



New  
Jersey  
Department of  
Environmental  
Protection

## COMPLIANCE ADVISORY

# Enforcement **Alert**

*Making You Aware of Anticipated Enforcement Activities*

Compliance and Enforcement

Issued: February 2007

#2007-02

## **DEP Plans School Inspection Initiative for Compliance with the School Integrated Pest Management Act**

### **Who is affected by this initiative?**

All New Jersey public, private and charter schools below college level (including kindergarten) are subject to inspection by the Department of Environmental Protection (DEP) during this initiative. The School Integrated Pest Management (IPM) Act makes all school boards, principals or administrators, and "School IPM Coordinators" responsible for pest prevention and pesticide use at their school and for compliance with the Act. The IPM Coordinator is a person named by the school principal, district or school board as the person to oversee all pest management activities at the school.

### **Why is DEP enforcement conducting this initiative?**

The DEP is conducting this inspection initiative to promote compliance with the School IPM Act. The goal of this law is to reduce pesticide use and resulting risks to schoolchildren, who are proven to be more sensitive to the effects of chemical exposure. IPM requires schools to approach pest control in a thoughtful, preventive manner, and to turn to pesticide use only when non-chemical means fail. Since June 12, 2004 schools have been required to adopt a policy for carrying out IPM on school buildings and grounds. This initiative will help to identify common violations and trends so that the DEP can focus future outreach and enforcement efforts, and thus help ensure that the goal of the law in reducing the risks of chemical pesticide use to schoolchildren is achieved throughout New Jersey.

### **What is DEP doing?**

The DEP's Pesticide Control Program will conduct a concentrated effort of inspections in several select geographic areas of New Jersey. Public, private and charter schools will be inspected for compliance with all aspects of the School IPM Act. Schools found to be out of compliance will be issued a "Notice of Violation" (NOV), and may also be issued an Administrative Order (AO). If an AO is issued, the school has 20 days upon receipt to request an administrative hearing. If a school does not request a hearing within 20 days or if the violations are upheld as a result of a hearing, the AO is considered final and enforceable by a court with jurisdiction. Compliance assistance to individual schools and districts continues to be offered upon request.

### **What should I be doing?**

The following are general recommendations to help ensure compliance with the School IPM Act at your school. All regulated industries and regulated communities are responsible for maintaining compliance with State and Federal regulations, and this guidance is not a complete list of environmental requirements for schools.

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- Please review the regulations for School IPM in the New Jersey Pesticide Control Regulations at N.J.A.C. 7:30-13 (found at <http://www.nj.gov/dep/enforcement/pcp/pcp-regs.htm> )
- Visit the DEP's IPM in Schools web site at [www.nijpm.org](http://www.nijpm.org) for a practical "how-to" guide regarding school integrated pest management, and for many resources to assist schools in becoming compliant with this law.
- If a school employee uses pesticides, a Commercial Pesticide Applicator license is necessary (with a few very narrow exceptions). Review the regulations at N.J.A.C. 7:30-6 on commercial licensing found at the regulation web site listed above.
- Check with your superiors and subordinates to ensure that they have an understanding of the regulations and how they affect you and them and your school.

## Who should I contact with additional questions?

Please contact the Pesticide Control Program for further assistance.

Pesticide Control Program  
IPM Coordinator Tim Boyle  
or [tim.boyle@dep.state.nj.us](mailto:tim.boyle@dep.state.nj.us)

**609-984-6507**  
**609-984-6908**

## Where may I get additional information?

**The following web sites can be accessed for additional information regarding this advisory:**

For general information regarding IPM or School IPM visit [www.epa.gov/pesticides](http://www.epa.gov/pesticides)

For additional New Jersey specific information visit the Rutgers web site at:

<http://www.pestmanagement.rutgers.edu/IPM/SchoolIPM/NJAct/nj.htm>

**Visit the following Web site for general information:**

Contact NJDEP: <http://www.nj.gov/cgi-bin/dep/contactdep.pl>

Please note this advisory is intended to be a summary explanation of a department initiative. It does not include all potentially applicable requirements. If you have any questions related to compliance with this initiative, please contact the Pesticide numbers listed above.