


CITY AND COUNTY OF DENVER	POLICY	DENVER FIRE DEPARTMENT
Subject: <b>FUMIGATION, PESTICIDES, FUNGICIDES, MITICIDES – USE, STORAGE &amp; INVENTORY STATEMENT</b>		
Approved:		 Manuel J. Almagure, Division Chief, Fire Prevention
Reference: <b>IFC 17, 27, 37 WITH DENVER AMENDMENTS; NFPA</b>		
Number: <b>IFC-1701-1</b>	Effective Date: <b>November 1, 2016</b>	Page: 1 of 7

**This policy is intended to provide basic information for most common conditions and situations involving fumigation, pesticides, fungicides and miticides. In any given occupancy, the requirements listed in this policy as well as all other Fire Code requirements will be enforced. If you have questions, please contact the Fire Prevention Division at 720-913-3474. Walk-in hours for PERMITS are 6:30 a.m. to 9:00 a.m. ONLY, Monday-Friday at 745 West Colfax Ave, first floor.**

## **I. SCOPE**

- A.** This policy covers requirements related to **FUMIGATION PROCESSES** and the notice and placarding requirements for processes involving **PESTICIDES, FUNGICIDES, MITICIDES** and other chemicals in various occupancies within the City and County of Denver.
- Exception: Fumigation restricted. Heated elemental sulfur fumigation processes, creating sulfur dioxide, shall be prohibited.

## **II. DEFINITIONS:**

- A. 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 others 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.
- B. FUMIGATION.** The utilization of a fumigant within an enclosed space in concentrations hazardous or acutely toxic to humans
- C. 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
- D. PESTICIDE** A substance or mixture of substances, including fungicides, intended for preventing, destroying, repelling or mitigating pests and substances or a mixture of substances intended for use as a plant regulator, defoliant or desiccant.

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### III. ANNUAL PERMITS and FEES

A. The following must be submitted to / obtained from the Denver FPD Marijuana Inspection Section:

#### 1. PESTICIDES, FUNGICIDES, MITICIDES CHEMICAL INVENTORY STATEMENT

a. The owner or responsible party must complete the **PESTICIDES, FUNGICIDES, MITICIDES CHEMICAL INVENTORY STATEMENT** form (attached), and pay the required fee. Make checks payable to the Denver Manager of Finance. Submit the inventory statement to the Marijuana Inspections Operations Supervisor, who will review it and, upon approval, return a copy. Application logs, SDS, reentry information, and copies of the inventory statement shall be current and posted on site.

#### 2. FUMIGATION / THERMAL INSECTICIDAL OPERATIONAL PERMIT

a. A separate **Operational Permit** is required for facilities that elect to perform Fumigation / Thermal Insecticidal Fogging operations. Permits are issued for either one time or one control area or for an annual permit for one or more control areas.

### IV. TO OBTAIN PERMITS

A. A PESTICIDES, FUNGICIDES, MITICIDES CHEMICAL INVENTORY STATEMENT is included at the end of this document, or a copy may be obtained from the Denver Fire Department. To obtain approval for your inventory statement, the following information must be provided and submitted to the Marijuana Inspections Operations Supervisor for review and approval:

1. Completed application form
2. SDS (Safety Data Sheets) for all product(s) (only upon request)

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**B.** A fumigation Operational Permit shall be obtained from the Denver Fire Department. To obtain a permit, the following information must be provided:

1. Completed application form.
2. Site address
3. Site diagram indicating areas of use
4. Presence and/or absence of code-complying/functional sprinkler system
5. A letter detailing treatment plan
6. **SDS** (Safety Data Sheets) for all product(s) used on site
7. Documentation verifying that you meet the International Fire Code requirements listed below

**SPECIFICS AND CONDITIONS:**

1. **IFC 1703.2 Sources of Ignition.** Fires, open flames, and similar sources of ignition shall be eliminated from spaces under fumigation or thermal insecticidal fogging. Heating, where needed, shall be of an approved type.
2. **IFC 1703.2.1 Electricity.** Electricity shall be shut off.

**Exception:** Applications utilizing non-flammable/non-combustible products and circulating fans that have been specifically designed for utilization in hazardous atmospheres and installed in accordance with National Fire Protection Association Pamphlet #90, *National Electrical Code*.

