

FOREST SERVICE MANUAL  
WASHINGTON

TITLE 2100 - ENVIRONMENTAL MANAGEMENT

Amendment No. 2100-94-7

Effective December 6, 1994

POSTING NOTICE. Amendments are numbered consecutively by title and calendar year. Post by document name. Remove entire document and replace with this amendment. Retain this transmittal as the first page of this document. The last amendment to this Title was Amendment 2100-94-6 to FSM 2150 Contents.

This amendment supersedes Amendment 2100-90-1 to FSM 2150.

<u>Document Name</u>	<u>Superseded Number of Pages)</u>	<u>New Number of Pages)</u>
2150	8	10

Digest:

2150 - Makes minor formatting and editorial changes throughout the chapter. Also revises cross-references to related Handbooks to reflect the establishment of a new Handbook FSH 2109.14, Pesticide-Use Management and Coordination Handbook, which replaces three Handbooks (FSH 2109.11, 2109.12, and 2109.13).

2150.1 - Modifies the Authority citation for the Cooperative Forestry Assistance Act of 1978 to reflect the Amendments by the Food, Agriculture, Conservation, and Trade Act of 1990. Adds United States Code (U.S.C.) and Code of Federal Regulations (CFR) citations as appropriate.

2150.3 - Clarifies policy on use and notification of use of pesticides in Wilderness (para. 3). Clarifies policy for notifying persons within aerial treatment areas (para. 6).

2151.04a and 2151.04b - Clarifies responsibilities and exceptions to redelegation for reviewing and approving the use of pesticides in Wilderness and Research Natural Areas and the use of sodium cyanide.

Digest--Continued:

Service is now responsible for both range insect suppression and predator control on National Forest System lands (the Fish and Wildlife Service formerly conducted predator control).

2154.1 - Removes from paragraph 2 the authority to use Forest Service funds to pay for pesticide-use training for non-Forest Service personnel.

2158-2158.12 - Adds direction that the Director of Forest Pest Management, Washington Office, issues annual instructions for the completion of the pesticide-use report. Separates direction on forms and reports submitted to the Washington Office from those that remain with field units.

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Chief

FSM 2100 - ENVIRONMENTAL MANAGEMENT  
WO AMENDMENT 2100-94-7  
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CHAPTER 2150 - PESTICIDE-USE MANAGEMENT AND COORDINATION

This chapter provides direction for pesticide-use management and coordination on all National Forest System lands. For detailed procedural direction, see FSH 2109.14, Pesticide-Use Management and Coordination Handbook.

2150.1 - Authority. The Forest Service is authorized by the Federal Insecticide, Fungicide, and Rodenticide Act and the Cooperative Forestry Assistance Act to use pesticides for multiple-use resource management and maintenance of the quality of the environment as long as the actions comply with the National Environmental Policy Act and the Council on Environmental Quality regulations. The significance of the three acts is described in the following paragraphs.

1. The Federal Insecticide, Fungicide, and Rodenticide Act, as amended (7 U.S.C. 136), is the authority for the registration, distribution, sale, shipment, receipt, and use of pesticides. The Forest Service may use only pesticides registered or otherwise permitted in accordance with this act.

2. The Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101), as amended by the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 1421) is the authority for assisting and advising States and private forest landowners in the use of pesticides and other toxic substances applied to trees and other vegetation and to wood products.

3. The provisions of the National Environmental Policy Act (42 U.S.C. 4321) and the Council on Environmental Quality implementing regulations apply to pesticide management (FSM 1950; FSH 1909.15).

2150.2 - Objective. To ensure the proper use of pesticides.

2150.3 - Policy. In managing and coordinating the use of pesticides, Forest Service policy is to:

1. Base actual use and recommended uses of pesticides on analyses of effectiveness, specificity, environmental impacts, economic efficiency and human exposure.

2. Coordinate pesticide projects, as appropriate, with Federal and State fish and wildlife management agencies.

3. Use pesticides in designated Wilderness only when necessary to protect or restore significant resource values within the Wilderness or on public or private lands bordering the Wilderness after receipt of the public or private landowner's written permission.

4. Ensure safe pesticide use.

5. Ensure the judicious and effective application of all pesticides.

6. Notify persons within treatment areas prior to aerial application of pesticides.

7. Transport, store, and dispose of pesticides and pesticide containers in accordance with applicable State and local laws and regulations, as well as Federal laws and regulations.

8. Review all permittee, licensee, and grantee pesticide-use proposals and plans, and approve as appropriate.

9. Monitor sensitive environments during pesticide applications in order to detect and evaluate unanticipated effects.

10. Permit only certified personnel or those under the supervision of a certified applicator to use restricted-use pesticides (FSM 2154.2).

