

# WS Directive

2.401 1/02/08

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## PESTICIDE USE

### 1. PURPOSE

To provide guidelines for storage, disposal, recordkeeping requirements, and the safe and effective use of pesticides.

### 2. REPLACEMENT HIGHLIGHTS

This directive revises WS Directive 2.401 dated 02/17/04.

### 3. POLICY

Wildlife Services (WS) activities must be in compliance with all Federal, State, Tribal, and local laws and regulations pertaining to pesticides, including application certification and use, storage, transportation, shipment, disposal, and supervision, or when recommending the use of restricted-use pesticides. Pesticides used or recommended by WS personnel must be registered by the U.S. Environmental Protection Agency (EPA) and the appropriate State regulatory agency.

WS personnel have responsibility for all aspects of control operations involving WS restricted-use pesticides having label language which specifies "for use only by USDA personnel... or persons under their direct supervision." While non-WS persons may be involved in various phases of operations using these pesticides, the actual application will be conducted only by WS certified applicators. Furthermore, pesticides displaying restriction-specific labels, and all derived chemical products, will not be transferred or otherwise released to non-authorized personnel per label restrictions. This restriction does not preclude or limit reimbursement to WS for any cost of materials or services provided by WS involving these pesticides.

Pesticide use, storage, and disposal will conform to label instructions and other applicable regulations and laws. Before using any pesticide, WS personnel will be trained in its proper and safe use.

WS personnel will not conduct operational activities on private property where other persons are known to be using the same or a similar pesticide(s) intended for control of the same target species. WS equipment, materials, and warning signs will be promptly removed from the area if such use is discovered. WS will notify the property owner or manager of this action.

Material Safety Data Sheets (MSDS) and labels for each pesticide used by WS must be provided to all WS personnel and other potential users.

Pesticides must be stored in a locked or secured box, building, or vehicle when not in use. Warning signs or symbols required by Federal, State, Tribal, and local laws and regulations must be displayed in the appropriate locations. Pesticides must be used in accordance with the Wildlife Services' Standard for Storing Pesticides (See Attachment 1).

All unusable pesticides and by-products will be handled in a manner prescribed by the State Director (SD) and in accordance with EPA procedures and product label. SDs are responsible for establishing proper accounting, monitoring and recordkeeping procedures for all pesticides used in their program.

#### 4. RECORDKEEPING REQUIREMENTS

Minimum recordkeeping for Federally registered, restricted-use pesticides require that the following information be recorded within 30 days following the pesticide application and be kept on file for at least 2 years [Note: State pesticide regulatory agencies may require additional recordkeeping and enforce longer retention dates]:

- a. The brand or product name, and the EPA registration number of the restricted-use pesticide that was applied;
- b. The total amount of the restricted-use pesticide applied;
- c. The location of the application, the size of the area treated, and the crop, commodity, stored product, or site to which a restricted-use pesticide was applied;
- d. The month, day, and year when the restricted-use pesticide application occurred; and,
- e. The name and certification number of the certified applicator who applied or who supervised the application of the restricted-use pesticide.

An inventory record will be maintained for pesticides utilizing the Control Materials Inventory Tracking System (CMITS) application within the Management Information System. Records will be evaluated by Headquarters staff and with periodic spot checks by designated officials.

Any toxic or adverse human effect which occurs to WS personnel, cooperators, or the public involving the use, storage, or disposal of any pesticide registered by USDA, APHIS is to be immediately reported to the SD and Director, with details recorded on WS Form 160 (2007) and WS Form 160A (2007). The OSS Director, or designee, will report the incident and submit specifics to the Director of Environmental Services, APHIS, as appropriate. An adverse human effect is defined by EPA as an incident in which a person suffers an adverse physiological or behavioral effect (other than local

damage to or irritation of the skin or eye of the type commonly associated with dermal or ocular exposure when the label provides adequate notice of such a hazard).

Additionally, WS personnel are required to report to the SD, any knowledge of adverse incidents involving APHIS registered products. An adverse incident has occurred if a person or nontarget organism is exposed to and/or has an adverse effect from a pesticide.

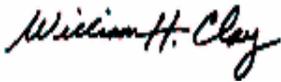
## 5. REFERENCES

Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.), as amended.  
Food, Agriculture, Conservation, and Trade Act of 1990 (FACT Act).

