

New Jersey Pesticide Control Program Approved Homeowner Termiticide Regulation Summary N.J.A.C. 7:30-10.4

Since there are no longer organochlorine termiticides on the market, only those termiticide regulations regarding the use of non-organochlorine termiticides will be addressed here.

- All termiticide applications must be made consistent with EPA Registered labeling directions.
- All termiticide applications must be made consistent with the NJ Termiticide Regulations (N.J.A.C. 7:30-10.4). If the regulations or the labels conflict, the **most** restrictive must be followed.
- One registered commercial pesticide applicator (Category 7B) must be physically present at the application location and within the line of sight of the application. This means during the actual application of the termiticide.
- Pressurized equipment must be checked for leaks. This includes the tank, pump, hose fittings and injection apparatus. If leaks are detected, they must be repaired prior to starting the application.
- If leaks occur during the application, stop the application immediately until the leak is repaired.
- Spills must be absorbed with absorbent material and the affected area washed.
- All pressurized equipment must be equipped with a properly operating pressure gauge. The pressure gauge must be accurate to within plus (+) or minus (-) 5 psi.
- The hose used to fill the application tank must be equipped with a backflow preventer.
- Keep hoses outside of the structure being treated as much as possible in case a leak occurs.
- Termiticide Baits are allowed in **all** situations where the label allows their use.

TERMITICIDE APPLICATION TO THE EXTERIOR OF A FOUNDATION

- Fill all holes and cracks extending below grade to the extent feasible prior to treatment. If, while trenching, additional holes or cracks are observed, they must be filled to prevent leaks.
- If termiticide contaminates the soil surface, the area must be covered with ½ inch of untreated soil and 2 inches of untreated soil in erosion prone areas (e.g., around gutters and down spouts). When trenching, add the backfill material to the trench after the termiticide has been absorbed by the soil.

TREATING VOIDS

One method of treating these inaccessible areas is through the use of termiticides in the form of a foam.

- Products applied as foams can be used at sites that appear in the label directions for the foam, and where there will be no direct exposure to residents of the structure being treated. Examples are dirt filled porches, chimney bases, voids in rubble foundations, spaces under slabs on soil, etc.
- Injection of foam into voids under conditions in which the regulations only allow gravity feeding or low pressure will be allowed. This method will not violate the current termiticide regulations because soil will not accept injection of foam.

VOIDS IN FOUNDATION WALLS

Block Wall Voids

- Voids in foundation walls may be left untreated.

- A reasonable precaution is to seal holes or cracks on the inside surface of foundation walls.

1. If a leak occurs, the applicator must immediately:
 - a) stop the application;
 - b) absorb the spill and clean the area to the manufacturers specifications;
 - c) report it to DEP if it meets minimum reporting req.

Rubble and Stone Foundation Wall Voids

- Voids in rubble foundation walls may be left untreated.
- When interior mortar is in good condition, drill and inject only holes that reach voids.
- When interior mortar is in poor condition, seal the inside wall with cement prior to treatment.
- Test holes that do not reach voids MUST be left untreated and MUST be sealed along with treated holes.
- Treatment MUST be done at low pressure, which means the minimum amount of pressure needed for the termiticide to clear the hose at the nozzle, or with a termiticide foam.
- Injection can only be done in conjunction with positive ventilation using fans inside the basement and/or crawlspace to remove solvent and pesticide vapors from the treated structure.

BASEMENT FLOORS

French Drains

A french drain system deserves special attention when treating a basement structure. A french drain is a below grade drainage system that is level with or beneath a basement floor. Most have an expansion joint between the edge of the floor and the foundation wall. This joint is commonly filled with gravel. This structural condition is very common and must be indicated in the record of application.

The purpose of the french drain is to move water away from the foundation. Water seeps into the drain around the perimeter, usually flowing into a pit or sump and is pumped out of the pit to a sewer drain, or to the outside of the structure.

Basement floors containing french drains should be treated using the following procedure: If a sump or pit is present, turn the sump pump off, use only low pressure injection, meaning the minimum amount of pressure needed for the termiticide to clear the hose at the nozzle. Absorb and clean up any spills to the manufacturers specs, and report it to DEP if it meets reporting requirements.

Basement Floors That Are Very Wet

If the customer informs you that there is a high water table, or if you notice that the basement floor is wet further inspection is needed. If this inspection reveals that the wetness is due to a high water table, or if there is standing water in the sump pump pit, the premises cannot be treated unless it can be determined that the site of injection is above the level of the surrounding water table and a **non-water soluble** termiticide is used.

TERMITICIDE APPLICATION TO CRAWLSPACES

A crawlspace is any accessible space under a structure that is six feet or less in height and surrounded by foundation walls.

Accessible Crawlspace with No Heating Unit

Treat accessible crawlspaces with no heating unit present in a manner consistent with the label:

Accessible Crawlspace with a Heating Unit

An accessible crawlspace with a heating unit present should be treated a little differently than one with no heating/air conditioning

unit. **NOTE:** A crawlspace that only contains ductwork (and not the main unit) is still considered to be a crawlspace with a heating unit.

