



San Francisco City and County
Department of Public Health
Environmental Health Section
Pesticide Enforcement Program

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CITY AND COUNTY OF SAN FRANCISCO
PESTICIDE USE ENFORCEMENT
WORK PLAN
FOR 2006 - 2009

Mission Statement

To promote reduced risk integrated pest management practices and assure for the safe use of pesticides to protect people and the environment.

Resources

Program Overview

The City and County of San Francisco Pesticide Use Enforcement Program (Program) is administered by the County Agricultural Commissioner (CAC) located in the Department of Public Health Environmental Health Section (EHS). The Program function was redirected to EHS in 2005 because of the dissolution of the Department that housed the Program, and has been managed for the past two years by supporting EHS staff. The present Commissioner assumed program responsibility in March 2007.

The daily Program operations are primarily carried out by one inspector that is not licensed by the State to perform Program activity. He is presently studying for the State exam and until such time he obtains a license, the Program activity will be directly supervised by the Agricultural Commissioner. Two licensed inspectors performing other agricultural inspection activity will also assist in assuring Program operations meet State standards. Clerical and administrative support is provided and shared with EHS staff.

Staff Resources

- CAC will devote 25% of his time for both technical and administrative Program oversight.
- 1 FTE Inspector (Industrial Hygienist) is responsible for the implementation of the Program Work Plan.
- 2 FTE Agricultural Biologist Inspectors will devote 5 to 10% of their time to the Program for support and oversight.
- 1 Junior Administrative Analyst devotes 15% time to the Program for tracking and submitting PRAMR activities, processing various Program business registrations fees and processing the pesticide use reporting contract activities.

Fiscal Resources

The following Program expenditures and revenues were reported for the past budget cycle. These figures may not fully represent the scope of the program and it should be anticipated that over the course of this work plan the fiscal resources will be reassessed.

- **2005/06 Expenditures** —————→ **\$17,214**
- **2007 Mill Disbursement** —————→ **\$17,214**

Overview of Core Program Element

The Program for FY 2006-2009 consists of the following three core elements:

Restricted Materials Permitting

Restricted materials permits are issued to protect people and the environment while allowing for effective pest management. Generally in addition to use by or under the direct supervision of a certified applicator, applications of California restricted materials may occur only under a permit issued by the County Agricultural Commissioner or his staff. Our goal is to assure each proposed application poses no unacceptable risk and permits are conditioned to mitigate identified hazards. Pre-application site monitoring inspections are conducted when it is determined that only an on site evaluation will allow for an appropriate assessment of the risks.

Compliance Monitoring

Our goal to reduce risks to people and the environment depends on an effective and comprehensive compliance monitoring plan. Field inspections and investigations allow us to identify and respond to potential hazards to workers, the public, and the environment. We strive to maintain an enforcement presence at a level that will deter pesticide violations.

Enforcement Response

Our goal is to deter pesticide violators by applying enforcement response actions fairly, consistently and swiftly. Pesticide users who abide by the rules deserve some assurance that the playing field is level. When violations are found, enforcement actions taken are in accordance with California Code of Regulations (CCR) Section 6128 and 6130.

Restricted Materials Permitting

Permit Evaluation

The Program issues approximately eight (8) *Restricted Material Permits* (RMPs) annually for pest management in non-production agricultural settings, such as on golf courses, landscape maintenance areas and ornamental sites. Most common restricted use pesticides are used for broadleaf weed control, soil pests and rodent control. Permits are issued under the oversight of a licensed inspector to qualified property operators and/or their authorized agent and all *Notices of Intent* (NOI) to use a restricted material are reviewed under the oversight of licensed staff.

