

# 2016 Annual Report to the Legislature

As Required by  
RCW 15.58.420 and  
RCW 17.21.350

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Washington  
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Agriculture

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**PESTICIDE MANAGEMENT DIVISION**

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## **List of Acronyms**

ALJ	Administrative Law Judge
C&T	Certification and Training
DOH	Washington State Department of Health
Ecology	Washington State Department of Ecology
EPA	Environmental Protection Agency
FEP	Farmworker Education Program
LCB	Washington State Liquor and Cannabis Board
L&I	Washington State Department of Labor & Industries
MSDS	Material Safety Data Sheet
NAI	No Action Indicated
NOC	Notice of Correction
NOI	Notice of Intent
PCO	Pest Control Operator
PMD	Pesticide Management Division
PPE	Personal Protective Equipment
RCW	Revised Code of Washington
SPI	Structural Pest Inspector
TSEP	Technical Service and Education Program
WAC	Washington Administrative Code
WDO	Wood Destroying Organism
WPS	Worker Protection Standard
WSDA	Washington State Department of Agriculture

## Executive Summary

The Washington State Department of Agriculture (WSDA) is required to submit a report annually on its activities under state pesticide statutes Chapters 15.58 and 17.21 RCW. The WSDA Pesticide Management Division (PMD) carries out these activities, ensuring the safe and legal use of pesticides through: the investigation of pesticide misuse; inspection of users, dealers and distributors; registration of pesticide products; testing, licensing and continuing education of those involved with pesticide use; and, disposal of waste pesticides. Key PMD activities in Fiscal Year 2016 (FY16) include:

### Pesticide Investigations and Enforcement

PMD conducted 171 investigations in response to complaints, agency referrals, investigator surveillance and other sources of information:

- 96 investigations in Eastern Washington; 75 in Western Washington. Of the 75 Western Washington investigations only six involved commercial agriculture.
- 81 investigations involved allegations of drift or over-spray; 31 of those drift complaints involving alleged human exposure.
- 40 complaints involved possible human exposure (31 from drift). Some evidence of exposure was found in 15 of the cases; 4 cases are under legal review.
- PMD responded to all but 3 human-exposure complaints on the same day as the call and to all but 1 of those cases that did not involve human exposure within 48 hours.
- Nearly 80 percent of cases had a severity rating of 0 to 2, indicating no health symptoms, significant property damage or environmental harm; 8.2 percent of cases had a severity rating of 3, indicating minor short-term health effects or minor environmental damage; 11.8 percent had a severity rating of 4 or 5, indicating more serious health or environmental effects. No cases carried a severity rating of 6 (human death).
- 45 percent of investigations resulted in some type of action; 5 cases resulted in a Notice of Intent (NOI) to take formal action; 7 more are under legal review. Enforcement options range from *informal* actions such as verbal warnings and Notices of Correction (NOC) to *formal* actions such as civil penalties and/or license suspensions.
- 36 percent of the violations were the result of commercial applications<sup>1</sup>.
- 124 of the 171 investigations involved potential misuse of a pesticide representing only a tiny fraction of the total applications made in the state.

### Inspections

- 196 inspections to ensure that applicators, dealers, manufacturers and employers complied with state and federal pesticide law.
- 37 inspections at farms that had used a pesticide in the previous 30 days, to ensure compliance with the Worked Protection Standard (WPS). During those inspections, 76 distinct violations were found, which resulted in the issuance of 26 NOCs and 3 NOIs.

## **Certification and Training**

To license pesticide applicators, consultants, dealers and structural pest inspectors, PMD conducted license testing and accredited continuing education. PMD also provided safety training:

- A USDA Specialty Crop Block Grant allowed PMD to expand safety training, with emphasis on Pesticide Application Equipment - Best Management Practices (BMPs).
- 2,327 people attended safety and other training not providing credits for recertification.

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<sup>1</sup> Includes unlicensed commercial businesses that are required to be licensed.

## Introduction

RCW 15.58.420 and RCW 17.21.350 require the Washington State Department of Agriculture (WSDA) to report annually to the appropriate committees of the House of Representatives and the Senate on the activities of WSDA under Chapters 15.58 RCW, the Washington Pesticide Control Act, and 17.21 RCW, the Washington Pesticide Application Act. These two laws, along with the Rules Related to General Pesticide Use, WAC 16-228, are administered by WSDA's Pesticide Management Division (PMD).

WSDA has submitted annual reports to the Legislature since 1989. This report covers activities that occurred during the previous Fiscal Year, July 1 - June 30, including PMD's pesticide incident investigation and enforcement activities, and the number and amount of civil penalties assessed. It also details the types of inspections conducted with a focus on those to determine compliance with the Worker Protection Standard (WPS). As with last year's report, the FY16 report is also supplemented with information that provides additional detail about compliance program activities including:

- Specific details about each investigation.
- Complaints by category (human exposure, crop damage, etc.) and urban vs. agriculture.
- Enforcement actions on human exposure investigations with specifics on those involving children.
- Investigations and violations by activity, method of application and license type.
- Active ingredients most commonly associated with investigations.

The greater detail being incorporated into this annual report will allow WSDA to provide an analysis of enforcement trends in future reports.

Lastly, the FY16 report provides information on the activities of the Certification and Training Program and the Farmworker Education Program, now a part of the new Technical Services and Education Program.

## **Pesticide Investigations and Enforcement**

Under authorities granted by Chapters 15.58 and 17.21 RCW, PMD protects human health and the environment by ensuring the safe and legal distribution, use and disposal of pesticides in Washington. PMD investigates incidents of possible pesticide misuse, storage, sales, distribution, applicator licensing and building structure inspections for wood destroying organisms (WDO) such as termites. The agency also inspects marketplaces, importers, manufacturers, and pesticide application sites for compliance with state and federal requirements. Other activities of the PMD include registering nearly 14,000 pesticide products and issuing over 33,000 applicator, consultant, dealer and structural pest inspector licenses. PMD also has active programs for farmworker education and the disposal of unusable pesticides. PMD works closely with other state and federal agencies and actively responds to stakeholder and citizen concerns.

In addition to registering nearly 14,000 pesticide products, the PMD is active in the process of finding solutions for growers with particular pest problems for which there is not a registered pesticide available. PMD issues an average of 11 new Section 24c Special Local Need (SLN) registrations each year when there is an existing or imminent pest problem and there is no efficacious product sufficiently available. To qualify for a SLN registration on food crops, the pesticide must have an established tolerance on the crop. There are currently 161 SLNs available for use. SLNs are generally issued with a 5-year time frame to permit a periodic review of the use before reissuing the registration. When there is no tolerance established, PMD can submit a request to EPA for a Section 18 Emergency Exemption from registration. The applicant must demonstrate that the situation is urgent and will result in significant economic loss before EPA will issue a Section 18 and the registrant must be working towards federal registration of the particular use. PMD requests and receives approximately five Section 18s annually. Section 18s and SLNs have been estimated to save the grower community well over \$100 million annually in prevention of crop yield and quality losses. WSDA also reviews an average of 25 Experimental Use Permits yearly, which supports research and development of new pesticides and uses.

The PMD's Waste Pesticide Identification and Disposal Program collects unusable and unwanted agricultural and commercial grade pesticides from residents, farmers, small businesses, non-profits and public agencies without a direct customer charge. Per RCW 82.21.030, all pesticide products distributed within Washington State are subject to the state hazardous substance tax. These tax revenues are deposited into the state and local toxic control accounts.

Collection events are held at locations across Washington State where customers can bring their unwanted pesticides for proper disposal. In addition, the Program provides direct on-site technical assistance when requested, especially when the customer is unfamiliar with the pesticides or they are physically unable to prepare the chemicals for disposal. In certain circumstances, especially for elderly and disabled customers, the program arranges for direct pick-up of the pesticides from a customer's location. The goal of this program is to collect and properly dispose of unused or unusable pesticide products to prevent human and animal exposure, prevent use of cancelled pesticides on crops and to help eliminate the potential source of contamination to the environment.



This year, the program served an above average number of customers that needed to dispose of pesticides due to quitting business because of a death in the family or retirement. Many of these customers required on-site assistance. In addition, for the first time since 2000, the Program was able to accept the three dioxin precursor pesticides (2,4,5-T, Pentachlorophenol and Silvex) for disposal. The new hazardous waste contract includes disposal of these pesticides at a hazardous waste destruction facility in northern Alberta, Canada. This was an important addition as no United States hazardous waste facilities have permits to accept this waste since 2000. During calendar year 2016, the Program disposed of 95,384 pounds of pesticides from 146 customers for an average of 653 pounds per customer.

Demand for the disposal program remains high. Since the program began in 1988, it has safely collected and properly disposed of over 3.25 million pounds of unusable pesticides from more than 8,075 customers. During the last three biennia, increased demand for program services largely due to new on-farm food safety requirements and notable pesticide phase-outs have exceeded budgeted resources, which are appropriated entirely from the State Toxics Control Account in accordance with RCW 70.105D.070(3)(m).

## **Investigation and Enforcement Process**

### How does PMD's enforcement process work?

PMD has a consistent enforcement process as described below. However, within statutory requirements and limitations, a very unique case may warrant handling in a slightly different manner.

PMD has a well-established process for determining appropriate actions when violations occur. First though, the investigator must obtain sufficient evidence to prove a violation. The "burden of proof" for PMD (and other administrative agencies) is a "preponderance of evidence." A simple definition of preponderance is "more likely than not." If an investigator obtains evidence that it is more likely than not that a violation occurred, PMD will proceed with some type of action.

On the surface, "preponderance" seems like a simple way of proving violations of pesticide law but, in reality, it is sometimes very complex. This is especially true in drift complaints where more than one potential source is identified and the various sources use the same pesticides. Consider a drift complaint against an orchardist. If the orchard is the only potential source and the complainant's property tests positive for the same pesticide that the orchardist used, there is likely a preponderance of evidence that a violation occurred. But what if there are other orchards in the area and they use the same pesticides as the first orchardist? Maybe some of them are closer in proximity to the orchard from where the drift was alleged. Could the positive sample analysis be the result of an earlier drift from one of the other orchards? PMD must consider all of the other evidence such as eye-witness testimony, weather records and more in order to make a determination. The reason PMD does not take action in particular cases is the same - the burden of proof was not met.

Each investigation that involves potential violations of pesticide law is treated as unique to the circumstances of the incident. No determinations are made as to whether a violation has occurred until the investigation is completed.

Pesticide drift is the most common complaint investigated by PMD. Violations most commonly cited for drift incidents include the following:

- RCW 15.58.150(2)(c) which prohibits the use of pesticides “contrary to label directions,” and WAC 16-228-1500(1)(b) which prohibits the use of pesticides “inconsistent with the labeling...”
- RCW 17.21.150(4) and WAC 16-228-1500(1)(e) which prohibit operation in “a faulty, careless, or negligent manner.”
- WAC 16-228-1200(1) which prohibits the use of pesticides “in such a manner as to endanger humans and their environment...”
- WAC 16-228-1220(2) which prohibits application of pesticides in a manner that causes injury to humans.

PMD has an established review process for every case investigation. Upon completion of the case, the investigator forwards the entire case file via the Compliance Program’s database to their Area manager. The Area manager then determines, according to program procedures, whether the case should be closed with no action, a Notice of Correction (NOC) or other informal action, or whether the case should be forwarded for formal action review. Decisions by the Area manager are guided by the requirements in law (RCW 43.05.110) and program policy. While the occasional minor violation may warrant only a verbal warning or advisory letter, almost all violations result in either an NOC or formal action in the form of a civil penalty (monetary fine) and/or license suspension.

RCW 43.05.110 requires PMD to issue an NOC on all first-time violations unless the violation meets one of the following criteria. The violation:

- Has a probability of placing a person in danger of death or bodily harm.
- Has a probability of causing more than minor environmental harm.
- Has a probability of causing physical damage to the property of another in an amount exceeding one thousand dollars.
- Was committed by a business that employs 50 or more employees on at least one day in each of the preceding 12 months.

PMD is required to treat all violations according to the requirements in RCW 43.05.110. Bound by law, PMD has been somewhat conservative in the past on human exposure violations. If a complainant claimed to be exposed to a pesticide, but reported no symptoms or ill effects, PMD usually issued an NOC. With new insight on applying the “probability of placing a person in danger” criteria, PMD’s position on such cases has been evolving over the last few years. When people are exposed to a pesticide, they are placed in danger of bodily harm even if they do not

become ill from the exposure. Further, persons may be placed in danger of bodily harm even when they are not exposed directly from drift, for example, when a highly toxic pesticide drifts onto a residence, but not directly onto any person. Shortly after the drift, the homeowner comes into contact with the residues. In this case, the drift has placed someone in danger of bodily harm. For first-time violations<sup>1</sup>, PMD will evaluate all of the evidence and circumstances and determine whether a civil penalty and/or license suspension is appropriate.

#### What is the process for formal action?

PMD's process for formal action applies to both inspections (discussed later in this report) and investigations. PMD uses enforcement discretion such as verbal warnings or advisory letters for very minor types of violations. All other types of violations are addressed either with an NOC (referred to as informal action) or by formal action in the form of monetary fines and/or license suspensions.

According to RCW 43.05.110, NOCs are a form of technical assistance since they give the infractor a chance to correct violations without receiving a fine or suspension. The NOC describes the violation, the necessary actions to correct it and the date by which it must be corrected. Since it is not a penalty, infractors have no legal right to appeal an NOC. However, PMD has on rare occasions rescinded NOCs when an infractor proved that the NOC was issued in error. One reason an infractor might be interested in getting an NOC rescinded is because the next step is formal action. Though an NOC is technical assistance and meant to provide an opportunity to come into compliance without receiving a fine or suspension, the NOC also becomes the legal foundation for proceeding to formal action if there is a repeat violation of the same or similar law or rule.

Assuming that an NOC was previously issued, or the violation meets one of the criteria in RCW 43.05.110, PMD will proceed with formal action. Any time PMD intends to issue a fine or license suspension, the alleged infractor has certain "due process" appeal rights provided for by law<sup>2</sup>.

The alleged infractor must first receive notice that PMD intends to assess a fine or suspend their license. PMD provides such notice in a legal document called a Notice of Intent (NOI). The NOI describes the evidence obtained by PMD during the investigation, the particular laws and rules that were violated, and the amount of fine or license suspension that PMD intends to impose. With the NOI, PMD also sends the alleged infractor their appeal rights and a Request for Hearing form, which must be filled out and submitted within 25 days. If the alleged infractor fails to submit the hearing form within the 25-day timeframe, the WSDA director will issue a default order imposing the penalties in the NOI.

The Request for Hearing form allows the alleged infractor to respond in one of three ways. They can admit to the violations and waive their right to a hearing, in which case the director imposes the penalties in the NOI. They can appeal the allegations by requesting a hearing, or they can

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<sup>1</sup>The decision on whether a violation should be addressed with an NOC or move forward for formal action review only applies to a first-time violation. If an infractor has previously received an NOC for the same or similar type of violation, WSDA forwards the case for formal action review.

<sup>2</sup>WSDA must follow the Administrative Procedures Act, RCW 34.05, and its own administrative procedures policy.

request to settle the matter while still reserving their rights to a hearing if settlement negotiations are unsuccessful. PMD attempts to settle almost all cases without a hearing. Often times the penalty in the settlement is somewhat reduced from the penalty in the NOI. While it may seem that penalties should not be reduced in settlement agreements, the reality is that administrative hearings are resource and cost intensive. A reduction in the penalty is sometimes the only incentive for an alleged infractor to settle. Settlement agreements are the normal way of doing business for most administrative agencies.<sup>3</sup>

If a settlement cannot be reached, the case is heard in front of an administrative law judge (ALJ) that is assigned by the Office of Administrative Hearings. After the hearing is concluded, the ALJ issues an Initial Order with his or her conclusions. The ALJ's Initial Order is reviewed by the director who will then issue a Final Order. The Administrative Procedures Act (RCW 34.05) provides that the parties have the opportunity to ask for review of any of the findings or conclusions made by the ALJ in the Initial Order and the director may issue a Final Order that is the same as, modifies or disagrees with the Initial Order. RCW 17.21.340 of the Washington Pesticide Application Act provides that any of the parties or a person aggrieved by a decision of the director can ask for reconsideration. The Final Order (or order issued after the reconsideration process if that occurs) may be appealed to an appropriate Superior Court. The process, called "judicial review", may result in approval or disapproval of the Director's Final Order or possibly a remand back for further proceedings before the Director. Further appeals are possible to the state Courts of Appeal or the Washington State Supreme Court. It is rare for a case to be appealed that far, but it has happened more than once.

#### How does WSDA determine the amount of penalty?

As set by statute, the maximum civil penalty that PMD can assess for any single violation is \$7,500. To ensure that penalties are "fair and uniform" PMD uses a penalty matrix in rule, WAC 16-228-1130. The median penalty for a first-time violation when no adverse effects are probable is \$300 and a license suspension of three days. The median penalty for a first-time human exposure violation (or when other adverse effects are probable) is \$450 and a license suspension of seven days; however, PMD typically goes beyond the matrix penalty levels (as allowed by rule), when multiple people are affected by a drift or when multiple growers sustain damage from a single drift event. PMD may also refer appropriate cases to the U.S. Environmental Protection Agency (EPA) for criminal prosecution or civil action. For further explanation of the PMD's penalty process and the rules that apply to penalties, see Appendix A.

## **Investigations**

PMD initiates investigations as the result of complaints, agency referrals, investigator surveillance and other sources of information. During FY16 (July 1, 2015 - June 30, 2016), PMD conducted 171 investigations. Ninety-four percent of those investigations (161) involved possible<sup>4</sup> pesticide application, storage, or disposal issues with the remaining 6 percent unrelated to actual applications (e.g., structural pest inspections, licensing, or distribution incidents). Not all investigations involve the potential misuse of a pesticide. Excluding the 22 marijuana

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<sup>3</sup>The Administrative Procedures Act strongly encourages agencies to settle matters informally rather than through administrative proceedings; RCW 34.05.060.

<sup>4</sup> Upon investigation, not all complaints are confirmed to be pesticide related.

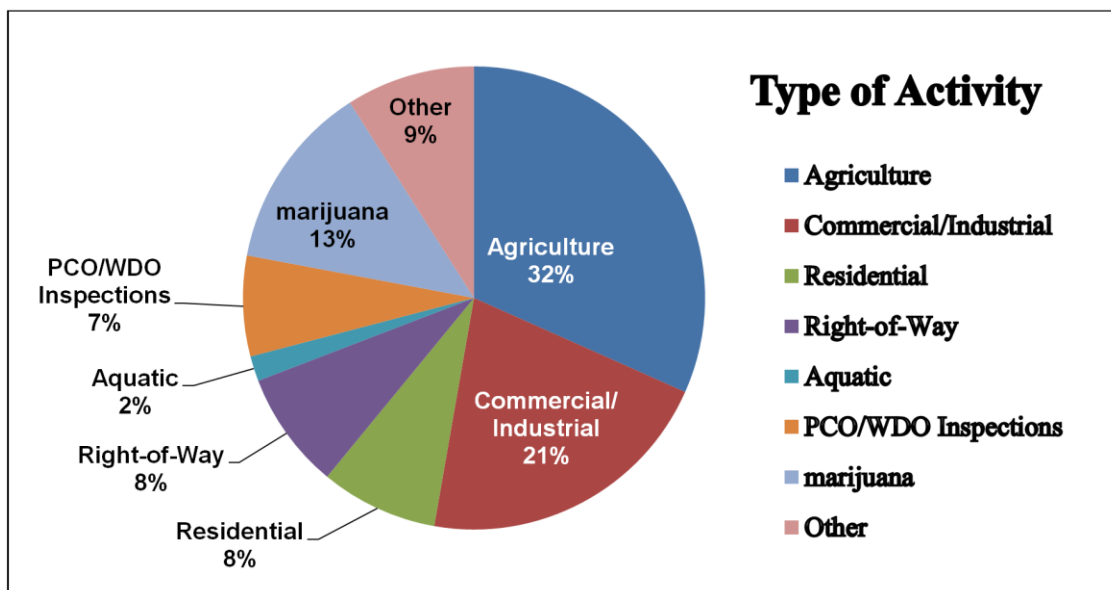
investigations for use of pesticides that are not allowed, 124 of the 171 investigations involved allegations of pesticide misuse. The remaining investigations involved issues such as proper licensing, distribution, structural WDO inspections, etc. Considering that there are over 27,000 individuals licensed to apply pesticides (over 8,000 commercially) and there is widespread homeowner use of pesticides, which is also regulated by PMD, the number of complaints investigated represents only a tiny fraction of the total applications made in the state.

PMD has a statutory requirement to respond to all human exposure complaints immediately and to all other complaints within 48 hours. PMD responded to all human exposure incidents, except three, on the same day as the call. Of the three, two were responded to within 48 hours and the other call was responded to within three days. Of those cases that did not involve human exposure, all met the 48-hour response requirement except one that was responded to within six days. That investigation was conducted out of the Spokane office, which was short-staffed at the time.

Investigations are classified by PMD according to the following activities:

- Agricultural incidents that occur in farming, forestry or greenhouses.
- Commercial/industrial incidents in offices, restaurants, homes or landscapes (majority in FY16 involved landscape applications).
- Use of unapproved pesticides on marijuana.
- Applications for structural pests or inspections for wood destroying organisms.
- Residential pesticide applications by a homeowner, resident or neighbor.
- Right-of-Way applications made to locations including public and private roadways, electric lines, irrigation canal banks, etc.
- Aquatic/riparian applications
- School applications
- Other including licensing, storage, registration and records.

