

	<b>Fumigation, Pesticides, Fungicides &amp; Miticides</b>		<b>510-845</b>
	<b>AUTHORED BY:</b> Life Safety Chief Ty Drage	<b>EFFECTIVE DATE:</b> 10/01/2018	
<b>APPROVED BY:</b> Fire Chief Ron Bateman	<b>REVISION DATE:</b> Scheduled 01/01/2019		

This policy is meant to provide basic information for most common conditions and situations. In any given occupancy, all other Fire Code requirements will be enforced. If a specific Front Range Fire Rescue policy does not exist, then the appropriate policy/procedure from the Denver Fire Department will be used as a guiding document to determine appropriate code requirements. Any costs associated with compliance with any and all fire code interpretations are the responsibility of the applicant. Owners and operators, along with their employees, agents, and assigns, assume all risks arising from or related to the operation or maintenance of a marijuana and/or hemp facility. Front Range Fire Rescue assumes no liability for any such operation or maintenance through the adoption and enforcement of this policy.

### Scope:

This policy covers requirements related to fumigation processes and the notice and placarding requirements for processes involving use of pesticides, fungicides, miticides and other chemicals in various occupancies within the Front Range Fire Rescue response area.

Exception: Fumigation Prohibited – Heated elemental sulfur fumigation processes creating sulfur dioxide shall be prohibited.

### Definitions:

**Fumigant** – A substance which, by itself or in combination with any other substance, emits or liberates a gas, fume or vapor utilized for the destruction or control of insects, fungi, vermin, germs, rats, or other pests, and shall be distinguished from insecticides and disinfectants which are essentially effective in the solid or liquid phases. Examples are methyl bromide, ethylene dibromide, hydrogen cyanide, carbon disulfide, and sulfur fluoride.

**Fumigation** – The utilization of a fumigant within an enclosed space in concentrations hazardous or acutely toxic to humans.

**Thermal Insecticide Fogging** – The utilization of insecticidal liquids passed through thermal fog-generating units where, by means of heat, pressure, and turbulence, such liquids are transformed and discharged in the form of fog or mist blown into an area to be treated.

**Pesticide** – A substance or mixture of substances, including fungicides, intended for preventing, destroying, repelling, or mitigating pests and substances or mixtures of substances intended for use as a plant regulator, defoliant, or desiccant.

**Miticide** – An agent used to kill mites.

**Fungicide** – An agent that destroys fungi or inhibits their growth.

## **Permits and Fees:**

The following section must be followed in its entirety, with complete information submitted to Front Range Fire Rescue. Any business or facility seeking to implement any type of fumigation or thermal insecticidal fogging shall submit a complete application, including all required supplemental information, to Front Range Fire Rescue. Payment of the required Hazardous Materials/Processes Inventory or Plan Review Fees shall be due upon completion of the plan review process. It may be necessary for the applicant to obtain plan review from a third party. The applicant shall be responsible for all costs associated with third party involvement.

### **1. Pesticide, Fungicide, Miticide Chemical Inventory Statement**

The owner or responsible party shall complete the Pesticide, Fungicide, Miticide Chemical Inventory Statement form (attached) and pay the required fee. Checks may be made payable to Front Range Fire Rescue. The completed inventory statement shall be submitted to the Fire Code Official for review. Upon approval, a stamped approved copy will be returned to the owner or responsible party, to be kept on site and available for inspection at all times. The owner or responsible party shall maintain and post current application logs, safety data sheets (SDS), reentry information, and copies of the stamped approved inventory statement on site.

To apply for this permit, the owner or responsible party shall complete the attached Pesticide, Fungicide, Miticide Chemical Inventory Statement and shall provide the following information for review:

- a. Completed application form
- b. Safety Data Sheets (SDS) for all product(s)
- c. Storage location and arrangement for all product(s)
- d. Detailed site plan showing storage location(s)

### **2. Fumigation/Thermal Insecticide Fogging Operational Permit**

A separate Operational Permit is required for facilities that elect to perform fumigation/thermal insecticide fogging operations. Permits shall be issued only after review of submitted application and associated required information. Permits may be issued for either one time/one control area or for annual operations for one or more control areas, based on information submitted.

To apply for this permit, the owner or responsible party shall complete the attached Fumigation/Thermal Insecticide Fogging Permit Application and shall provide the following information for review:

- a. Completed application form
- b. Safety Data Sheets (SDS) for all product(s)
- c. Storage location and arrangement for all product(s)
- d. Detailed site plan indicating area(s) of proposed use

- e. Written documentation verifying that the building/operation complies with all adopted Fire Code requirements listed below.

### **Fire Code Requirements:**

All sections of the adopted International Fire Code shall be enforced in all buildings within the Front Range Fire Rescue response area. The following list is designed to establish minimum safe operating requirements for all fumigation/thermal insecticide fogging operations:

1. **Sources of Ignition** – Fires, open flames, and similar sources of ignition shall be eliminated from spaces under fumigation or thermal insecticide fogging. Heating, where needed, shall be of an approved type.

