

**HUMBOLDT COUNTY
PESTICIDE USE ENFORCEMENT PROGRAM**

Work Plan for 2013-2016

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**Humboldt County Enforcement Work Plan
2013/16**

County Resources

- Agricultural Inspector II will devote a minimum of 40% of time to PUE Program
- Commissioner and Agricultural Inspector II will assist with PUE program workload as needed

A. Restricted Materials Permitting

Permit Evaluation

- 14 Restricted Materials Permits issued in 2012
- The majority of permits are issued for phenoxy herbicides; a very limited number of permits are issued for methyl bromide, chloropicrin, carbamate and organophosphate insecticides
- Permits are primarily issued by Agricultural Inspector II
- Permit issuance takes approximately 1 hour
- Department requires in person interviews for new permit requests. Interviews allow inspectors to evaluate potential site specific hazards associated with proposed restricted materials applications
 - RMP applicants are required to review and sign permit conditions and notifications page
 - RMP applicants are required to provide site-specific maps for all application site ID's on the permit. Applicants are required to identify on site-specific maps, sensitive sites in the surrounding environment including: homes or occupied structures, wells and bodies of water
- Agricultural Inspector II administers qualified applicator certificate exams
- Department confirms applicant possesses required licensing prior to issuing permit if applicant intends to make applications themselves
- Permits are valid for 1 year, expiring on December 31 of the year in which the permit was issued
- Permit sites are generally identified by a numeric code, which is a combination of the permit number and each site numbered sequentially (ex: 1-1, 1-2, 1-3)
- Pesticide use reporting requirements are reviewed with the applicant at the time of their interview. Applicants are given instructions on properly completing use reports
- Notices of Intent (NOI's) are accepted by fax or phone. NOI's received after hours or on weekends are reviewed the next business day. Most NOI's are reviewed by PUE staff as soon as possible after receipt.
- Department requires 24 hour NOI's
- Department normally receives approximately 46 NOI's per year. In 2012, 17 NOI's were received
- NOI's are transcribed into a log which is maintained in the front office

Strengths

- Commissioner and responsible staff are committed to PUE program meeting all relevant DPR recommendations
- Department staff and responsible inspector provide important knowledge of areas of potential concern when reviewing permits and/or proposed restricted materials application sites
- The majority of restricted materials applications occur in areas where few sensitive sites exist. The relatively low number of applications in these sensitive areas makes it possible to conduct a high percentage of pre-site and compliance monitoring inspections

Weaknesses

- Department has only 3 inspectors responsible for implementing all of the agricultural programs (including pesticide use enforcement) in the County
- Lack of comprehensive sensitive site map or GIS map program capabilities for evaluating NOI's

Areas Needing Improvement

- The program will continue to target applications where the potential greater risk to the public or surrounding environment exists due to restricted materials applications
- Department's program will continue increased levels of inspections to more accurately appraise level of compliance
- Department needs to continue training additional staff members to enforce pesticide regulations
- County program needs to develop outreach programs for the regulated community that will increase overall program effectiveness. Department still lacks a permit program that incorporates GIS technologies that will increase the effectiveness and accuracy of NOI review as well as provide the public with more accurate information about the specific locations of pesticide applications

Plan for Improvement

- The Department has an inspection strategy that identifies and targets types of applications that pose a greater risk to the public and the environment. The County's program will focus its efforts on these greater risk types of applications. Included in this inspection approach are field fumigations, applications of phenoxy herbicides and structural applications
- Department will use all resources currently available to thoroughly review RM permit applications to ensure that any potential sensitive-site hazards are mitigated prior to granting RM permits

- The County's program will conduct pre-site inspections of 7.5% of NOI's submitted. The program will also conduct pre-site inspections of all proposed applications of field or structural fumigants
- The County, with the assistance of DPR's EBL, will continue training additional staff to conduct PUE inspections

Measuring Success

- Program will be successful if it continues to focus inspections activities on application types that pose the greatest potential risk to the public or the environment including golf courses, cemeteries, and field or structural fumigant applications
- Program will be successful if it increases number of pre-site inspections to 7.5% of NOI's submitted
- Program will be successful if it can begin training additional inspectors to enforce pesticide regulations

B. Compliance Monitoring

Strengths

- County's program will benefit by assignment of the PUE program to the new PUE program manager spending 50% of available time in the program
- Department's plan to change the focus of its inspection activities will give a better overall picture of the level of compliance with pesticide regulations by all types of applicators. Compliance monitoring activities will focus on golf courses, cemeteries and structural applications as well as continued monitoring of RMP applications in forest settings
- Department will utilize EBL for training and consultation on the most important strategies employed in an effective compliance monitoring program
- Violations identified by compliance monitoring inspections requiring follow-up will be conducted (within 60 days) in a timely manner

Weaknesses

- Department lacks additional personnel trained to perform PUE inspection activities
- County lacks any education or outreach programs for industry

Areas Needing Improvement

- County program needs to continue its inspection strategy of inspecting types of pesticide applications that pose a greater potential for risk to the public and the environment. The result of directed inspections activities will be a more accurate picture of the level of compliance with pesticide regulations and will inform decisions made on the future emphasis of the enforcement program

- County program needs to conduct follow-up inspections in a more timely manner
- County program needs to create a tracking system for inspections and follow-ups of non-compliances
- County needs to create an education or outreach program for industry that will provide pesticide safety training and communicate policy changes affecting the regulated community
- Department will take a more active role in providing training and oversight of local schools compliance with the School IPM Program.

