collected at the time of the spill. These records and reports as well as follow-up studies, maps, and inventories shall be maintained as part of the permanent project land record. (See ER 200-2-3, Chapter 5, Oil and Hazardous Substances Spill Incidents.)

(1) Immediate assistance for emergency-type pesticide spills which threaten life or gross contamination of the environment may be obtained by contacting Chemical Transportation Emergency Center (CHEMTREC) toll-free at 1-800-424-9300.

(2) Information on decontamination of non-emergency type pesticide spills also may be obtained by dialing the CHEMTREC number given above. The operator must be told immediately that no emergency exists and the call is a request only for decontamination information. Guidance for decontamination of minor spillage or leakage will be obtained from the appropriate district element.

e. Endangered Species Protection. The Endangered Species Act (ESA) requires that all Federal agencies ensure their actions will not jeopardize endangered or threatened species and associated habitat. Districts should review their pest control programs to ensure they do not impact endangered species and their designated critical habitat. An updated list of endangered species can be obtained from the U.S. Fish and Wildlife Regional Offices.

### 3-3. Personnel Actions.

a. Standards of Supervision. Personnel whose duties include supervision of pesticide applicators or administration of pesticide service contracts must have a practical knowledge of Federal and state supervisory requirements.

b. Personnel Requirements. Pest control duties shall be identified in applicable job descriptions, performance standards, and job hazard analyses whether they constitute a major duty or not. Such job descriptions will also note the employee's responsibility for using personal protective equipment and clothing provided, note the requirement for training and/or certification under PL 92-516 and 40 CFR 171; and for following established health and safety practices and procedures, including the requirement for periodic medical examinations, as per paragraph c below.

c. Medical Surveillance. Each district will provide a minimum medical surveillance program for (government) personnel applying pesticides other than bug bombs, space sprays, and no-pest strips. The minimum program will consist of a base-line, annual, and pre-termination physical exam. Major elements for a physical exam are outlined in Appendix F. Prescribed preplacement medical examinations will be provided as part of the personnel action process before anyone is permitted to handle pesticides.

d. Training and Certification. All personnel directly involved in pesticide (other than bug bombs and other pre-mixed sprays and no-pest strips) applications must be properly trained and/or certified prior to making any applications by satisfactory completion of training as listed below. Under the provisions of Section 4, PL 92-516 and 40 CFR 171, the Environmental Protection Agency is responsible for certification of Federal personnel applying restricted-use pesticides. To meet this requirement, the Department of Defense has developed an Agency Plan which satisfies the training and certification required by EPA. Records of such training and/or certification will be maintained in official personnel files. Retraining/recertification of personnel shall occur within three years or in accordance with requirements of state or Federal certification programs.

(1) General-Use Pesticide Training. Personnel involved in the application of general-use pesticides must be properly trained. The current plan for training of personnel, for general-use pesticides only, requires the satisfactory completion of applicable state, or state-approved, training in safe methods of application of general-use pesticides.

(2) Restricted-Use Pesticide Training. Personnel applying restricted-use pesticides are required to complete restricted-use pesticide training and certification as given at Navy facilities at Jacksonville, Florida; Alameda, California; or the Army Health Services Command, Fort Sam Houston, Texas.

(3) State Training. Training which results in state certification of pesticide applicators in either general-use or restricted-use pesticides may be used in lieu of the training described in paragraph 3-3d(1) or 3-3d(2), whichever is applicable. However, in order for state-restricted-use training to be substituted for the DoD training provided in paragraph 3-3d(2), the state training must meet minimum curriculum requirements of the DoD Certification and Recertification. (See DoD 4150.7-M, Plan for Certification of Pesticide Applicators of Restricted Use Pesticides.) State general-use certification may not be substituted for restricted-use certification.

### 3-4. Pesticide Use.

a. General. Pesticides will be handled in accordance with Federal regulations (40 CFR 165). Vehicles with lockable storage suitable for safe transportation of pesticides, personnel, and supplies, will be assigned for control operations. (See Appendix F for preventive safety measures.)

b. The availability and use of a certified applicator must be directly related to the hazard of the situation. During general-use pesticide applications, where a certified applicator is not required to be physically present, "supervision" shall include verifiable instruction to the competently trained applicator, as follows: (1) detailed guidance for applying pesticide properly, and (2) provisions for contacting the certified applicator in the event he/she is needed. Restricted-use pesticides will be applied only by, or under the direct supervision, of a certified restricted-use applicator. "Direct supervision" shall include the restricted-use applicator being at the specific location where the work is conducted and maintaining a line-of-sight view of the work performed.