3. **IFC 1703.3 Notification of Fumigation.** If using flammable/combustible or toxic products, The Fire Code official and Fire Chief shall be notified in writing at least 24 hours before the structure 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. Notice of any fumigation or thermal insecticidal fogging shall be served with sufficient advance notice to the occupants of the enclosed space involved to enable the occupants to evacuate the premises. Email notification to Denver Fire Department Dispatch at:

[FIREDISPATCHERS@DENVERGOV.ORG](mailto:FIREDISPATCHERS@DENVERGOV.ORG) and to the Marijuana Group of the Fire Prevention Division at:

[DFDMARIJUANAENFORCEMENT@DENVERGOV.ORG](mailto:DFDMARIJUANAENFORCEMENT@DENVERGOV.ORG)

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4. **IFC 1703.3.2 Breathing Apparatus.** Persons engaged in the business of fumigation or thermal insecticidal fogging shall maintain and have available approved protective breathing apparatus.
5. **IFC 1703.3.3.3 Watch Personnel.** When using flammable/combustible or toxic products, during the period fumigation is in progress, a capable, alert watcher shall remain on duty at the entrance or entrances to the enclosed fumigated space until after the fumigation is completed and the premises are properly ventilated and safe for occupancy. Sufficient personnel shall be provided to prevent persons from entering the enclosed space under fumigation without being observed.
6. **IFC 1703.5 Sealing of Buildings.** Paper and other similar materials that are not flame resistant shall not be used to wrap or cover a building in excess of that required for sealing of cracks, casements, and similar openings.

7. **IFC 1703.3.1 Warning Signs.**

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, rooms, and areas containing chemicals for fumigation and thermal insecticidal fogging.

Application Logs. Application Logs shall be maintained on or near doors to each area/room being treated with FUMIGANTS, PESTICIDES, FUNGICIDES & MITICIDES. The log shall identify: Product(s) in use; Date & Time of application and Date & Time for safe re-entry into treated areas according to manufacturers' requirements.

Usage Warning Signs. Where fumigants and thermal insecticidal fogging products are used, approved warning signs bearing the "skull and crossbones" emblem with the warning "**DANGER! POISON GAS! KEEP OUT!**" shall be posted at all building entrances. Notices pertaining to the type of chemicals being used shall be posted. The notices pertaining to the type of chemicals for fumigation and thermal insecticidal fogging shall be printed in red ink on 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 occupied premises 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.

Storage Warning Signs. Where fumigants and thermal insecticidal fogging products are stored, NFPA 704 placard guidelines shall be followed.

8. **IFC 2701.1 #2 / 3701.1 #2.1 Application.** Application and release of pesticides, agricultural products and materials intended for use in pest control, weed abatement, erosion control, soil amendment or similar applications shall be applied in accordance with the manufacturer's instruction and label directions.

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9. **IFC 1703.6 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.
10. **IFC 1703.4 Thermal Insecticidal Fogging Liquids.** Thermal insecticidal fogging liquids with a flash point below 100 degrees Fahrenheit shall not be utilized.
11. **IFC 1703.7 Carbon Disulfide and Hydrogen Cyanide.** The use of carbon disulfide (CS<sub>2</sub>) and hydrogen cyanide (HCN) shall be restricted to agricultural fumigation.

## V. SITE INSPECTION

Upon approval of a PESTICIDES, FUNGICIDES, MITICIDES INVENTORY STATEMENT Or FUMIGATION PERMIT, a Denver Fire Department FPID Inspector will conduct a field inspection of the site. If any violations of the above sections exist, the permit may be revoked. Compliance with **all** Fire Code requirements shall be maintained at all times. Permit shall be kept on site at all times. Permit is valid for business/property owner, time frame, site indicated on the permit. The transfer of permits to other sites and/or businesses is prohibited.

## VI. PERMIT(S) MAY BE REVOKED WITHOUT REFUND IF:

1. The permit is used for a location or establishment other than issued to.
2. The permit is used for a condition or activity other than listed in the permit.
3. Conditions and limitations set forth in the permit are violated.
4. False statements or misrepresentations are discovered in the application for permit, inventory statement or plans submitted as a condition of the permit.
5. The permit is used by a person(s) or firm other than stated on the permit.
6. Failure, refusal or neglect to comply with orders or notices duly served in accordance with the provisions of the fire code in the time provided therein.
7. The permit was issued in error or in violation of any ordinance, regulation or provision of the fire or building code.

