

CHAPTER 3 - PEST CONTROL PROGRAM FOR CIVIL WORKS PROJECTS

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

3-2. Glossary.

a. Bug Bombs and Space Sprays and Other Pre-mixed Sprays. This includes all general use insecticides which are packaged by the manufacturer in aerosol or pump containers of small quantities (approximately 16 ounces or less per container), and are available for purchase over the counter by any person without regard to applicator certification status.

b. General Use Pesticide. Any pesticide that, when applied in accordance with its directions for use, warnings, and caution and for the uses for which it is registered, or for one or more of such uses, will not generally cause unreasonable adverse effects on the environment, as determined and classified by the Environmental Protection Agency (EPA).

c. Integrated Pest Management. A comprehensive approach to pest control or prevention in which a variety of pest control methods intended to prevent, destroy, or repel a pest are evaluated to determine their effectiveness, in combination with their degree of impact on the surrounding environment; and then selecting that management method, or combination of methods, which causes the least amount of environmental impact while at the same time accomplishing the specific pest control goals. Examples of these methods include non-chemical habitat manipulation, mechanical control, biological control, and chemical control.

d. Pest. The term 'pest' means any insect, rodent, nematode, fungus, weed; or any other form of terrestrial or aquatic plant or animal life or virus, bacteria, or other micro-organism (except viruses, bacteria, or other micro-organisms on or in living man or other living animals), which the EPA declares to be a pest under section 25 (c)(1) of PL 92-516, The Federal Insecticide, Fungicide, and Rodenticide Act. State and local agencies may exercise their own jurisdictional authority and declare additional pests.

e. Pesticide. The term 'pesticide' means any substance or mixture of substances intended for preventing, destroying, repelling any pest; also any substance or mixture of substances intended for use as a plant regulator, defoliant, or desiccant. Pesticides include fungicides, herbicides, insecticides, larvicides, and rodenticides, avicides, molluscicides, piscicides, etc.

f. Restricted Use Pesticide. Any pesticide that, when applied in accordance with its directions for use, warnings, and cautions and for the uses for which it is registered, or for one or more of such uses, or in accordance with a widespread and commonly recognized practice, may generally cause, without additional regulatory restrictions, unreasonable adverse effects on the environment, including injury to the applicator, as determined and classified by the EPA.

3-3. Policy. It is the policy of the Corps of Engineers to perform integrated pest management on civil works projects in a manner which provides for the safety of the environment, the public, and the pesticide applicator.

a. All Corps personnel applying pesticides, either general-use (other than bug bombs, space sprays and other pre-mixed sprays, and no-pest strips) or restricted-use pesticides, shall be properly trained and/or certified in the safe methods of application and shall follow all

regulations referenced above pertaining to pesticides and their use. Records of such training and/or certification will be maintained in official personnel files. Retraining/re-certification of personnel shall occur within three years in accordance with state or Federal certification programs. See Chapter 3 of EP 1130-2-540 for additional guidance.

b. All general-use pesticides (other than bug bombs, space sprays and other pre-mixed sprays, and no-pest strips) applicators shall successfully complete state, or state approved, training in safe methods of application of general-use pesticides.

c. The use of general-use rather than restricted-use pesticides is encouraged. Under the provisions of Section 4, PL 92-516 and 40 CFR 171, the Environmental Protection Agency (EPA) is responsible for certification of Federal personnel applying restricted-use pesticides. To meet this requirement, the Department of Defense (DoD) has developed an Agency Plan which satisfies the training and certification required by EPA. Personnel applying restricted-use pesticides are required to complete restricted-use training and certification as given at Navy facilities at Jacksonville, Florida, or in Alameda, California; or at the U.S. Army Health Services Command, Fort Sam Houston, Texas. State training which results in state certification for restricted-use pesticides may be used in lieu of the above Navy provided training if the state training meets the DoD requirements as described in DOD 4150.7-M, Plan for Certification of Pesticide Applicators of Restricted Use Pesticides.

d. Where practicable pest control services should be accomplished through service contracts. The contractor shall be required to submit proof that contract pesticide applicators are certified in, or work under the direct supervision of personnel certified in, applying restricted-use pesticides in the specific state categories commensurate with the work to be performed. Furthermore, contract specifications will include the clause that an appropriately certified individual will be physically present at location where the application of restricted-use pesticide is being conducted. A trained and certified restricted-use pesticide applicator shall approve the use of restricted-use pesticides prior to their application. Reporting requirements for contracted pest control services shall be the same as those specified in sub-paragraph 3-3.e and paragraph 3-4.