11. Support research to develop and evaluate the effectiveness and environmental safety of new and improved pesticide formulations as well as human safety and application methods and to transfer this technology.

12. Assist pesticide manufacturers in obtaining the registration of pesticides determined to be needed for forestry (FSM 2152.3).

13. Report to the Chief of the Forest Service as soon as possible all pesticide incidents including pesticide spills, unplanned non-target pesticide applications, unusual occurrences of drift, unforeseen adverse effects on wildlife or other components of the environment, and any other situation that may affect public welfare.

#### 2150.4 - Responsibility.

2150.41 - Deputy Chief for State and Private Forestry. It is the responsibility of the Deputy Chief for State and Private Forestry to:

1. Coordinate overall pesticide use in the Forest Service.

2. Serve as the Chief's liaison between the Forest Service, Office of the Secretary of Agriculture, and other Federal or non-Federal groups concerned with the use of pesticides.

2150.42 - Director, Forest Pest Management Staff, Washington Office. The Washington Office Forest Pest Management Staff Director provides leadership, consultation, and support on management and use of pesticides. It is the responsibility of the Director to:

1. Recommend national policies, objectives, priorities, standards, and procedures for pesticide use, including direction for training in pesticide safety and certification of applicators of restricted-use pesticides.
2. Cooperate with other agencies and organizations concerned with pesticides.
3. Coordinate formulation of national research programs with other Washington Office staffs and research units.
4. Serve on Departmental committees on pest management, the National Agricultural Pesticide Impact Assessment Program, and other Federal agency committees.
5. Provide oversight and annual guidance to the field on pesticide-use reporting.

2150.43 - Regional Foresters, Station Directors, Area Director, and Institute Director. It is the responsibility of the Regional Foresters, Station Directors, Area Director, and the Institute Director to:

1. Ensure the implementation of Forest Service policy on pesticide-use management and coordination.
2. Appoint pesticide-use management coordinators or specialists.

2150.44 - Regional and Area Pesticide-Use Coordinators or Specialists. It is the responsibility of the Regional and Area pesticide-use coordinator or specialist to:

1. Advise and assist Forest Service field units on the interpretation of pesticide laws and Executive orders, Departmental directives, and Forest Service direction on pesticide use.
2. Coordinate with other agencies and organizations interested in Forest Service pesticide-use activities.
3. Provide up-to-date information on pesticide registration and application techniques to Forest Service units.

4. Advise and assist Forest Service field units in preparing and reviewing documents associated with environmental analysis, appeals, and litigation dealing with pesticide use.
5. Train personnel in the proper application and safe use of pesticides.
6. Provide reports and records of pesticide use (FSH 2158).

2150.45 - Forest Supervisors and District Rangers. Forest Supervisors and District Rangers are responsible for ensuring compliance with pesticide-use management and coordination requirements and, as needed, may designate a pesticide coordinator to assist in meeting their pesticide-use responsibilities.

2150.5 - Definitions. For additional definitions related to pesticides, see FSH 2109.14, section 05.

Certification. The process of testing and certifying pesticide applicators in the use of pesticides, in accordance with the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136).

Certified Applicator. Any individual certified in accordance with the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136) as competent to use or supervise the use of any pesticide classified for restricted use.

Experimental-Use Permit. A permit issued by the Environmental Protection Agency or a State to allow use of an unregistered pesticide or to allow a new use of a registered pesticide.

Housekeeping-type Pesticide. Any pesticide used for purposes of general maintenance or human and pet health and comfort in or around structures, vehicles, grounds associated with offices, research laboratories, greenhouses, dwellings, and areas of concentrated public use. The following are not considered housekeeping-type pesticide use: subslab treatment or deep-soil injection of insecticides for termite control; building fumigation; fire hazard reduction work around buildings; use of soil sterilants; pest control in food-handling areas and food storage buildings; and use of pesticides requiring applicator certification.

Minor Use. Use of less than 1 pound active ingredient of any pesticide except sodium cyanide and strychnine in any amount.

Pesticide Approval. Official sanction that a pesticide may be used as proposed. This approval must be specified in writing by the Regional Forester or appropriate designee.

Registration. The process whereby the U.S. Environmental Protection Agency and the States register pesticides under authority of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136).

Restricted-Use Pesticide. A pesticide that the U.S. Environmental Protection Agency under authority of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136) has determined can be applied only by certified applicators or persons under their direct supervision.