National Environmental Policy Act (Public Law 91-190, 42 U.S.C 4321 et seq.).

40 CFR Part 153.75 - Toxic or Adverse Effect Incident Reports, (a)(1)(i) through (iii).

Federal Register Vol. 58, No. 67 p. 19014.

A handwritten signature in black ink that reads "William H. Clay". The signature is written in a cursive, flowing style.

Deputy Administrator

## ATTACHMENT 1

# STANDARD FOR STORING PESTICIDES WILDLIFE SERVICES

## INTRODUCTION

The purpose of this Standard is to provide for the safe storage of pesticides, identify appropriate waste disposal methods, provide safe worksites for employees, and to appropriately define a pesticide inventory and its contents.

## DEFINITIONS

The following definitions are used in this Standard. It is important to know these definitions to understand applicability and scope of this Standard.

**Material Safety Data Sheet (MSDS).** A document that is produced by the manufacturer that describes the pesticide content and specifications, hazardous properties, disposal and safety information.

**Pesticide Container.** Any drum, bag, box, bottle, carton, jar, pressurized container, or other closed vessel containing a pesticide, or pesticide residue, having an attached product label and used as the pesticide's primary container.

**Pesticide Inventory.** A pesticide inventory is a written record containing the following information for each pesticide being stored, regardless of quantity:

- Name of pesticide;
- EPA registration number;
- Quantity transferred, used, disposed of; and
- Beginning and ending balance.

**Pesticide Storage Cabinet/Box.** A WS-approved storage cabinet or box used for the sole purpose of storing pesticide containers.

**Pesticide Storage Site.** A site approved by WS for storage or temporary storage of pesticides such as a central storage/distribution facility, residential site, overnight residential, or vehicle storage of general and restricted-use pesticides.

**Ready Supply.** A quantity of pesticide sufficient to complete a project, concurrent projects, or to conduct up to a week of work. However, when an employee is required to travel an extensive distance to pickup the pesticide from a central storage/distribution facility, or when there are other extenuating circumstances, the supervisor can extend the ready supply rule to a longer period.

**Restricted-Use Pesticide.** Pesticides classified for restricted use under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) in 40 CFR, Part 152.175.

**Secondary Containment.** Any container or device that prevents a release of pesticide material into the environment when the primary pesticide container fails.

**Worksite.** For the purpose of this standard, a worksite is defined as an office, warehouse, residence, or other ground location from which employees base their work. Restrictions on pesticide storage at residential sites apply (See **Residential Storage Sites** below).

## GENERAL STORAGE REQUIREMENTS

The following requirements are of a general nature and apply to all pesticide storage sites. All pesticides must be stored:

- In full compliance with EPA and appropriate State pesticide label requirements.
- In closed containers, at WS-approved worksites.
- So that only employees approved by the State Director (SD), Field Station Leader, Project Leader, or their designee, will have access to pesticides.
- Separate from food and personal contact items such as clothing, linens, furniture, animal feeds and animal health products.
- To minimize contact with moisture, excessive heat or freeze/thaw cycles. (These conditions can affect the container integrity and product stability.)
- In secondary containment to contain pesticide spills into the environment. Examples of secondary containment for liquids include polyethylene-lined tubs, dikes, curbing, and double-walled tanks, and for non-liquids, a pesticide storage cabinet or box, as defined below.
- To prevent theft. Unattended pesticides must be locked at all times to prevent theft or unauthorized use. Pesticides must not be left in motel rooms or other unsecured locations. **Immediately notify the supervisor if a theft or loss occurs.**
- With an up-to-date (current) pesticide inventory available, to emergency responders, auditors, and other authorized persons.
- In a manner to segregate any incompatible pesticides.
- In each office or warehouse where pesticides are stored, a current Occupant Emergency Plan (GSA Form 3415) must be in place.

Banned or unapproved pesticides will not be used or stored at any WS facility. Refer to the section Waste Disposal for appropriate disposal procedures.

**Pesticide Containers.** All pesticide containers having pesticides or residue will be:

- Properly labeled (legible FIFRA label on the outside of the container) and labels must not be removed from original container.
- Free from rust and leaks.

- Appropriately stored in a pesticide cabinet/box and/or at a central storage/distribution facility.