**Figure 1.** FY16 PMD Investigations by Type of Activity.



### Agricultural Investigations

WSDA conducted 54 agricultural investigations with 45 of those 54 investigations involving allegations of drift. Twenty of those 54 investigations involved orchard applications. All 20 orchard applications were made by air-blast sprayer. The remaining 34 agricultural investigations (excluding orchards) were comprised of a diversity of cropping systems, application methods, and pesticide types. Orchards tend to be located in more populous areas on the east side of the state and may be on smaller acreages intermixed with other crops, housing and heavily traveled roads. Investigation distribution has been consistent over the years and points to the need for greater education of applicators, particularly in regards to operation of air-blast sprayers and drift reduction techniques.

### Pesticide Use in Marijuana

With marijuana still prohibited at the federal level, the normal process for registering pesticides for use on the crop is not available. In 2013, PMD established criteria to determine which registered pesticides could legally be used on marijuana without violating either federal or state law. These approved products are exempt from the requirement of a tolerance on food crops and have very generic labels that allow broad spectrum use on home gardens and non-specific food crops. None of the approved products specifically list marijuana as a crop on the label. The Washington State Liquor and Cannabis Board (LCB) maintains a list of these (almost 350) pesticide products that can be used on marijuana in Washington state. Unfortunately these products are generally not as effective as pesticides that are available to conventional agriculture.

In FY16, the PMD conducted a total of 22 investigations of marijuana grow operations at the request of the LCB. All 22 investigations were initiated from allegations that unapproved pesticides were being applied to the marijuana crop. In 18 of the cases, PMD obtained evidence that unapproved pesticides had been used on the marijuana. There was no evidence that unapproved pesticides were used in the other four cases. The main emphasis for PMD in these cases was to assist LCB with sampling of marijuana plants and product. LCB did take enforcement actions in a number of those cases, while PMD issued a total of seven NOCs and six advisory letters.

A related issue that PMD has been dealing with in FY16 is the promotion and sales of other types of products, such as fertilizers and plant washes that contain undisclosed pesticide ingredients. These products are not registered as pesticides, but contain pesticide active ingredients that are not allowed in marijuana. Products that contain pesticide active ingredients must be registered by WSDA and EPA as pesticides. PMD issued 17 stop-sale orders to manufacturers and distributors of these products in FY16 after sample analyses confirmed they contained pesticide ingredients. These stop-sale actions were made in conjunction with inspections at the market place, not in conjunction with investigations.

### Non-Agricultural Investigations

Thirty-six of the 117 investigations in the non-agricultural sector were associated with allegations of drift. Other frequent investigations include the failure to obtain the proper license type for the application, inadequate record keeping and the intentional spraying of another person's property.

Location and Frequency of Investigations

There are significant differences in population dynamics, types of pest problems and the nature of investigations between Eastern and Western Washington. Most investigations in Western Washington involved structural pest inspections, residential pesticide applications by a homeowner, resident or neighbor, intentional misuse and unlicensed applicators. Most investigations from Eastern Washington involved agricultural applications, license issues and drift. Eastern Washington staff conducted 21 more investigations than Western Washington staff (Table 1).

**Table 1.** Number of FY16 Investigations by County.

Eastern WA Counties	No. of Investigations	Western WA Counties	No. of Investigations
Adams	3	Clallam	2
Asotin	0	Clark	6
Benton	6	Cowlitz	2
Chelan	11	Grays Harbor	1
Columbia	0	Island	0
Douglas	4	Jefferson	1
Ferry	1	King	12
Franklin	5	Kitsap	4
Garfield	0	Lewis	2
Grant	12	Mason	2
Kittitas	7	Pacific	4
Klickitat	1	Pierce	12
Lincoln	4	San Juan	1
Okanogan	4	Skagit	3
Pend Oreille	0	Skamania	0
Spokane	15	Snohomish	8
Stevens	2	Thurston	8
Walla Walla	4	Wahkiakum	0
Whitman	5	Whatcom	7
Yakima	12	<b>W. WA Total</b>	<b>75</b>
<b>E. WA Total</b>	<b>96</b>	<b>Combined WA Total</b>	<b>171</b>

As might be expected, more agricultural investigations occur in eastern Washington whereas Western Washington investigates a much higher percentage on non-agricultural investigations (urban, homeowner, landscape applications, etc.). In fact, out of the 75 investigations in Western Washington, only six involved commercial agriculture.

Type of Pesticide Involved

As indicated in Table 2, the vast majority of incidents investigated by PMD in FY16 involved herbicides and insecticides (alone or in combination with other pesticides). These two pesticide types are used most frequently and there are more obvious detrimental effects from herbicide and insecticide misuse. Herbicides and insecticides are also generally applied at a higher frequency with power equipment over larger areas. Herbicides in particular are also widely applied by the general public.

**Table 2.** FY16 Investigations by Pesticide Type.

Pesticide Type	Number of Investigations
Herbicides Only	63
Herbicides Combined w/Other Pesticide Types	4
Insecticides Only	15
Insecticides Combined w/Fungicides and Other Types	26
Fungicides	8
Fumigants	3
Other Pesticide Types*	19

\*Rodenticides, Moss Killer, Bactericide, Disinfectant, Moth Balls, Plant Growth Regulators, etc

Herbicides constituted the greatest number of investigations with two herbicide active ingredients, glyphosate and 2,4-D, the most frequently involved (Table 3).

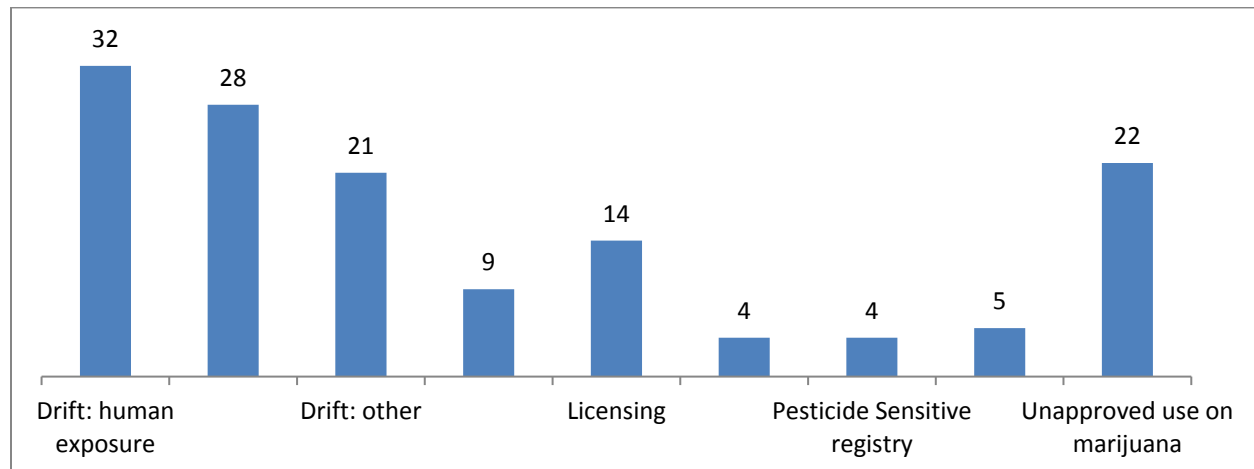
**Table 3.** Most Common Herbicide Active Ingredients in FY16 Investigations (numbers below do not represent separate investigations. In many cases the herbicides were combined with each other).

Active Ingredient	No. of Investigations
Glyphosate	24
2,4-D	29
Dicamba	15
Triclopyr	10

Nature of Investigations

Drift continues to be the most frequent type of investigation involving pesticide applications. However, investigations of potential misuse – the wrong product used to control pests or complaints about a neighbor’s use – remain frequent. Alleged violations involving licensing and distribution were the most frequent non-application investigations. Investigations are categorized by the nature of the initial complaint as shown in Figure 2.

**Figure 2.** Major Categories of Investigations by WSDA in FY16.





An investigation may reveal that the complaint is not valid, substantiate the initial complaint, or find more violations than originally suspected. For example, PMD may investigate an initial complaint about drift but then determine that drift did not occur. However, the investigator may find that the applicator applied at the wrong rate or did not keep proper records. Although the applicator would not be cited for drift, he or she could be cited for being faulty, careless and negligent, use inconsistent with label requirements or for recordkeeping violations.

In this report, when complaints involve multiple categories, the most serious complaint is used to categorize the case. For example, a complaint involving human exposure caused by drift from an application by an unlicensed applicator would be categorized as *human exposure* even if the final outcome of the case was no action needed or a Notice of Correction for recordkeeping. The initial complaint is usually a fairly reliable indicator of the final outcome of the case and reflects the concerns of the complainant.

Severity of Findings in an Investigation

Upon completion of each investigation, PMD rates the severity of their findings in a particular investigation from 0 to 6, with 6 being the most severe (Table 4). When one or more persons are contacted by a pesticide, this chart starts the severity level at a “3,” even when there are no symptoms from an exposure. Most human exposure cases will be rated as either a “4” or a “5,” since they usually involve symptoms or illness.

**Table 4.** Number and Percentage of FY16 PMD-Investigations by Severity Rating.

<b>Rating</b>	<b>No. of complaints ( percent of total)</b>	<b>Criteria</b>
0	66 (38.6%)	Problem not due to pesticide and/or no cause determined; No evidence of misapplication; No violations found.
1	20 (11.7%)	Violations involving records, registration, posting, notification (schools or multiple chemical sensitive registry), licensing, structural pest inspection report and other violations that do not involve potential adverse effects.
2	51 (29.8%)	Residues detected where people frequent (around the home, car, buildings, etc.), but no claims of exposure or symptoms. Plant damage that is superficial or temporary with no significant economic loss. Multiple minor violations with no adverse effects, or single violation with minor adverse effects. Insufficient structural pest inspection with failure to report minor damage.
3	14 (8.2%)	One or more persons contacted by spray, but no claims of symptoms or illness. Animal with minor symptoms treated by vet. Minor fish kill or bee kill. Economic plant damage under \$1,000. Insufficient structural pest inspection with failure to report substantial damage, infestation or conducive conditions.

4	13 (7.6%)	One to three individuals contacted with minor, short-term symptoms of exposure. Significant plant or crop damage over \$1,000. Animal with major symptoms, overnight treatment by vet. Substantial fish kill or bee kill. Insufficient structural pest inspection with failure to report major damage, infestation or conducive conditions.
5	7 (4.1%)	One or more persons contacted with serious symptoms that require overnight medical care. Four or more individuals with minor or more serious symptoms confirmed by DOH, one or more individuals treated at medical facilities. Exposure to one or more children. Major crop damage. Death of animal. Major fish kill or bee kill (over 25 hives).
6	0	Human death due to pesticides.
<b>Total</b>	<b>171</b>	

Drift: Human Exposure, Crops and Other

During FY16 the PMD investigated a total of 81 allegations of pesticide drift; 45 in the agricultural sector and 36 in the non-agricultural sector. Table 5, below, shows the severity rating for the different types of drift investigations. Of the 81 drift investigations, 22 were at a severity rating of “3” or higher. Eight (8) of the 22 were related to allegations of human exposure (only two at the highest rating of “5”). The remaining 14 investigations with a severity rating of “3” or higher involved allegations of drift affecting crops or ornamentals, or drift onto property or vehicles that did not expose people. Thirty-nine (39) of the 81 cases were given a severity rating of ”0”, which means there was insufficient evidence to prove a violation, the incident was not pesticide related, or the complainant withdrew the complaint.

**Table 5. Severity for different types of drift investigations**

Drift Investigation Type (allegations)	Severity Rating						
	“0”	“1”	“2”	“3”	“4”	“5”	“6”
Agricultural – Human Exposure	8	-	2	1	3	2	-
Agricultural – Crop or plant damage	6	1	2	2	2	2	-
Agricultural - other	7	-	6	1	-	-	-
Non-Ag – Human Exposure	9	2	2	-	2	-	-
Non-Ag – Plant or crop damage	7	-	3	3	1	2	-
Non-Ag - Other	2	1	1	1	-	-	-
<b>Total 81</b>	<b>39</b>	<b>4</b>	<b>16</b>	<b>8</b>	<b>8</b>	<b>6</b>	<b>0</b>

There were 31 investigations of human exposure that were related to drift. Twenty-three of those investigations had a low severity rating of less than “3”. The remaining eight investigations had a severity rating of three or higher with two of those rated as a “5” (See table 6, below).

Though there can be serious incidents of human exposure that are not related to drift, those incidents are the exception rather than the rule. For FY16, the severity rating for investigation findings was low for six human exposure investigations that were not related to drift, however, three investigations had a rating of “3” or higher. The one investigation (ACB-0025-16) that rated at a “5” was a serious incident involving the release of phosphine gas at a refuse transfer facility from aluminum phosphide tablets that were improperly disposed of. Eleven facility staff and first-responders were hospitalized from the exposure (See table 6, below).

**Table 6. Severity of Human Exposure, Drift vs. Non-Drift**

Human Exposure Incidents	Severity of Findings						
	“0”	“1”	“2”	“3”	“4”	“5”	“6”
Drift-related	17	2	4	1	5	2	0
Not related to Drift	3	0	3	1	1	1	0

Table 7, below, shows the severity of drift investigations by method of application. A number of ground boom and airblast investigations had a severity rating of “3” or higher. While the more severe incidents by airblast sprayers usually involve human exposures, the more severe incidents from ground boom applications often involve damage to neighboring crops. Only two aerial application investigations had a severity rating of “3” or higher.

**Table 7. Severity of Drift Investigations by Method of Application**

Drift Investigations by Method of Application	Severity Rating						
	“0”	“1”	“2”	“3”	“4”	“5”	“6”
Ground Boom	9	1	2	2	3	3	-
Airblast Sprayer	10	0	6	1	4	1	-
Hand gun (powered sprayer)	5	1	2	1	-	-	-
Fixed-wing Air	3	1	1	1	-	1	-
Helicopter	1	-	1	-	-	-	-
Other/Unknown (hand-held, backpack, etc.)	11	1	4	3	1	1*	-
<b>Total 81</b>	<b>39</b>	<b>4</b>	<b>16</b>	<b>8</b>	<b>8</b>	<b>6</b>	<b>0</b>

\*Shank application of soil fumigant

Table 8, below, shows the breakdown of actions taken in the orchard-related incidents. Twenty of the drift investigations involved orchard applications made by air-blast sprayer. Ten of the 20 incidents involved applications of insecticides or insecticides in combination with other pesticides (e.g., fungicides, miticides, etc.). The remaining ten orchard-related investigations made by air-blast sprayer involved applications of fungicides, plant growth regulators, lime sulfur as a blossom thinner, or a combination of these products. There were allegations of human exposure (or exposure to vehicles, residences, etc.) in all of the orchard-related incidents. Of the 20 investigations, one resulted in an NOI, four resulted in an NOC, one resulted in a verbal warning, 10 resulted in no action and four are under legal review.

**Table 8. Actions on Orchard-Related Investigations**

<b>Orchard-Related Investigation Actions</b>	
NOI	1
Currently Under Legal Review	4
NOC	4
Verbal Warning	1
No Action	10
<b>Total</b>	<b>20</b>

Of the 81 drift investigations by PMD in FY16, by far, most were the result of ground applications (72 of the 81 investigations). Thirty-one of the drift complaints involved possible human exposures while 31 involved alleged plant or property damage. The remaining 19 drift investigations involved alleged exposures to properties, vehicles, water, etc. (Table 9).

**Table 9. FY16 PMD Drift Investigations and Number of Actions Taken**

<b>Category</b>	<b>Human Exposure</b>	<b>Plant/Property Damage</b>	<b>Other*</b>	<b>Total</b>	<b>Total with Action</b>	<b>Open or Legal Review</b>
Aerial Drift	5	4	0	9	4	0
Ground Drift	26	27	19	72	28	7
<b>Total</b>	<b>31</b>	<b>31</b>	<b>19</b>	<b>81</b>	<b>32</b>	<b>7</b>

\*animal, vehicle and other potential exposures

Of the 31 drift complaints alleging human exposure, some evidence of exposure was found in 10 cases, while four cases are still open or under legal review. In sixteen of the cases, there was insufficient or conflicting evidence to support an infraction, or the complainant withdrew their complaint. Fifteen of the human exposure drift complaints were from agricultural applications, and sixteen from the non-agricultural sector.

#### Toll-free Drift Hotline

Individuals affected by a drift event are not always sure what agency they should call about it. In response to this need, WSDA created a toll-free hotline dedicated specifically for drift incidents. The hotline (1-844-388-2020) is operated by knowledgeable WSDA bilingual staff who serve as investigators or trainers. WSDA has been distributing a brochure in Spanish and English with

hotline information since FY15. A modification was made to the brochure this year that encourages calls on other types of pesticide-related complaints besides drift. Widespread distribution of the brochure will continue this coming year.

### Investigations involving Children

In FY16 WSDA investigated three cases that involved children:

ACB-0014-16: Airblast application drifted onto neighboring residence. Family, including three children 2-to-8 years old, experienced symptoms of mild severity that were confirmed by DOH as pesticide related. NOI issued to applicator for \$550 fine and nine-day license suspension.

KFJ-0010-16: Mother with two children claimed exposure from a landscape herbicide application at a public library. Conflicting evidence on an exposure and complainant failed to provide information requested by investigator. Applicator was cited in an NOC for licensing and recordkeeping violations.

TRH-0001-16: Two adults and three children exposed and became ill from soil fumigant application nearby. Applicator failed to properly prepare the field, thus was unable to get a good seal which promoted off-gassing of the fumigant. DOH confirmed that all five family members experienced symptoms of mild severity. NOI issued to applicator for \$2,250 and 35-day license suspension.

WSDA also investigated two incidents of drift from airblast applications that could have exposed children, but didn't. There was drift onto a daycare center playground when no children were present (BAO-0012-16), and drift onto a mother carrying an infant in a car seat while getting into her car. Fortunately the infant was covered (MJW-0003-16). Both cases are currently under legal review.

### Investigations Involving Pollinators

With the decline of honey bees and other pollinators across the nation, much attention has been focused on what role pesticides play in the decline. While other factors such as varoaa mite infestation and poor nutrition play a much larger role in the decline, there is concern about the impacts of pesticide use (in particular, a relatively new family of insecticides called neonicotinoids). While Oregon has experienced a number of pesticide related bee-kill incidents over the last few years (on the order of tens of thousands of dead bees for some incidents), WSDA has not had a major bee-kill incident in many years.

WSDA has received a number of calls over the last few years reporting dead and dying bumble bees around linden trees (see two cases below). Generally WSDA has not been able to associate these bee deaths with an exposure to pesticides (see exception, below). Some linden tree species have an apparent toxicity to bumble bees and associated death of bees appears to be somewhat common. In FY16, WSDA received four bee-kill complaints:

CJS-0015-15: Commercial beekeeper reported that he lost one of his hives from exposure to an airblast sprayer application nearby. After initial contact, the beekeeper failed to

provide further information to the Department and did not return calls. No action by WSDA.

NML-0023-15: An organic carrot grower experienced a bee die-off in one of five hives. The WSDA lab analyzed a sample of the dead bees (screen of 141 possible pesticides) and found no detections of any pesticides. No action by WSDA.

RDS-0014-15: Dead and dying bumble bees underneath linden trees was likely at least partially caused by a recent pesticide application to the trees. Though nectar of linden trees has a natural toxicity to bumble bees, the pesticide application was made right at the end of bloom while some bees were still present on the trees. NOC issued to applicator.

RDS-0015-15: Dead bumble bees were reported at an apartment complex that had a few linden trees. The number of dead bees observed was low compared to many bee-kill incidents, and no pesticides had been applied to the landscape. The bees likely died from exposure to the linden trees. No action by WSDA.

Cooperation with Other Agencies

PMD cooperated with other federal, state and local agencies in 69 of the 171 investigations to collect evidence and testimony. Cooperating agencies may independently investigate and report their involvement in these cases. The agencies most frequently consulted were DOH (32 investigations) and LCB (22 investigations).

**Violations**

Investigations may conclude that state or federal laws or rules were violated. Of the 171 complaints investigated, 77 of them resulted in formal and/or informal actions. This equates to approximately 45 percent of the investigations resulting in an enforcement action (Table 9). Ten cases are currently open or under legal review (Refer to Appendix B for a review of all PMD investigations and Appendix C for details of those investigations with formal enforcement action).

