Structural Fumigation Use Monitoring Inspection Training Module

Application Phase

Module 1.1: Document Review



GUIDANCE AND REFERNCES

Before starting this module, have these three manuals available to consult:

Inspection Procedures Manual

(Vol. 4 of DPR's "PUE Program Standards Compendium") http://www.cdpr.ca.gov/docs/enforce/compend/vol-4/inspect-procedures.htm

Laws and Regulations

(Vol. 2 of DPR's "PUE Program Standards Compendium") http://www.cdpr.ca.gov/docs/enforce/compend/vol 2/lawsregs.htm

 Laws and Regulations Relating to the Practice of Structural Pest Control (including Business and Professions Code; a convenient booklet format published by Structural Pest Control Board) http://www.pestboard.ca.gov/pestlaw/act.shtml





WHO SHOULD TAKE THIS TRAINING?

This series of training modules is intended for County Agricultural Commissioner (CAC) staff who perform structural fumigation inspections.

The procedures described in this presentation are intended solely for the guidance of employees of DPR and CACs. They do not constitute rulemaking by DPR. DPR and CACs may deviate from the procedures and guidance contained in the modules provided deviations do not conflict with law, regulation or policy.

This guidance was developed in May 2015 after consultation with the Structural Pest Control Board. If you have any questions, please contact the Department of Pesticide Regulation, Enforcement Branch Liaison serving your county.





GUIDANCE AND REFERNCES

You will also need: Inspection form

PR-ENF-107

(revised 1/2010)

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Cease and Desist Order 11897 / 13102 YES	□ NO			6. Required Information on Wa	arning Sign	ns	8505.10		
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	NO	dition	al space	TOTAL			TOTAL		





PHASES OF A STRUCTURAL FUMIGATION

The three phases of a structural fumigation include:

- Application Phase
- Aeration Phase
- Certification Phase



APPLICATION PHASE

The five main tasks the CAC inspector has when inspecting the <u>application phase</u> of a structural fumigation:

- Document review
 - Truck contents
 - Exterior of structure walk-around
 - Interior of structure walkthrough
 - Observing the actual application



DOCUMENT REVIEW

This <u>Document Review</u> module covers five* inspection requirements from the application phase of Structural Fumigation Use Monitoring Inspection Report form:

#	REQUIREMENT
1	Registered in county
2	County notified 24 hours prior
3	Written notice to occupant
4	Pesticide disclosure signed / available
12	Handler(s) trained

In total, there are 40 inspection requirements on the Structural Fumigation Use Monitoring Inspection Report form (PR-ENF-107, revised 01/2010)



What and how to inspect:

- Check SPCB website; Review files at CAC office
 - Has SPCB issued a company registration?
 - Was structural pest control company registered with CAC prior to performing structural pest control for hire within the county?
 - Are Field Reps, & Operators licensed by SPCB?
 - Were licensees registered with CAC prior to working?

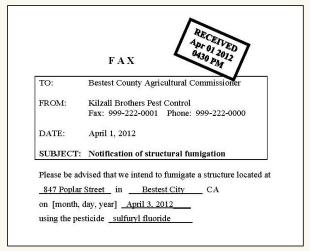
For more information:

- FAC § 15204.5
- Enforcement letter ENF 07-31 & Addendum





Is this registration in compliance (yes or no)?



Notice of Intent faxed to CAC

AGRICULTURAL COMMISSIONER OF BESTEST COUNTY

REGISTRATION FOR BRANCH 1 - STRUCTURAL FUMIGATION

Date Submitted: 02/03/2012

For Year: 2012

COMPANY INFORMATION:

Company Name: Kilzall Brothers Pest Control

Registration No. PR-6666

Mailing Address: 8739 Main Street, Bestest City CA 92234

Telephone: (999) 222-0000 E-mail: joe@kilzall.com Fax: (999) 222-0001

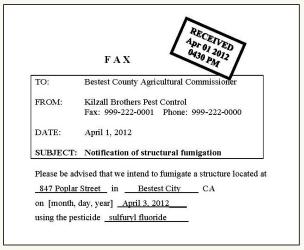
Physical Address: Same as mailing address

Operator Name: Joe Kilzall

License: OPR-9999 Expiration: June 30, 2013

Registration form on file at CAC

Is this registration in compliance (yes or no)?