**Pesticide Cabinets and Boxes.** The WS approved pesticide cabinets and boxes must be:

- Made of metal, hard high-density plastic or of another non-combustible material of substantial construction to minimize the risk of vandalism.
- Fire and weather resistant with sturdy hinges, locks and hasps.
- Clearly labeled to depict the hazard, as appropriate, e.g., “Danger – Poison” with a skull and cross bones.
- Stored where adequate fire extinguisher and spill containment (if applicable) and collection materials (items used to clean-up a spill, i.e. closable plastic container, rags, paper towels, broom, dust pan, etc.) will be readily available.
- Dedicated to pesticide storage only.

**Central Storage/Distribution Facilities.** These facilities are generally located at State, district, or field offices, and/or affiliated warehouse buildings. The primary function of Central Storage/Distribution Facilities is for the distribution or transfer of smaller amounts or “ready supply” of pesticides to WS employees for their use. Access to pesticides should be limited to one or two designated persons who are responsible for distribution, inventory, recordkeeping, and disposal under FIFRA, and when applicable, under the Resource Conservation and Recovery Act (RCRA). The following requirements apply:

- Storage will be in a locked pesticide storage cabinet constructed of noncombustible materials or a dedicated room appropriately ventilated.
- Smoking is prohibited in all storage areas containing pesticides and “No Smoking” signs will be conspicuously posted at all entrances to storage areas.
- A fire extinguisher and spill kit (if applicable) must be located within 30 feet of storage area.
- If pesticide transfer operations will be performed, e.g., from one container to another container, personal protective equipment and the availability of an emergency eyewash system (permanent or portable) or a shower should be considered, dependent on the nature of the potential exposure.
- The most recent pesticide inventory, MSDS, and emergency response information or contact phone numbers will be maintained and readily available on-site.

**Residential Storage Sites.** When it is necessary for authorized employees to store small quantities of pesticides at their residences, the storage area at a residential location is classified as a worksite, and all the aforementioned general storage, pesticide container, pesticide cabinet, and inventory requirements apply. In addition, the following will apply:

- Storage and storage area must be authorized by the SD in writing.
- Storage will be inside an approved, locked pesticide storage cabinet or box.
- Pesticides must be inaccessible to family members and visitors at all times.

- Pesticides will not be stored inside of residences. An attached garage is not considered inside the residence.
- If an employee's residence is located at a community dwelling, e.g., apartment complex, condominium, etc., an approved alternative site must be obtained.
- A fire extinguisher in close proximity of the storage site/area.

## **TRANSPORTATION OF PESTICIDES AND OVERNIGHT STORAGE IN A VEHICLE**

A "ready supply" of pesticides may be transported and/or stored overnight onboard Government-owned vehicles and enclosed trailers, or personal vehicles authorized for official use by the State Director. The following will apply:

- Pesticides must be in an approved, locked storage box kept inside the vehicle, or in a locked storage box kept in a substantial locked tool box (or equivalent) which is permanently attached to the vehicle except for large quantities of bagged grain baits. Large quantities of bagged grain baits may be transported outside a pesticide storage box, but may not be left unattended. Overnight storage of bagged grain bait must be in an approved pesticide storage cabinet/box, as necessary. Bagged grain baits can be temporarily stored in a vehicle as long as the truck bed or trailer is enclosed and locked, and the baits are covered to protect them from public view.
- The vehicle must be locked when unattended.
- Highly toxic or inhalation hazard pesticides, (e.g., aluminum phosphide) will not be carried or stored in the passenger compartment of a vehicle.
- Pesticide labels and MSDS will be transported with pesticides at all times.

If an employee's residence is located at a community dwelling, e.g., apartment complex, condominium, etc., an approved alternative storage site must be identified.

## **TRAINING**

Facilities storing pesticides will have a required training program for all employees who handle pesticides. The training will be based on the review of current MSDS, labels, and other pertinent information, and must include storage requirements, personal protective equipment, emergency procedures including appropriate notification, and proper waste disposal.

A Hazard Communication Program will be implemented and maintained for each pesticide storage worksite. (Refer to APHIS Safety and Health Manual, Chapter 10, Section 8, Hazard Communication and OSHA regulation 29 CFR 1910.1200, Hazard Communication.)