**Table10.** FY16 PMD Investigations and Actions by Type of Activity.

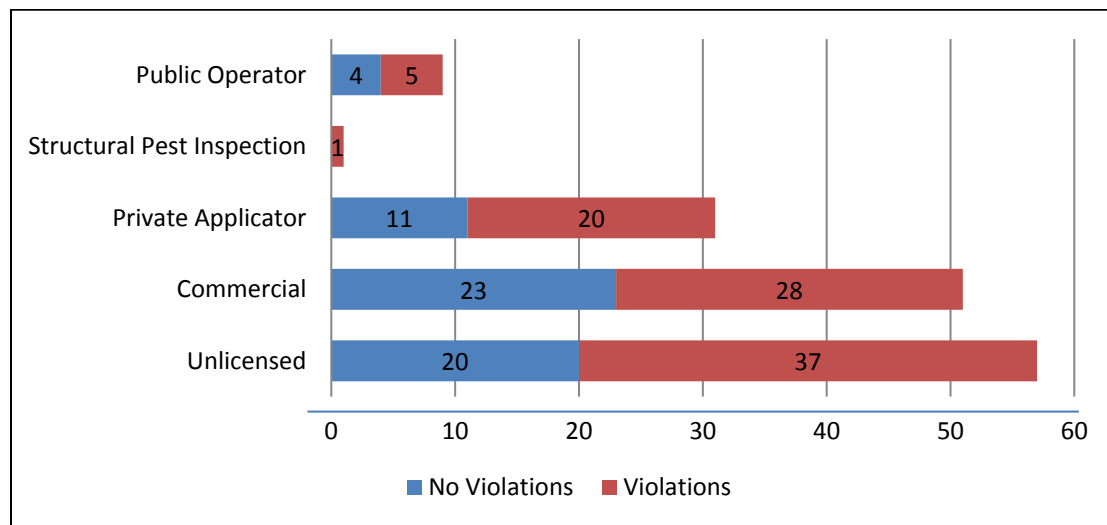
<b>Activity</b>	<b>No. of Investigations</b>	<b>No. With Actions</b>	<b>Percent with Actions</b>
Agricultural	54	19	35%
Commercial/Industrial	35	21	60%
Marijuana	22	8	36%
Residential (noncommercial)	14	6	43%
Right of Way	14	6	43%
Aquatic	3	2	67%
Structural/Wood Destroying	11	8	73%
School	1	0	0%
Other (license/distribution)	17	7	41%
<b>Total</b>	<b>171</b>	<b>77</b>	<b>45%</b>

Type of License in Complaints with Violations

PMD licensed about 8,100 Commercial Applicators and Operators and 13,700 Private Applicators in FY16 (Commercial Applicators are in charge of companies that commercially apply pesticides and Commercial Operators are their pesticide-applying employees. Private Applicator licenses are held by farmers and their employees). PMD also issued over 11,000 other license types for a total of over 33,000 licenses.

Figure 3 shows investigations and actions taken by license type. Commercial applicators and operators were involved in 51 investigations with 28 resulting in an action. Private Applicators were involved in 31 investigations with 20 resulting in an action. Unlicensed individuals were involved in 57 investigations with 37 resulting in an action (four currently under legal review).

**Figure 3.** Type of License Involved in Investigations With and Without Violations, FY16.



**Enforcement Actions**

In FY16, 83 corrective actions were taken or are pending (Table 10). Sometimes, more than one corrective action is taken on a case. In this report, only one corrective action per category is identified. For example, if more than one NOC was issued for a case, it is only counted once. However, if more than one type of corrective action was taken, such as a NOC and a NOI (which could happen if several applicators were involved in the same investigation), both types are listed.

**Table 11.** Corrective Actions Taken by PMD in FY16.

Action Type	Actions Taken Or Pending
Notice of Correction	67
Notice of Intent	6
Verbal Warning	9
Stop-Sale Orders	1
<b>Total</b>	<b>83</b>

PMD posts all Notice of Intent information at [agr.wa.gov/PestFert/enforcementactions.aspx](http://agr.wa.gov/PestFert/enforcementactions.aspx). This site lists the parties involved as well as the penalty (amount of civil penalty and/or license suspension). PMD does not post information related to NOCs. At the publication of this report, one case with an NOI issued was under appeal, eight cases were under legal review and four cases were still open. Appendix B provides a review of all PMD investigations, and Appendix C details those investigations with formal enforcement actions.



## Inspection Overview

PMD Compliance staff based in five statewide locations conducts approximately 200 inspections annually. While some inspections are conducted by appointment, most are unannounced and conducted under a cooperative agreement with the EPA. Inspectors use a standard checklist to measure the level of compliance. The inspections are intended to detect minor problems and correct them before they become unmanageable and potentially dangerous. In addition, they provide a mechanism to educate the regulated community about their legal requirements in order to prevent future violations of pesticide law. While some inspections may take less than 30 minutes to conduct, others may take several hours.

Following is a description of the types of inspections conducted by PMD.

1. **Agricultural Use Inspections** – These inspections are conducted at farms and to commercial operations that conduct pesticide applications in an agricultural setting. They are often the result of inspectors finding applications underway as they are conducting surveillance. All aspects of the application, including label compliance, equipment condition, licensing and proper use of personal protective equipment (PPE) are reviewed in order to determine if the applicator is operating in a safe and legal manner.
2. **Non-Agricultural Use Inspections** – These inspections are similar to agricultural use inspections except they are conducted in non-agricultural settings and involve mostly commercial and public entities. Examples of non-agricultural settings where inspections are conducted include landscapes, structures, athletic fields, parks, schools and rights-of-ways.
3. **Applicator Licensing/Records Inspections** - These inspections are targeted primarily at businesses that commercially apply pesticides. The focus of the inspections is to determine if the business, employees and equipment are properly licensed with PMD, ensure that they are maintaining the required pesticide application records and that their use and storage practices are in compliance with pesticide law.
4. **Dealer Records Inspection** - These inspections are conducted at pesticide sales outlets that distribute non-home and garden pesticides. Inspectors determine if the outlet is properly licensed as a Pesticide Dealer and ensure that an individual licensed as a Dealer Manager is on site whenever pesticides are distributed. They also ensure that the dealer is maintaining the proper sales records, distributing restricted pesticides to only those with a proper license and maintaining their pesticide inventory in a safe, clean and legal manner.
5. **Marketplace Inspections** - These inspections are conducted at facilities that distribute any type of pesticide including those labeled for home and garden use. Examples include grocery, hardware, general merchandise and drug stores. The focus of these inspections is to search for canceled, suspended and unregistered products, check for required child resistant packaging and detect products in leaking or otherwise damaged containers. These inspections provide a means to remove violative products from the marketplace before they can cause harm to consumers.
6. **Producer Establishment Inspections** - These inspections are conducted at facilities that produce or repackage pesticides. The purpose of these inspections is to detect violations of federal law related to the labeling, distribution, storage and disposal of the establishment's pesticides before the pesticides are distributed.

7. **Worker Protection Standard (WPS) Inspections** - These inspections are conducted at agricultural establishments with employees that work directly with pesticides or who enter fields that have been recently treated. The purpose of the inspections, which are detailed in nature, is to determine if the employer is in compliance with the state and federal WPS, which requires an array of protections including training, notification of pesticide applications, field posting and proper use of PPE.

**Table 12.** Number of FY16 Inspections Conducted and Enforcement Actions Taken.

Inspection type	Number inspected	Enforcement actions	
		NOCs	NOIs
Agricultural Use	28	15	0
Non-Agricultural Use	29	14	0
School Inspections	13	12	0
Applicator Licensing/Records	22	11	0
Dealer Records	26	8	0
Market Place	32	12	0
Worker Protection Standards	37	26	3
Producer Establishment	6	Forwarded to EPA for review	

## Worker Protection Standard Inspections

A significant portion of PMD’s compliance and outreach efforts are focused on ensuring compliance with the Worker Protection Standard (WPS). Since the inception of the WPS, PMD staff has conducted numerous outreach, training and inspection efforts across the state to explain the rule’s requirements and to assist with compliance. While all types of agricultural establishments must comply with WPS, much of the outreach and compliance work is directed at orchards as indicated in Table 13.

**Table 13.** FY16 WPS Inspection Sites.

Inspection Site	No. of Inspections
Orchards	20
Row and Field Crops	4
Nursery/Greenhouse	4
Vineyards	7
Combinations of Above	2
<b>Total</b>	<b>37</b>

WSDA’s outreach, training and inspection efforts are performed with the primary goal of gaining compliance without having to issue an enforcement action. However, repeat violations and those that pose imminent danger to employees are taken very seriously and dealt with to the fullest extent even for first-time violations. In 2008, PMD implemented a policy that elevates certain

first-time violations of the WPS for formal action review. Within the parameters of RCW 43.05.110, this policy recognizes that pesticide handlers (those who work directly with pesticides) are indeed placed in danger of bodily harm when they are not provided with personal protective equipment (PPE) or decontamination supplies. The probability of placing a person in danger also exists when handlers are not informed of label safety requirements, not properly trained to apply Category I (highly toxic) pesticides and when they are not monitored at least every two hours while applying Category I pesticides.

Determining when a worker<sup>5</sup> is placed in danger of bodily harm is more difficult since workers are not directly exposed to pesticide concentrates or to pesticides during applications. After a pesticide is applied, the danger that it will cause harm decreases as time passes. In order to account for this lesser exposure, PMD developed a matrix to determine when a worker has been placed in danger of bodily harm. The matrix takes into account the toxicity of the pesticide, how much time has elapsed since the application, whether PPE and decontamination supplies were readily available and whether notification of the application was provided. A point scale is associated with each of these elements. The decision for formal action review is based upon the accumulation of a specific number of points from all the elements. (See Appendix D for PMD’s WPS Civil Penalty Policy.)

During FY16, 37 Tier 1 WPS inspections<sup>6</sup> were conducted by PMD’s compliance staff, almost all of them were unannounced. A total of 26 NOC’s were issued to the first time violators, and three NOIs were issued; two for \$700 and one for \$900.

Elements of Inspections

WPS inspections entail a number of major elements as detailed in Table 14. The 26 NOCs and three NOIs issued for the 37 FY16 WPS inspections included 76 distinct violations. Note: The elements listed are those which are included on the WPS Compliance Checklists, versions of which are available online at [agr.wa.gov/PestFert/Pesticides/WorkerProtection.aspx#Resources](http://agr.wa.gov/PestFert/Pesticides/WorkerProtection.aspx#Resources).

**Table 14.** Number of Violations by Element for FY16 WPS Inspections.

<b>Inspection Elements</b>	<b>Violations</b>
Pesticide Safety training	18
Decontamination	18
Central posting	18
Personal Protective Equipment	12
Notice of Application	8
Entry Restrictions	2
Emergency Assistance	0
Mix/Loading, Applications and Equipment	0
Information Exchange	0
<b>Total</b>	<b>76</b>

<sup>5</sup> A “worker” is an individual who works in areas where pesticides have been applied but who does not directly handle pesticides.

<sup>6</sup> Tier 1 WPS inspections are those inspections that are conducted at the time an application is occurring or within 30 days of the last pesticide application.

## Certification and Training

PMD’s Certification and Training (C&T) program is responsible for licensing pesticide applicators, consultants, dealers and structural pest inspectors (SPI) and administering a continuing education program for them know as recertification. The following license, recertification and testing numbers are all for calendar year 2015.

### Licensing

Pesticide Licensing works to ensure that those involved with pesticide use and structural pest inspections are competent and provided opportunities to continually develop their knowledge, skills and abilities. All licenses administered by PMD require applicants to pass one or more closed book exams that address pesticide law, safety and category specific information. SPIs are required to accurately identify structurally destructive pests and their damage. Five of the most commonly taken exams are available in Spanish. This is critical for Washington agriculture since the majority of the workforce is Hispanic. PMD’s and WSU’s Pesticide Education Program work closely together and with subject matter experts from industry to develop and maintain relevant exams and study material in both English and Spanish.

PMD strives to provide a variety of testing options for its customers. License testing occurs at all PMD offices on a weekly or monthly basis, at the conclusion of large WSU pre-license training programs in English and Spanish pre-license training courses administered by PMD, at many county extension offices and by request to groups of 15 or more. Table 15 details testing data for calendar year 2015.

**Table 15.** 2015 Totals for PMD Pesticide and SPI Exams.

<b>Testing Totals</b>		
<b>Location</b>	<b>Testers</b>	<b>No. of Tests</b>
<b>Everett</b>	520	958
<b>Olympia</b>	1614	3,093
<b>Yakima</b>	1,341	2,166
<b>Spokane</b>	507	924
<b>Moses Lake</b>	332	550
<b>E Wenatchee</b>	224	338
<b>WSDA Pre-license (Spanish)</b>	195	195
<b>WSU Pre-license</b>	729	1,579
<b>Other</b>	219	366
<b>Total All Sites</b>	<b>5,681</b>	<b>10,169</b>

In 2015, PMD issued over 33,000 pesticide licenses to approximately 28,000 individuals. These license numbers are higher than reported in the past couple of years due partially to increases in the number of licensees “post-recession” and partially due to technology that can capture more accurate numbers for a total calendar year.

Since the inception of a new database in 2007, PMD has worked diligently to provide licensees with the information they need to manage their license accounts. Records, including completed recertification credit reports, are displayed online and licenses can be renewed electronically. In addition, licensees can search for open recertification courses by location, language and topic.

### **Recertification**

License holders are required to meet recertification credit requirements every five years or retest. Private Applicators (farmers and their licensed employees) are required to earn 20 credits over the five-year period while all other license types must earn 40. Over 90 percent of licensees choose to meet the credit requirement rather than retest.

With the exception of its Farmworker Education Program (FEP), PMD does not sponsor recertification courses but accredits those conducted by a variety of sponsors. For calendar year 2015, PMD accredited approximately 1,572 recertification sessions included within over 595 courses. A growing number of these sessions are provided in Spanish to better serve the Hispanic licensed community. PMD’s Farmworker Education Program staff sponsor or are invited as speakers at a large number of these Spanish-language courses.

### **Technical Service and Education Program (TSEP)**

Each year, PMD’s Technical Service and Education Program (TSEP) provides pesticide safety training directly to thousands of farmworkers and indirectly to many more through its Worker Protection Standard (WPS) Train-the-Trainer program and partnerships with employers and groups. PMD has four farmworker education trainers on staff. All are native Spanish speakers with extensive experience in agriculture production. These four positions are funded approximately 50 percent by EPA grant dollars and L&I’s accident account and 50 percent by ag local funds.

In the fall of 2015, the TSEP was able to secure funds (\$240,000) from USDA Specialty Crop Block Grant to expand on training opportunities and acquire training equipment. The funds will help expand training opportunities on pesticide safety with emphasis on Pesticide Application Equipment - Best Management Practices (BMPs) and will be granted over a two-year period. Funds allowed hiring an additional bilingual trainer in spring of 2016. Additionally, several training tools were purchased including: a vertical spray patternator, a multi-flow meter and a cargo trailer among other things. Most of the mentioned tools are used to conduct trainings on Spray Application Equipment – BMPs, which was designed to train pesticide applicators on effective sprayer calibration and optimization methods to increase effectiveness, efficiency and reduce drift when applying pesticide using airblast sprayers.

***Note: Because of the high demand for the services offered by the FEP and its limited resources, the program has been forced to turn away requests for training in recent years.***

PMD's training focuses primarily on farmworkers who handle and apply pesticides, but the TSEP also provides some training to fieldworkers who work in fields and orchards where pesticides have been applied. Most training is conducted in partnership with agricultural organizations, growers and non-profit organizations. These partnerships are a key to PMD maximizing its limited resources. In FY16, our partners included the Washington Farm Bureau, Washington Tree Fruit Association, Association of Wine Grape Growers, GS Long Co., Wilbur Ellis, and individual growers/employers. The program also partners with L&I, DOH, Employment Security, WSU, and community colleges.

Specifically, the TSEP conducts the following types of training programs:

- **Worker Protection Standard (WPS) training:** Agricultural employers are required to provide specific protections and training to their employees who work with pesticides or in recently treated fields, nurseries and greenhouses. PMD provides a variety of training programs on WPS.
  - ◆ WPS Worker and Handler Training – 2-4 hour pesticide safety training for farmworkers and pesticide handlers covered by WPS.
  - ◆ WPS Hands-on Handler Training – Full-day workshop for up to 50 pesticide handlers in safe pesticide handling techniques. The workshops provide practical, hands-on training in small groups that rotate through modules on mixing and loading, selection, removal and decontamination of personal protective equipment, proper application techniques and clean-up and disposal. In FY16, 317 handlers from 84 agricultural establishments received training at eight workshops and through the assistance of 12 community partners.
  - ◆ WPS Hybrid Hands-on Handler Training – In FY12, the FEP was approached by GS Long, a large agrochemical dealer in Eastern Washington, with the idea of conducting a hybrid version of the very successful and interactive Hands-on Handler Training for up to 250 participants. While our training team was initially reluctant to attempt to replicate this interactive training on such a large scale, they agreed to conduct a pilot workshop. GS Long committed to putting forth all logistical resources necessary for success and PPE suppliers agreed to donate the additional supplies and equipment necessary to train such a large group. While there were challenges that had to be overcome, the training was a big success. In FY13, with lessons learned from the pilot incorporated into both logistical support and the curriculum, three of the hybrid workshops were conducted for 514 pesticide handlers from 117 agricultural establishments. In FY14, four hybrid workshops were conducted for 728 handlers from 162 establishments. In FY15, five hybrid workshops were conducted for 630 pesticide handlers from 132 agricultural establishments. In FY16, eight hybrid workshops were conducted for 1,150 pesticide handlers from 158 agricultural establishments.
  - ◆ WPS Train-the-Trainer Training – This one-day workshop prepares trainers from farms and orchards to effectively deliver WPS-mandated pesticide safety training to their employees. Participants learn what topics need to be covered, effective training methods, how to handle cultural differences and how to create a good learning environment. During FY16, the FEP conducted four Train-the-Trainer workshops for 110 trainers, supervisors and safety officers from 40 separate agricultural

establishments. WSDA inspectors find that farms that employ an individual who has completed this training have greater compliance with WPS.

- A Train-the-Trainer workshop on respirator fit-testing was piloted in 2014. This 6-hour workshop provides practical information to farm managers, supervisors and safety officers on how to effectively identify, use and maintain respirators, how to develop and maintain written respirator programs and how to properly perform respirator fit-testing sessions using the required protocol. In FY15 one of these workshops was conducted in partnership with Washington Growers League. In FY16, one workshop was offered in Yakima attended by 16 people.
- ♦ **Piloted in 2015 – Pesticide Application Equipment Best Management Practices –**  
In 2015 the Farmworker Education Program in collaboration with WSU Benton/Franklin County Extension Office developed and piloted the Pesticide Application Equipment BMP's training. Four workshops were conducted as part of this pilot project; two in partnership with the Washington Growers League; the other two in partnership with G.S Long Company. A total of 86 people attended this program. In FY16, a total of 123 attended the program.
- **Pesticide Licensing Training:** Some farmworkers need to have a pesticide applicator license to perform their work duties. PMD's Farmworker Education Program provides the following Spanish-language training to help farmworkers obtain and maintain needed pesticide licenses.
  - ♦ Pre-license Training – Six-day/two-hour-per-day intensive course that covers pesticide law, safety, and application techniques. Prepares participants for the Private Applicator exam. In FY15, the FEP conducted eight pre-license courses for 246 participants.
  - ♦ Recertification – PMD trainers are involved in planning, organizing, coordinating and/or presenting Spanish-language continuing education programs on a range of topics including pesticide safety, pest control, and integrated pest management. Many of these recertification courses are conducted in cooperation with agricultural industry groups, providing information particularly relevant to the target audience. Because of the time invested in this effort, the number and quality of Spanish-language recertification courses has improved dramatically over the past decade. PMD staff has been instrumental in assisting WSU's Pesticide Education Program in developing and implementing online pre-license and recertification courses in Spanish.

In addition to these workshops and training sessions, PMD Farmworker Education specialists provide trainings requested by growers on such topics as properly using personal protective equipment, calibrating air blast sprayers, combating heat stress, and how to perform respirator fit tests. The training is conducted on site, is as interactive and hands-on as possible, and is specifically targeted to the needs of the farm. This training is often conducted following an inspection by PMD and assists growers to come into compliance with pesticide law.

PMD trainers also regularly participate in radio programs providing pesticide safety information to the farmworker community, translate materials into Spanish, and work with other agencies,

farmworker advocacy groups, and the agricultural community to address farmworker safety issues.

**Table 16.** TSEP Training Totals for Non-Recertification Courses, FYs 11-16.

<b>Training</b>	<b>FY 11</b>	<b>FY 12</b>	<b>FY 13</b>	<b>FY 14</b>	<b>FY 15</b>	<b>FY 16</b>
Hands-on Handler (Traditional and Hybrid)	600	1,057	1,183	1,311	1,054	1,467
Train-the-Trainer	59	75	71	51	91	110
Pre-license	323	331	418	363	246	177
Other Worker and Handler	589	983	434	406	630	430
Pesticide Application BMP's					86	123
<b>Total Non-Recertification</b>	<b>1,571</b>	<b>2,446</b>	<b>2,106</b>	<b>2,131</b>	<b>2,107</b>	<b>2,327</b>



## Appendix A

### WSDA Penalty Process and Rules

#### **How does WSDA determine the amount of penalty?**

As set by statute, the maximum penalty that WSDA can assess for any single violation is \$7,500. To ensure that penalties are “fair and uniform” WSDA uses a penalty matrix in rule (WAC 16-228-1130). The matrix takes into account the seriousness of the violation, whether it is a first or a repeat offense, and whether there are any aggravating or mitigating factors involved. Larger penalties often reflect repeat offenses or multiple violations within the same incident.

If the violation involves human exposure, property damage, or environmental harm, it is assessed on the “adverse effects probable” side of the matrix. All other violations are assessed on the “adverse effects not probable” side. As required by rule, WSDA assesses the median penalty unless there are mitigating or aggravating factors involved for which they would assess the minimum or maximum penalty, respectively.

WSDA cannot assess a penalty higher than \$7,500 for a single violation, but the penalty rules (WAC 16-228-1100 through 16-228-1130; below) do allow WSDA to assess penalties beyond the levels in the matrix when there are aggravating factors present. For example, WSDA finds that a pesticide applicator drifted onto several farmworkers causing them all to become ill. If it is a first-time violation, the matrix indicates a penalty of \$450 and/or a 7-day license suspension. Even considering the aggravating factors in this case, the matrix only allows a \$550 fine and/or 9-day license suspension for the maximum penalty. The rules specifically allow WSDA to go beyond this maximum penalty for particularly egregious violations. WSDA uses this authority with discretion, typically when there is willful negligence, when multiple people are affected by a drift, or when multiple growers sustain damage from a single drift event.