The differences in treatment are as follows:

- Air intakes in the heating unit which draw from the crawlspace must be ducted to the outside of the building.
- Seams on the ducts must be inspected for tightness of fit and taped or equivalently sealed as necessary.
- Provide adequate cross-ventilation prior to treatment. The minimum total ventilation opening size required is 1 sq. ft. of vent for every 150 sq. ft. of crawlspace surface. That is, if the crawlspace is 150 sq. ft. (i.e., 10 ft. x 15 ft.) the applicator must provide 1 sq.ft. of vent space. Crawlspaces with heating units present can also be treated as though they are plenum crawlspaces (see plenum section below).

Plenum Air Spaces

A plenum air space is any space under a structure that acts as an air circulation chamber to circulate air throughout the structure. They are more prevalent in the Southeast and Southwest U.S. Plenum air spaces MUST be treated in the following manner:

- Provide active ventilation during, and for 24 hours, following the treatment.
- Treat with low pressure injection ONLY, meaning the minimum amount of pressure needed for the termiticide to clear the hose at the nozzle.
- Immediately following the treatment, cover treated soil with at least 6 mil. Polyethylene or equivalent sheeting, as approved by the Pesticide Control Program.
- Occupants of the structure must be advised to vacate during the application and for 24 hours after the application.

INACCESSIBLE CRAWLSPACE OR SUB-FLOOR AREAS

An inaccessible crawlspace is defined as any space under a structure which is not open to normal ingress from within and/or without the structure. For treatment purposes, this definition includes wood floors that are resting on sleepers over a slab.

Inaccessible Crawlspace or Sub-Floor Areas MUST be treated by:

- Create access to permit visual inspection of the area to be treated. The purpose of this access point is to insure the termiticide is being applied below the surface of the soil or slab.
- If there is a minimum of two feet of clearance between the soil surface and the bottom of the floor joist, treat like a crawlspace using the access point created, provided that proper cross ventilation exists or can be created as in a normal crawlspace.
- If there is less than 2 feet of clearance, remove soil to obtain adequate clearance and treat as a crawlspace, provided that proper cross ventilation exists or can be created as in a normal crawlspace or;
 1. Drill through the foundation walls from the exterior at an angle and rod beneath the soil surface or,
 2. Drill vertically through the ceiling of the crawlspace and rod beneath the soil surface.
- If methods number 1 or 2 are used, you must use the visual access point to insure the termiticide is being applied below the surface of the soil or concrete slab.
- If the ceiling of the space is concrete and entry cannot be made, drill through the foundation walls from the exterior at an angle and rod beneath the soil surface, or drill vertically through the ceiling of the space and rod beneath the soil surface.

TREATMENT OF SLABS

Prior to treatment, inspect the structure containing the slab to determine the location of any utility lines or conduits such as:

Plumbing Lines Electrical Lines Gas Lines
Heating Pads Radiant Heat Duct Work

- When slabs are drilled from the inside, a device such as a drill stopper **must** be used.
- Each hole drilled through the slab **must** be plugged immediately following treatment. The plug may be temporary, until completion of the treatment. After completion, holes **must** be permanently sealed with mortar or equivalent material.
- Wood over slab construction should be drilled and treated the same way, but only low pressure can be used, meaning the minimum amount of pressure needed for the termiticide to clear the hose at the nozzle. The quantity applied must not be great enough to cause excess termiticide to emerge from adjacent holes.
- Slabs covering or containing air ducts **MAY** be treated without sealing of the duct openings and installation of an alternative air circulation/heating system, **PROVIDED**:
 1. That the ducts are not cardboard or rusted metal.
 2. There is evidence of an existing termite infestation in the structure; **AND**
 3. The exact location of the ducts can be determined. If the exact location of the ductwork cannot be determined, the treatment of the slab cannot take place.

This structural condition is common, and is required to be indicated on the record of application. The applicator is also required to indicate evidence of infestation on the application site diagram.

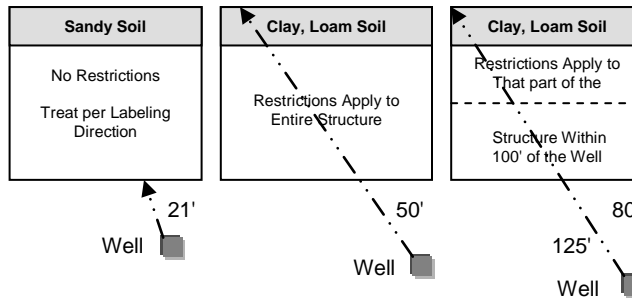
If **ALL** of the above conditions are satisfied, the slab covering, or containing, air ducts, may be treated without sealing the duct openings and installation of an alternative air circulation/heating system by:

- Informing the contracting party in writing of the potential for contamination of the air ducts, and the resultant possible required modifications to the heating system.
- Using low pressure injection, meaning the minimum amount of pressure needed for the termiticide to clear the hose at the nozzle, or gravity feeding with a funnel.
- Having at least one member of the application crew at the application site familiar with initial decontamination procedures and equipment necessary to facilitate initial clean-up should accidental contamination occur. On-site decontamination equipment must include, at a minimum:
 1. Wet/dry vacuuming system,
 2. Spill absorbent material,
 3. 5 gallons of detergent, and
 4. Charcoal filters readily adapted for use in the type of ducts and/or heating system present.
- Any contamination of ductwork is subject to DEP clean up and reporting requirements.

