

CHAPTER 13

PESTICIDE COMPLIANCE ASHORE

13-1 Scope

13-1.1 This chapter provides safety and compliance requirements and policy relative to the legal use of pesticides at Navy shore facilities. The requirements apply within the United States, possessions, and trust territories. Chapter 18 describes Navy policy with respect to installations in foreign countries. The Bureau of Medicine and Surgery (BUMED) Preventive Medicine Manual and other Commander in Chief (CINC) directives describe Navy policy with respect to pest management aboard naval vessels.

The use of pesticides applied to property under Navy stewardship is controlled. Reference (a) assigns Navy policy for pesticides applied to property under Navy stewardship to the Naval Facilities Engineering Command; and jointly with the BUMED for disease vector surveillance and control, and safety matters. More detailed requirements and responsibilities relative to the application and regulation of pesticides at Navy installations are in reference (a). Chapter 7 discusses other topics pertinent to pesticides including prevention of pollutants in wastewater, spill prevention and management (chapter 10), and management of hazardous waste (HW) (chapter 12).

13-1.2 References. Regulations and guidance relevant to pesticide use:

- a. OPNAVINST 6250.4B, Pest Management Program; (NOTAL);
- b. 40 CFR 150-186, Environmental Protection Agency (EPA) Regulations for Pesticide Programs;
- c. 40 CFR 262, EPA Regulations for Hazardous Waste Generators

d. OPNAVINST 5100.23E, Navy Occupational Safety and Health (NAVOSH) Program Manual; (NOTAL);

e. Military Handbook 1028/8A of 1 November 1991, Design of Pest Management Facilities; (NOTAL);

f. 29 CFR 1910, Occupational Safety and Health Standards;

13-2 Legislation

13-2.1 Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA). CERCLA authorized Federal action to respond to the release, or substantial threat of release, into the environment of hazardous substance (HS), pollutants, or contaminants that may present an imminent and substantial danger to public health or welfare. Section 107(i) exempts application of pesticide products registered under Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) from CERCLA requirements.

13-2.2 Emergency Planning and Community Right-to-Know Act (EPCRA). EPCRA provides for protection and notification of communities in the event of a release of toxic chemicals from installations that store pesticides above established threshold quantities.

13-2.3 Endangered Species Act (ESA). ESA provides for the protection of threatened and endangered species of fish, wildlife, and plants and their habitats. The Act requires Federal agencies to ensure that no agency action is likely to jeopardize the continued existence of endangered or threatened species. The ESA requires EPA to ensure that pesticide use is not likely to jeopardize endangered species or adversely

modify critical habitats. The pesticide label and labeling process and the issuance of State specific bulletins ensure the implementation of critical habitat protection for endangered species.

13-2.4 Federal Facility Compliance Act (FFCA). The FFCA waives immunity for Federal facilities under solid and hazardous waste laws, CERCLA, and the Resource Conservation and Recovery Act (RCRA) by allowing States to fine and penalize for violations. This is applicable only to pesticides that are a hazardous waste, or are managed or disposed of as hazardous wastes requiring management under RCRA. See chapter 12.

13-2.5 Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). FIFRA provides the principal means for preventing adverse effects on the environment from pesticides through product registration and applicator certification. The registration of all pesticide products by EPA results in label instructions on each container for use, storage, and disposal. Label instructions are legally applicable to all users. It is unlawful to purchase, distribute, or use any pesticide that does not have an EPA registration number or for which registration has been canceled or suspended. It is also unlawful to apply, store, or dispose of any pesticide or container in any manner inconsistent with applicable regulations. Although FIFRA does not delegate enforcement responsibilities for Federal facilities to the States, many States have established Memoranda of Understanding (MOU) with the Department of Defense (DOD) regarding the procurement and use of pesticides, and on-site inspection of Navy installations. DOD policy is more restrictive. All pesticides must be applied by appropriately certified personnel except when used for personal relief. Retain indefinitely, all records of pesticide application.