Notice of Intent faxed to CAC

AGRICULTURAL COMMISSIONER OF BESTEST COUNTY

REGISTRATION FOR BRANCH 1 - STRUCTURAL FUMIGATION

Date Submitted: 02/03/2012

For Year: 2012

COMPANY INFORMATION:
Company Name: Kilzall Brothers Pest Control
Registration No. PR-6666
Mailing Address: 8739 Main Street, Bestest City CA 92234
Telephone: (999) 222-0000
E-mail: joe@kilzall.com
Fax: (999) 222-0001

Physical Address: Same as mailing address
Operator Name: Joe Kilzall
License: OPR-9999 Expiration: June 30, 2013

Registration form on file at CAC

Answer: Yes, this requirement is in compliance

Yes for information on registration form - see FAC 15204.5 (b)

It is unclear whether licensees <u>appeared in person</u> at CAC office as required by FAC 15204.5 (c) - - but presumably CAC would not have allowed registration otherwise

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Is this registration in compliance (yes or no)?



Fumigators arrived in a truck labeled with the name of the registered company



The tarp has a sign for a different company



Is this registration in compliance (yes or no)?



Fumigators arrived in a truck labeled with the name of the registered company



The tarp has a sign for a different company

Answer: Probably yes . . . but verify.

Many fumigations use a large sign for the Branch 3 company (the "primary contractor" with whom the property owner contracted), even though the actual fumigation is carried out by a separate Branch 1 company (the "subcontractor"). In such cases, verify that both companies have registered in the county.





Requirement #2: County Notified 24 hours Prior

What and how to inspect:

- Review Notices of Intent (NOI's) at CAC office.
- Did the structural pest control company inform the CAC of their intent to conduct fumigation operations at least <u>24 hours prior</u> to commencing fumigation?

For more information:

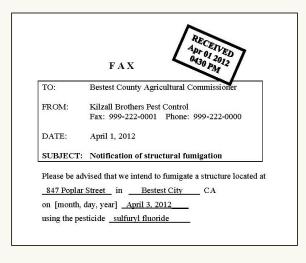
- FAC § 15204.5(d)
- Check with your supervisor - your CAC might have chosen to waive this requirement ("or as approved on a case-by-case basis by the commissioner")

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Requirement #2: County Notified 24 hours Prior

Assuming that your CAC requires the standard NOI format, is this in compliance (yes or no)?



Notice of Intent faxed to CAC



Requirement #2: County Notified 24 hours Prior

Assuming that your CAC requires the standard NOI format, is this in compliance (yes or no)?

	FAX RECEIVED 400 12012
TO:	Bestest County Agricultural Commissioner
FROM:	Kilzall Brothers Pest Control Fax: 999-222-0001 Phone: 999-222-0000
DATE:	April 1, 2012
SUBJECT:	Notification of structural fumigation
847 Poplar on [month, o	vised that we intend to fumigate a structure located at Street in <u>Bestest City</u> CA day, year] <u>April 3, 2012</u> ticide <u>sulfuryl fluoride</u>

Notice of Intent faxed to CAC

Answer: No.

This NOI is missing the <u>address</u> of the structural pest control operator or company. The address is required by FAC 15204.5 (d). This NOI <u>does</u> include all other information required by FAC 15204.5 (d).

Follow up with your supervisor:

• What should you do in response to this violation?





You are now driving to the fume site...

The previous two requirements focused on documents that usually are reviewed at the CAC office:

- (1) Registration, and
- (2) Notice of Intent (NOI).



The remaining documents in this module are usually reviewed after you arrive at the fumigation site.



You are now driving to the fume site...

The previous two requirements focused on documents that usually are reviewed at the CAC office:

- (1) Registration, and
- (2) Notice of Intent (NOI).



The remaining documents in this module are usually reviewed after you arrive at the fumigation site.



Requirement #3:Written Notice to Occupant

What and how to inspect:

- Was written notice provided to owner and tenant at least 48 hours prior to application?
- If possible, ask the <u>owner or occupant</u> of the structure when a written notice was provided to them.
- If owner/occupant is not available, ask the Branch 1 licensee for the notice.
 - Was it provided 48 hours prior?

For more information:

Business and Professions Code § 8538





What and how to inspect:

- At the fumigation site, ask licensee for the Occupant's Fumigation Notice (OFN). Must be signed by occupant or his/her designated agent.
 - If the signed disclosure notice is <u>not available</u> on site prior to the release of the fumigant, <u>stop the fumigation</u>.