APPLICATION WITH WELLS OR CISTERNS ON PROPERTY

N.J.A.C. 7:30-10.4(m) restricts the subterranean application of termiticides to properties on which wells and/or other related water source is within 20 feet of the structure in sandy soil and within 100 feet of the structure in all other soil types. "Sandy soil" means a soil containing 70 percent or more of sand particles and zero to 30 percent of any combination of silt, clay, and/or other soil material. Technically, this definition combines the two classifications: "loamy sand" and

"Sand." Well location is required to be indicated on the site diagram, and must be included on the record of application. As a **general** rule, soils in south Jersey tend to be of the sandy type, and soils in northern and central Jersey tend to be the "other" type. If a well is within these distances in the appropriate soil, there are several treatment methods that must be followed.



If the well or cistern is more than 20 ft. from the treatment site in sandy soil, or more than 100ft. in other soils, treat consistent with label directions.

- If the well is down-grade from the application site, and there is a structural conduit, such as a paved driveway between the well and the application site, provision must be made to block the conduit or dike the area around the well to prevent movement of the termiticide, should a spill occur.
- If the well or other water source is within the linear distances of the treatment site mentioned, and connection is made to a public water supply, the well must be properly sealed according to the regulations of the DEP's Division of Water Resources regulation N.J.A.C. 7:9-9.9. The sealing must be done by:
 - 1) A person certified to seal wells; and
 - 2) The Division of Water Resources must be notified of the sealing.

These well sealing regulations also pertain to cisterns or shallow wells used for watering lawns or filling swimming pools.

If the well is properly sealed, treatment can be made as per labeling directions and Pesticide Control Program Termiticide Regulations, **but the required precautions for wells will no longer apply.**

If a well is present within the regulated distances, and is not sealed, the following precautions must be followed:

- Foundation wall voids **cannot** be treated, except with foam if the voids are more than 2 feet from a well or sewer line. Voids within 2 feet or less of the water or sewer line can be treated, but **only** if special trenching precautions are followed, as specified in 7:30-10.4(m)5.ii.
- The soil area within the linear distances mentioned must be treated by digging a shallow trench and flooding the trench with termiticide. Allow the termiticide to seep downward with gravity. **Do not rod under pressure.** The soil could also be removed from grade to the top of the footing and placed on polyethylene sheeting, then mix the termiticide with the soil and permit it to dry for a minimum of 15 minutes before placing the soil back into the trench.
- Soil 2 feet on either side of water or sewer lines must be removed and treated on polyethylene sheeting as above, or treated by gravity feeding if the special trenching precautions are followed as specified in 7:30-10.4(m)5.iv., or left untreated.

- Soil adjacent to the foundation, which is covered by concrete or other soil covering, must be treated by drilling through the covering surface at a maximum of 1 foot intervals. Use a funnel to gravity feed the correct quantity of termiticide into each hole. **Do not apply under pressure.**
- Soil beneath basement floors that is treated must be treated by drilling through the slab at a maximum of 1 foot intervals. Use a funnel to gravity feed the correct quantity of termiticide into each hole, or use foam. **Do not apply under pressure.**

Well Within Foundation

- If there is a well, cistern or spring currently in use, or capable or being used, within the area enclosed by the foundation walls, treatment the soil around the outside perimeter of the structure is allowed using gravity feeding or foam. Foundation wall voids may be treated with foam. Soil beneath the floor of a basement or crawlspace containing a well can be treated, but only by excavating soil from the perimeter, treating on a polyethylene sheet and allowing a minimum of 15 minutes to dry before replacing. Also, the labeling must allow the use of the product in this situation.

RE-TREATMENTS

Retreatments with termiticides, except termiticide baits, are allowed only after five years have elapsed after a treatment, or when there is evidence of a re-infestation, subsequent to the initial treatment, or if there is a disruption of the pesticide barrier in the soil due to construction, excavation or landscaping. In cases of disruption of the soil barrier, only those locations where this occurred may be treated (**Spot treatment**). In cases of evidence of re-infestation, the entire premises may be treated if:

1. The history of treatment of the structure is not known and can not be readily determined; OR
2. Live termites are found on or within the structure.

The history of the treatment of the structure is considered known if the re-treatment is made by the same person (or business) that performed the initial treatment. The area(s) where there was evidence of termite infestation and visible damage must be indicated on the record of application. Previously reported damage will not be accepted as evidence of re-infestation.

TERMITICIDE NOTIFICATION INFORMATION

In accordance with the Structural Notification Requirements at N.J.A.C. 7:30-9.12 , N.J.A.C. 7:30-10.4(p) requires that the applicator/business provide the contracting party with a copy of the Pesticide Control Program Termiticide Regulations (NJAC 7:30-10.4) or this summary. However, this requirement is not in force when using termiticide baits.