## **INSPECTIONS**

Inspections are required a minimum of twice annually at all central storage/distribution facilities by using the APHIS Safety Inspection Checklist (APHIS Form 256-5), and at overnight residential or vehicle storage sites by using a less time-consuming and easily performed self-inspection checklist (Enclosure 1). Employees who conduct self-inspections at vehicle storage

and residential sites (two per year minimum) will forward the inspection reports to the SD/Field Station leader and retain copies for their files.

The SD/Field Station Leader will verify the accuracy of the self-inspection checklist and APHIS Safety Inspection Checklist (APHIS Form 256-5) and take appropriate action to correct any deficiencies.

## **EMERGENCY PROCEDURES**

Facilities storing pesticides will have adequate emergency response procedures to include emergency evacuation plans, emergency contact phone numbers, and adequate emergency equipment such as fire extinguishers, spill kits, and personal protective equipment as needed. Actions and appropriate notifications must be consistent with the pesticide stored and the hazard potential. Additional information can be obtained from the APHIS Safety Health and Employee Wellness Branch (SHEWB), Environmental Protection Program by calling 301-734-5577 or 301-734-0626.

The local fire department should be notified of pesticide materials stored at WS worksites, especially if there are flammable or explosive materials being stored at the site. Placement of appropriate NFPA red/blue/yellow (fire/health/reactivity) diamond signs should be utilized on storage cabinets or on the outside doors of storage buildings to identify potential hazards to the emergency response personnel. Check State regulations and county and city ordinances since their notification requirements may be more restrictive.

## **WASTE DISPOSAL**

Pesticide-contaminated materials must be disposed of or decontaminated in accordance with appropriate Federal, State, Tribal and local regulations and as specified by the manufacturer's instructions listed on the product label or MSDS. The SHEWB have established GSA Blanket Purchases Agreements with hazardous waste disposal firms for use by APHIS field offices. Contact SHEWB at 301-734-5577 to arrange a pickup and to request funding. Funding assistance may be available from the Environmental Protection Program Delivery account. Additionally, your State pesticide regulatory agency may have a Pesticide Disposal Program, and much of the time participating in these programs is free, depending on the quantity of pesticides to be disposed.

Enclosure 1

**Wildlife Services  
Self-Inspection Checklist  
Residential Storage Sites  
For  
Pesticides, Pyrotechnics, Rocket Net Charges  
And/Or  
Incidental Explosive Materials**

Inspector \_\_\_\_\_ Telephone Number \_\_\_\_\_ Date \_\_\_\_\_

Residential Site Location \_\_\_\_\_, or

License Plate No. for Storage Vehicle \_\_\_\_\_; Gov't. Vehicle \_\_\_\_\_ Private Vehicle \_\_\_\_\_

Storage	Yes	No	N/A
1. Are pesticides/explosive materials stored in separate approved storage containers/magazines?			
2. Are storage containers/magazines kept locked?			
3. Are storage areas appropriately ventilated?			
4. Are provisions made for minimizing exposure to moisture, overheating, and freezing?			
5. Are up-to-date inventories maintained at the site?			
6. Are pesticide containers and explosives magazines properly labeled?			
7. Do written emergency procedures exist for leakage and exposure to chemicals?			
8. Is personal protective equipment available?			
9. Is a fire extinguisher accessible (a rating of at least 3-A:40- B:C is recommended for explosive storage areas)?			
10. Has the local fire department been provided with the necessary information in writing?			
11. Are MSDSs available on location, and are pesticide containers properly labeled?			
12. Is your training and pesticide applicator's certification up-to-date?			
13. Is a first aid kit available?			
14. Does pesticide/explosives storage comply with State requirements?			
15. Are pesticides separate from food, personal contact items, and animal feed?			
16. Are storage containers/magazines in good condition?			
17. Has smoking, matches, open flame, and spark producing devices been prohibited in storage areas?			
18. Are flammable liquids and combustible materials kept away from the storage site?			
19. Is the storage area away from the residential building?			
20. Are pesticides and explosive materials always inaccessible to family members and visitors?			
21. Are you familiar with the provisions and attachments associated with WS Directive 2.401 and WS Directive 2.625?			

*I certify that the above information is correct and valid.*

\_\_\_\_\_  
*Inspector's Signature*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*State Director/Field Station Leader/Project Leader or Designee*

\_\_\_\_\_  
*Date*