According to WAC 16-228-1100(1), “regulatory action is necessary to deter violations of the pesticide laws and rules, and to educate persons about the consequences of such violation...”. Typically PMD assesses both the civil penalty and the license suspension as provided in the penalty matrix. PMD considers the two components essentially equal in weight. When PMD determines that a license suspension would not be an effective deterrent, WAC 16-228-1120(2) allows PMD to “proportionately increase the civil penalty and proportionately decrease the licensing action...” In such cases, PMD doubles the civil penalty while eliminating the license suspension. This occurs most frequently when an infractor does not have a license to suspend although there can be other circumstances that merit a proportional increase.

Specific requirements for determining the “level of violation” are found in WAC 16-228-1110(2). When a past action has placed an infractor at a specific level of violation, and the infractor commits another violation, PMD must take into account at what point the past action was fully adjudicated. (An action is fully adjudicated on the date that a Final Order is issued by the Director.) If the past action has been fully adjudicated, the current violation will normally be assessed at the next level of violation. However, if the current violation is committed prior to the last action being fully adjudicated, the level of violation stays at the same level as the past action. This can happen when there is a series of violations that occur over a short time frame.

The penalty rules, including the penalty matrix, are as follows:

**16-228-1100** What is the basis for penalties?

For the purpose of fair, uniform determination of penalty as set forth in WAC [16-228-1110](#) through [16-228-1150](#), the director hereby declares:

(1) Regulatory action is necessary to deter violations of the pesticide laws and rules, and to educate persons about the consequences of such violation(s); and

(2) Any regulatory action taken by the department against any person who violates the provisions of chapter [17.21](#) RCW, chapter [15.58](#) RCW, and/or rules adopted thereunder shall be commensurate with the seriousness of the violation under the circumstances; and

(3) Each person shall be treated fairly in accordance with the rules set forth in this chapter.

**16-228-1110** What are the definitions specific to penalties?

In addition to the definitions set forth in RCW [17.21.020](#), [15.58.030](#), and WAC [16-228-1010](#), the following shall apply to WAC [16-228-1100](#) through [16-228-1150](#):

(1) "Adverse effect(s)" means that the alleged activity actually causes, or creates the possibility of damage, injury or public health threat, to humans, animals, plants, property or the environment. In those situations involving a wood destroying organism inspection, adverse effects exist when the inspection has been performed in a faulty, careless or negligent manner.

(2) "Level of violation" means that the alleged violation is a first, second, third, fourth, or more violation(s).

(a) First violation. This means the alleged violator has committed no prior incident(s) which resulted in a violation or violations within three years of committing the current alleged violation.

(b) Second violation. This means the alleged violator committed one prior incident which resulted in a violation or violations within three years of committing the current alleged violation.

(c) Third violation. This means the alleged violator committed two prior incidents which resulted in a violation or violations within three years of committing the current alleged violation.

(d) Fourth violation. This means the alleged violator committed three prior incidents which resulted in a violation or violations within three years of committing the current alleged violation.

(e) For purposes of calculating the level of violation, prior incidents will be measured from the date that a final order or stipulated order resolved the prior violation(s), and not from the date that the incident(s) occurred.

(3) "Not probable" means that the alleged violator's conduct more likely than not would not have an adverse effect.

(4) "Probable" means that the alleged violator's conduct more likely than not would have an adverse effect.

(5) "Violation" means commission of an act or acts prohibited by chapter [17.21](#) RCW, chapter [15.58](#) RCW, and/or rules adopted thereunder.

(6) "Civil penalty" means a monetary penalty administratively issued by a regulatory agency for noncompliance with state or federal law, or rules. The term does not include any criminal

penalty, damage assessment, wages, premiums, or taxes owed, or interest or late fees on any existing obligation.

(7) "Notice of Correction" means a document issued by the department that describes a condition or conduct that is not in compliance with chapter [15.58](#) or [17.21](#) RCW, or the rules adopted under the authority of chapter [15.58](#) or [17.21](#) RCW and is not subject to civil penalties as provided for in RCW [43.05.110](#). A notice of correction is not a formal enforcement action, is not subject to appeal and is a public record.

(8) "Notice of intent" means a document issued by the department that alleges specific violations of chapter [15.58](#) or [17.21](#) RCW, or any rules adopted under the authority of those chapters. A notice of intent is a formal enforcement document issued with the intent to assess civil penalties to the alleged violator and/or to suspend, deny or revoke the alleged violator's pesticide license.

**16-228-1115** When can the department issue a civil penalty without first issuing a notice of correction?

(1) Pursuant to RCW [43.05.100](#) a notice of correction may be issued by the department when they become aware of conditions and/or conduct that are not in compliance with the applicable laws and rules enforced by the department. The issuance of a notice of correction by the department shall not constitute a previous violation for purposes of WAC [16-228-1110](#)(2), but may, at the discretion of the department, be considered as an aggravating factor for the purposes of WAC [16-228-1120](#)(2).

(2) Prior to issuing a civil penalty for a violation of chapter [15.58](#) or [17.21](#) RCW, and the rules adopted under the authority of chapter [15.58](#) or [17.21](#) RCW the department shall comply with the requirements of RCW [43.05.110](#). RCW [43.05.110](#) provides that the department of agriculture may issue a civil penalty provided for by law without first issuing a notice of correction if: (1) The person has previously been subject to an enforcement action for the same or similar type of violation of the same statute or rule or has been given previous notice of the same or similar type of violation of the same statute or rule; or (2) compliance is not achieved by the date established by the department in a previously issued notice of correction, if the department has responded to any request for review of such date by reaffirming the original date or establishing a new date; (3) the violation has a probability of placing a person in danger of death or bodily harm, has a probability of causing more than minor environmental harm, or has a probability of causing physical damage to the property of another in an amount exceeding one thousand dollars; or (4) the violation was committed by a business that employed fifty or more employees on at least one day in each of the preceding twelve months.

**16-228-1120** How are penalties calculated?

(1) Median penalty selection. In the disposition of administrative cases, the department shall use the penalty assignment schedule listed in WAC [16-228-1130](#) to determine appropriate penalties. The department shall calculate the appropriate penalty based on the level of violation and the adverse effect(s) or potential adverse effects at the time of the incident(s) giving rise to the violation. The median penalty shall be assessed unless a proportionate adjustment is warranted and/or there are aggravating or mitigating factors present. The median penalty as listed in WAC [16-228-1130](#) may be proportionately adjusted and/or aggravated to a level more than the maximum penalty listed for the violation in the penalty assignment schedule table. The

median penalty under the penalty assignment schedule may not be proportionately adjusted and/or mitigated to a level less than the minimum penalty listed for the violation.

(2) Proportionate adjustment of median penalty.

(a) The department reserves the right to proportionately increase the civil penalty and proportionately decrease the licensing action under certain circumstances. Such circumstances include situations where licensing action(s) as a deterrent are ineffective and include, but are not limited to:

(i) Violations by persons who are not licensed; and

(ii) Situations where the civil penalty assessed is not substantially equivalent to the violator's economic benefit derived from the violation.

(b) The department also reserves the right to proportionately decrease the civil penalty and increase the licensing action in circumstances that demonstrate the ineffectiveness of a civil penalty as a deterrent. Nothing shall prevent the department from proportionally adjusting a licensing action to a level greater than the maximum licensing action listed in the penalty assignment schedule.

(3) Aggravating factors. The department may consider circumstances enhancing the penalty based on the seriousness of the violation. Aggravating factors include, but are not limited to, the following:

(a) The number of separate alleged violations contained within a single notice of intent.

(b) The high magnitude of the harm, or potential harm, including quantity and/or degree, to humans, animals, plants, property or the environment caused by the violation(s).

(c) The similarity of the current alleged violation to previous violations committed within the last three years.

(d) The extent to which the alleged violation is part of a pattern of the same or substantially similar conduct.

(4) When the department determines that one or more aggravating factors are present, the department may assess the maximum penalty as listed within the level of violation or may, in its discretion, increase the penalty to a level greater than the maximum penalty, including but not limited to revocation of the license.

(5) Mitigating factors. The department may consider circumstances reducing the penalty based upon the seriousness of the violation. Mitigating factors include but are not limited to, the following:

(a) Voluntary disclosure of a violation.

(b) The low magnitude of the harm, or potential harm, including quantity and/or degree, caused by the violation.

(c) Voluntary taking of remedial measures that will result in increased public protection, or that will result in a decreased likelihood that the violation will be repeated.

(6) When the department determines that one or more mitigating factors are present, the department may assess the minimum penalty for the violation from the penalty schedule.

(7) The department considers each violation to be a separate and distinct event. When a person has committed multiple violations, the violations are cumulative for purposes of calculating the appropriate penalty. Penalties are added together.

(8) Violation(s) committed during the period when an individual's license is suspended or revoked shall be subject to the maximum civil penalty of seven thousand five hundred dollars and/or revocation of the license for a period of up to five years. Violation(s) committed by

unlicensed individuals are subject to the provisions of this chapter, including the penalty provision.

**16-228-1125** When can the department revoke or deny a license?

(1) The department retains the sole discretion to determine when an individual license should be revoked rather than suspended. Revocation of a license shall be an option for the department in those circumstances where:

- (a) The penalty schedule allows for revocation; and/or
- (b) One or more aggravating factors are present; and/or
- (c) The duration of the licensure action exceeds six months.

In circumstances where the department determines revocation to be appropriate, the period of revocation shall be determined at the discretion of the department, but in no instance shall the revocation exceed five years.

(2) The department may deny an applicant a license when the applicant has committed a violation(s) of chapters [15.58](#) and [17.21](#) RCW and/or the rules adopted under those chapters. The duration of denial shall be determined based upon the penalty provisions of this chapter. In circumstances where the department determines denial to be appropriate, the period of denial shall not exceed five years.

(3) Nothing shall prevent the department from denying an applicant a license when the applicant has an outstanding civil penalty owed to the department from a previous violation(s).

(4) The department may, at its discretion, suspend a license without also seeking a civil penalty. Such circumstances include, but are not limited to, those incidents where a civil penalty is not available as an appropriate penalty pursuant to RCW [43.05.110](#). The appropriate period of suspension shall be determined from the penalty schedule.

**16-228-1130** What is the penalty assignment schedule?

This assignment schedule shall be used for violations of chapter [17.21](#) or [15.58](#) RCW or chapter [16-228](#) WAC. (See WAC [16-228-1150](#) for other dispositions of alleged violations, including Notice of Corrections.)

LEVEL OF VIOLATION	ADVERSE EFFECTS NOT PROBABLE			ADVERSE EFFECTS PROBABLE		
	MINIMUM	MEDIAN	MAXIMUM	MINIMUM	MEDIAN	MAXIMUM
FIRST	\$200 and or 2 days license suspension	\$300 and or 3 days license suspension	\$500 and or 6 days license suspension	\$350 and or 5 days license suspension	\$450 and or 7 days license suspension	\$550 and or 9 days license suspension
second	\$350 and or 3 days license suspension	\$500 and or 6 days license suspension	\$1000 and or 9 days license suspension	\$600 and 10 days license suspension denial or revocation	\$1300 and 20 days license suspension denial or revocation	\$2000 and 30 days license suspension denial or revocation

LEVEL OF VIOLATION	ADVERSE EFFECTS NOT PROBABLE			ADVERSE EFFECTS PROBABLE		
	MINIMUM	MEDIAN	MAXIMUM	MINIMUM	MEDIAN	MAXIMUM
third	\$700 and or 4 days license suspension	\$1000 and or 9 days license suspension	\$2000 and or 12 days license suspension	\$800 and 30 days license suspension denial or revocation	\$2400 and 40 days license suspension denial or revocation	\$4000 and 50 days license suspension denial or revocation
fourth or more	\$900 and or 5 days license suspension denial or revocation	\$2000 and or 12 days license suspension denial or revocation	\$3000 and or 15 days license suspension denial or revocation	\$1000 and 50 days license suspension denial or revocation	\$4250 and 70 days license suspension denial or revocation	\$7500 and 90 days license suspension denial or revocation

**16-228-1150** What are the other dispositions of alleged violations that the department may choose?

Nothing herein shall prevent the department from:

- (1) Choosing not to pursue a civil penalty, license suspension or license revocation.
- (2) Issuing a notice of correction in lieu of pursuing a civil penalty, license suspension or license revocation.
- (3) Negotiating settlement(s) of cases on such terms and for such reasons as it deems appropriate. Prior violation(s) covered by a prior settlement agreement may be used by the department for the purpose of determining the appropriate penalty for the current alleged violation(s) if not prohibited by the agreement.
- (4) Referring violations or alleged violations, to any federal, state or county authority with jurisdiction over the activities in question, including but not limited to the Environmental Protection Agency (EPA) and the Federal Aviation Administration (FAA).

## Appendix B

# FY16 Investigations Data

## Western Washington Investigations

### Clallam County

<b>KFJ-0024-15</b> <b>Allegation or Issue Investigated:</b>	<b>Inadequate WDO inspection of house.</b>
County:	Clallam
Pesticide Type (active ingredient):	Not applicable
License Type:	Structural Pest Inspector
Human Exposure people/description:	Not applicable
Severity:	3
Application Site and Equipment:	Not applicable
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	NOC

<b>VJD-0014-16</b> <b>Allegation or Issue Investigated:</b>	<b>Woman and her dog sick from neighbor spraying roundup. Vet stated that dog was “perfectly healthy” and DOH indicated that woman’s medical indicate her blood tests were “100 percent heavy metal blood test results.”</b>
County:	Clallam
Pesticide Type (active ingredient):	Herbicide (glyphosate)
License Type:	Unlicensed
Human Exposure people/description:	One adult claimed symptoms
Severity:	0
Application Site and Equipment:	Residential landscape, hand-held
Other Agencies Involved:	DOH
WSDA Response Time:	Same day
Final Action:	No action by WSDA

### Clark County

<b>DLZ-0031-15</b> <b>Allegation or Issue Investigated:</b>	<b>Commercial landscape pesticide application by unlicensed company.</b>
County:	Clark
Pesticide Type (active ingredient):	Not applicable
License Type:	Unlicensed
Human Exposure people/description:	Not applicable
Severity:	1
Application Site and Equipment:	Landscape
Other Agencies Involved:	None
WSDA Response Time:	Not applicable
Final Action:	NOC

<b>KFJ-0007-16</b> <b>Allegation or Issue Investigated:</b>	<b>Neighbor spraying plum tree on property line drifted onto complainant's house.</b>
County:	Clark
Pesticide Type (active ingredient):	Fungicide (chlorthalonil)
License Type:	Unlicensed
Human Exposure people/description:	Not applicable
Severity:	2
Application Site and Equipment:	Residential landscape, hose-end sprayer
Other Agencies Involved:	None
WSDA Response Time:	Next day
Final Action:	NOC

<b>NML-0008-16</b> <b>Allegation or Issue Investigated:</b>	<b>Use of unapproved pesticides on marijuana.</b>
County:	Clark
Pesticide Type (active ingredient):	Insecticide (malathion, dichlorvos, cyfluthrin), Plant Growth Regulator (indole-3-butyric acid, naphthaleneacetic acid), Fungicide (chlorthalonil)
License Type:	Unlicensed
Human Exposure people/description:	Not applicable
Severity:	2
Application Site and Equipment:	Marijuana
Other Agencies Involved:	LCB
WSDA Response Time:	Same day
Final Action:	Advisory letter

<b>NML-0019-15</b> <b>Allegation or Issue Investigated:</b>	<b>Anonymous complaint that floramite, an unapproved pesticide, was being used on marijuana.</b>
County:	Clark
Pesticide Type (active ingredient):	Miticide (bifentate)
License Type:	Unlicensed
Human Exposure people/description:	Not applicable
Severity:	0
Application Site and Equipment:	Marijuana
Other Agencies Involved:	LCB
WSDA Response Time:	6 days
Final Action:	No action by WSDA. No evidence that the product was used and all samples came back negative.

<b>VJD-0016-16</b> <b>Allegation or Issue Investigated:</b>	<b>Complainant and wife affected by odors after application to neighbor's yard. Complaint withdrawn.</b>
County:	Clark
Pesticide Type (active ingredient):	Herbicide (2,4-D, dicamba, MCPP)
License Type:	Commercial Operator
Human Exposure people/description:	Two adults with symptoms
Severity:	0
Application Site and Equipment:	Residential landscape, hand-gun
Other Agencies Involved:	DOH
WSDA Response Time:	Same day
Final Action:	No action by WSDA



<b>VJD-0020-16</b> <b>Allegation or Issue Investigated:</b>	<b>Drift from commercial application to neighbor's yard caused damage to ornamentals. Applicator also cited for license and recordkeeping violations.</b>
County:	Clark
Pesticide Type (active ingredient):	Herbicide (2,4-D, triclopyr, glyphosate)
License Type:	Unlicensed
Human Exposure people/description:	Not applicable
Severity:	3
Application Site and Equipment:	Residential landscape, backpack sprayer
Other Agencies Involved:	None
WSDA Response Time:	Next day
Final Action:	NOC

## Cowlitz County

<b>NML-0027-16</b> <b>Allegation or Issue Investigated:</b>	<b>Use of unapproved pesticides on marijuana.</b>
County:	Cowlitz
Pesticide Type (active ingredient):	Plant Growth Regulator (indoleacetic acid), Insecticide-Miticide (spiromesifen)
License Type:	Unlicensed
Human Exposure people/description:	Not applicable
Severity:	2
Application Site and Equipment:	Marijuana, backpack sprayer
Other Agencies Involved:	LCB
WSDA Response Time:	Same day
Final Action:	Advisory letter

<b>RDS-0017-16</b> <b>Allegation or Issue Investigated:</b>	<b>Individual driving car claimed exposure and symptoms as he approached a road crew spot spraying weeds. No detection of residues in samples obtained.</b>
County:	Cowlitz
Pesticide Type (active ingredient):	Herbicide (glyphosate)
License Type:	Public Operator
Human Exposure people/description:	One adult
Severity:	1
Application Site and Equipment:	Roadside right-of-way, hand gun
Other Agencies Involved:	DOH
WSDA Response Time:	Same day
Final Action:	NOC (inadequate records)

## Grays Harbor County

<b>NML-0021-15</b> <b>Allegation or Issue Investigated:</b>	<b>Use of unapproved pesticides on marijuana, and use above the maximum rate allowed by label.</b>
County:	Grays Harbor
Pesticide Type (active ingredient):	Insecticide-Miticide (azadirachtin)
License Type:	Unlicensed
Human Exposure people/description:	Not applicable

Severity:	2
Application Site and Equipment:	Marijuana, backpack sprayer
Other Agencies Involved:	LCB
WSDA Response Time:	8 days
Final Action:	NOC

## Jefferson County

<b>VJD-0043-15</b> <b>Allegation or Issue Investigated:</b>	<b>Application to ditch with water to kill reed canary grass. Applicator didn't have required license.</b>
County:	Jefferson
Pesticide Type (active ingredient):	Herbicide (glyphosate)
License Type:	Unlicensed
Human Exposure people/description:	Not applicable
Severity:	1
Application Site and Equipment:	Ditch, hand gun
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	NOC

## King County

<b>KFJ-0019-16</b> <b>Allegation or Issue Investigated:</b>	<b>Neighbor sprayed complainant's hedge.</b>
County:	King
Pesticide Type (active ingredient):	Herbicide (triclopyr, 2,4-D, MCPPE)
License Type:	Unlicensed
Human Exposure people/description:	Not applicable
Severity:	3
Application Site and Equipment:	Residential landscape, hand-held
Other Agencies Involved:	Ecology
WSDA Response Time:	Same day
Final Action:	NOC

<b>KFJ-0021-16</b> <b>Allegation or Issue Investigated:</b>	<b>Dog ingested rodenticide while owner was walking it near a residence at a housing community. The resident had bait boxes in his yard that were commercially baited, but they did not appear to be the source of the rodenticide.</b>
County:	King
Pesticide Type (active ingredient):	Rodenticide (difethialone)
License Type:	Commercial Operator
Human Exposure people/description:	Not applicable
Severity:	4
Application Site and Equipment:	Residence, rodent baiting
Other Agencies Involved:	EPA referral
WSDA Response Time:	3 days
Final Action:	No action by WSDA.

