

# **Differences Between “New” Rinsing Instructions on Labels and “Old” Rinsing Instructions in State Regulations**

**The Pesticide Stewardship Alliance Conference**

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# Agenda

- What are the “new” rinsing instructions on labels?
- How did EPA get there?
- What if “old” rinsing instructions in state regulations or guidance are different?

# “New” Rinsing Instructions for Nonrefillable Containers

- Container-containment rule in 2006
- Implemented (on labels) by 2011
- Rinsing instructions required for dilutable pesticides in rigid nonrefillable containers
  - Residential/household products are exempt
  - Must include instructions about the timing and triple rinse instructions
  - May include pressure rinsing instructions

# Timing

- Clean container promptly after emptying.
- Triple rinse container (or equivalent) promptly after emptying.
- Triple rinse or pressure rinse container (or equivalent) promptly after emptying.

# Triple Rinse Instructions

- Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container  $\frac{1}{4}$  full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times.
- 10 seconds for initial drain, shake time and rinsate drain time.

# How did EPA get there?

- **PR Notice 83-3**
  - Plastic containers: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in sanitary landfill, or incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke.
- States and ACRC filled in the details of what is a triple rinse in state regulations and/or guidance

# Proposed Rule (1994)

- Proposed container-containment rule
  - Applies to all dilutable products in rigid containers (including household)
  - Triple rinse or pressure rinse
  - Triple rinse:
    - Drain for 30 seconds after flow begins to drip
    - Agitate for 30 seconds
    - Drain rinsate for 30 seconds after flow begins to drip
  - EPA is evaluating the efficiency of shorter triple rinse procedures

# PR Notice 2001-6 (revised by 2007-1)

- **If empty:** Do not reuse this container. Place in trash or offer for recycling if available. **If partly filled:** Call your local solid waste agency or [toll free number which meets the criteria in paragraph II.E.] for disposal instructions. Never place unused product down any indoor or outdoor drain.
- Delete rinsing instructions for household pesticides
  - Experience has shown that many consumers are confused by rinsing procedures and often incorrectly dispose of the rinse water down the drain or down sewers.

# Two Studies on Shorter Rinse Times

- Formulogics
  - Flowable concentrate in 1, 2.5, & 5-gal container
  - Nine different rinsing procedures: 5, 10 & 30 seconds
  - All 9 procedures effective: 99.99% removal; most 99.9999% removal
  - Worst case: 5 gal container with:
    - 5 sec initial drain/5 sec shake & drain
    - 30 sec initial drain/5 sec shake & drain

# Two Studies on Shorter Rinse Times

- University of Florida
  - Flowable concentrate in 1, 2.5, 5-gal containers
  - Emulsifiable concentrate in 2.5 & 5-gal containers
  - Four rinsing procedures varying initial drain, shake & rinsate drain time 10 – 30 sec
  - All 4 procedures effective: 99.99% removal

## Conclusion from Studies

- Finalized 10 second initial drain, shake & rinsate drain times.
- Shorter procedure will adequately clean containers & should encourage end user compliance
- EPA believes that both triple and pressure rinsing are effective ways for users to clean most containers (with possible exceptions for size and other situations)

## What if state regs are different?

- In the past few years, we have received questions from states/extension about state regs or guidance for rinsing containers being different than what is on labels now.

## Arizona (1987)

- Before a person disposes of any pesticide container, the person shall ensure that...the container is triple rinsed.
- “Triple rinse” means to flush out a container at least three times, each time using a volume of water, or other diluent as specified on the label, equal to a minimum of 10 percent of the container’s capacity or a procedure allowed by the label that produces equivalent or better results.

# California

- Place required minimum amount of rinse medium in the container:
  - If  $> 5$  gal,  $1/4$  container volume
  - If  $\geq 5$  gal,  $1/5$  container volume
- Replace closure securely, and agitate.
- Drain rinse solution from container into tank mix.
- Allow container to drain 30 seconds after normal emptying.

# New York

- **Three rinse technique** means that after normal emptying, the container is allowed to drain in a vertical position for 30 seconds. The container is rinsed three times with water or the pesticide carrier being used, allowing 30 seconds for draining after each rinse. Rinse material should be easily measurable.
- Use one quart for each rinse of a one-gallon can or jug, a gallon for each five-gallon can and five gallons for either 30 or 55-gallon drums. Drain each into the spray tank before filling it to the desired level or drain into suitable containers for use as a diluent for future formulations of the same pesticide.

## ACRC Guidance

- Follow rinsing instructions on label.
- Triple rinse jugs:
  - Initial drain: 30 seconds after flow begins to drip
  - Initial rinsing immediately
  - Shake for 30 seconds (includes info on how to hold container)
  - Drain for 30 seconds after flow begins to drip

## What if state regs are different?

- NY State specifies the procedure to use for triple rinsing and it is different than what appears on labels. Am I correct to assume that applicators who comply with NY regs will not be found in violation of label directions?

## Answer

- A pesticide user must follow the label instructions; can rinse a container using an “equivalent” procedure if the label includes instructions to “Triple rinse container (or equivalent) promptly after emptying.”
  - “Clean container promptly after emptying.”
- If the NY triple rinsing procedure accomplishes 99.99% removal, it is equivalent to EPA’s triple rinsing procedure.

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