

**DATE:** July 16, 2009

**TO:** District Health Directors  
District Environmental Health Managers  
Onsite Sewage System Professionals  
Professional Engineers **GMP #150**

**FROM:** Daniel Price  
Program Manager

**THROUGH:** Robert W. Hicks, Director  
Office of Environmental Health Services

**SUBJECT:** Borate-based Termiticides and Separation to Wells

### **Background**

Section 380 and Table 3.1 of the *Private Well Regulations* (12 VAC 5-630-10 et seq., the *Regulations*) establish the standoff distance between wells and sources of contamination. Section 380 A. refers to “pesticide treated soils” as a potential source of contamination. Table 3.1 and Section 380 F require a minimum standoff of 50 feet between a termiticide-treated foundation and Class III and Class IV wells, with exceptions.

Since the *Regulations* were last amended in 1992, pesticides and their application have continuously evolved using different chemicals and processes. It is our understanding that borate-based termiticides do not pose a threat to groundwater when they are used according to the manufacturer’s instructions as they are not intended for application to soil. GMP #132 describes the use of Bora-Care. BORATHOR MAX PT® is another product that has been brought to our attention recently. The products are mixed with water and applied to the bare surface of wood and other cellulose-containing components to protect them against wood infesting and destroying organism attack. These products penetrate wood where they then crystallize and protect wood from wood destroying organisms. Once a termite, powderpost beetle, old-house borer (or other wood destroying organism) tries to eat wood that has been sprayed with such products, it will die.

### **Summary Statement**

Borate-based termiticides do not constitute treatment of the soils or foundation with a pesticide as cited in the *Regulations*. Consequently, when borate-based termiticides are applied directly to building components, the separation distance between the foundation and a private well required by §12 VAC 5-630-380.F does not apply.

c: Mr. Ken Kendall, ENSYSTEX, Inc., VP Technical Services & Governmental Affairs  
Virginia Water Well Association