e. 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. Nuisance pest and mosquito programs shall only be performed on Corps managed public recreation areas, or lands adjacent to those areas, operation and maintenance areas, and certain dredge material disposal areas.

f. All pesticide spills shall be contained and reported in accordance with the District and Project Oil and Hazardous Materials Spill Plan (see ER 200-2-3), and the appropriate district element shall be notified as required by the situation. 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.

g. Districts shall review their pest control programs to ensure they do not impact endangered species and their designated critical habitat. (The Endangered Species Act (ESA) requires that all Federal agencies ensure their actions will not jeopardize endangered or threatened species and associated habitat.)

h. 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 employees 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. Specific guidance on medical surveillance and training and certification requirements for all personnel directly involved in pesticide applications is provided in EP 1130-2-540.

i. Pesticides shall be handled in accordance with Federal regulations (40 CFR 165). Personnel whose duties include supervision of pesticide applicators or administration of pesticide service contracts shall have a practical knowledge of Federal and state supervisory requirements, including labeling, record keeping, and application of pesticides. Personnel must adhere to basic health and safety practices and procedures, including personal protective equipment and clothing, work area layouts, storage, and application considerations. Specific guidance on the management of pest control personnel activities, use of pest control agents, and related safety issues is provided in EP 1130-2-540. 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.

j. 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. Specific guidance on storage requirements is provided in EP 1130-2-540.

k. Data taken before and after each application of a pesticide shall be recorded at the time of each application, whether performed by hired labor or contract, and retained at the project office. Data requirements and retention regulations are provided in EP 1130-2-540.

l. Pesticide Disposal.

(1) Permissible disposal methods for excess pesticides will vary from one location to another based on availability of approved pesticide incinerators and specially designated landfills. 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 TIM 21 for information on proper disposal methods. Project facilities will not accept storage or disposal of pesticides collected by the civilian community.

(2) Pesticides in deteriorated containers shall be transferred to approved clean containers which are lined to protect against chemical reaction. Different formulations of the same pesticide shall 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., log 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 40 CFR 165.10 and TIM 21).

m. In an effort to reduce the use of chemicals and assure effective use of appropriate control techniques, pest control managers shall keep abreast of current integrated pest management technology, and when prudent, efficient and effective, utilize options other than chemical control of pests, including mechanical vegetation control and biological pest control. Some sources of this type of information are the Waterways Experiment Station (WES), the

Aquatic Plant Control Operations Support Center (APCOSC), local extension offices, and universities.

3-4. Responsibilities.

a. The MSC Commander is responsible for providing guidance on Federal policies and regulations on pest control. This shall include close coordination with Environmental Protection Agency Regional Offices in order to comply with the regulatory requirements for operational uses of pesticides, or other control methods, and for the protection of endangered species.

b. The District Commander is responsible for implementation of the program and providing for the training and certification of pest control personnel, safe use of highly toxic materials, proper applications of pesticides, and compliance with all applicable Federal and state regulations regarding pest control. The District Commander shall designate a trained, single point of contact (POC) for the management of the District pest control program. District programs shall be reviewed for the selection of suitable pest control agents, up-to-date and economical methods of control, and the proper use and maintenance of pest control equipment. The District office is responsible for maintaining a current listing of suspended, canceled, and restricted-use pesticides.

c. Field offices shall prepare and submit to their district office, by 15 December of each year, Annual Pest Control Plans which detail descriptions of their anticipated use of pesticides during the upcoming calendar year for review and approval by the designated district POC. Field offices shall also 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. Districts may develop a list of certain chemical products which are widely and routinely available "over the counter" to the general public, and pre-approve 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 pre-mixed weed killers or insecticides sold in small, ready to use quantities. Pesticides approved in the annual plan 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 EPA. 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.

d. Each new or renewed lease, license, easement, or permit shall contain a provision requiring the grantee to comply with all Federal, state and local laws, and rules and regulations relating to the use of pesticides. Information, records, and data on the proposed and actual use of pesticides by grantees or their designated representatives on outgranted areas during the year, shall be provided to Real Estate Division as a part of their annual management plan. In addition to the type and quantity of pesticide and the location of the proposed application, the grantee shall provide assurances that all applicators are appropriately licensed to apply the pesticides intended for use. Where an annual management plan is not required by the terms and conditions of the outgrant, the Real Estate Division shall notify the grantee on outgrants administered by Real Estate Division that authorization is required through the Real Estate Division before any pesticides are applied on the outgranted areas. Real Estate Division is responsible for providing the proposed and actual use of pesticides to the District Pesticide POC by 31 January of each year. Field offices shall be furnished a copy of the proposed and actual use pesticides by the district POC as information is received from Real Estate Division.