

**PESTICIDE EPISODE INVESTIGATION  
SUPPLEMENTAL REPORT**

PR-ENF-127A (REV. 8/07)

Page 1 of 1

LOCATION/SUBJECT Malibu High School	PRIORITY/MHS NO.	OTHER I.D. NO.	COUNTY OF OCCURRENCE Los Angeles	DATE OF OCCURRENCE MO 10 DAY YR 2013
REPORT/TYPE <input type="checkbox"/> NARRATIVE CONTINUATION <input checked="" type="checkbox"/> SUPPLEMENTAL REPORT <input type="checkbox"/> OTHER REPORT				

**REMARKS**

On March 4, 2014, Inspector Duggan spoke to Terance Venable, the Integrated Pest Management Coordinator and Building and Grounds Manager for SMMUSD. Mr. Venable informed Inspector Duggan that Stanley Pest Control has permanent signs posted at the athletic field regarding pesticide use. He also stated that he receives oral notification from Stanley Pest Control with the date of the scheduled application and the pesticide(s) to be used. Mr. Venable is aware that some rodenticide is used in a bait station, and another is applied to the burrow system.

When asked about specific postings or other notifications for the scheduled applications, Mr. Venable was unable to verify that any additional postings or notifications were being conducted other than the general posting done by Stanley Pest Control. Inspector Duggan advised Mr. Venable of the requirements under CCR 6618(b)(2) for property operators, and Mr. Venable was advised of the notification requirements under the Healthy Schools Act, including record keeping and records being available to the public upon request. Mr. Venable stated he would look into bringing the notices (postings) into compliance.

Based on the statements of Mr. Venable, Inspector Duggan determined that there may be insufficient grounds to pursue a violation notice under CCR 6618(b)(1) against Stanley Pest Control, which was previously issued under Violation Notice V020-008-13/14. Rather, Inspector Duggan has determined that the current field postings are insufficient for meeting the property operator's responsibilities under CCR 6618(b)(2). As Malibu High School is the property operator, Inspector Duggan issued violation notice V020-009-13/14 to Malibu High School for the non-compliance of CCR 6618(b)(2). The violation notice was issued on form PR-ENF-101 serial number 101-804502.

Inspector Duggan may contact the Malibu High School principal and superintendent regarding CCR 6618 and advise them on the Healthy School Act requirements.

REPORT PREPARED BY (NAME/TITLE) Patrick Duggan, Inspector III 	DATE PREPARED 03/04/2014	REPORT REVIEWED/APPROVES BY (NAME/TITLE) 	DATE/APPROVED 3-17-2014
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## Greg Creekmur

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**From:** Patrick Duggan  
**Sent:** Wednesday, March 12, 2014 4:21 PM  
**To:** slyon@smmusd.org  
**Cc:** Greg Creekmur; Richard Sokulsky; jblock@smmusd.org  
**Subject:** Malibu High School, Healthy Schools Act

Dear Superintendent Lyon,

Recently, a concerned citizen called the County Agricultural Commissioner (CAC) regarding rodenticide use at Malibu High School last October. After completing the preliminary investigation, I wanted to be sure you were advised on the Healthy Schools Act requirements that are covered in the Education Code (EDC), as well as California Code of Regulations (CCR) Title 3 Section 6618.

CCR 6618, paragraph (b)(2): The operator of property shall assure that notice is given to all persons who are on the property to be treated, or who may enter during the application or the period of time that any restrictions on entry are in effect, except for the persons who made or supervised the application for which the notice is intended. The notice must be in a manner the person can understand and include:

- (A) The date of the scheduled application;
- (B) The identity of the pesticide (including spray adjuvants, if applicable) by brand or common chemical name; and
- (C) Precautions to be observed as printed on the pesticide product labeling or included in applicable laws or regulations related to the entry of the treated area.

Posting the area to be treated with placards with the specific information prior each pesticide application may meet the requirements of 6618(b)(2). The information required under this code section can be used in conjunction with the requirements under the Healthy Schools Act.

The schoolsite's or school district's designee, as defined under EDC 17609(d), is the person responsible for carrying out the requirements of the Healthy Schools Act.

EDC 17610.5 mentions exemptions to EDC 17611 and 17612.

EDC 17611 requires schoolsites to maintain records of all pesticide use for four years, and be available to the public upon request.

EDC 17612 lists several responsibilities that fall to the designee. For example, paragraph (a) mentions the annual written notification requirement for all staff and parents/guardians, as well as the 72 hour notification prior to individual pesticide applications for recipients who register with the schoolsite for notification of individual pesticide applications.

Paragraph (d) details the responsibility of the designee (not the pest control company) to post each area where pesticides will be applied with warning signs, what information is required on those signs, and the time frame in which the signs are to be posted.

See the full code section for all the details of each requirement. You, or the designee, may wish to visit <http://apps.cdpr.ca.gov/schoolipm/> for templates for warning signs and other helpful information.

I encourage the designee to work closely with the pest control company to assure that the property operator receives the notice of pesticide application with sufficient time to meet the requirements under the Healthy Schools Act and CCR 6618.

If you have any questions about the CAC's pesticide enforcement program, please call the Environmental Protection Bureau at (626) 575-5466.

Sincerely,

Patrick Duggan  
Inspector III  
Environmental Protection Bureau  
Pesticide Regulation Division