

## Northern Virginia Regional Park Authority

### Pesticide and Fertilizer Use Policy

Adopted 12/20/07

#### **I. BACKGROUND:**

The Northern Virginia Regional Park Authority (NVRPA) owns and manages over 10,500 acres of land in the jurisdictions of Arlington County, Fairfax County, Loudoun County, City of Alexandria, City of Fairfax, and the City of Falls Church. Management of NVRPA's natural, recreational, and historic resources occasionally requires the control of plant and animal pests, which can adversely affect or destroy these resources or, in some cases, negatively impact the park user's enjoyment of these resources. Pest control in resource management includes methods such as using the pest's natural enemies, selection of pest resistant species, cultivation, burning, and using pesticides. Prior to implementing a pest control program, the pest problem must be defined to determine if control is warranted.

In many instances within ball field complexes and golf courses, intensive management of turf grass is required to produce satisfactory effects for park users. These plant communities are often grown under management regimes requiring supplemental fertilization and irrigation.

#### **II. EXCEPTIONS:**

Swimming pool sanitation chemicals and cleaning disinfectant products are not covered by the *Northern Virginia Regional Park Authority Pesticide and Fertilizer Use Policy*. Swimming pool sanitation chemicals are subject to other policies and conditions stipulated in the NVRPA document, titled *Northern Virginia Regional Park Authority Swimming Pool Manual*.

The *Northern Virginia Regional Park Authority Pesticide and Fertilizer Use Policy* shall not preclude the Federal Government, Commonwealth of Virginia, or any member jurisdiction government from carrying out managed pesticide application on NVRPA owned and managed lands.

#### **III. PURPOSE:**

The purpose of this Pesticide and Fertilizer Use Policy is to ensure that: (1) Park employee and park user safety will be inherent in all activities related to pesticide and fertilizer use, and an effective monitoring and evaluation program will be a component of all applications, (2) NVRPA will use pesticides and fertilizers in a manner that provides maximum protection for its natural, recreational and historic resources, (3) All practices and procedures associated with the procurement, handling, application, and storage of

pesticides and fertilizers will reflect environmentally sound principles and comply with state and federal laws.

#### **IV. RESPONSIBILITY FOR ADMINISTRATION AND COMPLIANCE :**

The Executive Director, Director of Operations and the Risk Manager share the responsibility for administration of and compliance with this policy and ensuring that all employees are familiar with the *Northern Virginia Regional Park Authority Pesticide and Fertilizer Use Policy*. It is the responsibility of every employee to understand these policies and to comply with all requirements. All employees shall be required to sign an *Employee Acknowledgment Form*, indicating that they have received the document, read it, and reviewed the policies with a member of NVRPA management, and that they agree to comply with all of its conditions.

#### **V. DEFINITIONS :**

**“Commercial applicator”** means any person certified by the Virginia Pesticide Control Board to use or supervise the use of any pesticide for any purpose or on any property not owned or rented by the applicator. Commercial Applicators must renew or recertify every two years with the Virginia Department of Agriculture and Consumer Services (VDACS).

**“Fertilizer”** means a natural or synthetic material, containing nitrogen, phosphorus, and/or potassium compounds, spread on or worked into soil to increase its fertility.

**“Integrated Pest Management (IPM)”** means an ecological approach to pest management in which all available necessary techniques are consolidated into a sequential program to keep pest populations at acceptable levels and to avoid adverse side effects to people and the environment .

**“Label”** means the written, printed or graphic matter on, or attached to, the pesticide or device, or the immediate container thereof, and the outside container or wrapper of the retail package, if any, of the pesticide or device. Information provided includes how to store, mix, apply, and dispose of the pesticide. The label may also include or refer to the Worker Protection Standard (WPS) and the Endangered Species Protection Program (ESPP).

**“Material Safety Data Sheet (MSDS)”** means a document that describes the pesticide content and specifications, hazardous properties, disposal, and safety information.

**“Pest”** means any organism that exists under circumstances that make it deleterious to people or the environment if it is: any vertebrate animal other than humans; or any invertebrate animal, such as an insect, other arthropod, nematode, or mollusk such as a slug or snail, but excluding any internal parasite of humans or other living animals; or any plant growing where not wanted, such as moss, alga, liverwort, fungus, or other plant of any higher order, and any plant part such as a root; or any bacterium, virus, or other

microorganisms, except those on or in humans or other living animals and those on or in processed food or processed animal feed, beverages, drugs, as defined in provisions of the Federal Food, Drug and Cosmetic Act at 21 USC § 321(g) (i), and cosmetics as defined in provisions of the Federal Food, Drug, and Cosmetic Act at 21 USC § 321 (i). Any organism classified as endangered, threatened, or otherwise protected under federal or state laws shall not be deemed a pest.