**Visit [DenverGov.org/DFD](http://DenverGov.org/DFD) and select “Fire Safety Permits” for the current Fire Permit Fee Calculation Table.**

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**FUMIGATION AND THERMAL INSECTIDAL FOGGING APPLICATION FORM**

**THIS FORM SHALL BE COMPLETED AND SIGNED BY A REPRESENTATIVE OF THE SITE APPLYING FOR THE FUMIGATION AND THERMAL INSECTICIAL FOGGING PERMIT. A PERMIT WILL NOT BE ISSUED IF THIS FORM IS NOT COMPLETE.**

NAME OF BUSINESS: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_ CITY, STATE, ZIP CODE: \_\_\_\_\_

CONTACT'S NAME: \_\_\_\_\_

CONTACT'S PHONE NUMBER: \_\_\_\_\_ FAX \_\_\_\_\_

PERMIT SITE ADDRESS: \_\_\_\_\_

DATE(S) OF FUMIGATION: FROM: \_\_\_\_\_ TO: \_\_\_\_\_

PRODUCT NAME \_\_\_\_\_ QUANTITY \_\_\_\_\_

PRODUCT NAME \_\_\_\_\_ QUANTITY \_\_\_\_\_

PRODUCT NAME \_\_\_\_\_ QUANTITY \_\_\_\_\_

I HAVE INCLUDED AN SDS FOR EACH FUMIGANT, INSECTICIDE, FUNGICIDE, MITICIDE AND OTHER CHEMICAL PRODUCT USED ON SITE (CIRCLE ONE) YES NO

I HAVE READ AND UNDERSTAND THE POLICY REGARDING NOTIFICATION OF FUMIGATION. I UNDERSTAND THAT THIS PERMIT WILL BE REVOKED IMMEDIATELY IF THE NOTIFICATION REQUIREMENTS ARE NOT FOLLOWED (CIRCLE ONE) YES NO

I HAVE READ AND UNDERSTAND THE DENVER FIRE DEPARTMENT'S POLICY REGARDING **FUMIGATION AND THE USE AND STORAGE OF PESTICIDES, FUNGICIDES, MITICIDES & REQUIRED INVENTORY STATEMENTS**. I ALSO UNDERSTAND THAT THE DENVER FIRE PREVENTION DIVISION WILL CONDUCT A SITE INSPECTION, AND THAT IF I FAIL TO COMPLY WITH THE IFC, IBC, DENVER AMENDMENTS OR NFPA STANDARDS, MY PERMIT(S) MAY BE REVOKED WITHOUT A REFUND.

PRINT NAME: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

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**PESTICIDES, FUNGICIDES, MITICIDES INVENTORY STATEMENT**

**THIS FORM SHALL BE COMPLETED AND SIGNED BY A REPRESENTATIVE OF THE SITE RESPONSIBLE FOR PESTICIDE NOTIFICATION. PLEASE SUBMIT COMPLETED FORM TO THE MARIJUANA INSPECTIONS OPERATIONS SUPERVISOR FOR REVIEW, APPROVAL, AND ISSUANCE OF A COPY FOR YOUR USE. A CURRENT COPY OF THE INVENTORY STATEMENT MUST BE POSTED ON SITE.**

NAME OF BUSINESS: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_ CITY, STATE, ZIP CODE: \_\_\_\_\_

CONTACT'S NAME: \_\_\_\_\_ CONTACT'S PHONE NUMBER: \_\_\_\_\_

EMAIL: \_\_\_\_\_

SITE ADDRESS: \_\_\_\_\_

PRODUCT NAME \_\_\_\_\_ QUANTITY \_\_\_\_\_

PRODUCT NAME \_\_\_\_\_ QUANTITY \_\_\_\_\_

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PRODUCT NAME \_\_\_\_\_ QUANTITY \_\_\_\_\_

(If additional products, please list on a separate page)

I HAVE READ AND UNDERSTAND THE DENVER FIRE DEPARTMENT'S POLICY REGARDING **FUMIGATION AND THE USE AND STORAGE OF PESTICIDES, FUNGICIDES, MITICIDES AND REQUIRED INVENTORY STATEMENTS**. I ALSO UNDERSTAND THAT THE DENVER FIRE PREVENTION DIVISION WILL CONDUCT A SITE INSPECTION, AND THAT IF I FAIL TO COMPLY WITH THE IFC, IBC, DENVER AMENDMENTS OR NFPA STANDARDS, MY PERMIT(S) AND/OR APPROVALS MAY BE REVOKED WITHOUT A REFUND.

PRINT NAME: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_