Under FIFRA:

a. The pesticide label, regulated by EPA, establishes directions for use, precautions for

preventing adverse environmental effects, and disposal requirements. Failure to adhere to the labeling requirements or using the substance in a manner inconsistent with the product label is a violation of Federal law.

b. EPA approves State and Federal agency plans for training and certification of pesticide applicators.

c. Keep records of all pesticide applications indefinitely; and make such records available for inspection by State or EPA representatives

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13-2.6 Federal Water Pollution Control Act as amended by the Clean Water Act of 1977 (CWA). The CWA provides for protection of surface waters from contamination by pesticides in wastewater and in land runoff. The National Pollutant Discharge Elimination System (NPDES) permitting program (see chapter 8) exercises control through stringent effluent limitations. The act also requires notification of pesticide spills that exceed the established standards.

13-2.7 Migratory Bird Treaty Act. This act protects migratory birds and their nests and eggs from being hunted, captured, purchased, or traded. If an activity uses pesticides to manage bird populations other than starlings, sparrows, and pigeons, it may be required to coordinate with the U.S. Fish and Wildlife Service. Contractors must have the appropriate permits when performing work of this nature for the Navy.

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13-2.8 Occupational Safety and Health Act (OSHA). OSHA establishes safety and health standards to ensure that every worker in the nation enjoys safe and healthful working conditions. OSHA is made applicable to Federal facilities through E. O. 12196.

13-2.9 Resource Conservation and Recovery Act (RCRA). The HW management requirements of RCRA integrate the disposal of

excess or waste pesticides as well as pesticide equipment and containers contaminated by pesticides. EPA identifies the criteria, standards, and requirements by which excess pesticides, pesticide containers, and wastes resulting from the cleanup of pesticide spills are considered HW. See chapter 12.

13-2.10 Food Quality Protection Act. The Act amends the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) and the Food, Drug and Cosmetic Act (FDCA). The Act contains language directly applicable to the DOD Pest Management Program by defining "maintenance applicator" and establishing a requirement for minimum training; defining vector and public health pesticide; defining the term "IPM"; and promoting IPM through procurement and regulatory policies.

13-3 Terms and Definitions

13-3.1 Integrated Pest Management (IPM). IPM is a planned program incorporating education, continuous monitoring, record-keeping, and communication to prevent pests and disease vectors from causing unacceptable damage to operations, people, property, material, or the environment. IPM uses targeted, sustainable (*effective, economical, environmentally sound*) methods including habitat modification; biological, genetic, cultural, mechanical, physical, and regulatory controls; and, when necessary, the judicious use of least-hazardous pesticides.

13-3.2 Material Safety Data Sheet (MSDS). A document that accompanies a pesticide product, providing the handler with information on the compound's makeup, handling instructions, and potential hazards.

13-3.3 Pest. Any organism (except for micro-organisms that cause human or animal diseases) that adversely effects the well-being of humans or animals, attacks real property, supplies,

equipment or vegetation, or is otherwise undesirable.

13-3.4 Pest Management Quality Assurance Evaluators (PMQAE). Installation personnel trained in contract performance inspection or QAE and pest management, whose duties include surveillance of commercial pest management services to ensure performance complies with contract specifications and legal requirements.

13-3.5 Pest Management Coordinator. The individual officially designated by the installation commander to coordinate and oversee the installation pest management program and installation pest management plan. Pest management coordinators must be certified as pesticide applicators if their job responsibilities require them to apply or supervise the use of pesticides.

13-3.6 Pest Management Consultant (PMC). Professional technical specialists who have command program oversight responsibilities and provide guidance and information on the management of pest management programs for Navy and Marine Corps commands and installations.

13-3.7 Pest Management Plan. This Plan is a written document for the design, implementation, and maintenance of an installation pest management program.

13-3.8 Pesticide. Any substance or mixture of substances intended to destroy, repel, or mitigate a pest. Consider substances used as plant regulators, defoliants, or desiccants as pesticides. Pesticides do not include animal drugs or feed additives.

13-3.9 Pesticide Applicator. Any individual who applies pesticides. An individual who uses self-help pesticide products or uses pesticides for personal relief is not considered a pesticide applicator.

a. **DOD-Certified Pesticide Applicators.** Military or civilian personnel certified per the "DOD Plan for Certification of Pesticide Applicators" in the pest management categories that are appropriate for their type of work.

b. **State-Certified Commercial Pesticide Applicators.** Personnel certified by the State with an EPA-approved certification plan and certified in the category in which a pesticide will be applied.

c. **Uncertified Pesticide Applicators.** Individuals who have not successfully completed certification training. Uncertified military and DOD civilian personnel who are in training to become certified pesticide applicators may apply pesticides when under the direct line-of-sight supervision of a DOD-certified pesticide applicator. Uncertified personnel may apply self-help or personal relief pesticides when the operation has been approved by a command pest management consultant.

