

CHAPTER 26

FUMIGATION AND INSECTICIDAL FOGGING

SECTION 2601 GENERAL

2601.1 Scope. Fumigation and insecticidal fogging operations within buildings, structures and spaces shall comply with this chapter.

Federal Law 7USC136j(a)(2)(G) and state law **ORS 634.372(2)** are not a part of this code but are reproduced or paraphrased here for the reader's convenience.

7USC136j(a)(2)(G) states it shall be unlawful for any person to use any registered pesticide in a manner inconsistent with its labeling.

ORS 634.372(2) states a person may not as a pesticide applicator or operator, intentionally or willfully apply or use a worthless pesticide or any pesticide inconsistent with its labeling, or as a pesticide consultant or dealer, recommend or distribute such pesticides.

2601.2 Permits. Permits shall be required as set forth in Section 105.6.

SECTION 2602 DEFINITIONS

2602.1 Definitions. The following terms are defined in Chapter 2:

FUMIGANT.

FUMIGATION.

INSECTICIDAL FOGGING.

SECTION 2603 FIRE SAFETY REQUIREMENTS

2603.1 General. Buildings, structures and spaces in which fumigation and insecticidal fogging operations are conducted shall comply with the fire protection and safety requirements of Sections 2603.2 through 2603.7.

2603.2 Sources of ignition. Fires, open flames and similar sources of ignition shall be eliminated from the space under fumigation or insecticidal fogging. Heating, where needed, shall be of an *approved* type.

2603.2.1 Electricity. The structure's electrical service shall be disconnected and locked out at the main service disconnect during fumigation or insecticidal fogging operations.

Exception: Circulating fans that have been specifically designed for utilization in hazardous atmospheres and installed in accordance with NFPA 70.

2603.2.2 Electronic devices. Electronic devices, including portable equipment and cellular phones, shall be shut

off. Telephone lines shall be disconnected from telephones.

2603.2.3 Duration. Sources of ignition shall be shut off during the fumigation activity and remain shut off until the ventilation required in Section 2603.6 is completed.

2603.3 Notification. The *fire code official* and fire chief shall be notified in writing at least 48 hours before the building, structure or space is to be closed in connection with the utilization of any toxic or flammable fumigant. Notification shall give the location of the enclosed space to be fumigated or fogged, the occupancy, the fumigants or insecticides to be utilized, the person or persons responsible for the operation, and the date and time at which the operation will begin. Written notice of any fumigation or insecticidal fogging operation shall be given to all affected occupants of the building, structure or space in which such operations are to be conducted with sufficient advance notice to allow the occupants to evacuate the building, structure or space. Such notice shall inform the occupants as to the purposes, anticipated duration and hazards associated with the fumigation or insecticidal fogging operation.

Exception: In warehouses or other structures used for the storage of produce, tarp-enclosed fumigation of not more than 5 percent of the total volume of the warehouse is allowed without notification when the fumigation is conducted by a licensed fumigator.

2603.3.1 Warning signs. *Approved* warning signs indicating the danger, type of chemical involved and necessary precautions shall be posted on all doors and entrances to the affected building, structure or space and upon all gangplanks and ladders from the deck, pier or land to a ship. Such notices shall be printed in red ink on a white background. Letters in the headlines shall be at least 2 inches (51 mm) in height and 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 affected building, structure or space shall be vacated at least 1 hour before the operation begins and shall not be reentered until the danger signs have been removed by the proper authorities.

2603.3.2 Breathing apparatus. Persons engaged in the business of fumigation or insecticidal fogging shall maintain and have available *approved* protective breathing apparatus.

2603.3.3 Watch personnel. During the period fumigation is in progress, except when fumigation is conducted in a gas-tight vault or tank, a responsible watchperson shall remain on duty at the entrance or entrances to the enclosed fumigated space until after the fumigation is completed and the building, structure or space is properly ventilated and safe for occupancy. Sufficient watchers shall be pro-

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vided to prevent persons from entering the enclosed space under fumigation without being observed.

See Technical Advisory #14-01, Fumigation and Insecticidal Fogging for alternative methods to this section.

2603.3.4 Evacuation during fumigation. Occupants of the building, structure or space to be fumigated, except the personnel conducting the fumigation, shall be evacuated from such building, structure or space prior to commencing fumigation operations.

2603.3.5 Evacuation during insecticidal fogging operations. Occupants in the building, structure or space to be fogged, except the personnel conducting the insecticidal fogging operations, shall be evacuated from such building, structure or space prior to commencing fogging operations.

2603.4 Insecticidal fogging liquids. Insecticidal fogging liquids with a *flash point* below 100°F (38°C) shall not be utilized.

2603.5 Sealing of buildings, structures and spaces. Paper and other similar materials that do not meet the flame propagation performance criteria of NFPA 701 shall not be used to wrap or cover a building, structure or space in excess of that required for the sealing of cracks, casements and similar openings.

2603.5.1 Maintenance of openings. All openings to the building, structure or space to be fumigated or fogged shall be kept securely closed during such operation.

2603.6 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.

2603.7 Flammable fumigants restricted. The use of carbon disulfide and hydrogen cyanide shall be restricted to agricultural fumigation.