<b>KFJ-0045-15</b> <b>Allegation or Issue Investigated:</b>	<b>Flea treatment done in sloppy manner leaving oily residues on surfaces that didn't need to be treated.</b>
County:	King
Pesticide Type (active ingredient):	Insecticide (acetamiprid, pyriproxyfen)
License Type:	Commercial Operator
Human Exposure people/description:	Not applicable
Severity:	2
Application Site and Equipment:	Home interior, hand-held
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	NOC

<b>KFJ-0046-15</b> <b>Allegation or Issue Investigated:</b>	<b>Pelleted rodenticide "place packs" strewn into landscape beds near restaurant, rather than placed in tamper-proof secured bait stations. Dog ate some and had to be treated by vet. WSDA unable to identify responsible person.</b>
County:	King
Pesticide Type (active ingredient):	Rodenticide (diphacinone)
License Type:	Unknown
Human Exposure people/description:	Not applicable
Severity:	3
Application Site and Equipment:	Exterior of commercial buildings, Hand-applied
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	NOC for licensing and other violations

<b>NML-0003-16</b> <b>Allegation or Issue Investigated:</b>	<b>Landscape company over-applying pesticides to lawn. Application was fertilizer only. No violations.</b>
County:	King
Pesticide Type (active ingredient):	Non-pesticide
License Type:	Not applicable
Human Exposure people/description:	Not applicable
Severity:	0
Application Site and Equipment:	Commercial landscape
Other Agencies Involved:	EPA referral
WSDA Response Time:	Same day
Final Action:	No action by WSDA

<b>NML-0020-15</b> <b>Allegation or Issue Investigated:</b>	<b>Use of unapproved pesticides on marijuana.</b>
County:	King
Pesticide Type (active ingredient):	Insecticide (dinotefuran), Fungicide (myclobutanil, spiromesifen)
License Type:	Private Applicator
Human Exposure people/description:	Not applicable
Severity:	2
Application Site and Equipment:	Marijuana, backpack Sprayer
Other Agencies Involved:	LCB
WSDA Response Time:	36 days
Final Action:	NOC

<b>NML-0021-16</b>	<b>Use of unapproved pesticides on marijuana.</b>
<b>Allegation or Issue Investigated:</b>	
County:	King
Pesticide Type (active ingredient):	Plant Growth Regulator (indoleacetic acid, salicyclis acid)
License Type:	Unlicensed
Human Exposure people/description:	Not applicable
Severity:	2
Application Site and Equipment:	Marijuana, backpack sprayer
Other Agencies Involved:	LCB
WSDA Response Time:	12 days
Final Action:	Advisory letter

<b>NML-0024-15</b>	<b>WDO treatment without contract and inspection report. WSDA called months later, conflicting evidence.</b>
<b>Allegation or Issue Investigated:</b>	
County:	King
Pesticide Type (active ingredient):	Not applicable
License Type:	Commercial Operator
Human Exposure people/description:	Not applicable
Severity:	0
Application Site and Equipment:	WDO treatment of house
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	No action by WSDA.

<b>RDS-0014-16</b>	<b>Rodent bait boxes at housing complex not properly secured, which allows for tipping and spilling of contents.</b>
<b>Allegation or Issue Investigated:</b>	
County:	King
Pesticide Type (active ingredient):	Rodenticide (bromadiolone)
License Type:	Commercial Operator
Human Exposure people/description:	Not applicable
Severity:	2
Application Site and Equipment:	Housing complex, bait placement
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	NOC

<b>RDS-0018-16</b>	<b>Apartment complex resident concerned application to lawn might run-off into wetland. No violations found.</b>
<b>Allegation or Issue Investigated:</b>	
County:	King
Pesticide Type (active ingredient):	Herbicide (2,4-D, dicamba, triclopyr, sulfentrazone) Insecticide (bifenthrin)
License Type:	Commercial Applicator
Human Exposure people/description:	Not applicable
Severity:	0
Application Site and Equipment:	Apartment complex, hand gun
Other Agencies Involved:	Ecology
WSDA Response Time:	Same day
Final Action:	No action by WSDA

<b>RDS-0025-15</b> <b>Allegation or Issue Investigated:</b>	<b>Resident ill after bed bug treatment. No violations found in the treatment of the home, but applicator was cited for violations that occurred during fumigation of furnishings.</b>
County:	King
Pesticide Type (active ingredient):	Insecticide (dinotefuran, pirproxy butoxide, pyrethrin), Fumigant (sulfuryl fluoride)
License Type:	Commercial Operator
Human Exposure people/description:	One adult claims symptoms
Severity:	2
Application Site and Equipment:	Home treatment and container fumigation
Other Agencies Involved:	DOH
WSDA Response Time:	3 days
Final Action:	NOC

<b>RDS-0021-16</b> <b>Allegation or Issue Investigated:</b>	<b>Commercial applicator used an insecticide in a garage that was labeled for outdoor use only.</b>
County:	King
Pesticide Type (active ingredient):	Insecticide (fipronil)
License Type:	Commercial Applicator
Human Exposure people/description:	Not applicable
Severity:	2
Application Site and Equipment:	Home garage, hand-held sprayer
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	NOC

## Kitsap County

<b>MJW-0018-15</b> <b>Allegation or Issue Investigated:</b>	<b>Use of unapproved pesticides on marijuana. Also storage, container labeling, records, and WPS violations.</b>
County:	Kitsap
Pesticide Type (active ingredient):	Fungicide (myclobutanil, propiconazole)
License Type:	Unlicensed
Human Exposure people/description:	Not applicable
Severity:	2
Application Site and Equipment:	Marijuana, backpack sprayer
Other Agencies Involved:	LCB
WSDA Response Time:	6 days
Final Action:	No action by WSDA.

<b>RDS-0029-15</b> <b>Allegation or Issue Investigated:</b>	<b>Drift and exposure from application to cemetery across the street. No evidence of drift/exposure, but applicator cited for not marking property, not keeping application records.</b>
County:	Kitsap
Pesticide Type (active ingredient):	Herbicide (glyphosate)
License Type:	Unlicensed
Human Exposure people/description:	One adult claims symptoms
Severity:	1
Application Site and Equipment:	Cemetery, backpack sprayer
Other Agencies Involved:	None

WSDA Response Time:	Same day
Final Action:	NOC
<b>VJD-0018-16 Allegation or Issue Investigated:</b>	<b>Person on pesticide sensitive registry not notified about application nearby, however application not made to a property that abuts her's. No notification required. Commercial Applicator cited for expired license.</b>
County:	Kitsap
Pesticide Type (active ingredient):	Not applicable
License Type:	Commercial Applicator
Human Exposure people/description:	Not applicable
Severity:	1
Application Site and Equipment:	Mobile home park
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	NOC

<b>VJD-0048-15 Allegation or Issue Investigated:</b>	<b>Complaint that neighbor's application ran off property and affected her horse. Positive sample results indicate application drifted or ran off onto complainant's property.</b>
County:	Kitsap
Pesticide Type (active ingredient):	Herbicide (2,4-D, triclopyr, dicamba)
License Type:	Unlicensed
Human Exposure people/description:	Not applicable
Severity:	3
Application Site and Equipment:	Residential landscape, backpack sprayer
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	NOC

## Lewis County

<b>NML-0018-15 Allegation or Issue Investigated:</b>	<b>Application to lawn next door drifted on complainant. Insufficient evidence to confirm that drift occurred.</b>
County:	Lewis
Pesticide Type (active ingredient):	Herbicide (2,4-D, dicamba, MCPP)
License Type:	Commercial Applicator
Human Exposure people/description:	One adult
Severity:	0
Application Site and Equipment:	Landscape
Other Agencies Involved:	DOH
WSDA Response Time:	Same day
Final Action:	No action by WSDA

<b>VJD-0028-15 Allegation or Issue Investigated:</b>	<b>Mixer-loader for commercial helicopter applications claimed leaking nozzles caused lesions on his skin. Testimony from pilot and DNR staff indicate nozzles were not leaking. Complainant was not wearing proper PPE.</b>
County:	Lewis

Pesticide Type (active ingredient):	Herbicide (glyphosate, imazapyr, sulfometuron methyl, metsulfuron methyl)
License Type:	Commercial Applicator
Human Exposure people/description:	One adult claimed symptoms
Severity:	2
Application Site and Equipment:	Forestry, helicopter
Other Agencies Involved:	DOH
WSDA Response Time:	Same day
Final Action:	NOC, failing to assure employee was wearing proper PPE.

## Mason County

<b>NML-0002-16</b> <b>Allegation or Issue Investigated:</b>	<b>Use of unapproved pesticides on marijuana.</b>
County:	Mason
Pesticide Type (active ingredient):	Fungicide (myclobutanil), Insecticide-Miticide (spiromesifen)
License Type:	Unlicensed
Human Exposure people/description:	Not applicable
Severity:	2
Application Site and Equipment:	Marijuana, backpack sprayer
Other Agencies Involved:	LCB
WSDA Response Time:	Same day
Final Action:	NOC

<b>NML-0006-16</b> <b>Allegation or Issue Investigated:</b>	<b>Use of unapproved pesticides on marijuana.</b>
County:	Mason
Pesticide Type (active ingredient):	Plant Growth Regulator (indole-3-butyric acid)
License Type:	Unlicensed
Human Exposure people/description:	Not applicable
Severity:	2
Application Site and Equipment:	Marijuana, backpack sprayer
Other Agencies Involved:	LCB
WSDA Response Time:	Same day
Final Action:	NOC

## Pacific County

<b>KFJ-0010-16</b> <b>Allegation or Issue Investigated:</b>	<b>Mother with two children claimed exposure from landscape application at public library. Conflicting evidence and complainant failed to provide information requested by investigator.</b>
County:	Pacific
Pesticide Type (active ingredient):	Herbicide (glyphosate)
License Type:	Commercial Applicator
Human Exposure people/description:	One adult and two children
Severity:	4
Application Site and Equipment:	Public landscape, backpack sprayer
Other Agencies Involved:	DOH

WSDA Response Time:	Same day
Final Action:	NOC

<b>KFJ-0038-15</b> <b>Allegation or Issue Investigated:</b>	<b>Unapproved pesticides applied to marijuana. Licensing violations.</b>
County:	Pacific
Pesticide Type (active ingredient):	Multiple
License Type:	Unlicensed
Human Exposure people/description:	Not applicable
Severity:	2
Application Site and Equipment:	Marijuana, hand-held
Other Agencies Involved:	LCB
WSDA Response Time:	Same day
Final Action:	NOC.

<b>KFJ-0039-15</b> <b>Allegation or Issue Investigated:</b>	<b>Use of unregistered pesticide on marijuana that was not on approved list. Stop-sale at dealer.</b>
County:	Pacific
Pesticide Type (active ingredient):	Insecticide-Miticide (rosemary oil, blended compost tea, yucca extract, humic acid)
License Type:	Unlicensed
Human Exposure people/description:	Not applicable
Severity:	2
Application Site and Equipment:	Marijuana, hand-held
Other Agencies Involved:	LCB
WSDA Response Time:	Same day
Final Action:	Stop-sale of unregistered product

<b>NML-0005-16</b> <b>Allegation or Issue Investigated:</b>	<b>Use of unapproved pesticides on marijuana.</b>
County:	Pacific
Pesticide Type (active ingredient):	Plant Growth Regulator (indolacetic acid), Fungicide (azoxystrobin)
License Type:	Unlicensed
Human Exposure people/description:	Not applicable
Severity:	2
Application Site and Equipment:	Marijuana, backpack sprayer
Other Agencies Involved:	LCB
WSDA Response Time:	Same day
Final Action:	No action by WSDA. This case was limited to assisting LCB with sampling during a follow-up to a previous investigation.

## Pierce County

<b>KFJ-0022-16</b> <b>Allegation or Issue Investigated:</b>	<b>Complainant claimed runoff onto her property from pesticide application to ROW. Damage reported by complainant could not have come from ROW application.</b>
County:	Pierce
Pesticide Type (active ingredient):	Herbicide (unknown)



License Type:	Commercial Operator
Human Exposure people/description:	Not applicable
Severity:	0
Application Site and Equipment:	Right-of-way, ground boom
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	No action by WSDA

<b>NML-0007-16</b> <b>Allegation or Issue Investigated:</b>	<b>Use of unapproved pesticides on marijuana.</b>
County:	Pierce
Pesticide Type (active ingredient):	Plant Growth Regulator (indoleacetic acid), Insecticide (spinosyn)
License Type:	Unlicensed
Human Exposure people/description:	Not applicable
Severity:	2
Application Site and Equipment:	Marijuana, backpack sprayer
Other Agencies Involved:	LCB
WSDA Response Time:	Same day
Final Action:	NOC

<b>NML-0010-16</b> <b>Allegation or Issue Investigated:</b>	<b>Woman claimed asthma attack from gypsy moth spraying. Spraying started two days after she called in her complaint. Closest spraying over six miles from her house.</b>
County:	Pierce
Pesticide Type (active ingredient):	Not applicable
License Type:	Not applicable
Human Exposure people/description:	One adult
Severity:	0
Application Site and Equipment:	Not applicable
Other Agencies Involved:	DOH
WSDA Response Time:	Same day
Final Action:	No action by WSDA

<b>NML-0020-16</b> <b>Allegation or Issue Investigated:</b>	<b>Use of unapproved pesticides on marijuana.</b>
County:	Pierce
Pesticide Type (active ingredient):	Plant Growth Regulator (indoleacetic acid, salicyclic acid)
License Type:	Unlicensed
Human Exposure people/description:	Not applicable
Severity:	2
Application Site and Equipment:	Marijuana, backpack sprayer
Other Agencies Involved:	LCB
WSDA Response Time:	Same day
Final Action:	Advisory letter

<b>RDS-0014-15</b> <b>Allegation or Issue Investigated:</b>	<b>Dead/dying bumble bees under linden trees determined to be at least partially due to insecticide application.</b>
County:	Pierce

Pesticide Type (active ingredient):	Insecticide (acephate)
License Type:	Commercial Operator
Human Exposure people/description:	Not applicable
Severity:	4
Application Site and Equipment:	Landscape trees, hand gun
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	NOC

<b>RDS-0015-16</b> <b>Allegation or Issue Investigated:</b>	<b>Claim lawn dying from herbicide application across street. Also claimed dog sick. Application by another neighbor allegedly made daughter and son sick. Samples negative. No other evidence that drift occurred.</b>
County:	Pierce
Pesticide Type (active ingredient):	Herbicide (2,4-D, dicamba, mecoprop, glyphosate)
License Type:	Commercial Operator
Human Exposure people/description:	Two children with symptoms
Severity:	0
Application Site and Equipment:	Residential lawn, hand gun and hand-held
Other Agencies Involved:	DOH
WSDA Response Time:	Same day
Final Action:	No action by WSDA

<b>RDS-0017-15</b> <b>Allegation or Issue Investigated:</b>	<b>Railroad right-of-way application drifted onto adjacent lettuce crop causing damage.</b>
County:	Pierce
Pesticide Type (active ingredient):	Herbicide (triclopyr, 2,4-D, dicamba)
License Type:	Commercial Operator
Human Exposure people/description:	Not applicable
Severity:	3
Application Site and Equipment:	Railroad right-of-way, ground boom
Other Agencies Involved:	None
WSDA Response Time:	Next day
Final Action:	NOC

<b>RDS-0033-15</b> <b>Allegation or Issue Investigated:</b>	<b>Spray company made a house perimeter application at the wrong address.</b>
County:	Pierce
Pesticide Type (active ingredient):	Insecticide (permethrin)
License Type:	Commercial Applicator
Human Exposure people/description:	Not applicable
Severity:	1
Application Site and Equipment:	House perimeter, hand-held sprayer
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	NOC

<b>VJD-0025-16</b> <b>Allegation or Issue Investigated:</b>	<b>Neighbor adjacent to school claims school application drifted onto her property killing plants. Complaint made six weeks after application. Insufficient evidence of drift.</b>
County:	Pierce
Pesticide Type (active ingredient):	Herbicide (2,4-D, triclopyr, glyphosate)
License Type:	Public Operator
Human Exposure people/description:	Not applicable
Severity:	0
Application Site and Equipment:	School grounds, backpack sprayer
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	No action by WSDA

<b>VJD-0030-15</b> <b>Allegation or Issue Investigated:</b>	<b>Landlord placed large quantity of mothballs in crawl space to get rid of cat urine odor, Vapors affected tenant.</b>
County:	Pierce
Pesticide Type (active ingredient):	Mothballs (naphthalene)
License Type:	Unlicensed
Human Exposure people/description:	One adult with symptoms
Severity:	4
Application Site and Equipment:	House crawlspace, by hand
Other Agencies Involved:	DOH
WSDA Response Time:	Same day
Final Action:	NOC

<b>VJD-0042-15</b> <b>Allegation or Issue Investigated:</b>	<b>Tenant claimed bedbug treatments were misuse of pesticides in her apartment. No evidence of misuse. Tenant was evicted and could not be reached for testimony.</b>
County:	Pierce
Pesticide Type (active ingredient):	Insecticide (esfenvalerate, pyrethrins, piperonyl butoxide, dichlorvos, pryproxifen, chlorfenapyr)
License Type:	Commercial Operator
Human Exposure people/description:	One adult claims symptoms
Severity:	0
Application Site and Equipment:	Apartment, hand-held
Other Agencies Involved:	None
WSDA Response Time:	4 days
Final Action:	No action by WSDA

<b>VJD-0047-15</b> <b>Allegation or Issue Investigated:</b>	<b>Homeowner alleged neighbor's weed and feed application made her sick. No evidence of drift or misapplication.</b>
County:	Pierce
Pesticide Type (active ingredient):	Herbicide (2,4-D, MCPP)
License Type:	Unlicensed
Human Exposure people/description:	One adult with symptoms
Severity:	0

Application Site and Equipment:	Residential landscape, hand spreader
Other Agencies Involved:	DOH
WSDA Response Time:	Same day
Final Action:	No action by WSDA

## San Juan County

<b>NML-0023-15</b> <b>Allegation or Issue Investigated:</b>	<b>Certified organic farm experienced bee die-off in one of five hives. Sample of bees screened for pesticide residues (141 possible pesticides). No pesticide residues found.</b>
County:	San Juan
Pesticide Type (active ingredient):	Not applicable
License Type:	Not applicable
Human Exposure people/description:	Not applicable
Severity:	0
Application Site and Equipment:	Not applicable
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	No action by WSDA.

## Skagit County

<b>NML-0018-16</b> <b>Allegation or Issue Investigated:</b>	<b>Intentional overspray killed small area of neighbor's lawn, caused alleged health effects. Complainant advised to call police. Code enforcement officer inspected, suggested homeowner doing spraying contact neighbor beforehand.</b>
County:	Skagit
Pesticide Type (active ingredient):	Herbicide (glyphosate)
License Type:	Unlicensed
Human Exposure people/description:	One adult
Severity:	2
Application Site and Equipment:	Landscape, hand-held
Other Agencies Involved:	DOH, Ecology, EPA
WSDA Response Time:	Same day
Final Action:	No action by WSDA

<b>RDS-0011-16</b> <b>Allegation or Issue Investigated:</b>	<b>Possible damage to blueberries near a railroad track that had been sprayed. One sample came back positive for 2,4-D, but investigation did not determine the source.</b>
County:	Skagit
Pesticide Type (active ingredient):	Herbicide (2,4-D, triclopyr)
License Type:	Commercial Operator
Human Exposure people/description:	Not applicable
Severity:	0
Application Site and Equipment:	Railroad right-of-way, boom sprayer
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	No action by WSDA.

<b>VJD-0013-16</b> <b>Allegation or Issue Investigated:</b>	<b>Concerns pesticides being misapplied on homeowner association property. No evidence of any violations.</b>
County:	Skagit
Pesticide Type (active ingredient):	Herbicide (indaziflam)
License Type:	Commercial Applicator
Human Exposure people/description:	Not applicable
Severity:	0
Application Site and Equipment:	Housing development
Other Agencies Involved:	None
WSDA Response Time:	Next day
Final Action:	No action by WSDA

## Snohomish County

<b>NML-0001-16</b> <b>Allegation or Issue Investigated:</b>	<b>Use of unapproved pesticides on marijuana. Improperly labeled containers.</b>
County:	Snohomish
Pesticide Type (active ingredient):	Insecticide (tetramethrin, spinosyn), Miticide (bifenazate), Fungicide (metalaxyl)
License Type:	Unlicensed
Human Exposure people/description:	Not applicable
Severity:	2
Application Site and Equipment:	Marijunan, backpack sprayer
Other Agencies Involved:	LCB
WSDA Response Time:	Same day
Final Action:	NOC

<b>NML-0025-15</b> <b>Allegation or Issue Investigated:</b>	<b>Resident living approximately six miles from forest site herbicide application claimed to smell chemicals during application and was sickened by it. No samples were taken by WSDA due to the distance from the application site.</b>
County:	Snohomish
Pesticide Type (active ingredient):	Herbicide (glyphosate, imazapyr, metsulfuron methyl, sulfometuron methyl)
License Type:	Commercial Operator
Human Exposure people/description:	One adult
Severity:	0
Application Site and Equipment:	Forestry, helicopter
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	No action by WSDA.