**“Pest Control”** means applying systems, methods, or practices to repel, control, or destroy a pest, to preclude a pest's presence or to mitigate the effects of a pest.

**“Pesticide”** means (i) any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any insects, rodents, fungi, bacteria, weeds, or other forms of plant or animal life or viruses or bacterium, except viruses on or in humans or other animals, which the Commissioner of Agricultural and Consumer Services shall declare to be a pest, (ii) any substance or mixture of substances intended for use as a plant regulator, defoliant, or desiccant, and (iii) any substance which is intended to become an active ingredient in any substance defined in clause (i) and (ii).

**“Registered Technician”** means an individual who has satisfactorily completed Virginia Pesticide Control Board requirements for certification to apply general use pesticides, and to apply restricted use pesticides while under the direct line of sight supervision of a certified commercial applicator. In addition to application, this is also to include pesticide mixing and loading, as well as, equipment clean-up. Registered technicians render services similar to those of a certified commercial applicator, but have not completed all the requirements to be eligible for certification as a commercial applicator.

**“Restricted use pesticide”** or **“pesticide classified for restricted use”** means any pesticide classified as restricted by the Administrator of the United States Environmental Protection Agency.

## **VI. POLICY OBJECTIVES:**

The following policy objectives will enable NVRPA to manage a pesticide and fertilizer use program that meets the goals of this policy’s stated purpose:

- To minimize or eliminate the need for use of pesticides and fertilizers, whenever feasible, to promote good environmental stewardship
- To implement IPM Programs including
  - Correctly analyzing all pest problems
  - Properly determining when pests are a serious threat to the resource or simply an acceptable nuisance
  - Promoting the use of disease resistant plants
- To manage NVRPA turf grass areas with the intent of providing healthy public recreational opportunities without the unnecessary use of pesticides and fertilizers and to educate the public on the reasons for those management decisions
- To minimize the movement of pesticides and fertilizers "off-site" to protect:

- Park users and employees
- Surface and groundwater
- Non-target species and areas
- To minimize public and employee exposure to pesticides by:
  - Minimizing the storage of pesticides and fertilizers on NVRPA properties
  - Reducing the generation of hazardous waste
  - Ensuring that applicators have proper training, protective clothing and appropriate application equipment for pesticide use
- To provide examples for public education of successful pest control practices without the use of pesticides

## **VII. ASSESSMENT :**

Accurate evaluation by designated staff/consultants must be ongoing to determine if a pest problem or fertilization need actually exists. Pest control efforts or fertilizer applications shall not commence until it is determined that a real pest problem or nutrient deficiency exists that, if not controlled, will have a negative impact on the management of NVRPA property and adjacent bodies of water.

After determining that a problem exists, NVRPA will develop a pest control program using IPM techniques. IPM uses biological, cultural, mechanical/physical, and chemical practices to control pests, although priority is given to biopesticides and reduced risk alternatives. A "no action" alternative must also be considered. The control practices of choice and the methods of application will be those that will effectively control the pest species and minimize damage to non-target organisms and the environment. The use of chemical control methods within IPM will be limited and will be strictly regulated by federal and state laws.

## **VIII. PESTICIDE USE:**

When pesticides are used, the safest products available should be selected with respect to acute and chronic toxicity, environmental persistence, and groundwater contamination risk for the target pest. All pesticides used in NVRPA facilities must be registered for the specified use by the US EPA and VDACS. The safety of NVRPA employees, the public, non-target organisms, and the environment will be given primary consideration in the selection and use of any pesticide. Pesticides will only be applied by trained applicators with direct line of sight supervision by VDACS certified commercial applicators.