c. Exposure To and Protection From Pesticide Hazards. Basic health and safety practices and procedures, including personal protective equipment and clothing, work area layouts, storage and application considerations, are identified in Appendix F of this guidance. Additional guidance is contained in Section II and Appendix A of the U.S. Army Environmental Hygiene Agency, "Guide for Medical Surveillance of Pest Controllers, Technical Information Manual (TIM) 21". Face shields, respirators, gloves, and protective clothing, as required (AR 385-32), will be obtained through normal supply channels. All outer clothing worn by government personnel during pesticide application will be furnished at government expense. Pesticide contaminated clothing will be disposed of in an appropriate manner (Army Technical Information Manual 21). The use of disposable protective clothing is encouraged (see Appendix F). In case of pesticide poisoning, follow the project accident management procedure, which may include calling the Chemical Transportation Emergency Center (CHEMTREC) toll-free at 1-800-424-9300 for immediate assistance if required and/or the regional poison control center. Material Safety Data Sheets (MSDS) shall be obtained from the manufacturer or distributor for each pesticide and adjuvant used and be readily available to employees at the work place.

d. Recordkeeping Requirements. Certified applicator personnel and safety and fire prevention officers will perform and record inspections in accordance with their criteria. Records shall be kept on each application, whether performed by hired labor or contract, and retained at the project office. Federal regulations (40 CFR 171) describe the type of data to be collected and require retention of this information for a minimum of two years. State regulations may require additional data and a longer retention time. In these cases the additional requirements will be complied with. Instructions for maintaining these records can be found in AR 25-400-2. The purpose of this record is to assure that there is adequate data available to document the facts surrounding each application. Records of employee exposure, personal monitoring, medical surveillance, and other occupational health records shall be maintained in accordance with requirements specified in 5 CFR Part 293. A sample data format detailing the minimum data to be collected is included in Appendix F. Districts may modify the sample format to fit their actual needs.

e. Annual Pest Control Plans. Field Offices will prepare and submit to their District Office, by 15 December of each year, their anticipated use of pesticides during the upcoming calendar year for review and approval by the designated District POC. Field Offices will prepare

and submit to the designated district POC, by 30 January of each year, an accounting of the actual pesticide usage during the previous calendar year. In areas where there is minimal winter pest control activity, both annual reports may be submitted by 15 December. Appendix G contains suggested format for these plans including the minimum information required. Districts may develop a list of certain chemical products which are widely and routinely available "over the counter" to the general public, and preapprove these products thus making them exempt from the requirement to secure preapplication approval prior to their use. Such chemical control agents may include products such as ant and roach sprays, bee sprays, bug bombs, no-pest strips, rodent poisons, weed and feeds, and all other general use premixed weed killers or insecticides sold in small, ready to use quantities. The requirement for end of the year accounting of actual pesticide usage to the district office and post-application documentation will be retained for these products with the exception of bug bombs, space sprays, and no-pest strips.

3-5. Pesticide Storage. Pesticides must be stored in a manner which is consistent with Federal regulations (40 CFR 165 Subpart C). Appendix F and Army Technical Information Manual 21 contain information on proper storage practices. Storage of pest control agents shall be in accordance with applicable Federal and state regulations. Inspection of stored pesticides will be made on at least a quarterly basis. Certified applicator personnel and safety and fire prevention officers shall perform and record inspections in accordance with their criteria.

3-6. Pesticide Disposal.

a. General. Consultation on proper disposal procedures should be accomplished with the appropriate State and Federal Agencies. Records shall be maintained permanently on any pesticide disposal. Refer to 40 CFR 165 Subpart C and Army Technical Information Manual 21 for information on proper disposal methods. Project facilities will not accept storage or disposal of pesticides collected by the civilian community.

b. Repacking. Pesticides in deteriorated containers will be transferred to approved clean containers which are lined to protect against chemical reaction. Different formulations of the same pesticide will not be placed in the same container. Replacement containers will be labeled to include the name and strength of the pesticide formulation, the registration number, and other pertinent manufacturing data (e.g., lot number, date of manufacture, and expiration date, and all hazard warning information including hazards, exposure symptoms, control measures, emergency medical procedures and the manufacturer's point of contact in case of an emergency, from the original label (See also 40 CFR 165.10 and Army Technical Information Manual 21).

c. Disposal. Permissible disposal methods for excess pesticides will vary from one location to another based on availability of approved pesticide incinerators and specially designated landfills.

3-7. Procedures for Obtaining Exemptions for Registered Use of Pesticide. Pesticides approved in the annual plan (paragraph 3-7e) must be applied according to the pesticide label. Pesticide uses which are different from the uses identified on the label must be approved by the Environmental Protection Agency. Appendix H details procedures for acquiring that approval. This procedure may be used for emergency and nonemergency conditions.