ANNEX T-1
GUIDE: FUMIGATION COMPLIANCE GUIDANCE FOR USAID PARTNERS

With the approval of the "Commodity Protection in USAID Food Assistance Programs by Phosphine Fumigation" Programmatic Environmental Assessment ("Fumigation PEA"), USAID for the first time will have uniform, mandatory environmental, health and safety requirements regarding phosphine of food commodities.

This Annex guides USAID implementing partners in complying with these requirements. **Partners that follow the instructions in this annex, use the templates provided in other "T" Annexes, and follow through on implementation and reporting as specified herein will satisfy the requirements established by the PEA. In areas where Partners are unable to meet the implementation and reporting conditions described herein, they must request an exception from USAID. All substantive changes must be approved.**

Note that this document assumes knowledge of USAID program implementation and management, including the basics of environmental compliance for USAID food assistance activities.

OVERVIEW OF FOOD ASSISTANCE PROGRAM FUMIGATION COMPLIANCE

USAID partner programs that contract for phosphide fumigation of food commodities must assure that such fumigation:

- Complies with the mitigation measures set out in section 5.3 of the PEA (see summary box at right).

- Report on compliance with these requirements.

- Have formal authorization under USAID's environmental procedures to contract for (generally, "support") such fumigation.

THE FUMIGATION PERSUAP

A program-specific Pesticide Evaluation Report and Safer Use Action Plan (PERSUAP)[1] for phosphine fumigation is the mechanism by which all three of these requirements are addressed:

- The phosphine fumigation PERSUAP, when approved by USAID, authorizes phosphine fumigation of food commodities for the subject program.

- The PERSUAP authorizes such fumigation subject to the condition that the mitigation measures (safer use requirements) set out in section 5.3 of the PEA are implemented. These conditions are set out in the safer use action plan (SUAP) portion of the PERSUAP.

In summary, the SUAP must establish the following compliance requirements:

> **Key "safer fumigation" requirements per this PEA.**
>
> Fumigation Services RFQs and contracts require conformity with acceptable fumigation practices per annex T-6, including:
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> - Required use of canister respirators or self-contained breathing apparatus (SCBA)
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> - Required hazard & efficacy monitoring
>
> - Required maintenance of an <u>exclusion zone</u> for duration of fumigation event (7-10 days)
>
> Each fumigation event must have a fumigation management plan (FMP) conforming to these practices
>
> USAID partners shall enforce these requirements and take corrective actions as required.

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[1] PERSUAPs are 22 CFR 216 Initial Environmental Examination (IEE) amendments. They fulfill the analysis and safeguard requirements established by 22 CFR 216.3(b) for any use of pesticides in a USAID-funded orUSAID-managed activity.

1. Implementation of good-housekeeping IPM Measures that are essential complements to fumigation per PEA Annex T-6

2. Implementation of a **Fumigation Management Plan** (FMP) for each fumigation event. The FMP must substantively conform to the plan provided as Fumigation PEA Annex T-3, EXCEPT as specifically noted. The FMP requires, inter alia, (a) use of canister respirators or self-contained breathing apparatus; (b) monitoring phosphine gas concentrations for hazard and efficacy; and (c) maintenance of an exclusion zone for duration of fumigation event (7-10 days),

3. Completion of the FMP should be included in contracts issued by USAID partners. The **FMP should be provided by the fumigator, aka the fumigation contractor. If the PVO conducts the fumigation (note that most PVOs do not have the in-house expertise and certifications required to conduct fumigations), the PVO is responsible for completing the FMP. Ultimately, the PVO is responsible that an FMP is completed and that a copy remains on site for two years.**

4. Storage and Transport of Aluminum Phosphide, if under program control, will substantively conform to contact pesticide best practices as set out in Fumigation PEA Annex T-7, except as specifically noted.

5. Monitoring and Corrective Actions. Program will actively monitor compliance with above-listed conditions and undertake corrective actions as needed.

- Similarly, the PERSUAP authorizes the use of specific contact (residual) pesticides as complements to fumigation, on the condition that their use ubstantively conform to contact pesticide best practices as set out in Fumigation PEA Annex T-7, EXCEPT as specifically noted.

- Finally, SUAP also serves as a fumigation compliance tracking and reporting tool; partners must report annually on fumigation compliance as part of their Environmental Status Report.

- Add requirement for completion of an FMP in contract; i.e., FMP must be completed and a copy must remain on-site.

PARTNER PERSUAP DEVELOPMENT RESPONSIBILITY & PROVIDED TEMPLATE

Development and submission of the PERSUAP is the responsibility of the USAID partner. A template fumigation PERSUAP is provided as Annex T-2 to this Fumigation PEA. This template:

1. satisfies the requirements of the PEA;

2. should very substantially reduce USAID partner effort required to prepare and submit an appropriate PERSUAP; and

3. serves as a mandatory fumigation compliance tracking and reporting template that must be submitted with the program's annual environmental status report.

Note: Formally, the PERSUAP is an amendment to the program's IEE. As such, it must be cleared by the country or regional mission and by the DCHA Bureau Environmental Officer in Washington

TIMING OF PERSUAP SUBMISSION AND APPROVAL

The PERSUAP need not be part of a new the program's IEE. But it must be approved and in place before the program undertakes phosphine fumigation of food commodities.

Following submission and approval, the USAID partner must then comply with the SUAP, and submit the updated SUAP annually to USAID as a part of the program's Environmental Status Report.

RELATIONSHIP OF THE SUAP TO THE EMMP

Food Assistance Programs IEEs require that programs develop an EMMP (Environmental Mitigation and Monitoring Plan) detailing how environmental mitigation and management required by the IEE will be implemented. The SUAP satisfies the requirement of an EMMP for fumigation activities. The overall program EMMP should simply incorporate the fumigation SUAP by reference.

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