

# Groundwater Protection Regulations Frequently Asked Questions

## 1. How do you know if your pesticide application will fall within a Primary Recharge Area?

### Online Option

1. Check to see if the area where the application is to be made is located in a regulated wellhead protection area. The [MassGIS Online Data Viewer](#) allows viewing of a detailed map of regulated primary recharge areas (Zone II's or Interim Wellhead Protection Areas [IWPA]) of wells that have a pumping rate greater than 100,000 gallons per day. If the area of application is not located in a primary recharge area, you can proceed with the application.

### Traditional Options

If you do not have Internet access:

1. Check with the local water department for a Source Water Assessment Plan (SWAP) map which will show all Zone IIs.
2. Check with the local Board of Health for the Title 5 maps which were updated in 2003
3. Check with the regional DEP office:
  - o DEP Western Regional Office, 413-784-1100
  - o DEP Central Regional Office, 508-792-7650
  - o DEP Southeast Regional Office, 508-946-2700

If your area of application is located within a primary recharge area, you must determine if you are applying to an area with less than 50% foliar ground cover or greater than 50% foliar ground cover. Proceed to Step 3.

## 2. What is a Department Approved Integrated Pest Management Program?

Pesticides on the groundwater list must be applied as part of an Integrated Pest Management (IPM) program from a Department approved source. "Department approved sources" include:

- the current "Cranberry Chart Book " published by the University of Massachusetts
- IPM Practices for Vegetable Management - the Partners with Nature book,
- UMass Extension generated fact sheets which outline IPM practices specific to the pest problem.
- IPM Programs specifically developed to meet the requirements of the Groundwater Protection Regulations. The only program developed to date is for anthracnose management on turf. Contact the Department for more information.

The Department does not require the submission of IPM plans for approval. Instead the applicator should maintain a copy of their IPM program in their records. The plan should be specific to the pest problem requiring management with the Zone II chemical. The plan information should include:

- The name of the applicator
- The location (Zone II and property) and dates of the application
- A problem statement which outlines the reason for using the pesticide product on the Groundwater Protection List;
- An account of the method used by the applicator to identify the problem. Any laboratory diagnosis of the pest problem must also be maintained.
- An account of the IPM measures that have been taken to manage the problem.
- A letter or statement from the appropriate University of Massachusetts agroecology team member stating that there is no viable alternative to the use of product on the Groundwater Protection List to control the particular pest problem.

### **3. How do applicators notify the Department of an application of a pesticide product which is contained on the Groundwater Protection List?**

By using the Groundwater Protection Program Notification Form available on the wellhead protection website.

### **4. What is a Pesticide Management Plan?**

A Pesticide Management Plan is required for applications of active ingredients (which are contained on the groundwater protection list) made directly to soil or to areas with less than 50% foliar cover which lie within a primary recharge area. To obtain a plan, contact the Department of Agricultural Resources, Groundwater Program at 617-626-1773. The regulations require that the following information is submitted as part of a Pesticide Management Plan:

- Name and EPA registration number of pesticide used
- All maps necessary to identify the anticipated use site
- Written evaluations of alternative control methods including economic ramifications
- Information on the target pest, method of application, rate of application, irrigation practices (if any), crop and the percent of ground cover.
- Storage handling and loading procedures
- The specific department approved integrated pest management program that has been adopted
- Site specific data – top soil horizon depth; depth to seasonal high water table; NRCS soils hydrologic group; percent organic matter soil test results; monitoring data from wells on site including a list of wells.

- Other data which supports a finding that the anticipated use site is not a highly vulnerable site
- All data must be referenced

The plan is reviewed by MDAR, MassDEP and DPH. MDAR must respond within 60 days of the receipt of a completed Pesticide Management Plan. The application will be approved by the department only if the following conditions are met:

1. The anticipated use site is not a highly vulnerable site, i.e.:
  - a soil conservation service hydrologic group A whose products of the top soil horizon in inches and the soil organic matter in percent is less than or equal to 15
  - an area where the depth to the aquifer is less than 15 feet
  - an area where the depth to the fractured bedrock or seasonable high water table is less than four feet, and
2. There is unlikely to be an unreasonable adverse effect on the environment and
3. There is no viable alternative control method, and
4. The product has not been detected as a result of a groundwater monitoring program

**5. How to determine that there is no viable alternative to the use of the pesticide product?**

An applicator must obtain a current letter, statement or fact sheet from the appropriate University of Massachusetts authority stating that there is no viable alternative to the use of product on the Groundwater Protection List to control the particular pest problem.