2151 - REVIEW AND APPROVAL OF PESTICIDE USE. Conduct appropriate reviews and obtain necessary approvals (FSM 2151.04) before applying pesticides on National Forest System lands. Use Form FS-2100-2, Pesticide-Use Proposal (FSH 2109.14), to document approval, except for the following uses that require only oral approval:

1. Housekeeping-type pesticides; and
2. Pesticides in amounts less than 1 pound of active ingredient for any one project (except that use of any amount of sodium cyanide and strychnine must be approved and documented in writing).

2151.04 - Responsibility.

2151.04a - Regional Foresters. Regional Foresters are responsible for reviewing and approving or disapproving all proposed pesticide uses on National Forest System lands. The Regional Forester may delegate this authority to other line officers on a case-by-case basis or by supplement to this code, except for the following

1. Any pesticide use in Wilderness, which includes Wilderness study areas.
2. Any pesticide use in established or candidate Research Natural Areas.
3. Any use of any amount of sodium cyanide.

2151.04b - Station Directors, Area Director, and Institute Director. Station Directors, Area Director, and Institute Director are responsible for reviewing proposals submitted by Project Leaders for use of pesticides in field experiments or other research activities that will occur on National Forest System lands. Station Directors, Area Director, and Institute Director shall forward all pesticide-use proposals on which they have concurred to the appropriate Regional Forester or the authorized designee for final approval or disapproval (FSM 2151.04a).

2152 - COORDINATION OF PESTICIDE-USE PROPOSALS.

2152.1 - National Forest System.

2152.11 - District Ranger. District Rangers shall coordinate the preparation of Form FS-2100-2, Pesticide-Use Proposal (FSH 2109.14, sec. 74) for all proposed use of pesticides within the District, including uses by licensees, permittees, grantees, States, and other Federal agencies. District Rangers shall approve or disapprove those proposals for which they have been delegated authority.

2152.12 - Forest Supervisor. Forest Supervisors shall review and approve, if appropriate, proposals for pesticide uses for which they have authority. They shall review, consolidate, and forward the remaining proposals not under their authority to their Regional Office for review and approval (FSM 2151.04a).

2152.2 - State and Private Forestry. Regional Pesticide Coordinators or Specialists shall provide Form FS-2100-2, Pesticide-Use Proposal, to Federal and State cooperators for pesticide-use projects on National Forest System lands involving State and Federal cost-sharing agreements. The Regional Pesticide Coordinator or Specialist shall assist the Federal cooperator in completing and submitting Form FS-2100-2 to the appropriate District Ranger or Forest Supervisor for review and approval (FSM 2151.04a, 2152.11, and 2152.12 and FSH 2109.14, ch. 10).

2152.3 - Research and Development. Field experiments, pilot projects, and demonstrations to determine the value of new or improved, unregistered pesticides or strategies must follow experimental-use permit regulations (40 CFR 172). The Pesticide-use Proposal (Form FS-2100-2) is mandatory for these types of projects.

Pesticide research that involves field screening techniques to determine efficacy, safety, and applicability to forestry must follow experimental-use permit regulations. Station Directors shall follow the guidance provided in FSM 2151.04b and 2151.1 for submitting pesticide-use proposals (Form FS-2100-2) for such activities.

When the need to register a pesticide for forestry uses has been determined, contact the Washington Office, Forest Pest Management, for guidance and assistance in working with the manufacturer to secure Environmental Protection Agency registration.

## 2153 - ADMINISTRATION AND PLANNING OF PESTICIDE-USE PROJECTS.

### 2153.1 - Administration.

2153.11 - Lands Administered by Forest Service. As appropriate, Regional, Forest, and District Pesticide Specialists shall participate in the development of all plans for pest management activities on National Forest System lands. In some cases, when other Federal agencies are responsible for specific pest management activities on National Forest System lands, those agencies shall implement the project. For example: the Animal and Plant Health Inspection Service (APHIS), Department of Agriculture, is responsible for range insect suppression (FSM 2243) and predator control (FSM 2650).

2153.12 - Intermingled Land Ownerships. Regional, Forest, and District Pesticide Specialists shall provide pesticide-use management expertise, as needed, to ensure successful completion of all pesticide application projects on lands in intermingled ownerships.

2153.2 - Planning. Forest Service units must conduct and document environmental analyses to determine the proper management alternative or the need for an environmental impact statement or a categorical exclusion (FSM 1950; FSH 1909.15).

2153.3 - Safety Plans. Forest Service units shall prepare a safety plan for all pesticide-use projects, except housekeeping-type uses and minor uses of less than one pound active ingredient for any one project. Regardless of the preceding exceptions, Forest Service units shall prepare safety plans for all uses of sodium cyanide in any quantity. Prepare Form FS-6700-7, Job Hazard Analysis, to determine hazards of a project and to identify ways to eliminate them.