<b>NML-0028-16</b> <b>Allegation or Issue Investigated:</b>	<b>Use of unapproved pesticides on marijuana.</b>
County:	Snohomish

Pesticide Type (active ingredient):	Insecticide-Miticide (spiromesifen) Insecticide (permethrin, spinosyn), Fungicide (myclobutanil)
License Type:	Unlicensed
Human Exposure people/description:	Not applicable
Severity:	2
Application Site and Equipment:	Marijuana, backpack sprayer
Other Agencies Involved:	LCB
WSDA Response Time:	Same day
Final Action:	Advisory letter

<b>RDS-0015-15</b> <b>Allegation or Issue Investigated:</b>	<b>Dead bumble bees at apartment complex likely due to natural toxicity of linden trees to bumble bees as no insecticides had been applied to the trees.</b>
County:	Snohomish
Pesticide Type (active ingredient):	Not applicable
License Type:	Not applicable
Human Exposure people/description:	Not applicable
Severity:	0
Application Site and Equipment:	Not applicable
Other Agencies Involved:	None
WSDA Response Time:	Next day
Final Action:	No action by WSDA

<b>RDS-0020-16</b> <b>Allegation or Issue Investigated:</b>	<b>Drift from roadside right-of-way application onto residential garden and yard.</b>
County:	Snohomish
Pesticide Type (active ingredient):	Herbicide (glyphosate, 2,4-D, triclopyr)
License Type:	Commercial Applicator
Human Exposure people/description:	Not applicable
Severity:	2
Application Site and Equipment:	Roadside right-of-way, hand gun
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	NOC

<b>VJD-0017-16</b> <b>Allegation or Issue Investigated:</b>	<b>Complaint of herbicide drift from neighbor's applications. No evidence that drift occurred.</b>
County:	Snohomish
Pesticide Type (active ingredient):	Herbicide (glyphosate)
License Type:	Unlicensed
Human Exposure people/description:	One adult claims symptoms
Severity:	0
Application Site and Equipment:	Farmstead blackberry spray, backpack sprayer
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	Advisory letter

<b>VJD-0029-15</b> <b>Allegation or Issue Investigated:</b>	<b>Anonymous complaint that moss killer purchased in Mexico. No evidence company using unregistered product.</b>
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County:	Snohomish
Pesticide Type (active ingredient):	Moss Killer (zinc sulfate)
License Type:	Unlicensed
Human Exposure people/description:	Not applicable
Severity:	1
Application Site and Equipment:	Not applicable
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	NOC for application without license

<b>VJD-0045-15</b> <b>Allegation or Issue Investigated:</b>	<b>Complaint that neighbor applied casaron to driveway. No evidence that neighbor purchased or used casaron, but did use crossbow and drifted onto complainant's property.</b>
County:	Snohomish
Pesticide Type (active ingredient):	Herbicide (2,4-D, triclopyr)
License Type:	Unlicensed
Human Exposure people/description:	Not applicable
Severity:	2
Application Site and Equipment:	Easement, backpack sprayer
Other Agencies Involved:	Ecology
WSDA Response Time:	21 days
Final Action:	NOC

## Thurston County

<b>KFJ-0014-16</b> <b>Allegation or Issue Investigated:</b>	<b>Tenant of housing community alleged that employees intended to use mix of pesticides with unknown identity that were left from previous staff. Housing staff disposed of the mix after discussion with investigator.</b>
County:	Thurston
Pesticide Type (active ingredient):	Unknown
License Type:	Unlicensed
Human Exposure people/description:	Not applicable
Severity:	0
Application Site and Equipment:	Commercial landscape, hand-held
Other Agencies Involved:	DOH
WSDA Response Time:	Same day
Final Action:	No action by WSDA

<b>KFJ-0029-15</b> <b>Allegation or Issue Investigated:</b>	<b>Complainant concerned about application to wetlands near her home, and she had not been notified about the application. Application was to control noxious weed and was legal. No notification required.</b>
County:	Thurston
Pesticide Type (active ingredient):	Herbicide (imazapyr)
License Type:	Commercial Applicator
Human Exposure people/description:	Not applicable
Severity:	0
Application Site and Equipment:	Non-crop area, backpack sprayer

Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	No action by WSDA

<b>KFJ-0040-15</b> <b>Allegation or Issue Investigated:</b>	<b>Application to property without notifying neighboring person on pesticide sensitive registry.</b>
County:	Thurston
Pesticide Type (active ingredient):	Herbicide (dithiopyr)
License Type:	Commercial Operator
Human Exposure people/description:	Not applicable
Severity:	1
Application Site and Equipment:	Residential landscape, hand gun
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	NOC

<b>KFJ-0041-15</b> <b>Allegation or Issue Investigated:</b>	<b>Complainant claimed strong odors of pesticide and that someone was spraying during windy conditions. Nearest application by landscape company was 6,000 feet away.</b>
County:	Thurston
Pesticide Type (active ingredient):	Unknown
License Type:	Commercial Operator
Human Exposure people/description:	Not applicable
Severity:	0
Application Site and Equipment:	Residential landscape, hand gun
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	No action by WSDA.

<b>NML-0012-15</b> <b>Allegation or Issue Investigated:</b>	<b>Insufficient posting of landscape application, licensing, insufficient PPE, providing false information violations.</b>
County:	Thurston
Pesticide Type (active ingredient):	Herbicide (glyphosate)
License Type:	Unlicensed
Human Exposure people/description:	Not applicable
Severity:	2
Application Site and Equipment:	Landscape, hand gun and backpack sprayer
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	NOC

<b>RDS-0013-15</b> <b>Allegation or Issue Investigated:</b>	<b>Organic grower used livestock insecticide dust on carrots (label violation). No tolerance on carrots. WSDA informed grower he can't sell carrots or feed to livestock.</b>
County:	Thurston
Pesticide Type (active ingredient):	Insecticide (cypermethrin)
License Type:	Unlicensed
Human Exposure people/description:	Not applicable
Severity:	3



Application Site and Equipment:	Organic carrots, hand shaker
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	NOC

<b>RDS-0016-16</b> <b>Allegation or Issue Investigated:</b>	<b>Homeowner applied granular herbicide from dock to weed patches in lake. Not licensed and no Ecology permit.</b>
County:	Thurston
Pesticide Type (active ingredient):	Herbicide (2,4-D)
License Type:	Unlicensed
Human Exposure people/description:	Not applicable
Severity:	1
Application Site and Equipment:	Lake, hand applied
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	NOC

<b>VJD-0027-15</b> <b>Allegation or Issue Investigated:</b>	<b>Complainant claimed spray company spraying when it was too windy and suffered minor health effects. Complainant had washed off plants so no samples taken.</b>
County:	Thurston
Pesticide Type (active ingredient):	Herbicide (2,4-D, dicamba, MCPA)
License Type:	Commercial Operator
Human Exposure people/description:	One adult with symptoms
Severity:	2
Application Site and Equipment:	Residential landscape, hand gun
Other Agencies Involved:	DOH
WSDA Response Time:	Same day
Final Action:	Verbal warning

## Whatcom County

<b>NML-0022-16</b> <b>Allegation or Issue Investigated:</b>	<b>Allegations of spraying into standing water and wetland in field. No evidence that it occurred.</b>
County:	Whatcom
Pesticide Type (active ingredient):	Herbicide (glyphosate)
License Type:	Private Applicator
Human Exposure people/description:	Not applicable
Severity:	0
Application Site and Equipment:	Vacant lot, ground boom
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	No action by WSDA.

<b>RDS-0005-16</b> <b>Allegation or Issue Investigated:</b>	<b>Drift of lime sulfur application from blueberry field onto neighboring property and house.</b>
County:	Whatcom
Pesticide Type (active ingredient):	Insecticide-Fungicide (lime sulfur)
License Type:	Private Applicator

Human Exposure people/description:	Not applicable
Severity:	3
Application Site and Equipment:	Blueberries, ground boom
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	NOC
<b>RDS-0009-16 Allegation or Issue Investigated:</b>	<b>Spraying of impervious surfaces and into standing water in drainage ditch on commercial lot.</b>
County:	Whatcom
Pesticide Type (active ingredient):	Herbicide (glyphosate, indaziflam, aminopyralid)
License Type:	Unlicensed
Human Exposure people/description:	Not applicable
Severity:	3
Application Site and Equipment:	Lot and pavement, hand gun
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	NOC
<b>RDS-0032-15 Allegation or Issue Investigated:</b>	<b>Farmer back-flushing centrifuge (actually a fertigation system) into creek. Grower doesn't chemigate with system, but system doesn't meet fertigation rules requirements.</b>
County:	Whatcom
Pesticide Type (active ingredient):	Not applicable
License Type:	Private Applicator
Human Exposure people/description:	Not applicable
Severity:	2
Application Site and Equipment:	Blueberries, fertigation
Other Agencies Involved:	Ecology
WSDA Response Time:	Next day
Final Action:	NOC

<b>VJD-0010-16 Allegation or Issue Investigated:</b>	<b>Rodent bait stations not properly secured and bait ingredients inadequately identified.</b>
County:	Whatcom
Pesticide Type (active ingredient):	Rodenticide (bromadiolone)
License Type:	Commercial Operator
Human Exposure people/description:	Not applicable
Severity:	2
Application Site and Equipment:	Health center, bait placement
Other Agencies Involved:	None
WSDA Response Time:	2 days
Final Action:	NOC

<b>VJD-0011-16 Allegation or Issue Investigated:</b>	<b>Rodent bait boxes not properly labeled.</b>
County:	Whatcom
Pesticide Type (active ingredient):	Rodenticide (bromadiolone)
License Type:	Commercial Applicator
Human Exposure people/description:	Not applicable
Severity:	2
Application Site and Equipment:	Business center, bait placement
Other Agencies Involved:	None

WSDA Response Time:	Same day
Final Action:	NOC

<b>VJD-0022-16</b> <b>Allegation or Issue Investigated:</b>	<b>Neighbor put mothballs in complainant's apartment to help him control ants. Complainant alleged health affected, mothballs removed same day.</b>
County:	Whatcom
Pesticide Type (active ingredient):	Mothballs (para-dichlorobenzene)
License Type:	Unlicensed
Human Exposure people/description:	One adult with symptoms
Severity:	3
Application Site and Equipment:	Apartment interior, by hand
Other Agencies Involved:	DOH
WSDA Response Time:	Same day
Final Action:	Verbal warning

## Eastern Washington Investigations

### Adams County

<b>ACB-0005-16</b> <b>Allegation or Issue Investigated:</b>	<b>Herbicide applied over the maximum label rate allowed.</b>
County:	Adams
Pesticide Type (active ingredient):	Herbicide (2,4-D, dicamba, fluroxypyr)
License Type:	Commercial Applicator
Human Exposure people/description:	Not applicable
Severity:	2
Application Site and Equipment:	Vacant lot, ground boom and hand gun
Other Agencies Involved:	County Weed Board
WSDA Response Time:	Same day
Final Action:	NOC

<b>BAO-0011-16</b> <b>Allegation or Issue Investigated:</b>	<b>Drift from apple orchard onto residence. Complainant wanted to know what was sprayed and wanted applicators to be more careful. Investigator discussed this with orchard owner.</b>
County:	Adams
Pesticide Type (active ingredient):	Insecticide (cydia pomonella granulosus virus), Insecticide-Miticide (petroleum oil)
License Type:	Private Applicator
Human Exposure people/description:	No claim of exposure
Severity:	0
Application Site and Equipment:	Orchard, airblast sprayer
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	No action by WSDA

<b>RSN-0012-16</b> <b>Allegation or Issue Investigated:</b>	<b>Farmworker ill after smelling odor from application to adjacent alfalfa field. Samples showed drift up to 15 yards into the field, trace amount at 125 yards, but no detections at location of farmworker 250 yards from target field.</b>
County:	Adams
Pesticide Type (active ingredient):	Insecticide (lambda-cyhalothrin)
License Type:	Commercial Applicator
Human Exposure people/description:	One farmworker with symptoms
Severity:	2
Application Site and Equipment:	Alfalfa, fixed-wing air
Other Agencies Involved:	DOH
WSDA Response Time:	Same day
Final Action:	NOC

## Benton County

<b>JGA-0001-16</b> <b>Allegation or Issue Investigated:</b>	<b>Allegation city spraying of walking path getting into retention ponds and wetland. No evidence that was occurring, but city not properly posting the application.</b>
County:	Benton
Pesticide Type (active ingredient):	Herbicide (indaziflan, aminopyralid)
License Type:	Public Operator
Human Exposure people/description:	Not applicable
Severity:	1
Application Site and Equipment:	Walk path and retention pond, ground boom
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	Verbal warning

<b>JGA-0003-16</b> <b>Allegation or Issue Investigated:</b>	<b>Complaint that neighbor sprayed across property line causing plant damage.</b>
County:	Benton
Pesticide Type (active ingredient):	Herbicide (glyphosate)
License Type:	Unlicensed
Human Exposure people/description:	Not applicable
Severity:	2
Application Site and Equipment:	Residential landscape, hand-held
Other Agencies Involved:	WSU
WSDA Response Time:	Same day
Final Action:	Verbal warning

<b>JGA-0008-16</b> <b>Allegation or Issue Investigated:</b>	<b>Farmworker in hop yard sought medical treatment after drift from neighboring apple orchard. No work loss by employee and employer did not want to pursue it.</b>
County:	Benton
Pesticide Type (active ingredient):	Unknown
License Type:	Unknown
Human Exposure people/description:	One farmworker
Severity:	4
Application Site and Equipment:	Orchard, airblast sprayer
Other Agencies Involved:	DOH, LNI
WSDA Response Time:	13 days
Final Action:	No action by WSDA

<b>JGA-0012-15</b> <b>Allegation or Issue Investigated:</b>	<b>Worker smelled odor when he got out of vehicle near potato circle that was sprayed earlier in the day. Went to hospital and got checked out. Doctor told him to shower, change clothes and return to work. No indication that application drifted off-target.</b>
County:	Benton
Pesticide Type (active ingredient):	Insecticide (bifenthrin), Miticide (abamectin), Fungicide (chlorthalonil)
License Type:	Commercial Applicator
Human Exposure people/description:	One adult

Severity:	0
Application Site and Equipment:	Potatoes, fixed-wing aircraft
Other Agencies Involved:	DOH, LNI
WSDA Response Time:	Same day
Final Action:	No action by WSDA

<b>JGA-0012-16</b> <b>Allegation or Issue Investigated:</b>	<b>Commercial herbicide application made to customer's flower beds damaged adjacent trees and shrubs.</b>
County:	Benton
Pesticide Type (active ingredient):	Herbicide (glyphosate, dithiopyr, 2,4-D, dicamba, MCP, indaziflam, Isoxaben)
License Type:	Commercial Operator
Human Exposure people/description:	Not applicable
Severity:	3
Application Site and Equipment:	Residential landscape, hand gun
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	Under legal review

<b>MJW-0001-16</b> <b>Allegation or Issue Investigated:</b>	<b>Farmworker claimed exposure from aerial application nearby. WSDA didn't get complaint until 4 months later. Unable to substantiate that drift and exposure occurred.</b>
County:	Benton
Pesticide Type (active ingredient):	Unknown
License Type:	Unknown
Human Exposure people/description:	One farmworker
Severity:	0
Application Site and Equipment:	Fixed-wing aircraft
Other Agencies Involved:	DOH, LNI
WSDA Response Time:	Same day
Final Action:	No action by WSDA.

## Chelan County

<b>BAO-0001-16</b> <b>Allegation or Issue Investigated:</b>	<b>Drift from airblast application to pear orchard onto neighboring property. No claims of human exposure.</b>
County:	Chelan
Pesticide Type (active ingredient):	Insecticide (lambda-cyhalothrin, Kaolin, piperonyl butoxide) Fungicide (sulfur, copper hydroxide, petroleum oil)
License Type:	Private Applicator
Human Exposure people/description:	No claims of exposure
Severity:	2
Application Site and Equipment:	Orchard, airblast sprayer
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	NOC

<b>BAO-0003-16</b> <b>Allegation or Issue Investigated:</b>	<b>Drift from apple orchard onto road and passing vehicle. Complaint withdrawn. Verbal warning to applicator.</b>
County:	Chelan
Pesticide Type (active ingredient):	Insecticide (pyriproxyfen), Fungicide (triflumizole, petroleum oil)
License Type:	Private Applicator
Human Exposure people/description:	Not applicable
Severity:	2
Application Site and Equipment:	Orchard, airblast sprayer
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	Verbal warning

<b>BAO-0015-15</b> <b>Allegation or Issue Investigated:</b>	<b>Operating a commercial pesticide application business without a license.</b>
County:	Chelan
Pesticide Type (active ingredient):	Not applicable
License Type:	Unlicensed
Human Exposure people/description:	Not applicable
Severity:	1
Application Site and Equipment:	Commercial landscape
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	NOC

<b>BAO-0016-15</b> <b>Allegation or Issue Investigated:</b>	<b>Complainant next to an orchard didn't get notified prior to application. No requirement that applicator do so, but agreed to do so in future. No violations.</b>
County:	Chelan
Pesticide Type (active ingredient):	Insecticide (imidacloprid, petroleum oil), Miticide (fenbutatin-oxide)
License Type:	Private Applicator
Human Exposure people/description:	Not applicable
Severity:	0
Application Site and Equipment:	Orchard, airblast sprayer
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	No action by WSDA.

<b>BAO-0019-15</b> <b>Allegation or Issue Investigated:</b>	<b>Misuse of disinfectant on hair clippers (did not allow clippers to dry before cutting hair with them).</b>
County:	Chelan
Pesticide Type (active ingredient):	Disinfectant (isopropyl-alcohol, ortho-phenylphenol)
License Type:	Unlicensed
Human Exposure people/description:	One adult
Severity:	0
Application Site and Equipment:	Hair salon disinfectant spray
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	No action by WSDA

<b>DLZ-0003-16</b> <b>Allegation or Issue Investigated:</b>	<b>Landscape company making pesticide applications without a proper license.</b>
County:	Chelan
Pesticide Type (active ingredient):	Not applicable
License Type:	Unlicensed
Human Exposure people/description:	Not applicable
Severity:	1
Application Site and Equipment:	Residential landscape, backpack sprayer
Other Agencies Involved:	None
WSDA Response Time:	Not applicable
Final Action:	Under legal review

<b>DLZ-0020-16</b> <b>Allegation or Issue Investigated:</b>	<b>WSDA verified person spraying landscape was properly licensed.</b>
County:	Chelan
Pesticide Type (active ingredient):	Not applicable
License Type:	Private Applicator
Human Exposure people/description:	Not applicable
Severity:	0
Application Site and Equipment:	Not applicable
Other Agencies Involved:	None
WSDA Response Time:	Not applicable
Final Action:	No action by WSDA

<b>DLZ-0026-15</b> <b>Allegation or Issue Investigated:</b>	<b>Commercial landscape application by unlicensed company that had previously received an NOC.</b>
County:	Chelan
Pesticide Type (active ingredient):	Not applicable
License Type:	Unlicensed
Human Exposure people/description:	Not applicable
Severity:	1
Application Site and Equipment:	Commercial landscape
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	\$600 fine

<b>DLZ-0028-15</b> <b>Allegation or Issue Investigated:</b>	<b>Drift of calcium product (non-pesticide) with surfactant (pesticide) across highway contacting vehicles.</b>
County:	Chelan
Pesticide Type (active ingredient):	Surfactant (silicone copolymer)
License Type:	Private Applicator
Human Exposure people/description:	Not applicable
Severity:	2
Application Site and Equipment:	Orchard, airblast sprayer
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	NOC



<b>MJW-0002-16</b> <b>Allegation or Issue Investigated:</b>	<b>Three adults exposed at their residence from neighboring orchard airblast application. No symptoms reported. Complainant requested no fines be issued to maintain good working relationship with neighboring orchard.</b>
County:	Chelan
Pesticide Type (active ingredient):	Insecticide (chlorpyrifos), Plant Growth Regulator (gibberellic acid)
License Type:	Private Applicator
Human Exposure people/description:	Three adults exposed
Severity:	3 adults
Application Site and Equipment:	Orchard, airblast sprayer
Other Agencies Involved:	DOH
WSDA Response Time:	Same day
Final Action:	NOC

<b>MJW-0009-16</b> <b>Allegation or Issue Investigated:</b>	<b>Drift from neighboring orchard onto residential property.</b>
County:	Chelan
Pesticide Type (active ingredient):	Insecticide (Methoxyfenozide, Chlorantraniliprole), Fungicide (chlorthalonil, sulfur)
License Type:	Private Applicator
Human Exposure people/description:	Not applicable
Severity:	2
Application Site and Equipment:	Orchard, airblast sprayer
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	NOC

## Douglas County

<b>BAO-0017-15</b> <b>Allegation or Issue Investigated:</b>	<b>Home owner had house treated for fleas, claimed illness from treatment. Claimed fleas and lice were in her tear ducts. Operator retreated house sooner than allowed by label and was not keeping sufficient records.</b>
County:	Douglas
Pesticide Type (active ingredient):	Insecticide (chlorfenapyr)
License Type:	Commercial Operator
Human Exposure people/description:	One adult claimed symptoms
Severity:	2
Application Site and Equipment:	Interior treatment of home
Other Agencies Involved:	DOH
WSDA Response Time:	Same day
Final Action:	NOC

<b>DLZ-0009-16</b> <b>Allegation or Issue Investigated:</b>	<b>Application to orchard while complainant was visiting a yard sale next to the orchard and got drifted upon.</b>
County:	Douglas
Pesticide Type (active ingredient):	Fungicide (flutriafol), Nematicide-Plant Growth Regulator (haroin protein)
License Type:	Private Applicator

Human Exposure people/description:	One adult
Severity:	4
Application Site and Equipment:	Orchard, airblast sprayer
Other Agencies Involved:	DOH
WSDA Response Time:	Same day
Final Action:	Under legal review

<b>DTB-0007-16</b> <b>Allegation or Issue Investigated:</b>	<b>Two farmworkers exposed to drift, treated at medical center. Conflicting evidence and investigator unable to contact farmworkers after several attempts.</b>
County:	Douglas
Pesticide Type (active ingredient):	Insecticide (fenprothrin)
License Type:	Private Applicator
Human Exposure people/description:	Two farmworkers treated at medical clinic
Severity:	0
Application Site and Equipment:	Orchard, airblast sprayer
Other Agencies Involved:	DOH
WSDA Response Time:	Same day
Final Action:	No action by WSDA

<b>MJW-0010-16</b> <b>Allegation or Issue Investigated:</b>	<b>Unlicensed landscape company making commercial pesticide applications.</b>
County:	Douglas
Pesticide Type (active ingredient):	Not applicable
License Type:	Unlicensed
Human Exposure people/description:	Not applicable
Severity:	1
Application Site and Equipment:	Landscape
Other Agencies Involved:	None
WSDA Response Time:	Not applicable
Final Action:	NOC

## Ferry County

<b>DLZ-0013-16</b> <b>Allegation or Issue Investigated:</b>	<b>Unlicensed out-of-state Dealer making sales of pesticides into WA over the internet.</b>
County:	Ferry
Pesticide Type (active ingredient):	Not applicable
License Type:	Unlicensed
Human Exposure people/description:	Not applicable
Severity:	1
Application Site and Equipment:	Not applicable
Other Agencies Involved:	None
WSDA Response Time:	Not applicable
Final Action:	NOC