13-3.10 Pesticide Cancellation. An action by EPA that may limit the use of a pesticide. EPA often issues instructions, with the pesticide cancellation, to inform pesticide applicators of what to do with the canceled material in their possession.

13-3.11 Pesticide Management Facility. The building and areas designated for handling and storing pesticides.

13-3.12 Pesticide Suspension. An act by EPA that places an immediate ban on a pesticide that may constitute an "imminent hazard" to humans or the environment. In order to issue a pesticide suspension, EPA must have announced either its intention to cancel the pesticide or to change the pesticide classification.

13-3.13 Registered Pesticide. A pesticide registered and approved for sale or use within the United States or the host nation.

13-3.14 Restricted-Use Pesticide. An EPA classification for pesticides that may potentially cause unreasonably adverse effects on the environment, including injury to the applicator even when label directions are followed. Procurement of EPA restricted-use pesticides and their use is limited to certified pesticide applicators.

13-3.15 State Limited-Use Pesticide. A classification used by States to identify pesticides that are State restricted in their uses but not necessarily EPA restricted-use pesticides.

13-4 Requirements

13-4.1 Certification. Federal or State commercial certification is required for all pesticide applicators per reference (b). DOD policy requires that all pesticide applicators be certified within 2 years of their employment. This requirement is one of three pest management measures of merit established under the Secretary of Defense's Comprehensive Pollution Prevention Strategy.

DOD- or State-certified pesticide applicators will perform all pesticide applications on Navy property (whether performed in-house or by contract) except:

a. DOD civilian and military personnel in training to become certified applicators may apply pesticides under the direct supervision of a DOD- certified applicator.

b. Uncertified pesticide applicators may apply self-help and personal relief pesticides once a command pest management consultant has approved the pesticides.

13-4.2 Records and Recordkeeping.

a. Installations, including government owned/contractor operated (GOCO) ones, must maintain on site indefinitely, complete, daily pest

management operation records. Account for all pest management facility operations and provide a historical record of pest control operations and pesticide applications for each building, structure, or outdoor site. Include all pest management operations including surveys and non-chemical control operations performed on the installation, such as work done on golf courses, by non-appropriated fund installations, by contract services, and as part of outleases, land management, morale, welfare and recreation (MWR) and forestry programs) as well as work performed by installation pest management personnel. Archive pest management records indefinitely.

b. Programs or projects that involve aerial application of pesticides have potential for adverse environmental effects. Therefore, Navy installations shall submit plans for these operations before execution to the appropriate pest management consultant or the Armed Forces Pest Management Board (AFPMB).

c. Facilities will make available to the State Emergency Response Commission (SERC) or the Local Emergency Planning Committee (LEPC) copies of MSDSs or a list of hazardous substances within the facility.

d. Reference (a) describes the tri-service computer recordkeeping and reporting requirements, the Integrated Pest Management Information System (IPMIS).

13-4.3 Pesticide Suspension/Cancellation. Do not use canceled pesticides unless allowed by EPA in the cancellation notice. Do not use suspended pesticides until further notice from EPA.

13-4.4 Wastewater Discharges. Prohibit the discharge of any wastewater from any pesticide formulation, mixing, or equipment cleanup area unless permitted under an NPDES. Hazardous waste and storage requirements apply, per reference (c). See also chapter 12.

13-4.5 State and Local Requirements. Facilities shall comply with substantive State and local pesticide regulatory guidance whenever practicable. Where established, follow MOU between DOD and States for the use of pesticides on shore installations.