2. **Electricity** – Electricity shall be shutoff/disconnected.

Exception – Applications utilizing non-flammable/non-combustible products and circulating fans that have been specifically designed for utilization in hazardous atmospheres and installed in accordance with National Fire Protection Association (NFPA) Pamphlet #90, *National Electric Code*.

3. **Notification of Fumigation** – If using flammable/combustible or toxic products, the Fire Code Official shall be notified in writing at least 24 hours before the structure is to be closed in connection with the fumigation process. Notification shall include the business name, business address as well as the specific location of the enclosed space to be fumigated or fogged, the fumigant(s) or insecticide(s) to be utilized, the person(s) responsible for the operation and his/her direct contact phone number, and the date/time at which the operation will begin. Notice of any fumigation or thermal insecticidal fogging shall be served with sufficient advance notice to the occupants of the enclosed space involved to enable the occupants to evacuate the premises.

4. **Breathing Apparatus** – Persons engaged in the business of fumigation or thermal insecticide fogging shall maintain and have available approved protective breathing apparatus.

5. **Watch Personnel** – When using flammable/combustible or toxic products, during the period fumigation is in progress, a capable, alert watcher shall remain on duty at the entrance or entrances to the enclosed fumigated space until after the fumigation is completed and premises are properly ventilated and safe for occupancy. Sufficient personnel shall be provided to prevent persons from entering the enclosed space under fumigation without being observed.

6. **Sealing of Buildings** – Paper and other similar materials that are not flame resistant shall not be used to wrap or cover a building in excess of that required for sealing cracks, casements, and other similar openings.

7. **Warning Signs and Application Logs**

Warning Signs. Approved warning signs indicating the danger, type of chemical involved, and necessary precautions shall be posted on all doors and other entrances to the premises, rooms, and areas containing chemicals for fumigation and thermal insecticidal fogging.

Application Logs. Application Logs shall be maintained on or near doors to each area/room being treated with fumigants, pesticides, fungicides, or miticides. The log shall identify: product(s) in use, date/time of application, date/time of safe re-entry into treated areas according to manufacturer requirements.

Usage Warning Signs. Where fumigants and thermal insecticidal fogging products are used, approved warning signs bearing the “skull and crossbones” emblem with the warning “**DANGER! POISON GAS! KEEP OUT!**” shall be conspicuously posted at all building entrances. Notices pertaining to the type of chemical(s) for fumigation and thermal insecticidal fogging shall be printed in red ink on white background, letters and headlines shall be at least two (2) inches in height, and that notice shall state the date and time of the operation, the name and address of the person, the name of the operator in charge, and a warning stating that the occupied premises shall be vacated at least one (1) hour before the operation begins and shall not be re-entered until the danger signs have been removed by the proper authorities.

Storage Warning Signs. Where fumigants and thermal insecticidal fogging products are stored, NFPA 704 placard guidelines shall be followed.

- 8. Application of Product(s)** – Application and release of pesticides, agricultural products and materials intended for use in pest control, weed abatement, erosion control, soil amendment or similar applications shall be applied in accordance with the manufacturer’s instructions and label directions.
- 9. Venting and Cleanup** – At the end of the exposure period, fumigators shall safely and properly ventilate the premises and contents; properly dispose of fumigant containers, residues, debris, and other materials used for such fumigation; and clear obstructions from gas-fired appliance vents.
- 10. Thermal Insecticidal Fogging Liquids** – Thermal insecticidal fogging liquids with a flash point below 100 degrees Fahrenheit shall not be utilized.
- 11. Carbon Disulfide and Hydrogen Cyanide** – The use of carbon disulfide (CS<sub>2</sub>) or hydrogen cyanide (HCN) shall be restricted to agricultural fumigation.

### **Site Inspection:**

Upon approval of a Pesticides, Fungicides, Miticides Inventory Statement or Fumigation/Thermal Insecticidal Fogging Permit, a Front Range Fire Rescue inspector will conduct a field inspection of the site. If any violations of the above sections exist, the permit may be revoked without refund. Compliance with all Fire Code requirements shall be maintained at all times. Permits shall be kept on site and available for inspection at all times. Permits are valid only for the specific business/property owner, address, time frame, and specific location(s) as indicated on the permit. The transfer of permits to other addresses, sites, and or specific location(s) is prohibited.

### **Permits May Be Revoked Without Refund If:**

1. The permit is used for a location or establishment than the one to which it was issued,
2. The permit is used for a condition or activity other than that listed on the permit,
3. Conditions and limitations set forth in the permit are violated,
4. False statements or misrepresentations are discovered in the application for permit, inventory statement, or plans submitted as a condition of the permit,
5. The permit is used by a person(s) or firm other than that listed on the permit,
6. Failure, refusal or neglect to comply with orders or notices duly served in accordance with provisions of the adopted fire code in the time provided therein,
7. The permit was issued in error or in violation of any ordinance, regulation or provision of the fire or building code.
8. The required annual operational permit fee(s) are not paid within 30 days of permit issue.