## Franklin County

<b>ACB-0027-16</b> <b>Allegation or Issue Investigated:</b>	<b>Drift from aerial application to wheat onto organic kale.</b>
County:	Franklin
Pesticide Type (active ingredient):	Insecticide (dimethoate), Fungicide (tebuconazole)
License Type:	Commercial Applicator
Human Exposure people/description:	Not applicable
Severity:	3
Application Site and Equipment:	Wheat, fixed-wing air
Other Agencies Involved:	None
WSDA Response Time:	Next day
Final Action:	NOC

<b>DTB-0017-15</b> <b>Allegation or Issue Investigated:</b>	<b>Herbicides registered on dry lima beans were applied to succulent lima beans resulting in illegal residues. Application made according to fieldman recommendation.</b>
County:	Franklin
Pesticide Type (active ingredient):	Herbicide (dimethenamid, pendamethalin)
License Type:	Private Applicator, Commercial Consultant
Human Exposure people/description:	Not applicable
Severity:	4
Application Site and Equipment:	Lima beans, ground boom
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	Advisory letter

<b>JGA-0014-15</b> <b>Allegation or Issue Investigated:</b>	<b>Operating as a Commercial Applicator without a license.</b>
County:	Franklin
Pesticide Type (active ingredient):	Fungicide (pseudomonas-syringae, hydrogen peroxide, peroxyacetic acid)
License Type:	Unlicensed
Human Exposure people/description:	Not applicable
Severity:	1
Application Site and Equipment:	Fruit storage warehouse, thermal fogger
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	NOC

<b>LAM-0013-15</b> <b>Allegation or Issue Investigated:</b>	<b>Complainant believed herbicide application to potatoes drifted onto his corn. Complaint was dropped before WSDA completed the investigation.</b>
County:	Franklin
Pesticide Type (active ingredient):	Herbicide (diquat)
License Type:	Commercial Operator
Human Exposure people/description:	Not applicable
Severity:	0
Application Site and Equipment:	Potatoes

Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	No action by WSDA

<b>LAM-0014-15</b> <b>Allegation or Issue Investigated:</b>	<b>Complainant believed lawn damaged by drift from neighboring field. Damage to lawn caused by insect pests.</b>
County:	Franklin
Pesticide Type (active ingredient):	Not applicable
License Type:	Not applicable
Human Exposure people/description:	Not applicable
Severity:	0
Application Site and Equipment:	Not applicable
Other Agencies Involved:	None
WSDA Response Time:	Next day
Final Action:	No action by WSDA

## Grant County

<b>ACB-0011-16</b> <b>Allegation or Issue Investigated:</b>	<b>Strong odors at a school from airblast application ~1/2 mile away. Applicator shutdown after 10 minutes when wind shifted towards school. No evidence that pesticides drifted onto school.</b>
County:	Grant
Pesticide Type (active ingredient):	Insecticide (acetamiprid), Fungicide (fluopyram, trifloxystrobin)
License Type:	Private Applicator
Human Exposure people/description:	School staff
Severity:	0
Application Site and Equipment:	Orchard, airblast sprayer
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	No evidence that pesticides drifted onto school. No action by WSDA

<b>ACB-0014-16</b> <b>Allegation or Issue Investigated:</b>	<b>Airblast application drifted onto neighboring residence. Family, including three children 2 to 8, experienced mild symptoms confirmed by DOH as pesticide related.</b>
County:	Grant
Pesticide Type (active ingredient):	Insecticide (chlorpyrifos), Fungicide (flutriafol, sulfur)
License Type:	Private Applicator
Human Exposure people/description:	Two adults, three children ages 2 to 8
Severity:	5
Application Site and Equipment:	Orchard, airblast sprayer
Other Agencies Involved:	DOH
WSDA Response Time:	Same day
Final Action:	NOI issued for \$550 and a 9-day license suspension

<b>CJS-0010-16</b> <b>Allegation or Issue Investigated:</b>	<b>Drift from apple orchard onto cut hay. Only product applied was a sunburn protectant product, not a pesticide.</b>
County:	Grant
Pesticide Type (active ingredient):	Not applicable
License Type:	Not applicable
Human Exposure people/description:	Not applicable
Severity:	0
Application Site and Equipment:	Orchard, airblast sprayer
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	No action by WSDA

<b>DLZ-0024-15</b> <b>Allegation or Issue Investigated:</b>	<b>Damage to vineyard from roadside ROW application.</b>
County:	Grant
Pesticide Type (active ingredient):	Herbicide (2,4-D, dicamba)
License Type:	Commercial Operator
Human Exposure people/description:	Not applicable
Severity:	4
Application Site and Equipment:	Roadside right-of-way, boombuster
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	NOC

<b>DTB-0011-15</b> <b>Allegation or Issue Investigated:</b>	<b>Female farmworker allegedly exposed to drift from aerial application to potatoes. Farmworker did not want to be contacted by WSDA, which limited this investigation.</b>
County:	Grant
Pesticide Type (active ingredient):	Fungicide (mancozeb)
License Type:	Commercial Operator
Human Exposure people/description:	Two adult farm workers claim symptoms
Severity:	One farmworker
Application Site and Equipment:	Potatoes, fixed-wing air
Other Agencies Involved:	DOH
WSDA Response Time:	Same day
Final Action:	No action by WSDA

<b>DTB-0014-15</b> <b>Allegation or Issue Investigated:</b>	<b>Damage to alfalfa thought to be from soil sterilant on wind-blown particles from neighboring lot, but damage was actually from phenoxy herbicide. Complaint dropped.</b>
County:	Grant
Pesticide Type (active ingredient):	Herbicide (phenoxy type)
License Type:	Unknown
Human Exposure people/description:	Not applicable
Severity:	0
Application Site and Equipment:	Non-crop area
Other Agencies Involved:	None
WSDA Response Time:	Next day
Final Action:	No action by WSDA.

<b>MJW-0003-16</b> <b>Allegation or Issue Investigated:</b>	<b>One adult exposed to drift at her residence while getting into her car. She experienced minor symptoms. Infant she was carrying protected by car seat cover.</b>
County:	Grant
Pesticide Type (active ingredient):	Plant Growth Regulator (prohexadione-calcium)
License Type:	Private Applicator
Human Exposure people/description:	One adult and infant
Severity:	4
Application Site and Equipment:	Orchard, airblast sprayer
Other Agencies Involved:	DOH
WSDA Response Time:	Same day
Final Action:	Under legal review

<b>RSN-0005-15</b> <b>Allegation or Issue Investigated:</b>	<b>Company treating potato storage units without a license. WSDA sent company licensing information.</b>
County:	Grant
Pesticide Type (active ingredient):	Not applicable
License Type:	Unlicensed
Human Exposure people/description:	Not applicable
Severity:	0
Application Site and Equipment:	Potato storage shed
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	No action by WSDA.

<b>RSN-0006-16</b> <b>Allegation or Issue Investigated:</b>	<b>Herbicide drift from mint to alfalfa, which is expected to recover with no economic damage. Complaint dropped.</b>
County:	Grant
Pesticide Type (active ingredient):	Herbicide (clomazone)
License Type:	Private Applicator
Human Exposure people/description:	Not applicable
Severity:	0
Application Site and Equipment:	Mint, ground boom
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	No action by WSDA.

<b>RSN-0010-16</b> <b>Allegation or Issue Investigated:</b>	<b>Damage to orchard trees next to roadside right-of-way. Samples analyzed showed residues of herbicides, but not the same herbicides applied by road crew.</b>
County:	Grant
Pesticide Type (active ingredient):	Herbicide (2,4-D, imazapyr)
License Type:	Commercial Operator
Human Exposure people/description:	Not applicable
Severity:	0
Application Site and Equipment:	Roadside right-of-way, ground boom
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	No action by WSDA. Source of herbicides could not be determined.

<b>RSN-0011-16</b> <b>Allegation or Issue Investigated:</b>	<b>Small trees damaged next to railroad right-of-way were likely damaged by factors other than herbicides.</b>
County:	Grant
Pesticide Type (active ingredient):	Herbicide
License Type:	Commercial Operator
Human Exposure people/description:	Not applicable
Severity:	0
Application Site and Equipment:	Railroad right-of-way, ground boom
Other Agencies Involved:	None
WSDA Response Time:	4 days
Final Action:	No action by WSDA.

<b>TRH-0001-16</b> <b>Allegation or Issue Investigated:</b>	<b>Two adults and 3 children exposed and became ill from soil fumigant application nearby. Applicator failed to properly prepare the field, thus was unable to get a good seal which promoted off-gassing of the fumigant.</b>
County:	Grant
Pesticide Type (active ingredient):	Soil Fumigant (dichloropropene, chloropicrin)
License Type:	Commercial Applicator
Human Exposure people/description:	Two adults and three children exposed with symptoms
Severity:	5
Application Site and Equipment:	Tree replant fumigation, shanked in
Other Agencies Involved:	DOH
WSDA Response Time:	Same day
Final Action:	NOI \$2,250 plus 35-day license suspension. NOI still under appeal timeframe.

## Kittitas County

<b>CJS-0008-16</b> <b>Allegation or Issue Investigated:</b>	<b>Unlicensed applicator applying aluminum phosphide, a federal restricted use pesticide.</b>
County:	Kittitas
Pesticide Type (active ingredient):	Fumigant (aluminum phosphide)
License Type:	Unlicensed
Human Exposure people/description:	Not applicable
Severity:	2
Application Site and Equipment:	Hay fumigation in transport trailers
Other Agencies Involved:	Not applicable
WSDA Response Time:	Two days
Final Action:	NOC

<b>CJS-0014-15</b> <b>Allegation or Issue Investigated:</b>	<b>Fish died in ornamental pond couple days after neighbors had their landscape sprayed. Water and fish sampled and analyzed, but no detections of pesticides.</b>
County:	Kittitas
Pesticide Type (active ingredient):	Insecticide (carbaryl permethrin)
License Type:	Commercial Operator
Human Exposure people/description:	Not applicable
Severity:	0
Application Site and Equipment:	Commercial landscape, hand gun

Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	No action by WSDA.

<b>CJS-0023-15</b> <b>Allegation or Issue Investigated:</b>	<b>Complainant alleged ROW applications killed plants along state highway. Investigation determined plants killed were all within the ROW and no violations.</b>
County:	Kittitas
Pesticide Type (active ingredient):	Herbicide (2,4-D, dicamba, fluroxypyr, aminocyclopyrachlor)
License Type:	Public Operator
Human Exposure people/description:	Not applicable
Severity:	0
Application Site and Equipment:	Highway right-of-way, ground boom
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	No action by WSDA

<b>JGA-0011-15</b> <b>Allegation or Issue Investigated:</b>	<b>Drift onto residence from airblast application to neighboring grapes.</b>
County:	Kittitas
Pesticide Type (active ingredient):	Fungicide (azoxystrobin)
License Type:	Private Applicator
Human Exposure people/description:	Not applicable
Severity:	2
Application Site and Equipment:	Grapes, airblast sprayer
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	NOC

<b>JGA-0011-16</b> <b>Allegation or Issue Investigated:</b>	<b>Herbicide sprayed with same machine applying dry fertilizer that was dusty and created a cloud that drifted. Complainant applied herbicide with same active ingredient on his own property. Withdrew the complaint.</b>
County:	Kittitas
Pesticide Type (active ingredient):	Herbicide (glyphosate)
License Type:	Commercial Operator
Human Exposure people/description:	Not applicable
Severity:	0
Application Site and Equipment:	Alfalfa, ground boom
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	No action by WSDA

<b>MJW-0007-16</b> <b>Allegation or Issue Investigated:</b>	<b>Herbicide application made to dry, powdery soils and too close to a pear orchard in violation of label. Windblown particles contacted pear trees causing extensive damage.</b>
County:	Kittitas
Pesticide Type (active ingredient):	Herbicide (flumioxazin)
License Type:	Public Operator



Human Exposure people/description:	Not applicable
Severity:	5
Application Site and Equipment:	Irrigation right-of-way, ground boom
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	Under legal review

<b>MJW-0008-16</b> <b>Allegation or Issue Investigated:</b>	<b>Restaurant owner spraying landscape beds at her restaurant was not wearing necessary PPE.</b>
County:	Kittitas
Pesticide Type (active ingredient):	Herbicide (glyphosate)
License Type:	Unlicensed
Human Exposure people/description:	Not applicable
Severity:	2
Application Site and Equipment:	Business landscape, backpack sprayer
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	Verbal warning

## Klickitat County

<b>CJS-0026-15</b> <b>Allegation or Issue Investigated:</b>	<b>Helicopter application to forestry site allegedly drifted onto neighbor's property and over stream. WSDA samples came back negative, but complainant's samples taken right after the incident were positive.</b>
County:	Klickitat
Pesticide Type (active ingredient):	Herbicide (hexazinone)
License Type:	Commercial Applicator
Human Exposure people/description:	Not applicable
Severity:	2
Application Site and Equipment:	Forestry, helicopter
Other Agencies Involved:	EPA referral
WSDA Response Time:	Same day
Final Action:	Verbal warning

## Lincoln County

<b>ACB-0017-16</b> <b>Allegation or Issue Investigated:</b>	<b>City maintenance crew spraying roadsides not properly licensed, used the wrong formulation of herbicide (off-label) and did not keep required records.</b>
County:	Lincoln
Pesticide Type (active ingredient):	Herbicide (glyphosate)
License Type:	Unlicensed
Human Exposure people/description:	Not applicable
Severity:	2
Application Site and Equipment:	Roadside right-of-way, ground boom
Other Agencies Involved:	None
WSDA Response Time:	6 days
Final Action:	NOC

<b>ACB-0025-16</b> <b>Allegation or Issue Investigated:</b>	<b>Improper disposal of fumigant tablets causing subsequent release of phosphine gas. Refuse disposal truck driver, firefighters and workers at transfer station (11 total) hospitalized from exposure to phosphine gas.</b>
County:	Lincoln
Pesticide Type (active ingredient):	Fumigant (aluminum phosphide)
License Type:	Unlicensed
Human Exposure people/description:	11 exposed and hospitalized
Severity:	5
Application Site and Equipment:	Disposal of phosphide tablets
Other Agencies Involved:	DOH
WSDA Response Time:	Same day
Final Action:	Under legal review

<b>DTB-0016-15</b> <b>Allegation or Issue Investigated:</b>	<b>Anonymous complaint that pesticide-treated corn was being used for deer baiting. Investigator did not observe any corn piles in area identified by caller.</b>
County:	Lincoln
Pesticide Type (active ingredient):	Unknown
License Type:	Unknown
Human Exposure people/description:	Not applicable
Severity:	0
Application Site and Equipment:	Treated corn for deer bait
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	No action by WSDA

<b>DTB-0019-15</b> <b>Allegation or Issue Investigated:</b>	<b>WDFW filed complaint that pesticide-treated corn being used to bait for deer. Use is not allowed by product labels.</b>
County:	Lincoln
Pesticide Type (active ingredient):	Insecticide (thiamethoxam), Fungicide (azoxystrobin, fludioxonil, mfenoxam, thiabendazole)
License Type:	Commercial Applicator
Human Exposure people/description:	Not applicable
Severity:	2
Application Site and Equipment:	Treated corn for deer bait
Other Agencies Involved:	WDFW
WSDA Response Time:	Same day
Final Action:	NOC

## Okanogan County

<b>BAO-0002-16</b> <b>Allegation or Issue Investigated:</b>	<b>Drift from pear orchard onto housing complex. No evidence of drift observed.</b>
County:	Okanogan
Pesticide Type (active ingredient):	Insecticide (kaolin), Fungicide (sulfur, petroleum oil)
License Type:	Private Applicator
Human Exposure people/description:	Not applicable
Severity:	0
Application Site and Equipment:	Orchard, airblast sprayer

Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	No action by WSDA

<b>BAO-0005-16</b> <b>Allegation or Issue Investigated:</b>	<b>Sale of a state restricted-use pesticide to unlicensed applicator.</b>
County:	Okanogan
Pesticide Type (active ingredient):	Herbicide (2,4-D)
License Type:	Pesticide Dealer
Human Exposure people/description:	Not applicable
Severity:	1
Application Site and Equipment:	Not applicable
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	Verbal warning
<b>BAO-0012-16</b> <b>Allegation or Issue Investigated:</b>	<b>Drift from apple orchard onto daycare playground. Children not on the playground when the drift occurred.</b>
County:	Okanogan
Pesticide Type (active ingredient):	Insecticide (chlorantraniliprole, petroleum oil)
License Type:	Private Applicator
Human Exposure people/description:	No claims of exposure
Severity:	2
Application Site and Equipment:	Orchard, airblast sprayer
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	Under legal review

<b>BAO-0013-16</b> <b>Allegation or Issue Investigated:</b>	<b>Neighbor sprayed his farmstead fence-line, intentionally over-sprayed onto complainant's vetch pasture.</b>
County:	Okanogan
Pesticide Type (active ingredient):	Herbicide (glyphosate, imazapyr)
License Type:	Private Applicator
Human Exposure people/description:	Not applicable
Severity:	3
Application Site and Equipment:	Farm fence line, hand gun
Other Agencies Involved:	Not applicable
WSDA Response Time:	Same day
Final Action:	NOC

## Spokane County

<b>ACB-0020-16</b> <b>Allegation or Issue Investigated:</b>	<b>Neighbor admitted to police officer that he intentionally sprayed complainant's arborvitae. Police officer told him not to do it again.</b>
County:	Spokane
Pesticide Type (active ingredient):	Herbicide (unknown)
License Type:	Unlicensed
Human Exposure people/description:	Not applicable
Severity:	1
Application Site and Equipment:	Residential ornamentals, hand-held sprayer

Other Agencies Involved:	Spokane police
WSDA Response Time:	Next day
Final Action:	No action by WSDA

<b>ACB-0026-16</b> <b>Allegation or Issue Investigated:</b>	<b>Herbicide sprayed on field to prepare it for planting drifted onto adjacent pasture. WSDA contacted 2 months after application occurred. Sample results were negative and no other clear evidence that drift occurred.</b>
County:	Spokane
Pesticide Type (active ingredient):	Herbicide (glyphosate)
License Type:	Private Applicator
Human Exposure people/description:	Not applicable
Severity:	0
Application Site and Equipment:	Fallow field, ground boom
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	No action by WSDA

<b>ACB-0027-15</b> <b>Allegation or Issue Investigated:</b>	<b>Homeowner experienced strong odors and believed herbicide drifted from railroad right-of-way application onto her property. No evidence that any applications occurred nearby and no definite herbicide symptoms.</b>
County:	Spokane
Pesticide Type (active ingredient):	Herbicide (unknown)
License Type:	Not applicable
Human Exposure people/description:	Not applicable
Severity:	0
Application Site and Equipment:	Railroad right-of-way
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	No action by WSDA.

<b>ACB-0033-15</b> <b>Allegation or Issue Investigated:</b>	<b>Complaint that landscape applicator made application to neighboring property of someone on the pesticide sensitive registry without notifying them. Spray company phone log showed that an 18 second call was made to the phone number of the pesticide sensitive person.</b>
County:	Spokane
Pesticide Type (active ingredient):	Insecticide (permethrin)
License Type:	Commercial Operator
Human Exposure people/description:	Not applicable
Severity:	0
Application Site and Equipment:	Residential landscape, hand gun
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	No action by WSDA

<b>ACB-0034-15</b> <b>Allegation or Issue Investigated:</b>	<b>Person on pesticide sensitive registry claimed that he was not notified in advance of an application to neighbor's property. The application was a structural pest control application and no notification was required. The pest control company agreed to notify in advance even though they are not required to do so by law.</b>
County:	Spokane
Pesticide Type (active ingredient):	Not applicable
License Type:	Commercial Operator
Human Exposure people/description:	Not applicable
Severity:	0
Application Site and Equipment:	Structural pesticide application
Other Agencies Involved:	None
WSDA Response Time:	Next day
Final Action:	No action by WSDA.

<b>ACB-0039-15</b> <b>Allegation or Issue Investigated:</b>	<b>Alleged failure to notify person on pesticide sensitive registry, human exposure from drift associated with the application. WSDA was not made aware of the complaint until several weeks after the application. Could not obtain evidence of drift and could not confirm whether or not complainant was pre-notified (conflicting evidence).</b>
County:	Spokane
Pesticide Type (active ingredient):	Insecticide (imidacloprid, abamectin), Herbicide (Fluroxypyr)
License Type:	Commercial Operator
Human Exposure people/description:	One adult
Severity:	0
Application Site and Equipment:	Residential landscape, hand gun
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	No action by WSDA

<b>ACB-0041-15</b> <b>Allegation or Issue Investigated:</b>	<b>Tree damage on property line thought to be caused by neighbor's herbicide application. WSDA was notified months after the alleged incident and could not obtain evidence that trees were damaged by herbicides.</b>
County:	Spokane
Pesticide Type (active ingredient):	Herbicide (dicamba, MCPA, triclopyr)
License Type:	Unlicensed
Human Exposure people/description:	Not applicable
Severity:	0
Application Site and Equipment:	Residential landscape, backpack sprayer
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	No action by WSDA

<b>RSN-0002-15</b> <b>Allegation or Issue Investigated:</b>	<b>Homeowner had damage after application to his trees. WSDA could not prove application caused the damage, but cited applicator for insufficient records.</b>
County:	Spokane
Pesticide Type (active ingredient):	Fungicide (hydrogen peroxide)
License Type:	Commercial Operator
Human Exposure people/description:	Not applicable
Severity:	1
Application Site and Equipment:	Residential landscape, hand gun
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	NOC

<b>RSN-0006-15</b> <b>Allegation or Issue Investigated:</b>	<b>Use of unapproved pesticides on marijuana.</b>
County:	Spokane
Pesticide Type (active ingredient):	Plant Growth Regulator
License Type:	Unlicensed
Human Exposure people/description:	Not applicable
Severity:	2
Application Site and Equipment:	Marijuana, hand held
Other Agencies Involved:	LCB
WSDA Response Time:	Same day
Final Action:	No action by WSDA.