13-4.6 Pest Management Plans (PMPs)

a. Installations that conduct pest management operations, whether by in-house personnel or by contract, shall develop, implement, and maintain written comprehensive PMPs, or be covered by the plan of another installation. Assistance for writing PMPs is available from the PMCs. PMPs shall be specific to the installation or part of the overall plans where pest management is provided by support installations. Facilities will perform, under the host installation plan, pest management functions accomplished or contracted by tenant installations. Facilities will include major claimants in the distribution of pest management plans. Plans are not required for GOCO facilities. A COMNAVFACENGCOM PMC will monitor the real property and environmental conditions through on-site program reviews (observation).

b. **Program Maintenance.** Facilities shall maintain programs and plans through technical on-site reviews by BUMED and COMNAVFACENGCOM PMCs and under any MOU in effect. Program reviews will determine installation compliance with the plans and project sheets, evaluate effectiveness of management operations, identify deficiencies, and provide additional recommendations to keep the installation plans current. These reviews will confirm that installation programs comply with FIFRA and other applicable Federal and State regulations. The technical review process will support information requirements for other related efforts, such as the Major Claimant Environmental Compliance Evaluations (ECEs). The Major Claimant will conduct pest manage-

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ment reviews in conjunction with an ECE whenever possible

13-4.7 MSDS. A copy of MSDS and pesticide label(s) for every pesticide product in the shop inventory shall be available in the pest control shop.

13-4.8 Pesticide Procurement. A pest management consultant shall approve pesticide procurement by any method prior to purchase, except those pesticides used by occupants for their own personal relief. This approval applies to pesticides used by in-house forces, commercial services, agricultural outleases, GOCO operations, Base Operating Standards (BOS) management, non-appropriated fund instrumentalities (MWR services), or any other means.

13-5 Navy Policy

13-5.1 Navy policy is to employ an integrated pest management program that minimizes pesticide use. A performance goal is for each installation to reduce the annual pesticides use by 50 percent by the end of FY 2000 using FY 1993 as a baseline. This requirement is another pest management measure of merit established by the Office of the Secretary of Defense (SECDEF). Further, where additional regulation prevails, the Navy shall comply with substantive State and local pesticide regulatory guidance whenever possible. MOUs between DOD and a State for the use of pesticides on shore installations may also apply. Navy policy is to employ and document integrated pest management techniques in installation pest management plans, reference (a). SECDEF memo on Comprehensive Pollution Prevention Strategy, 11 Aug. 94 (NOTAL) sets the strategic goal to reduce overall pesticide use by 50 percent by the end of fiscal year 2000 using FY 1993 as a baseline. Installations shall establish a pesticide timetable that lists their 1993 pesticide use and projects the yearly reduction required to achieve a 50 percent reduction by the

end of FY 2000. Installations should use the timetable as a scale to evaluate the effectiveness of their pesticide reduction programs.

13-5.2 Training and Certification. Installations shall train Navy military and civilian personnel who apply pesticides under the DOD plan for certification of pesticide applicators. Such training consists of correspondence training, on-the-job training, and formal training through attendance at a pesticide applicator training course sponsored by a DOD training center. Applicator training shall include information on hazard communication.

Installations shall train Navy military and civilian personnel who provide quality assurance for commercial pest control services as Pest Management Quality Assurance Evaluators (PMQAE). Every 3 years, installations shall send certified pesticide applicators and PMQAEs to refresher training courses sponsored by the services.

13-5.3 Pesticide Disposal, Pollution Prevention and Spill Management

a. **General.** Stringent regulations govern the disposal of pesticides, their containers, and related wastes. The technology for disposal is changing rapidly. General guidance for HW applies to pesticide waste per reference (c). Pesticide labels list general guidance on the disposal of pesticide containers. Pesticide waste practices include minimization by using rinse water to formulate subsequent pesticides of the same type; ordering and mixing only what is needed for the application; and disposing of any HW per the installation HW management plan. The cognizant PMC shall provide guidance for disposal on a case-by-case basis per reference (a).

b. The installation Pest Management Plan (PMP) shall address a plan for pesticide spill management, coordinated with the installation's hazardous materials (HM)/HW programs, and in-

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cluded in the installation's HS spill contingency plans (see chapter 10). The installation shall provide ready-to-use pesticide spill kits in every storage and mixing facility, and in vehicles used to transport or apply pesticides. EPA regulations require the reporting of any spill that may enter groundwater, surface water, or potable water supplies. Personnel working with pesticides shall report spills (exceeding specific quantities) immediately by telephone to the installation on-scene manager for oil and hazardous substance (OHS) spills and within 5 work days to the cognizant PMC. Installations shall report spills of pesticides containing environmentally hazardous substances under EPCRA (chapter 4).

c. Administration Procedures. When EPA regulations are issued to cancel or restrict the use of pesticides, an expensive disposal problem may develop if installations do not immediately cease procurement and, if permitted, exhaust current stocks of the pesticides. COMNAVFACENGCOM shall advise Navy commands, in such situations, of the EPA suspense date and whatever actions are required for the proper disposal of the pesticide. The alternatives: to exhaust stocks through use or to return material to the Defense Reutilization and Marketing Offices (DRMO), shall be determined by the AFPMB and the Defense Logistics Agency (DLA) based on inventories prepared by the installations. The cognizant PMC shall disseminate guidance for disposal actions.

