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Pesticide Regulatory Program
2006/2007 Effectiveness Evaluation Report

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Performance Evaluation of the Mendocino County Agricultural Commissioner's Pesticide Use Enforcement Program For the Fiscal Year 2006/2007

This report provides a performance evaluation of **Mendocino** County Agricultural Commissioner's Office (CAC) pesticide use enforcement (PUE) program for fiscal year (FY) 2006/2007 (06/07). The assessment evaluates the performance of goals identified in the **Mendocino** CAC's 06/07 enforcement work plan as well as the CAC program's adherence to Department of Pesticide Regulation (DPR) standards as described in the Pesticide Use Enforcement Standards Compendium.

I. Summary Report of Core Program Elements

A) Restricted Materials Permitting (RMP and Site Monitoring Elements):

The restricted materials permitting program element was found to meet DPR standards and work plan goals for FY 06/07.

B) Compliance Monitoring (Inspections and Investigations Elements):

I. Investigations (Priority and Non-priority)

The **Mendocino** CAC had no investigations during 06/07 that met U.S. EPA/DPR "priority episode" criteria. The county followed all applicable DPR policies and submission deadlines (including updates to their Enforcement Branch Liaison [EBL]) for each priority investigation. DPR Worker Health and Safety (WH&S) Branch tracks DPR assignment and CAC completion dates, reviews all priority and non-priority human health investigations WH&S assigned to counties in detail each year, and provides periodic feedback to the EBL regarding thoroughness and completeness. The EBL also reviewed a representative sample of the approximately 16 non-priority investigations (including DPR WH&S and other complaints) CAC staff conducted during 06/07.

CAC PUE staff attended the DPR Investigation Manual training in March 2006. DPR WH&S tracking records indicate the CAC generally met DPR standards for timely completion and submission of DPR assigned investigations. The CAC followed DPR policies in conducting and preparing reports of the investigations, including keeping the EBL informed of the progress of the higher profile investigations in a timely manner. The EBL and WH&S review of CAC investigations indicated the CAC met DPR standards for overall thoroughness and completeness.

II. Inspections (Agricultural and Structural)

The EBL reviewed a representative sample of the approximately 29 agricultural pesticide use monitoring inspections (including Field Worker Safety, field fumigations, mix/load, etc.), 8 records inspections (including agricultural pest control business employee safety and/or business records and employer

headquarter), and 3 structural pest control business pesticide use/records inspections conducted by CAC staff as reported on the Pesticide Regulatory Activities Monthly Report (PRAMR) during 06/07.

The EBL also conducted structural and agricultural oversight inspections with various CAC PUE staff during 06/07. Based on the combination of EBL record reviews, field observations, interviews at various times with CAC field staff, and follow-up discussions with PUE managers, it was determined the CAC followed DPR policies and procedures regarding performing inspections with thoroughness and completeness, including associated follow-up activities.

Effectiveness Evaluation Findings: The CAC compliance monitoring program element for both inspections and investigations was found to meet DPR standards.

C) Enforcement Response (Enforcement and Compliance Action Elements):

The PRAMR includes categories for totals of both enforcement actions and civil penalty actions take during the fiscal year. The EBL reviewed a representative sample of the approximately 5 compliance action documents (Notice of Violation and Warning Letters) that were issued during 06/07. The EBL also reviewed a representative sample of the 3 civil penalty actions issued by CAC during 06/07. The CAC met DPR standards in the issuance of compliance and enforcement actions.

Effectiveness Evaluation Findings: The CAC enforcement response program element met DPR standards.

D) Non-Core and Desirable Activities:

Other "desirable" ("non-core") program activities in 06/07 included holding 13 outreach sessions.

The EBL reviewed representative records from their non-core program areas (licensing, registration, etc.) and interviewed PUE managers and support staff who processed such records during 06/07. The EBL found the CAC met DPR standards for these non-core areas of the PUE program.

Summary Statement:

During 06/07, CAC staff spent approximately **1,698** licensed hours, compared to 2,090 licensed hours last year. The CAC met DPR minimum standards for a CAC pesticide use enforcement program. No deficiencies were identified in the CAC's pesticide use enforcement program and the overall program is currently effective