<b>RSN-0009-16</b> <b>Allegation or Issue Investigated:</b>	<b>Drift from wheat field onto residential ornamentals.</b>
County:	Spokane
Pesticide Type (active ingredient):	Herbicide (2,4-D, MCPA, MCPP, clopyralid, proxsulan) Fungicide (propiconazole)
License Type:	Private Applicator
Human Exposure people/description:	Not applicable
Severity:	2
Application Site and Equipment:	Wheat, ground boom
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	NOC

<b>RSN-0014-16</b> <b>Allegation or Issue Investigated:</b>	<b>Hay grower concerned application to adjacent pasture drifted onto his hay crop, wanted neighbor to be more careful, spray only when wind blowing away from hay. No evidence of drift. Neighbor asked to be more careful.</b>
County:	Spokane
Pesticide Type (active ingredient):	Herbicide (unknown)
License Type:	Not applicable
Human Exposure people/description:	Not applicable
Severity:	0
Application Site and Equipment:	Alfalfa/grass mix, ground boom
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	No action by WSDA.

<b>RSN-0018-16</b> <b>Allegation or Issue Investigated:</b>	<b>WSDA assisted LCB with investigation of unapproved pesticide use. No evidence that they were being used.</b>
County:	Spokane
Pesticide Type (active ingredient):	Insecticide (flonicamid)
License Type:	Not applicable
Human Exposure people/description:	Not applicable
Severity:	0
Application Site and Equipment:	Marijuana
Other Agencies Involved:	LCB
WSDA Response Time:	Same day
Final Action:	No action by WSDA.

<b>RSN-0019-16</b> <b>Allegation or Issue Investigated:</b>	<b>WSDA assisted LCB with investigation of unapproved pesticide use. No evidence that they were being used.</b>
County:	Spokane
Pesticide Type (active ingredient):	Not applicable
License Type:	Not applicable
Human Exposure people/description:	Not applicable
Severity:	0
Application Site and Equipment:	Marijuana
Other Agencies Involved:	LCB
WSDA Response Time:	Same day
Final Action:	No action by WSDA.

<b>RSN-0020-16</b> <b>Allegation or Issue Investigated:</b>	<b>WSDA assisted LCB with investigation of unapproved pesticide use. No evidence that they were being used.</b>
County:	Spokane
Pesticide Type (active ingredient):	Not applicable
License Type:	Not applicable
Human Exposure people/description:	Not applicable
Severity:	0
Application Site and Equipment:	Marijuana
Other Agencies Involved:	LCB
WSDA Response Time:	Same day
Final Action:	No action by WSDA.

<b>RSN-0021-16</b> <b>Allegation or Issue Investigated:</b>	<b>Use of unapproved pesticides on marijuana.</b>
County:	Spokane
Pesticide Type (active ingredient):	Insecticide (bifenthrin), Fungicide (myclobutanil)
License Type:	Not applicable
Human Exposure people/description:	Not applicable
Severity:	2
Application Site and Equipment:	Marijuana
Other Agencies Involved:	LCB
WSDA Response Time:	Same day
Final Action:	Advisory letter

## Stevens County

<b>ACB-0028-15</b> <b>Allegation or Issue Investigated:</b>	<b>Two adults in vehicle with windows rolled down exposed to drift when they passed a roadside spray truck that was traveling the opposite direction spot spraying weeds.</b>
County:	Stevens
Pesticide Type (active ingredient):	Herbicide (2,4-D, dicamba, aminopyralid, metsulfuron-methyl, pyraflufen-ethyl)
License Type:	Public Operator
Human Exposure people/description:	Two adults with symptoms
Severity:	4
Application Site and Equipment:	Highway right-of-way, ground boombuster
Other Agencies Involved:	DOH
WSDA Response Time:	Same day
Final Action:	\$300 fine plus 3-day license suspension

<b>RSN-0022-16</b> <b>Allegation or Issue Investigated:</b>	<b>Person driving past roadside sprayer alleged she was contacted by drift. Asked WSDA to cease investigation as now being investigated as criminal by sheriff's office.</b>
County:	Stevens
Pesticide Type (active ingredient):	Herbicide (2,4-D, aminopyralid)
License Type:	Public Operator
Human Exposure people/description:	One adult
Severity:	0
Application Site and Equipment:	Roadside right-of-way, ground boom
Other Agencies Involved:	County sheriff
WSDA Response Time:	Same day
Final Action:	No action by WSDA.

## Walla Walla County

<b>ACB-0006-16</b> <b>Allegation or Issue Investigated:</b>	<b>Herbicide drift from grass seed field onto fruit trees.</b>
County:	Walla Walla
Pesticide Type (active ingredient):	Herbicide (carfentrazone-ethyl, dicamba, 2,4-D, MCPA, tribenuron-methyl)
License Type:	Private Applicator
Human Exposure people/description:	Not applicable
Severity:	4
Application Site and Equipment:	Grass seed field, ground boom
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	NOC

<b>DTB-0018-15</b> <b>Allegation or Issue Investigated:</b>	<b>Application to potatoes drifted onto neighboring apples causing reported damage over \$5 million.</b>
County:	Walla Walla
Pesticide Type (active ingredient):	Desiccant (glufosinate-ammonium, carfentrazone-ethyl)



License Type:	Commercial Operator
Human Exposure people/description:	Not applicable
Severity:	5
Application Site and Equipment:	Potatoes, ground boom
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	\$2200 fine plus 20-day license suspension

<b>LAM-0011-15</b> <b>Allegation or Issue Investigated:</b>	<b>Herbicide application during windy conditions allegedly drifted off-target, exposed complainant sitting in truck nearby. WSDA unable to confirm that exposure occurred.</b>
County:	Walla Walla
Pesticide Type (active ingredient):	Herbicide (glyphosate, 2,4-D, carfentrazone-ethyl)
License Type:	Private Applicator
Human Exposure people/description:	One adult
Severity:	2
Application Site and Equipment:	Fallow field, ground boom
Other Agencies Involved:	DOH, Ecology
WSDA Response Time:	3 days
Final Action:	NOC

<b>LAM-0012-15</b> <b>Allegation or Issue Investigated:</b>	<b>Homeowner believed arborvitae drifted on by neighbor spraying his yard. No evidence that neighbor had sprayed. Arborvitae were likely affected by insufficient watering.</b>
County:	Walla Walla
Pesticide Type (active ingredient):	Not applicable
License Type:	Unlicensed
Human Exposure people/description:	Not applicable
Severity:	0
Application Site and Equipment:	Residential landscape
Other Agencies Involved:	None
WSDA Response Time:	4 days
Final Action:	No action by WSDA

## Whitman County

<b>ACB-0018-16</b> <b>Allegation or Issue Investigated:</b>	<b>Drift from application to wheat onto an adjacent pea field causing damage.</b>
County:	Whitman
Pesticide Type (active ingredient):	Herbicide (pyroxsulam, florasulam, fluroxypyr, bromoxanil), Fungicide (propiconazole)
License Type:	Commercial Applicator
Human Exposure people/description:	Not applicable
Severity:	5
Application Site and Equipment:	Wheat, fixed-wing air
Other Agencies Involved:	None
WSDA Response Time:	Next day
Final Action:	NOC (parties reached a private settlement and requested no further action by WSDA)

<b>ACB-0021-16</b> <b>Allegation or Issue Investigated:</b>	<b>Two different applicators spraying different fields drifted onto residential yard causing symptoms on ornamentals.</b>
County:	Whitman
Pesticide Type (active ingredient):	Herbicide (2,4-D, MCPA, bromoxynil), Fungicide (pyraclostrobin, propiconazole)
License Type:	Commercial Operator, Private Applicator
Human Exposure people/description:	Not applicable
Severity:	1
Application Site and Equipment:	Wheat, fixed-wing air
Other Agencies Involved:	Not applicable
WSDA Response Time:	Next day
Final Action:	Advisory letter

<b>ACB-0029-15</b> <b>Allegation or Issue Investigated:</b>	<b>Marijuana grower observed spots on leaves he believed were caused by drift from neighboring farm. No evidence of drift and complaint was dropped.</b>
County:	Whitman
Pesticide Type (active ingredient):	Not applicable
License Type:	Not applicable
Human Exposure people/description:	Not applicable
Severity:	0
Application Site and Equipment:	Not applicable
Other Agencies Involved:	LCB
WSDA Response Time:	Same day
Final Action:	No action by WSDA.

<b>RSN-0001-16</b> <b>Allegation or Issue Investigated:</b>	<b>Use of unapproved pesticides on marijuana.</b>
County:	Whitman
Pesticide Type (active ingredient):	Insecticide (spinosad)
License Type:	Unlicensed
Human Exposure people/description:	Not applicable
Severity:	2
Application Site and Equipment:	Marijuana, hand-held sprayer
Other Agencies Involved:	LCB
WSDA Response Time:	4 days
Final Action:	No action by WSDA

<b>RSN-0017-16</b> <b>Allegation or Issue Investigated:</b>	<b>Wheat grower alleged someone intentionally contaminated his spray mixture with herbicide. WSDA assisted sheriff's office by taking samples and providing results.</b>
County:	Whitman
Pesticide Type (active ingredient):	Herbicide (unknown)
License Type:	Not applicable
Human Exposure people/description:	Not applicable
Severity:	0
Application Site and Equipment:	wheat, ground boom
Other Agencies Involved:	County sheriff
WSDA Response Time:	Same day
Final Action:	No action by WSDA.

## Yakima County

<b>CJS-0004-16</b> <b>Allegation or Issue Investigated:</b>	<b>Drift from orchard onto passing vehicle and human exposure.</b>
County:	Yakima
Pesticide Type (active ingredient):	Insecticide (chlorpyrifos)
License Type:	Private Applicator
Human Exposure people/description:	One adult, medical information not available
Severity:	4
Application Site and Equipment:	Orchard, airblast sprayer
Other Agencies Involved:	DOH
WSDA Response Time:	Same day
Final Action:	Under legal review

<b>CJS-0015-15</b> <b>Allegation or Issue Investigated:</b>	<b>Bee kill from neighboring orchard airblast application. Complainant did not provide information requested by WSDA and did not return calls.</b>
County:	Yakima
Pesticide Type (active ingredient):	Unknown
License Type:	Unknown
Human Exposure people/description:	Not applicable
Severity:	0
Application Site and Equipment:	Orchard, airblast sprayer
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	No action by WSDA.

<b>CJS-0016-15</b> <b>Allegation or Issue Investigated:</b>	<b>Alleged malicious application of pesticides by neighboring church. Complainant decided to not further pursue.</b>
County:	Yakima
Pesticide Type (active ingredient):	Unknown
License Type:	Unlicensed
Human Exposure people/description:	Not applicable
Severity:	0
Application Site and Equipment:	Commercial landscape, hand-held
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	No action by WSDA.

<b>CJS-0018-15</b> <b>Allegation or Issue Investigated:</b>	<b>Farmworker took home highly toxic pesticide from work and applied to garden. Product cancelled by EPA and no legal uses. Farmworker didn't use at label rates, didn't use PPE, and didn't apply to labeled site. Went to health clinic.</b>
County:	Yakima
Pesticide Type (active ingredient):	Insecticide (azinphos methyl)
License Type:	Unlicensed
Human Exposure people/description:	Not applicable
Severity:	4
Application Site and Equipment:	Garden, backpack sprayer

Other Agencies Involved:	DOH
WSDA Response Time:	Same day
Final Action:	NOC to farmworker

<b>CJS-0019-15</b> <b>Allegation or Issue Investigated:</b>	<b>Complaint about fumes from application by WA Dept of Fish and Wildlife to wildlife area. Residents experienced difficulty breathing and felt nauseous. No evidence that drift or other violations occurred.</b>
County:	Yakima
Pesticide Type (active ingredient):	Herbicide (2,4-D, dicamba, fluroxypyr)
License Type:	Public Operator
Human Exposure people/description:	Multiple adults
Severity:	0
Application Site and Equipment:	Non-crop wildlife areas, ground boom
Other Agencies Involved:	Ecology
WSDA Response Time:	Same day
Final Action:	No action by WSDA

<b>CJS-0020-15</b> <b>Allegation or Issue Investigated:</b>	<b>Pesticide residues with no tolerance found on hops after harvest. Hop yard didn't apply product, but neighboring cherry orchard did. Weather records and topography of Cherry – Hop interface indicate drift from orchard.</b>
County:	Yakima
Pesticide Type (active ingredient):	Insecticide (buprofezin)
License Type:	Private Applicator
Human Exposure people/description:	Not applicable
Severity:	4
Application Site and Equipment:	Hops, airblast sprayer
Other Agencies Involved:	None
WSDA Response Time:	Next day
Final Action:	NOC

<b>CJS-0022-15</b> <b>Allegation or Issue Investigated:</b>	<b>Complainant wanted WSDA to reopen closed case alleging drift from orchard onto pasture killing two horses. Vet did not believe horses affected by pesticides. Complainant failed to provide needed information to proceed.</b>
County:	Yakima
Pesticide Type (active ingredient):	Unknown
License Type:	Not applicable
Human Exposure people/description:	Not applicable
Severity:	0
Application Site and Equipment:	Orchard, unknown
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	No action by WSDA.

<b>CJS-0027-15</b> <b>Allegation or Issue Investigated:</b>	<b>City alleged employee making commercial applications using city's equipment. Prior to city's complaint, employee told WSDA what he was doing. WSDA: "make no further applications without the proper license"</b>
County:	Yakima
Pesticide Type (active ingredient):	Not applicable
License Type:	Public Operator
Human Exposure people/description:	Not applicable
Severity:	1
Application Site and Equipment:	Residential yard, backpack sprayer
Other Agencies Involved:	None
WSDA Response Time:	4 days
Final Action:	Verbal warning

<b>DTB-0003-16</b> <b>Allegation or Issue Investigated:</b>	<b>Drift from application to hops turned out to be plant nutrients only, not pesticides.</b>
County:	Yakima
Pesticide Type (active ingredient):	Non-pesticide
License Type:	Private Applicator
Human Exposure people/description:	One adult
Severity:	0
Application Site and Equipment:	Hops, airblast sprayer
Other Agencies Involved:	DOH
WSDA Response Time:	Same day
Final Action:	No action by WSDA

<b>JGA-0002-16</b> <b>Allegation or Issue Investigated:</b>	<b>Complainant claims her vehicle drifted upon as she drove by orchard spraying. Sample results negative. No action by WSDA, but WPS inspection conducted.</b>
County:	Yakima
Pesticide Type (active ingredient):	Blossom Thinner (lime sulfur)
License Type:	Private Applicator
Human Exposure people/description:	Not applicable
Severity:	0
Application Site and Equipment:	Orchard, airblast sprayer
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	No action by WSDA

<b>JGA-0004-16</b> <b>Allegation or Issue Investigated:</b>	<b>Drift from home-site lot onto neighboring apple orchard.</b>
County:	Yakima
Pesticide Type (active ingredient):	Herbicide (glyphosate, 2,4-D)
License Type:	Unlicensed
Human Exposure people/description:	Not applicable
Severity:	5
Application Site and Equipment:	Residential lot, ground boom
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	Under legal review

<b>RSN-0008-16</b>	<b>Individual caught cheating during WSDA licensing exam session. Individual was issued an NOC and prohibited from taking any exams through December 31, 2017.</b>
<b>Allegation or Issue Investigated:</b>	
County:	Yakima
Pesticide Type (active ingredient):	Not applicable
License Type:	Unlicensed
Human Exposure people/description:	Not applicable
Severity:	2
Application Site and Equipment:	Not applicable
Other Agencies Involved:	None
WSDA Response Time:	Same day
Final Action:	NOC

## Appendix C

### Formal Compliance Enforcement Actions

Case Number NOI number	Party(ies) Involved/ County of Incident	Description	Action	Date of Final Order
JJR-0016-15  PM-16-0016	Champoux Vineyards, LLC  Klickitat County	A July 16, 2015 WSDA Worker Protection Standard (WPS) inspection found several deficiencies with Champoux Vineyards, LLC: 1) Keeping the Central Notification Board current. 2) Proper training of workers. 3) Including REI as part of oral notification. 4) Providing all the decontamination supplies required. 5) Handlers properly maintaining their respirators.	A Director's Final Order assessed \$900 against Champoux Vineyards, LLC, as the responsible employer.	10/24/16
JJR-0002-16  PM-16-0017	Monson, LLC  Yakima County	An April 11, 2016 WSDA Worker Protection Standard (WPS) inspection found several deficiencies with Monson, LLC: 1) Keeping the Central Notification Board current. 2) Proper training of handlers and workers. 3) Including REI as part of oral notification. 4) Providing all the decontamination supplies required. 5) Handlers properly wearing PPE.	Settlement of \$700 with Monson, LLC, as the responsible employer.	10/20/16
JJR-0004-16  PM-16-0013	Columbia Valley Fruit, LLC  Yakima County	An April 13, 2016, Worker Protection Standard (WPS) inspection found Columbia Valley Fruit, LLC, not providing employees the proper training and eye wash stations as required.	A Director's Final Order assessed \$700 against Columbia Valley Fruit, LLC, as the responsible employer.	10/04/16
DLZ-0026-15  PM-16-0015	Enrique Rosales  Rosales Landscaping, Inc.  Chelan County	A July 14, 2015 WSDA inspection found Rosales Landscaping applying pesticides without a Commercial Applicator license. This was a repeat violation from a 2014 Notice of Correction when Rosales Landscaping was cited for applying pesticides without a Commercial Applicator license.	A Director's Final Order assessed \$600 against Mr. Rosales as the responsible Commercial Applicator making the application and operating the business.	9/22/16
DTB-0018-15  PM-16-0010	Luz Martinez, Jr.  Walla Walla County	A September 22, 2015, ground herbicide (desiccant) application to potatoes is alleged to have drifted onto nearby apple orchards causing damage to the fruit and trees.	Settlement of \$2,200 and a twenty (20) day license suspension with Mr. Martinez who was the Commercial Operator making the application.	8/22/16
ACB-0028-15  PM-16-0001	Richard Taunt  Stevens County	A July 28, 2015, right of way spray truck herbicide application is alleged to have drifted across the highway contacting a passing vehicle creating the potential for exposure to the driver and passenger.	Settlement of \$300 and a three day license suspension with Mr. Taunt who was the Public Operator in charge of making the application.	3/11/16

## Appendix D

### WPS Civil Penalty Policy

#### WSDA POLICY REGARDING CIVIL PENALTIES FOR FIRST-TIME VIOLATIONS OF WAC 16-233

Under RCW 43.05.110(3), WSDA may issue a civil penalty, without first issuing a Notice of Correction, if a first-time violation of a statute or rule has a “probability of placing a person in danger of death or bodily harm.” Under RCW 34.05.110(4)(a), an exception may be made to the requirement that agencies allow a small business a period of at least two business days to correct a violation where the director determines that the violation presents a direct danger to the public health, poses a potentially significant threat to human health or the environment, or causes serious harm to the public interest. By way of this Policy, it is determined that the three circumstances outlined in this Policy meet the criteria described in RCW 43.05.110(3) and RCW 34.05.110(4)(a). This Policy recognizes that the requirements of WAC 16-233 are designed to reduce the risk of illness or injury resulting from worker/handler exposure to pesticides. WAC 16-233-005. Accordingly, under RCW 43.05.110(3) and RCW 34.05.110(4)(a), a first-time violation of WAC 16-233 may be subject to imposition of civil penalties by WSDA under the following three circumstances:

(1) Violations involving handlers:

- (a) Any significant violation involving personal protective equipment (PPE) or decontamination (WAC 16-233-245 and WAC 16-233-250, respectively);
- (b) Failure to provide sufficient training to handler prior to mixing or applying category 1 pesticides, unless the handler is exempt from training requirements (WAC 16-233-225);
- (c) Failure to inform handler of label safety requirements, or provide a label (WAC 16-233-230), for category 1 pesticides; or
- (d) Failure to monitor handler every 2 hours for category 1 applications (WAC 16-233-210(2)).

(2) Violations involving workers where the nature of the violation results in 8 or more points under the matrix below:

Violations Involving Workers			
Factor	Weight		Points
Toxicity (select product with highest toxicity that applies) as indicated by the	Danger-Poison	(4)	
	Danger	(3-4)	
	Warning	(2)	
	Caution	(1)	



signal word on the pesticide label.			
Time Elapsed from application to exposure, unless exceptions to the time requirements apply. (WAC 16-233-120)	During application Within 24 hours 24 to 72 hours More than 72 hours Restricted Entry Interval Expired	(4) (3) (2) (1) (0)	
PPE (primarily use, but can include cleaning, storage, etc. as well). (WAC 16-233-120)	Not provided Very Poor Poor Fair, but not complete	(4) (3) (2) (1)	
Decontamination. (WAC 16-233-150)	Not provided Major deficiency and/or inaccessibility Minor deficiency and/or inaccessibility	(3) (2) (1)	
Posting, notification or application information provided as required. (WAC 16-233-125 and 16-233-130, respectively)	Not properly provided:	(3-4)	
Total			

(3) Violations involving failure to provide emergency assistance to workers or handlers. (WAC 16-233-255)