A) **d. Pesticides as Hazardous Materials.** Pesticides currently being used in pest control operations shall be maintained in the pest control shop. If any of these pesticides are also classified as hazardous materials, this must be reported to the activity HAZMINCEN. Transfer of these pesticides to the HAZMINCEN may be avoided by having the pest control shop designated as a satellite hazardous material storage facility.

13-5.4 Safety and Health in the Workplace. Installations shall monitor workplace safety through the responsible safety offices.

a. Industrial Hygiene. Installations shall thoroughly evaluate their pest management operations under chapter 8 of reference (d) to accurately identify and quantify potential health hazards. They shall accomplish the evaluation through the following industrial hygiene functions: workplace assessment, exposure assessment, workplace monitoring plan development, monitoring records, exposure evaluations, and periodic evaluations. An industrial hygienist shall evaluate the processes to accurately identify and quantify potential human health hazards.

b. Medical Examinations. The medical department of each command shall provide medical surveillance for Navy and civilian personnel engaged in routine pest management operations. Reference (a), the Pest Management Program, provides guidance for medical surveillance.

c. Pesticide Labels. Installations shall ensure that EPA-approved labels are applied to all pesticide containers (this requirement applies, only to installations located in areas under U.S. EPA jurisdiction). A pest management professional shall mark, with the appropriate signal words, the identification of the pesticides and concentrations, and the identification and location of the persons responsible for the containers on all service containers used for formulating or transporting pesticides to job sites. A pest management professional shall make available at each mixing site, a copy of the complete EPA label for each pesticide used. A pest management professional shall place, so as not to obscure the pesticide label information, other labels, such as Department of Transportation placards or National Fire Protection Association labels, if required.

d. Material Safety Data Sheet (MSDS). Pest management facilities shall maintain MSDSs

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for each pesticide formulation stored or used at the installation. They shall ensure pesticide applicators are familiar with the MSDS information for any pesticide to which they may be exposed in the workplace. They shall make that information readily accessible to all pesticide applicators.

e. Pest Management Facility Requirements. Pest management facilities shall direct pest management operations performed by installation personnel. Installations shall install powered ventilation effecting six changes of air per hour at pest management storage areas containing pesticides that emit vapors including liquid, dust, and granular formulations, per reference (e). Installations shall store all liquid, dust, and granular formulations in an area with adequate spill containment for the formulation. Pesticide applicators, whether contractor or in-house personnel, shall perform all pesticide mixing and formulating in an area with adequate spill containment. Installations shall design, construct, operate, and maintain Navy pest management facilities per Federal regulations and State regulations, as appropriate. Guidance on these technical areas and information on pesticide use, storage, and disposal is available from the NAVFACENGCOM Engineering Field Division (EFD) PMC or Engineering Field Activity (EFA) PMC, or Major Claimant PMC where applicable. Reference (f) gives detailed information on the design and operation of pest management facilities and workplace requirements.

f. Installations shall not permit liquid spray and dust pesticide formulations in any space occupied by unprotected personnel. However, pesticides contained in gel or paste bait formulation may be applied in occupied spaces.

13-5.5 Equipment. Installations shall equip individuals working with pesticides with personal protective materials and equipment, shall appropriately train them on their use and shall

provide emergency decontamination facilities, and separate laundry facilities for work clothing. Pesticide management facilities are subject to Navy Occupational Safety and Health (NAVOSH) standards, and pesticide handling procedures are subject to EPA regulation.

a. Personal Protective Equipment. Installations shall require personnel engaged in pesticide application to use appropriate protective equipment, (i.e., face shields, respirators, eye protection, impermeable gloves, and protective clothing). Occupational safety and health standards in reference (f), the MSDS, reference (d), and the pesticide labels establish the requirements for protective equipment. Installations shall obtain guidance for selection of protective equipment from the cognizant BUMED industrial hygienist or COMNAVFACENGCOM PMC or installation OSHA manager/respiratory protection program manager.