Deliverables:

- *Presently, all permits/ID Numbers are hand written. We expect to have the RMPP permitting database in place by summer of 2007 and the RMMS database system in place before the 2008 permit season. All permits and IDs will be in an electronic database by January 2008. This will better facilitate the issuance of permits and use reporting and tracking of data.*

- *The Program will develop a checklist to assure permits are issued consistently and to assure feasible alternatives have been considered and mitigation measures applied as necessary in accordance with DPR standards.*
- *All NOIs to apply restricted materials will be recorded and reviewed to evaluate the hazards of the proposed applications.*

Site Monitoring Plan

In addition to the requirement to submit an NOI 24 hours prior to the use of a restricted material, the Program also requires NOIs for all Branch 1 structural fumigations within San Francisco County. Approximately 25 NOIs are received annually. NOI inspections will be prioritized based on knowledge of pesticide hazards, local conditions, weather patterns, and permittee compliance history. Generally, the Program will inspect at least one restricted material application annually for each permittee.

Deliverables:

- *Perform all pre-application site monitoring inspections for Branch 1 structural fumigation NOIs and 20% of all agricultural use NOIs.*

Compliance Monitoring

San Francisco’s Program is committed to a comprehensive compliance monitoring scheme that focuses inspection efforts on areas where the risks of human health or environmental harm are the greatest and compliance with pesticide requirements is the lowest. Our Program emphasizes inspections on areas where pest management occurs in sensitive populations such as low income housing and immigrant populations. Our ability to communicate directly with our Department housing inspectors allows us to target inspections on planned applications due to pest infestations such as bed bugs. The following table is a guide to assure an adequate field presence is sustained.

I. Aq Monitoring Inspections

Pre-application.....	15
Application.....	15
Mix/Load.....	10
Field Worker Safety.....	5

II. Records Inspections

Business.....20
HQ/Employee-Business.....20
Advisor Records.....5
HQ/Employee Safety-Prod Ag..... 2

III. Structural Pest Control

Fumigation-Branch 1.....10
Application-Branch 2 or 3.....20
Mix/Load-Branch 2 or 3.....10
HQ/Employee Safety-Business.....10
Business Records.....10

IV. County Registrations/Licenses/Certificates/OP Identification Numbers

Ag PC Business.....50
Ag PC Advisors.....20
Structural Notifications.....50
OP IDs Issued.....20

Deliverables:

- *All complaints will be promptly responded to and investigated. Complaints will be tracked in a log that includes the complaint type, date of complaint, complainant, pesticide (if applicable), county action, and date closed. The log will be available for DPR review on all complaints received.*

Enforcement Response

San Francisco CAC will implement an enforcement program that is fair, consistent and timely. The Program will ensure compliance by responding to all violations and referring to Section 6128 CCR for appropriate enforcement response. Special emphasis will be on detecting and deterring repeat violators through both compliance monitoring and enforcement response.

Deliverables:

- *A compliance history form will be placed on the front folder in each business file to track compliance history; repeat violators will be placed on an increased frequency of inspection schedule.*

- *Uniform enforcement will be ensured by routine staff meetings and internal discussions to set procedure, discuss compliance actions and situations that may merit further enforcement action.*
- *A NOPA tracking system to uniformly track all NOPA's and PUE cases will be developed. All NOPA's will be filed in a central location and submitted to the designated NOPA tracker for safe keeping, tracking, and quick retrieval.*

Non-Core and Desirable Activities

- *The Program will provide outreach in the Chinatown area of San Francisco to prevent the sale and use of illegal pesticides such as pesticidal chalk and mothballs.*
- *All pesticide use reports will be logged and reviewed as part of our Pesticide Use Enforcement Program. Staff will review each PUR for accuracy and enter the data into a database. Data will then be transferred monthly to DPR.*
- *The Program will provide worker safety protection outreach and education to industrial and institutional users, such as school districts and hospitals, regarding the use of antimicrobial pesticides to prevent and reduce the number of antimicrobial exposure illness.*
- *The Program meets monthly with the San Francisco Department of the Environment to review the reduced risk pesticide list of allowable pesticides and discuss integrated pest management policy to be followed by all city and county departments.*