NVRPA employees *must not* use, store, handle, or dispose of a pesticide, rinsate, pesticide container, or pesticide application equipment in a manner that:

- is inconsistent with labeling
- endangers humans, food, livestock, fish, wildlife, or beneficial insects
- causes unreasonable adverse effects on the environment
- directs a pesticide beyond the boundaries of the target treatment site or results in damage to adjacent property

- results in undesirable human exposure
- is in violation of the Virginia Pesticide Control Act or regulations adopted pursuant to the Act

NVRPA employees *shall not* mix or apply pesticides unless:

- they are using the appropriate personal protective clothing and equipment (chemical resistant gloves, spray suits, aprons, chemical resistant goggles, waterproof boots)
- they have received proper training in the safe use of the pesticide product(s) involved
- they are appropriately certified as a VDACS commercial applicator or a registered technician
- they have in their possession and have read the pesticide product label and MSDS

## **IX. PUBLIC NOTIFICATION**

NVRPA will post placards that warn park users about pesticide application currently taking place (i) when the pesticide product label or MSDS prescribes that access to the treated area be controlled or restricted for a specified period following the time of pesticide application; or (ii) when, in NVRPA's reasonable judgment, it determines that, because of the location where pesticide application is to be applied, there is significant risk that park users or pets would be unduly exposed. When posting is required, placards (4X5 inches that are yellow with black lettering and including a graphic discouraging public contact) of appropriate height and size will be posted by the applying commercial applicator, at the time the pesticide application begins, and will be removed immediately after expiration of any recommended absorption or drying time specified on the product label or otherwise, as NVRPA may reasonably determine. Such placards will read "Pesticide Application," "Keep Off," and the date of application. The back of the sign will indicate the name and type of pesticide being applied, the name and telephone number of the Park/Maintenance Office and appropriate contact information for Virginia pesticide enforcement officials. Placards will be posted at access points in the vicinity of the area being treated, and at other locations reasonably specified by NVRPA.

## **X. RESTRICTED USE PESTICIDES**

The use of restricted pesticides must be approved in writing by the NVRPA Executive Director. Restricted use pesticides can only be purchased and applied by a certified commercial applicator.

## **XI. RECORD KEEPING:**

Commercial applicators/park maintenance supervisors are required to keep records of all pesticide/fertilizer applications. Two sets of records must be maintained, one on site with the commercial applicator/park maintenance supervisor and one at NVRPA headquarters

with the Risk Manager. Records must remain on file for a period of two years and contain the following information:

- Name, address and telephone number (if applicable) of the treatment site property owner, and address/location of the application site, if different
- Name and certification number of the person making or supervising the application
- Date of application (day, month, year)
- Types of plants or sites treated
- Principal pests to be controlled
- Acreage, area or number of plants treated
- Identification of pesticide used:
  - Brand name or common name of pesticide used
  - EPA product registration number
- Amount of pesticide concentrate and amount of diluents (water, etc.) used, by weight or volume, on the area/sites treated
- Type of application equipment used
- Weather description with wind speed and direction

## **XII. CONTRACTED PESTICIDE USE ON PARK AUTHORITY LANDS:**

Any pesticide application done on NVRPA property by non-employee commercial pesticide applicators will be performed under contract with NVRPA. Contractors must adhere to the intent and meaning of the *Northern Virginia Regional Park Authority Pesticide and Fertilizer Use Policy* and must provide park staff with MSDS sheets for pesticides/fertilizers applied at the park. Park staff will maintain the MSDS sheets on-site in their designated MSDS “Right to Know” station or file.

Pesticides used by private entities for right-of-way maintenance on NVRPA properties must adhere to the intent and meaning of the *Northern Virginia Regional Park Authority Pesticide and Fertilizer Use Policy*.

## **XIII. FERTILIZER USE:**

Appropriate soil tests should be taken a minimum of once every three years, to accurately determine nutrient deficiencies and need for fertilizer amendments. Fertilizers inadvertently applied to hard surfaces, such as sidewalks and roadways, will be removed according to the label’s directions. No fertilizers will be applied within 75 feet of a perennial waterway unless the property is certified by Audubon International.

The safety of NVRPA employees, the public and the environment will be given primary consideration in the selection and use of any fertilizer. The selection process will identify the most appropriate organic (when an appropriate option exists) or inorganic fertilizer for each specific usage.

Fertilizer application will only occur after appropriate review by designated NVRPA staff. This review will consider location, slope, intended use of the area, as well as soil test results.

Fertilizers containing pesticides, such as weed or insect controls, will fall under the category of pesticide use, and their use must be under the conditions described in this policy.

#### **XIV. PROCUREMENT :**

NVRPA will procure only those pesticides/fertilizers that have been approved for use by the Risk Manager and in amounts necessary to meet defined pest control and plant management objectives. Container size of requisitioned pesticides/fertilizers must be appropriate to project size to reduce the need for excessive handling and storage of the product.