13-5.6 GOCO Facilities. Where pest management services are required as part of the maintenance management program on GOCO facilities, the Navy plant representative shall:

a. Report all pesticide use as outlined in paragraph 13-4.2. Contractors shall report the information to the appropriate NAVFAC-ENGCOM EFD/EFA PMC and claimant PMC where applicable. (R)

b. Ensure that commercial pest control contractors are properly licensed and certified by applicable State or local agencies.

c. Review GOCO pest management programs annually with the assistance of NAVFACENGCOM PMC. In the review, the PMC shall emphasize protection of real property and structures from biological deterioration, preventive maintenance, and environmental protection. Whenever possible, the PMC shall make the pest management program reviews part of the claimant ECE.

13-6 Responsibilities (are defined in reference (a)).

13-6.1 COMNAVFACENGCOM shall

a. Provide on-site program planning and assistance to Navy shore installations in developing and maintaining integrated pest management program plans.

b. Maintain regional training and recertification programs in cooperation with BUMED for civilian applicator personnel and training programs for PMQAE.

A) c. Maintain a generic performance work statement for pest control services. Provide contractual assistance to shore installations outsourcing to commercial pest control services.

R) d. Ensure that pest management programs are reviewed annually to include an update of the pest management plan not more than every 3 years.

e. Provide guidance and training on selection, procurement, storage and use of preservative (pesticide) treated wood commodities.

f. Initiate and sponsor applied research, development, testing, and evaluation on pesticides, application equipment, and management procedures suitable for shore facility programs.

g. Provide Base Realignment and Closure (BRAC) support including caretaker pest management plans and specifications for effected shore facilities.

13-6.2 BUMED shall

a. Provide technical guidance, recommendations, and on-site assistance to shore and fleet commands on all matters relating to disease vectors and other medically important pests.

b. Monitor and evaluate vector surveillance and control programs, maintain safe pest control functions, and provide technical guidance for disease vector surveillance, vector control, safety and occupational health issues.

c. Conduct evaluation and testing studies in vector ecology, surveillance, prevention, and control, including ground and aerial dispersal methods, for contingency operations.

d. Provide training, certification, and recertification of vector control specialists and other medical department personnel and provide initial training and certification of civilian applicator personnel and non-medical department personnel per COMNAVFACENGCOM and DOD standards.

e. Provide specialized, area-wide operational services including contingency response, medical entomology information, vector-borne disease assessments, and emergency disease vector control in the event of vector-borne disease outbreaks, disasters, or other situations where vector control is beyond the capability of local commands.

f. Define and coordinate research, development, testing, and evaluation requirements for vector biology and control.

g. Coordinate pest management guidance with the Naval Exchange Service Command (NEXCOM).

h. Provide an industrial hygienist, where requested, to thoroughly evaluate processes in order to accurately identify and quantify potential human health hazards.

13-6.3 Commanders and commanding officers of shore installations shall

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a. Budget for pest management program operations and facilities in compliance with legal and Department of Defense requirements.

b. Officially designate, by letter, a Pest Management Coordinator to maintain oversight of the installation program.

c. Develop, implement, and maintain a written pest management plan employing IPM strategies, and documenting pest management operations and related costs.

R) d. Maintain records of all pesticide use on the installation and electronically transmit this data to the Defense Environmental Network and Information Exchange (DENIX). Exclude pesticides used for personal relief.

D) e. Annually, provide a list of pesticides proposed for use during the next fiscal year for review and approval by the command pest management consultant. Ensure that contractors for commercial pest control services provide the same information as required for in-house services. This list must be submitted no later than 15 September.

f. Ensure that contract specifications involving pesticide use are approved by a pest management consultant prior to advertisement for bid.

g. Establish and maintain self-help pest control programs for individuals living in family housing and unaccompanied quarters. (A)

h. Ensure that the installation pest management plan and program is in compliance with environmental protection statutes, as applicable. Significant references include: (D)

(1) Hazardous Communication (29 CFR 1910);

(2) Hazardous Substance release contingency plan (pesticide transportation, storage and formulation);

(3) Hazardous Wastes (disposal of excess and waste pesticides) reference (c);

(4) Pretreatment or NPDES permit requirements (wastewater discharged from pesticide mixing facilities);

(5) Other Federal, State or local requirements.