

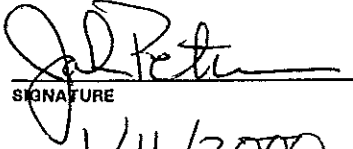
**ARIZONA DEPARTMENT OF AGRICULTURE**

**SUBSTANTIVE POLICY STATEMENT**

**SP 00-01, Priority For Handling Programmed and Non-Programmed Investigations**

**A.R.S. § 41-1091(B) Notice**

This substantive policy statement is advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona administrative procedure act. If you believe that this substantive policy statement does impose additional requirements or penalties on regulated parties you may petition the agency under Arizona Revised Statutes section 41-1033 for a review of the statement.

<p align="center"><b>ARIZONA DEPARTMENT OF AGRICULTURE</b></p> <p align="center"><b><u>SUBSTANTIVE POLICY STATEMENT</u></b></p> <p align="center">Environmental Services Division</p> <p align="center"><b>PRIORITY FOR HANDLING PROGRAMMED AND NON-PROGRAMMED INVESTIGATIONS</b></p>	<p><b>DIVISION/ PROGRAM</b>      4</p> <hr/> <p><b>POLICY</b>      SP 00-01</p> <hr/> <p> SIGNATURE</p> <hr/> <p>1/11/2000 EFFECTIVE DATE</p>
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Supersedes ESD Priority Setting Plan, dated 07, 1996

**DESCRIPTION OF PRACTICE/PROCEDURE**

The environmental services division has authority to control, monitor, inspect, sample, and govern pesticide use. This substantive policy statement informs the general public of the department's current approach to classifying pesticide incidents and establishing criteria for handling investigations.

The following factors affect the department's priorities in handling an investigation:

1. The distance between the site or scene of the investigation, the principal parties and the nearest ESD inspector;
2. Fluctuations in inspector force; and
3. Budgetary constraints.

**Priority Classifications**

Priority 1. Incidents that meet high level episode criteria, incidents of "bulk release," or other incidents that demonstrate a high probability of potential harm to life, health, or the environment require immediate attention of the department.

Priority 2. Citizen or agricultural community complaints; including farm workers and handler, that allege pesticide exposure or misuse, but that do not meet high level episode criteria; or written requests for investigation from the EPA or other governmental agencies.

Priority 3. All other incidents alleging a violation of federal or state pesticide laws or rules, and that cannot reasonably be classified priority 1 or 2.

**Preliminary Investigations**

Investigations of incidents or complaints that meet priority 1 criteria will be commenced with 24 hours from the time ESD receives notice of the incident or complaint.

Investigations of incidents or complaints that meet priority 2 criteria will be commenced within 36 hours from the time ESD received notice of the incident or complaint.

Investigations of incidents or complaints that meet priority 3 criteria will be commenced within 48 hours from the time ESD received notice of the incident or complaint.

## HIGH LEVEL EPISODE CRITERIA

For EPA Reporting Purposes

HUMAN EFFECTS	Death (including suicide), serious injury (any confirmed pesticide illness requiring medical treatment), or any injury or illness involving five or more persons which may have resulted from pesticide exposure.
ENVIRONMENTAL EFFECTS	
Water	Contamination of any public drinking water supply, or source of water for 10 or more households.
Air	Contamination of air requiring official evacuation of any area.
Land	One-Half (1/2) acre or more not usable for intended purposes for more than one year or more.
Birds (non-target)	Ten or more game or migratory birds. Fifty or more other birds.
Fish (non-target)	One hundred (100) fish of any species.
Endangered Species	One or more endangered species.
Other Species	One or more domestic animals.
Other non-target species	Five or more of any game animal or furbearers.
ECONOMIC LOSS (estimate by investigation party)	Over \$10,000 * Loss or damage to plants. * Loss or damage to crops or livestock due to pesticide residue over tolerance from levels set by EPA. * Any other loss exceeding \$10,000 resulting from the application of a pesticide.
OTHER ENVIRONMENTAL SENSITIVE ISSUES	Any pesticide related incident which has the potential to cause harm or illness, even if harm has not resulted. (includes container or pesticide disposal problems)
EPA HIGH PRIORITY CHEMICALS/INITIATIVES	Any potential violation of use of products and/or regulations
NEW FEDERAL REGULATIONS/PROGRAMS	" " "
CROSS JURISDICTIONAL INCIDENTS, i.e. state/state, state/tribal, State/Mexico	" " "

NOTE: An incident meeting High Level Episode criteria must be reported to EPA within 24-hours of the time we become aware of the incident. If the incident is "Human Effects" related, we must also notify ADHS. From an Inspector standpoint, once you become aware of an incident which meets, or may meet, High Level Episode criteria, you must immediately notify the Assistant Director of Compliance either by facsimile transmission using the High Level Episode reporting form, or by telephone. The Assistant Director will notify EPA and, if required, ADHS.