

~~1301:7-7-17~~1301:7-7-26 Fumigation and ~~thermal~~ insecticidal fogging.

(A) Section ~~1701-2601~~ General

- (1) ~~1701-12601.1~~ **Scope.** Fumigation and ~~thermal~~ insecticidal fogging operations within buildings, structures and spaces shall comply with this rule.
- (2) ~~1701-22601.2~~ **Permits.** Permits shall be required as set forth in rule 1301:7-7-01 of the Administrative Code.

(B) Section ~~1702-2602~~ Definitions

- (1) ~~1702-12602.1~~ **Definitions.** The following ~~words and terms shall, for the purposes of this rule and as used elsewhere in this code, have the meanings shown herein~~ are defined in rule 1301:7-7-02 of the Administrative Code.

~~“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 sulfuryl fluoride.~~

~~“Fumigation.” The utilization within an enclosed space of a fumigant in concentrations that are hazardous or acutely toxic to humans.~~

~~“Thermal insecticidal 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.~~

(C) Section ~~1703-2603~~ Fire safety requirements

- (1) ~~1703-12603.1~~ **General.** Buildings, structures and spaces in which fumigation and ~~thermal~~ insecticidal fogging operations are conducted shall comply with the fire protection and safety requirements of *paragraphs* (C)(2)(~~1703-22603.2~~) to (C)(7)(~~1703-72603.7~~) of this rule.
- (2) ~~1703-22603.2~~ **Sources of ignition.** Fires, open flames and similar sources of ignition shall be eliminated from the space under fumigation or ~~thermal~~ insecticidal fogging. Heating, where needed, shall be of an approved type.
- (a) ~~1703-2-12603.2.1~~ **Electricity.** Electricity ~~shall be shut off in any part of the building, structure or space where operation of switches or electrical devices, equipment or systems could serve as a source of ignition shall be shut off.~~

Exception: Circulating fans that have been specifically designed for utilization in hazardous atmospheres and installed in accordance with NFPA 70 as listed in rule ~~1301:7-7-47~~1301:7-7-80 of the Administrative Code.

(b) ~~2603.2.2~~ **Electronic devices.** Electronic devices, including portable equipment and cellular phones, shall be shut off. Telephone lines shall be disconnected from telephones.

(c) ~~2603.2.3~~ **Duration.** Sources of ignition shall be shut off during the fumigation activity and remain shut off until the ventilation required in *paragraph* (C)(6)(2603.6) of this rule is completed.

(3) ~~1703-32603.3~~ **Notification.** The fire code official and fire chief shall be notified in writing at least 2448 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 thermal insecticidal fogging shall be served 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 of the enclosed space involved to enable the occupants to evacuate the premises 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.

(a) ~~1703-3-1~~ ~~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 ~~premises~~affected building, structure or space and upon all gangplanks and ladders from the deck, pier or land to ~~the~~ ship. Such notices shall be printed in red ink on a white background. Letters in the headlines shall be ~~at least~~not less than 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 ~~occupied premises~~affected building, structure or space shall be vacated ~~at least~~not less than 1 hour before the operation begins and shall not be reentered until the danger signs have been removed by the proper authorities.

(b) ~~1703.3.2~~2603.3.2 **Breathing apparatus.** Persons engaged in the business of fumigation or ~~thermal~~ insecticidal fogging shall maintain and have available approved protective breathing apparatus.

(c) ~~1703.3.3~~2603.3.3 **Watch personnel.** During the period fumigation is in progress, except ~~when~~where fumigation is conducted in a gas-tight vault or tank, a ~~capable, alert watcher~~responsible watchperson shall remain on duty at the entrance or entrances to the enclosed fumigated space until after the fumigation is completed and the ~~premises~~building, structure or space is properly ventilated and safe for occupancy. Sufficient watchers shall be provided to prevent persons from entering the enclosed space under fumigation without being observed.

(d) 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.

(e) 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.

(4) ~~1703.4~~2603.4 **Insecticidal fogging liquids.** ~~Thermal~~ insecticidal fogging liquids with a flash point below 100°F (38°C) shall not be utilized.

(5) ~~1703.5~~2603.5 **Sealing of buildings, structures and spaces.** Paper and other similar materials that do not meet the flame propagation performance criteria of Test Method 1 or Test Method 2, as appropriate, of NFPA 701 as listed in rule ~~1301:7-7-47~~1301:7-7-80 of the Administrative Code 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.

(a) 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.

(6) ~~1703.6~~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.

(7) ~~1703.7~~2603.7 **Flammable fumigants restricted.** The use of carbon disulfide and hydrogen cyanide shall be restricted to agricultural fumigation.