2154 - TRAINING AND CERTIFICATION.

2154.04 - Responsibility.

2154.04a - Regional Foresters, Station Directors, Area Director, and Institute Director. All Forest Service employees who use or supervise the use of restricted-use pesticides must be certified under either an appropriate State certification program or a Federal certification program (FSM 2154.2). In those Regions, Stations, Area, or Institute that elect to administer a Federal certification program, each Regional Forester, Station Director, Area Director, or Institute Director must authorize, in writing by name, those personnel responsible for administering the Forest Service plan for certifying employees who use or who supervise the use of restricted-use pesticides.

2154.04b - Certification Plan Administrators. It is the responsibility of the Forest Service certification plan administrators to:

1. Identify restricted-use pesticide users or supervisors.
2. Schedule training and certification sessions.
3. Develop supplemental test questions.
4. Provide for test security.
5. Grade examinations.
6. Prepare and distribute certified applicator certificates.
7. Maintain records of personnel certified to use or supervise the use of restricted-use pesticides in Forest Service programs.

8. Notify personnel when recertification is necessary.

9. Report yearly to the Deputy Chief for State and Private Forestry the numbers of Federally certified personnel, using Form FS-2100-4, Federal Certified Applicator Report (Report FS-2100-L, Certified Forest Service Applicator Report, FSH 2109.14).

2154.1 - Training. Only trained personnel shall recommend and use pesticides. Conduct training of Forest Service personnel in two stages:

1. Training necessary to qualify employees to perform functions associated with general pesticide application, including housekeeping-type pesticides. The training includes hazard communication requirements as set forth in 29 CFR 1910.

2. Training necessary to certify applicators as competent to use or to supervise the use of restricted-use pesticides (FSM 2154.2). Such training must meet or exceed minimum Federal standards published at 40 CFR 171.

2154.2 - Certification. Forest Service personnel using or supervising the use of restricted-use pesticides must be certified and licensed according to the Forest Service chapter of the Department of Agriculture's Federal applicator certification plan (FSH 2109.14, sec. 34.2) or an Environmental Protection Agency approved State plan.

Forest Service personnel responsible for pesticide projects on non-Federal lands shall contact the State pesticide coordinator to ensure conformance with State pesticide regulations.

2155 - PESTICIDE SELECTION, EVALUATION, AND QUALITY CONTROL.

2155.1 - Post-treatment Evaluation. Forest Service units shall conduct post-treatment evaluation for all projects involving pesticides, except for housekeeping-type uses and field experiments (FSH 2109.14).

2155.2 - Quality Control. Establish adequate controls to ensure application of pesticides is safe, is restricted to intended target areas, and does not result in unacceptable nontarget effects.

2156 - SAFETY IN PESTICIDE USE. Before handling pesticides, consult the pesticide handling requirements set forth in FSH 6709.11, Health and Safety Code Handbook.

2157 - PESTICIDE STORAGE, TRANSPORTATION, SPILLS, AND DISPOSAL. Guidelines for these activities are in the Pesticide-Use Management and Coordination Handbook (FSH 2109.14).

2158 - INFORMATION REQUIREMENTS.

2158.1 - Forms and Reports.

2158.11 - Forms and Reports Submitted to Washington Office. Forest Service units shall complete and submit the following forms and reports to the Washington Office, Director of Forest Pest Management, according to the instructions in chapter 70 of FSH 2109.14.

1. Report FS-2100-A, Pesticide-Use Report for National Forest System Lands (Form FS-2100-1) (FS 2109.14, sec. 73). The Washington Office, Forest Pest Management Director issues annual instructions on completing and submitting this form.

2. Report FS-2100-L, Certified Forest Service Applicator Report (Form FS-2100-4) (FSH 2109.14, sec. 75).

3. Report FS-2100-D, Pesticide Accident and Incident Report (FSH 2109.14, sec. 62, 63, and 71). The suggested format of this report is in FSH 2109.14, sec. 71.3.

2158.12 - Approval and Use Records. Forest Service units that propose and use pesticides are required to complete the following forms according to direction contained in FSM 2151.04 and 2151.1 and instructions in chapter 70 of FSH 2109.14.

1. Pesticide-Use Proposal (Form FS-2100-2) (FSH 2109.14, sec. 74).

2. Restricted-Use Pesticide Application and Disposal Log (Form FS-2100-5) (FSH 2109.14, sec. 76).