RESIDENTIAL FUMIGATION INCIDENTS

Don Lott, U.S. EPA
March 8, 2017
The horror stories continue...!
OIG Report – December 12, 2016

• Sulfuryl Flouride incidents identified
  – California (2005-2014)
    • 7 incidents resulting in death (6-unauthorized entry; 1 improper evacuation)
    • 1 incident resulting in serious injury (unlawful entry)
    • 4 incidents resulting in death (unauthorized entry)
    • 1 incident resulting in serious injury (inoperable clearance device)
Recent History of Deadly Incidents

• 2010…Layton, UT
  • Rachel & Rebecca Toone died
  • Bugman Lawn and Pest, Inc
  • Fumitoxin misapplication
    – Over application
    – Too close to residence
  • Layton County
    – Negligent homicide
  • UT enforcement
  • EPA criminal enforcement
Recent History of Deadly Incidents

• 2015…Sirenusa Resort, VI
  • Family of four seriously injured
  • Terminix VI
  • Methyl Bromide misuse
    – Non-quarantine application
  • Out-of-court settlement with family
  • VI issued Complaint
  • EPA criminal
    – Terminix plea agreement pending
Recent History of Deadly Incidents

• 2015…Palm City, FL
  • 10-yr old seriously injured
  • Sunland Pest Control
  • Misuse
    – Clearance
    – Stewardship training
• Zythor
  – Sulfuryl flouride
Latest Tragic Incident – Amarillo, TX
Jan. 4, 2017

• Aluminum Phosphhide misapplication
  • Do-It-Yourself application
  • Uncertified homeowner

• Four (4) children died
  • Six (6) other family members treated
  • Ten (10) emergency responders treated
What We Know

• Applicator not authorized to obtain or use fumigant
  • Obtained from a “friend”

• Application details:
  • “Weevil-Cide” applied to crawl space under home
  • Tried to wash it away with a hose
  • Phosphine gas formed

• Investigations on-going
The Risk Is Too Great…

To Allow This Deadly Trend to Continue
What Can We Do.....?

- Education & outreach
- Training
  - Certification
  - Stewardship programs
- Disposal programs
- Regulate
- Compliance monitoring
- Enforce product and use violations
State Activities in 2016

- Inspections
  - Targeting
  - Procedures
- Enforcement
- Structural fumigation workshops
- Fumigation oversight procedures
- Public awareness
- Disposal programs
- Fumigation regulations
  - Stewardship training
  - Continuing education
  - Notification
  - Recordkeeping
  - Clearance device requirements
  - FIFRA registration labeling
Enforcement
Methyl Bromide Related Cases

• Terminix, VI
  • VI – Complaint
  • EPA – Criminal Plea Agreement

• Comejen Exterminating
  • R2 – $2,000 CAFO

• Merced Exterminating
  • R2 - $2,500 CAFO

• Truly Nolan Exterminating
  • R2 – Complaint…Default Motion

• Tower & Son Exterminating
  • R2 – Complaint…Default Motion

• Alternative Exterminating
  • R2 – Complaint

• Superior Angran
  • R2 - $210,000 CAFO
Enforcement

Sulfuryl Flouride Cases

- Sunland Lawn & Pest
  - Florida
    - Stop Work Order
  - EPA
    - Prison for owner & applicator
    - Corporate probation

Aluminum Phosphide Cases

- Douglas Products
  - R7/HQ – SSUROs
- ROC
  - R7 - $1,132 CAFO

Other Investigations Pending
Never again...!
Questions...?