For more information:

• 16 CCR § 1970.4 (a)





OFN is both the written notice and disclosure

(at least for structural fumigations)

- B & P Code 8538 calls it "written notice" (and lists specific text that must be included)
- 16 CCR 1970.4 calls it "pesticide disclosure"
- Branch 1 fumigations use a single document that meets <u>both</u> requirements:
 - The Occupants Fumigation Notice (OFN)







Occupant's Fumigation Notice and Pesticide Disclosure, from 16 CCR 1970.4 (a)

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	JOB ADDRESS CTTY Single Family Dwelling Multi Family Dwelling Other Owner/Agent	
	Tel. No. () Emergency No. ()	
	Tel. No. () Emergency No. ()	
	Furnigation Contractor Emergency No. () Target Pest(s): Drywood Termites Beetles Other(s)	
Must be	Funigents proposed to be used: Methyl Bromide Sulfuryl Fluoride: (Product Name)	
completed	Are you aware of any condults, pipes, common drains, air ducts, central vacuum systems or any other construction elements	
	that would allow the passage of a furnigant from the structure to be furnigated to any other adjacent or adjoining structure? YES () NO ()	
	CHLOROPICRIN WILL BE USED AS WARNING AGENT WITH EITHER FUMIGANT	
	Dates of furnigation: Date changes/Alternative date: Initials	
	IMPORTANT - READ CAREFULLY	
	THIS BUILDING WILL BE FUMIGATED WITH LETHAL GASES ON THE DATE(S) INDICATED ABOVE, ALL PERSONS AND ANIMALS MUST VACATE THE PREMISES ON OR BEFORE ARRIVAL OF THE FUMIGATION CREW.	
	UNDER NO CIRCUMSTANCES CAN ANYONE ENTER THE BUILDING UNTIL THE FUMIGATION COMPANY'S NOTICE IS POSTED GIVING THE TIME AND DATE FOR SAFE RE-ENTRY.	
	"State lew requires that you be given the following information: CAUTION-PESTICIDES ARE TOXIC CHEMICALS. Structural pest control companies are registered and regulated by the Structural Past Control Board, and apply posticides which are registered and approved for use by the California Department of Pesticide Regulation and the United States Environmental Protection Agency. Registration is granted when the State finds that based on existing scientific evidence there are no appreciable risks of proper use conditions are followed or that the risks are outweighed by benerits. The degree of fisk	Must match
	registered and approved for use by the California Department of Pesticide Regulation and the United States Environmental Protection Agency. Registration is granted when the State finds that based on existing scientific evidence there are no appropriately gift if proper use conditions are followed as that the delay are outwaished by the benefits. The degree of day	
	depends upon the degree of exposure, so exposure should be minimized."	B & P 8538(a)(3)
	If within 24 hours you experience symptoms of dizaness, headeche, nauses, reduced awareness, slowed movement, garbled speech or difficulty in breathing, leave the structure immediately and seak medical attartion by contacting your physician or Polson Control Center (talephone number) and notify your pest control company. The warning agent, thirmplorin, can cause symptoms of tearing, respiratory distress and vomiting. Entry into the space during furnigation can be fatal.	word for word
	For further information, contact any of the following: Your pest control company (balephone number); for Health Questions— the County Health Department (balephone number); for Application Information - the County Agricultural Commissioner (balephone number) and for Regulatory Information - the Structural Pest Control Board, 800/737-8188, 2005 Evergreen Street, Ste. 1500, Secremento, CA 95815.	
Must be	FOR HEALTH QUESTIONS:	
_	COUNTY HEALTH COUNTY AGRICULTURAL POISON CONTROL STRUCTURAL PEST	
completed	DEPARTMENT COMMISSIONER CENTER CONTROL BOARD PHONE # PHONE # PHONE # PHONE #	
		Must be
	(This section may be modified to include the information of geographical area served by the licensee.)	/ CICNIED I
	I hereby acknowledge receipt of a copy of this document as well as a list that includes the instructions for the necessary preparations for the furnigation, procedures for leaving the structure, and the following documents.	SIGNED!
Must be		
	We suggest that you notify nearby neighbors of the date of fumigation and to keep pets away during the fumigation. Close off any open access to the subarea to prevent pets from entering.	
completed	[] Owner/Agent (signature) Date	

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Occupant's Fumigation Notice and Pesticide Disclosure, from 16 CCR 1970.4 (a)

