

## PESTICIDE APPLICATION

AR 3514.1(a)

The Superintendent or designee shall be responsible for ensuring that the following procedures are followed before application of a pesticide to an area of tDistrict property that is used by or is accessible to children.

Note: Districts and schools are permitted to develop a registration system to provide notification of pesticide application only to those parents who wish to receive the notification. If a registration system is not used, all parents of students at the applicable school site must receive notice prior to each pesticide application. 18 AAC 90.625.

### Annual Registration for Notice of Pesticide Application

The Superintendent or designee shall provide written notice to parents/guardians at the beginning of each school year, or upon a child's enrollment, that pesticides may be used in or around district property. The notice shall explain how a parent may register to receive notification at least 24 hours prior to a pesticide treatment.

### Notice

Note: If the notice is given in writing, it may not be included with any other notice being provided to parents or guardians on another matter. 18 AAC 90.625(d).

At least 24 hours prior to application of a pesticide, parents/guardians who have registered, as specified above, shall be provided individual notice delivered by phone, in person, electronic mail, U.S. mail, or facsimile. The notice must contain the following information:

- (1) a description of the area where the pesticide will be applied;
- (2) the date and approximate time of application; if the application will be outdoors, the notification must include three dates in chronological order in case the preceding date is canceled due to weather;
- (3) the common or brand name of each pesticide to be used;
- (4) the targeted pests to be controlled by the pesticide;
- (5) each active ingredient in the pesticide;
- (6) the EPA registration number;
- (7) the telephone contact number, if any, on the label of the pesticide for additional information about each pesticide; and
- (8) a contact name and telephone number at the school.

**Posting**

Immediately before starting the application of a pesticide, the certified applicator shall post an 8 1/2 x 11-inch sign in the area of the school where the pesticide is to be applied. The Superintendent or designee shall ensure the sign remains posted and children are kept out of the treated area until the reentry interval on the label, if any, has expired; or, if the label does not specify a reentry interval, for at least 24 hours. The sign must be in the form specified by the Department of Environmental Conservation.

If pesticides are used outside the school term and the school is open to or accessible by the public, the notification required under this section must be prominently posted in a conspicuous location on the school premises at least 24 hours before the pesticide treatment is scheduled to begin and for at least 24 hours after application.

**Emergency Application**

The Superintendent or designee may authorize an immediate pesticide treatment without prior notification to registered parents if the Superintendent or designee determines an emergency exists. An emergency includes an immediate and unanticipated threat to the health and safety of individuals on District property. An emergency does not exempt the District from the posting requirements, to the extent possible.

**Applications Not Requiring Notice or Posting**

The SDS and/or DEC regulations should be consulted before determining that a pesticide does not require notification or posting. The following pesticide applications are not subject to the notification or posting requirements of this regulation:

- (1) applications of antimicrobial pesticides;
- (2) an application where the school remains unoccupied for a continuous 72 hour period following the application of the pesticide;
- (3) applications of rodenticides in tamper resistant bait stations or in areas inaccessible to children;
- (4) applications of silica gels and other ready-to-use pastes, foams, or gels that will be used in areas inaccessible to children.

**Required Record Keeping**

The Superintendent or designee shall keep records of pesticide applications subject to the notification and posting requirements of this regulation. Records must include

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(1) a copy of each notice issued, or, if no notice is issued for an emergency application, all the information required in a notice had one been issued;

(2) the date of application;

(3) the name and employer of the individual who applied the pesticide, including the individual's certification number;

(4) the rate of application;

(5) the concentration of the pesticide applied; and

(6) the total amount of pesticide used.

Records of pesticide application must be made available to the Department of Environmental Conservation and to the public for review.

*Revised: 10/2021*