**Refer to the Front Range Fire Rescue adopted fee schedule for current permit fee amounts.**

### **Revision History:**

08/03/2017 Original documented developed

### **References:**

Denver Fire Department – Fumigation, Pesticides, Fungicides, Miticides – Use, Storage & Inventory Statement

# FRONT RANGE FIRE RESCUE

## PESTICIDES, FUNGICIDES, MITICIDES INVENTORY STATEMENT

THIS FORM SHALL BE COMPLETED AND SIGNED BY A REPRESENTATIVE OF THE SITE RESPONSIBLE FOR PESTICIDE NOTIFICATION. PLEASE SUBMIT COMPLETED FORM TO FRONT RANGE FIRE RESCUE FOR REVIEW, APPROVAL, AND ISSUANCE OF A COPY FOR YOUR USE. A CURRENT COPY OF THE APPROVED INVENTORY STATEMENT MUST POSTED ON SITE.

Business Name: \_\_\_\_\_

Physical Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

Mailing/Billing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

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Product Name: \_\_\_\_\_ Quantity: \_\_\_\_\_

Storage Location/Description: \_\_\_\_\_

Product Name: \_\_\_\_\_ Quantity: \_\_\_\_\_

Storage Location/Description: \_\_\_\_\_

Product Name: \_\_\_\_\_ Quantity: \_\_\_\_\_

Storage Location/Description: \_\_\_\_\_

Product Name: \_\_\_\_\_ Quantity: \_\_\_\_\_

Storage Location/Description: \_\_\_\_\_

Product Name: \_\_\_\_\_ Quantity: \_\_\_\_\_

Storage Location/Description: \_\_\_\_\_

*(Please attach additional pages as needed to provide a complete list)*

I HAVE READ AND UNDERSTAND THE FRONT RANGE FIRE RESCUE POLICIES REGARDING FUMIGATION, AND THE USE AND STORAGE OF PESTICIDES, FUNGICIDES, MITICIDES AND REQUIRED INVENTORY STATEMENTS. I ALSO UNDERSTAND THAT FRONT RANGE FIRE RESCUE WILL CONDUCT A SITE INSPECTION, AND THAT IF I FAIL TO COMPLY WITH THE ADOPTED FIRE CODE, BUILDING CODE OR NFPA STANDARDS, MY PERMIT(S) AND/OR APPROVALS MAY BE REVOKED WITHOUT A REFUND.

PRINTED NAME: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

# FRONT RANGE FIRE RESCUE

## FUMIGATION AND THERMAL INSECTICIDAL FOGGING APPLICATION FORM

THIS FORM SHALL BE COMPLETED AND SIGNED BY A REPRESENTATIVE OF THE SITE APPLYING FOR THE FUMIGATION AND THERMAL INSECTICIDAL FOGGING PERMIT. A PERMIT WILL NOT BE ISSUED IF THIS FORM IS NOT COMPLETE.

Business Name: \_\_\_\_\_

Physical Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

Mailing/Billing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

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DATE(S) OF FUMIGATION: FROM: \_\_\_\_\_ TO: \_\_\_\_\_

PRODUCT NAME: \_\_\_\_\_ QUANTITY: \_\_\_\_\_

PRODUCT NAME: \_\_\_\_\_ QUANTITY: \_\_\_\_\_

PRODUCT NAME: \_\_\_\_\_ QUANTITY: \_\_\_\_\_

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I HAVE INCLUDED A SAFETY DATA SHEET (SDS) FOR EACH FUMIGANT, INSECTICIDE, FUNGICIDE, MITICIDE AND OTHER CHEMICAL PRODUCT USED ON SITE (circle one) YES NO

I HAVE READ AND UNDERSTAND THE POLICY REGARDING NOTIFICATION OF FUMIGATION. I UNDERSTAND THAT THIS PERMIT WILL BE REVOKED IMMEDIATELY IF THE NOTIFICATION REQUIREMENTS ARE NOT STRICTLY FOLLOWED (circle one) YES NO

I HAVE READ AND UNDERSTAND THE FRONT RANGE FIRE RESCUE POLICY REGARDING FUMIGATION AND THE USE AND STORAGE OF PESTICIDES, FUNGICIDES, MITICIDES AND REQUIRED INVENTORY STATEMENTS. I ALSO UNDERSTAND THAT FRONT RANGE FIRE RESCUE WILL CONDUCT A SITE INSPECTION, AND THAT IF I FAIL TO COMPLY WITH THE ADOPTED FIRE CODE, BUILDING CODE OR NFPA STANDARDS, MY PERMIT(S) AND/OR APPROVALS MAY BE REVOKED WITHOUT A REFUND.

PRINTED NAME: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_