Plan for Improvement

- The department will work with DPR's EBL to continue training additional staff to conduct PUE inspections. Program will continue to focus its compliance monitoring inspections on golf courses, cemeteries and structural applications

Measuring Success

- The plan for improving the compliance-monitoring program will be judged to be successful if inspection of golf courses, cemeteries and structural applications are increased. Increased inspections of these application types will likely result in non-compliances initially, then compliance as a result of enforcement/compliance action and outreach efforts
- County's program will become more successful when it develops and implements an education and outreach program for the regulated community

C. Enforcement Response

Strengths

- Following Enforcement Response Regulations will continue with the assignment of program responsibilities to the new PUE manager
- Commissioner is committed to the County PUE program following DPR guidelines for the Enforcement Response Regulations
- The County's inspection strategy will provide opportunities to locally implement the Enforcement Response Regulations

Weaknesses

- Department has only one staff person fully trained and experienced in the PUE program

Areas Needing Improvement

- The program's compliance monitoring strategy will provide a more accurate picture of compliance with pesticide regulations upon which enforcement response is based. County program will continue to follow Enforcement Response Regulation requirements when evaluating non-compliances

Plan for Improvement

- County program will fully implement Enforcement Response Regulation requirements when evaluating non-compliances
- Decision reports will be reviewed and following Enforcement Response Regulations guideline submitted to DPR (30 days following non-compliance)
- Commissioner and new PUE program manager are committed to the PUE program following all Enforcement Response Regulation guidelines when reviewing non-compliances

Measuring Success

- County program will be successful if after implementing Enforcement Response Regulation guidelines and after repeated compliance monitoring inspections it is found that the overall level of compliance with pesticide regulations in Humboldt County has increased
- County outreach/education program will be successful if important changes to pesticide regulations are communicated in a timely manner and compliance levels are maintained regardless of regulatory changes

D. Summary

Humboldt County's PUE program is effectively fulfilling its mandates to enforce pesticide laws and regulations. Humboldt's program has benefitted significantly from the addition of a highly trained inspector from an intensive agriculture county.

PRIORITIES AND OTHER PESTICIDE REGULATORY ACTIVITIES

- A. Non-Fumigant VOC Regulation Compliance (San Joaquin Valley), when regulations are final: *Does not apply to Humboldt County*
- B. Compliance with Soil Fumigation Phase II labeling: *HCDA staff will attend all DPR sponsored training sessions for the Soil Fumigant Training. These applications have always been high priority. HCDA strives to monitor all soil fumigations with either a pre-application site or use monitoring inspection. HCDA works closely with CDPR, U.S. EPA, registrants and applicators to facilitate the implementation to the Phase II soil fumigant training in 2013.*
- C. Chloropicrin mitigation: *Measures will be implemented when available. There is limited use in Humboldt County. HCDA will address as applicable*
- D. Structural inspection activity Branches 1, 2 & 3: *HCDA has few Branch 1 applications and perform at least one inspection for each operator every year. HCDA will continue to focus on resident operators for Branch 2 and 3, performing a headquarters or use monitoring inspection annually and will emphasize the new surface water regulation.*
- E. Efforts to work collaboratively with the State Regional Water Quality Board and DPR Environmental Monitoring Branch regarding applications of diazinon, chlorpyrifos and diuron near water bodies: *HCDA has not been asked by any agency to assist with water quality issues, but would do so if approached.*
- F. Staff Training: *The county work plan will be reviewed at regular staff meetings and staff will be focused to address goals. Staff will attend training provided by DPR when practicable.*
- G. Compliance with pesticide use at schools: *During routine headquarters inspection of pest control businesses, HCDA will identify any pesticide usage at schools and verify compliance with school pesticide use reporting and employee handler training requirements.*
- H. Secured Web Access (SAW) for pilot counties: *Does not apply in Humboldt County.*
- I. Compliance with Ground Water Regulations (i.e., participation with DPR's Environmental Monitoring Branch on related studies): *as with E, above, HCDA has not been approached to do this work, but would do so if requested.*
- J. Chilean Fruit Air Monitoring (CFAM) and other commodity fumigation focused activities: *Does not apply to Humboldt County*
- K. Regulatory outreach and education: *Sponsor and participate in one grower meeting each year. Also provide monthly attendance and participation at local Farm Bureau, Resources Conservation District and other meetings.*
- L. Investigative Review: *HCDA meets regularly with the EBL to discuss possible enforcement action, including referral to DPR for state action.*
- M. Compliance with Non-Ag Surface Water Regulations: *HCDA will incorporate this into the compliance monitoring scheme. Goals for this activity are described above. Surface water regulations will be emphasized at appropriate use monitoring inspections and headquarters inspection.*

- N. Federal rodenticide regulation compliance: will be ensured by requiring certification and enforcement of use restrictions. *This is also evolving, as second generation rodenticides are being evaluated by U.S. EPA. Second generation bait requirements will be addressed as applicable.*
- O. Focused inspections on employers with employees: *At least 25% of all headquarters inspections, as identified by use report data, will be targeted at employers who have employee handlers who handle pesticides.*
- P. DPR reporting for report of loss related to bee kills: *HCDA will continue to maintain a log of complaints and track those regarding bee losses may be associated with pesticide applications.*
- Q. Collaboration with DPR in addressing U.S. EPA activities or requests: *Should this arise, we will coordinate our efforts with DPR and U.S. EPA.*