Top portion: must be completed

OCCUPANTS FUMIGATION NOTICE AND PESTICIDE DISCLOSURE
JOB ADDRESS CITY
Single Family Dwelling Multi Family Dwelling Other
Owner/Agent Tel. No. () Emergency No. () Occupant
Tel. No. () Emergency No. () Prime Contractor Emergency No. () Fumigation Contractor Emergency No. () Target Pest(s): Drywood Termites Beetles Other(s) Fumigants proposed to be used: Methyl Bromide Sulfuryl Fluoride Other(s) Other(s)
Are you aware of any conduits, pipes, common drains, air ducts, central vacuum systems or any other construction elements that would allow the passage of a fumigant from the structure to be fumigated to any other adjacent or adjoining structure? YES () NO ()
CHLOROPICRIN WILL BE USED AS WARNING AGENT WITH EITHER FUMIGANT
Dates of fumigation: Date changes/Alternative date: Initials





Occupant's Fumigation Notice and Pesticide Disclosure, from 16 CCR 1970.4 (a)

Middle portion:

1. Must match B & P Code 8538(a)(3) word for word

IMPORTANT - READ CAREFULLY

THIS BUILDING WILL BE FUMIGATED WITH LETHAL GASES ON THE DATE(S) INDICTED ABOVE. ALL PERSONS AND ANIMALS MUST VACATE THE PREMISES ON OR BEFORE ARRIVAL OF THE FUMIGATION CREW.

UNDER NO CIRCUMSTANCES CAN ANYONE ENTER THE BUILDING UNTIL THE FUMIGATION COMPANY'S NOTICE IS POSTED GIVING THE TIME AND DATE FOR SAFE RE-ENTRY.

"State law requires that you be given the following information: CAUTION-PESTICIDES ARE TOXIC CHEMICALS. Structural pest control companies are registered and regulated by the Structural Pest Control Board, and apply pesticides which are registered and approved for use by the California Department of Pesticide Regulation and the United States Environmental Protection Agency. Registration is granted when the State finds that based on existing scientific evidence there are no appreciable risks if proper use conditions are followed or that the risks are outweighed by the benefits. The degree of risk depends upon the degree of exposure, so exposure should be minimized."

If within 24 hours you experience symptoms of dizziness, headache, nausea, reduced awareness, slowed movement, garbled speech or difficulty in breathing, leave the structure immediately and seek medical attention by contacting your physician or Poison Control Center (telephone number) and notify your pest control company. The warning agent, chloropicrin, can cause symptoms of tearing, respiratory distress and vomiting. Entry into the space during fumigation can be fatal.

For further information, contact any of the following: Your pest control company (telephone number); for Health Questions - the County Health Department (telephone number); for Application Information - the County Agricultural Commissioner (telephone number) and for Regulatory Information - the Structural Pest Control Board, 800/737-8188, 2005 Evergreen Street, Suite 1500, Sacramento, California, 95815.

FOR HEALTH QUESTIONS:

COUNTY HEALTH DEPARTMENT	COUNTY AGRICULTURAL COMMISSIONER	POISON CONTROL CENTER	STRUCTURAL PEST CONTROL BOARD
PHONE #	PHONE #	PHONE #	PHONE #
xxx-xxx-xxxx	XXX-XXX-XXXX	XXX-XXX-XXXX	XXX-XXX-XXXX

(This section may be modified to include the information of geographical area served by the licensee.)

2. Actual phone numbers must be filled in





Occupant's Fumigation Notice and Pesticide Disclosure, from 16 CCR 1970.4 (a)

Bottom portion:

Must be completed and signed

st that you notify nearby neighbors of t e off any open access to the subarea			
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ent (signature)	y		Date
(s) (signature)			
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5	s(s) (signature)	s(s) (signature)	s(s) (signature)

"Fumigation – Written notice to occupant" was one of the <u>most common</u> violation cited in structural inspections (2009-11).





Reminder:

If completed and signed disclosure notice is not available on site prior to the release of the fumigant,

stop the fumigation.