New pesticide/fertilizer products shall not be ordered and/or accepted for delivery until a MSDS for that product has been received by park staff from the vendor. This information will be provided to the applicators to comply with the Virginia "Right to Know" Act.

#### **XV. HANDLING :**

NVRPA management will select designated employees to receive state recognized pesticide applicator training on the proper handling of pesticides/fertilizers, to ensure that safety will be the top priority in handling these products. NVRPA employees who procure, distribute, use or store pesticides will use direct delivery, container size limitations, reduced volumes, and other appropriate mechanisms to minimize handling requirements. Pesticides/fertilizers will be handled in accordance with specific label and MSDS instructions and suggestions.

#### **XVI. STORAGE :**

All pesticides/fertilizers shall be stored in a secure and orderly manner that does not allow the products to escape packaging or storage areas and endanger human health, contaminate other products or harm the environment. Storage methods and areas will be designated by NVRPA management with safety as the primary consideration. To ensure this, the following requirements are to be met:

- Pesticide/fertilizer storage structures must be constructed in such a manner that run-off from fire streams will not contaminate streams, ponds, ground water, crop lands or other buildings
- Pesticide/fertilizer storage buildings, storage rooms and areas will be identified by approved prominent and legible signs
- Pesticide storage must be restricted to a first-story room or area, which has direct access to the outside

- Storage buildings and areas shall have equipment to effectively and safely handle any emergencies that might be reasonably expected to occur
- Storage shall be in compliance with all directions listed on the manufacturer's labeling, and in compliance with all pertinent laws, rules, regulations and local ordinances
- Original labels must remain in tact or be reproduced to replicate the original label (Hand written labels will not be acceptable)
- An inventory shall be kept at all times of the types and quantities of pesticides/fertilizers being stored in designated storage buildings.
- Flammable or combustible liquid pesticides must be stored in flammable and combustible liquid cabinets and stored in a separate area from ammonium nitrate fertilizers
- Pesticides in containers, which may be damaged by moisture or water, must be stored off the floor
- Damaged or leaking containers of pesticides or materials contaminated by pesticides must be immediately separated, disposed of, or decontaminated in accordance with required regulations

#### **XVII. DISPOSAL:**

Disposal of pesticides/fertilizers and their containers will be done in accordance with label instructions and applicable state and federal laws and regulations. All liquid pesticide containers or other rinsable containers will be triple rinsed immediately when emptied, and the rinsate will be added to the sprayer tank for proper application. All employees involved in applying pesticides/fertilizers will be trained in proper disposal practices.

#### **XVIII. ACCIDENTS:**

Pesticide/fertilizer accidents or incidents that constitute a threat to any person, to public health or safety and/or to the environment, must be reported immediately to local emergency services and the NVRPA Risk Manager. The NVRPA Risk Manager will notify the Office of Pesticide Services (OPS) of the occurrence within 48 hours by telephone; a written report describing the accident or incident will be filed within 10 days of the initial notification.

Initial telephone contact and written reports should be directed to:

**Virginia Department of Agriculture and Consumer Services**

**Office of Pesticide Services/Enforcement and Field Operations**

**P.O. Box 1163, Richmond, VA 23218 (804) 371-6560**

(This information is posted in all designated pesticide/fertilizer storage areas)

**XIX. SPILLS:**

Appropriate cleanup supplies and equipment shall be maintained to handle pesticide/fertilizer spills incurred by NVRPA. All hazardous material spills/releases on NVRPA properties shall be reported immediately to local emergency services and the NVRPA Risk Manager. The materials spilled shall be disposed of according to the appropriate state agency's directive. Reporting under SARA Title III (the Community Right-to-Know Law) is determined by the chemical hazard and the volume of the released chemical. If so, the applicator must also notify the:

**National Response Center at 1-800-424-8802.**

(This information is posted in all designated pesticide/fertilizer storage areas)

In the event of an emergency release, which would impact others or other property, notify the:

**Virginia Department of Emergency Services (DES) at 1-800-468-8892**

(This information is posted in all designated pesticide/fertilizer storage areas)

**XX. PENALTIES FOR NON-COMPLIANCE WITH THIS POLICY:**

Employees who fail to comply with this policy may be subject to disciplinary action up to and including dismissal. The employee may present grievances or appeal decisions of management, in accordance with the Grievance Procedures detailed in the *NVRPA Personnel Policies Handbook*. In addition, the employee may be subject to investigation by the appropriate law enforcement authority and criminal prosecution.