8.6NF-107 (REV. 01/10) Page 1 of 1			DRIGH	L NOR F	INSPE	CTING C	OUN	TY
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					FR DIRECT			
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PPLICATION SITE ADDRESS					1500			
						DVT DTE		
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		_						
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2 County Notified 24 Hours Prior 3 Written Notice to Occupant	8535	1	+			B505.2		+
Pesticide Disclosure Signed / Available Registered Label Available at Use Site	1970 4			29 Warning Signs on All Sides of S 30 Required Information on Walnin	tructure	1974 8505 50		
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fi Labeling - Site / Rate / Concentration / Other 7. Labeling - Aeration / Certification	12973	+	-	51 Signs - Attic / Under area 32 Warning Agent Used 33 Equipment Properly Identified 34 Containers Labeled / Closures		8505.12	+	+
8 Labeling - Bagging, Pets Removed, Etc. 9 Labeling - PPE	12973			33. Equipment Properly Identified		6630		
9 Labeling - PPE	12973			34 Containers Labeled / Closures		6676		
0 Regulations - PPE	6738	\Box	_	35 Proper Pesticide Transport 36 Pesticide Handling / Use / Stora		6682		
Regulations - PPII. Respiration Probletion Handler[s] Trained Trained Demensory Medical Care, Posting Decont Facility, Site "Warning/Clanger" SIGBA Warn / Card, Working / TRAP Used Accodert Response Plain at Work Site To Trained Employment, Ascholation & Assistance Assistance Assistance	6724	-	-	30. Persocide Handling / Use / Stora	ge .	5454(A)	\vdash	-
2 Ference Wedge Con Dorton	6726	-	-	18 MB - Tayre Accept / Constitut /	Day Martine	84543-4	-	-
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5. SCBA Worn / Cont. Monitoring / TRAP Used	6750(v) 6780(s)	\Box		37 Methyl Bromide Requirements 38 MB - Tarps Accept / Condition / 30 MB - Warning Agents / Fans / A 40 MB - Measuring Concentration		8454(10)		
6. Accident Response Plan at Work Sta	\$780ES		_					
7 2 Trained Employees - Application & Aerator 8 Furne of Enclosed Spaces/Proper Entry	6782(a) 5782(6)	\Box	-				\Box	_
8. Furne of Enclosed Spaces/Proper Entry	6782(6)	\vdash	-	TOTAL		TOTAL	-	-
Connecting Shuctures	1970.6	+	+	TARP / AERATION CHECK (No C	res On Site		COMP	CHANCE
Proper Management of Treated Area Connecting Structures Accurate Measurement	6604				THE UNITED			O THE
2 Protection of Persons / Animals / Property 3 Structure Vacated / Secured Against Reentry	6614			Registered in County County Notified 24 Hours Prior Lisbeling - Aeration / Certification		15394 Sca		
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On inspection form, check **Cease and Desist Order** (FAC 11897)





Requirement #12: Handler(s) Trained

What and how to inspect:

- At the fumigation site, ask each handler to see his/her license.
 - The reason is, a person holding a pest control operator or field representative license for Branch 1 is considered trained.

For more information:

- 3 CCR § 6724(d)
- 3 CCR § 6000 (definitions of "certified commercial applicator" and "handle")





Requirement #12: Handler(s) Trained

Is this in compliance (yes or no)?

Two employees of Kilzall Brothers Pest Control are working as handlers while setting up the fumigation:

- Joe Yablonkovitz
 - license, RA-44444 in Branch 3 from SPCB
- Joe Kilzall
 - license, OPR-9999 in Branch 1 from SPCB



Requirement #12: Handler(s) Trained

Is this in compliance (yes or no)?

Two employees of Kilzall Brothers Pest Control are working as handlers while setting up the fumigation:

- Joe Yablonkovitz
 - license, RA-44444 in Branch 3 from SPCB
- Joe Kilzall
 - license, OPR-9999 in Branch 1 from SPCB

Answer: Not enough information yet.

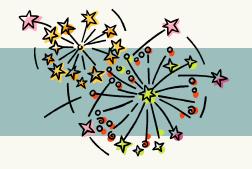
Joe Yablonkovitz may or may not be trained. His Structural Pest Control Applicator license, by itself, is <u>not</u> enough. You will need to evaluate his training as you continue with your inspection (covered in module 5).

On the other hand, Joe Kilzall meets the definition of "certified commercial applicator" in Branch 1 and therefore is considered trained.





CONGRATULATIONS!



You have completed the <u>DOCUMENT REVIEW</u> module, which included <u>five</u>* inspection requirements from the Structural Fumigation Use Monitoring Inspection Report

#	REQUIREMENT
1	Registered in county
2	County notified 24 hours prior
3	Written notice to occupant
4	Pesticide disclosure signed / available
12	Handler(s) trained

In total, there are 40 inspection requirements on the Structural Fumigation Use Monitoring Inspection Report form (PR-ENF-107, revised 01/2010)





Please complete the remaining modules before conducting an actual inspection of the <u>application phase</u> of a structural fumigation:



- Truck contents
- Exterior of structure walk-around
- Interior of structure walk-through
- Observing the actual application



FOR MORE INFORMATION, CONTACT:



