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Director

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California Notice 2015-08

POST UNTIL August 6, 2015

NOTICE OF FINAL DECISION CONCERNING THE REEVALUATION OF CHLORPYRIFOS

The Director of the Department of Pesticide Regulation (DPR) files this notice with the Secretary of the Resources Agency for posting pursuant to Title 3, California Code of Regulations (CCR), Articles 8 and 12. CCR requires the Secretary of the Resources Agency and DPR to post this notice for 30 days for public inspection.

REEVALUATION

On March 11, 2004 (California Notice 2004-04), DPR commenced the reevaluation of agricultural use pesticide products containing the active ingredient chlorpyrifos. This reevaluation involved 15 registrants and thirty-four pesticide products. A list of the products included in the reevaluation is available on DPR's Web site at <http://www.cdpr.ca.gov/docs/registration/reevaluation/chemicals/chlorpyrifos.htm>.

BASIS OF REEVALUATION

DPR initiated its reevaluation of all agricultural use chlorpyrifos pesticide products (residential uses were phased out, except ant and roach baits in child resistant packaging) based on monitoring data collected by the Central Valley Regional Water Quality Control Board. The monitoring data revealed that chlorpyrifos levels exceeded water quality criteria (WQC) for aquatic invertebrates in the rivers and tributaries of the San Joaquin (SJ) Valley, the Sacramento / SJ Delta, and Monterey County. These detections of chlorpyrifos have resulted in the development of an organophosphate pesticide total maximum daily load in certain segments of the SJ River and Sacramento / SJ Delta.

SUMMARY OF REEVALUATION

Pursuant to this reevaluation, DPR required chlorpyrifos registrants to do the following: (1) identify the process by which chlorpyrifos pesticides are contributing to detections in surface water at levels that exceed WQC; and (2) identify mitigation strategies that have been shown to reduce or eliminate chlorpyrifos residues in surface water.

During the course of this reevaluation, DPR adopted regulations in 2006 restricting pesticide applications during the dormant season. However, DPR analysis of surface water monitoring studies submitted under the reevaluation and other available data continued to show frequent detections and exceedances throughout most of the year.



On September 26, 2014, DPR submitted a rulemaking proposal to the Office of Administrative Law (OAL) to designate the active ingredient chlorpyrifos as a state-restricted material when labeled for the production of an agricultural commodity. The proposal was available for public comment. On May 6, 2015, OAL approved the proposed regulations amending section 6400(e) of Title 3, California Code of Regulations. The regulation can be viewed on DPR's Web site at <<http://www.cdpr.ca.gov/docs/legbills/rulepkgs/14-002/14-002.htm>>.

Effective July 1, 2015, this action designates the active ingredient as a state-restricted material when labeled for the production of an agricultural commodity. The purpose of the restriction is to reduce potential human health and surface water concerns. As a California restricted material, registrants can only sell affected chlorpyrifos products into or within California to a DPR-licensed pest control dealer. In addition, California restricted materials can only be purchased and used by certified commercial or private applicators, or those under their direct supervision, with a permit issued by the County Agricultural Commissioner. Applicators must obtain a time and site specific permit that allows specific use restrictions to significantly mitigate off-site movement and adverse exposures to aquatic invertebrates.

FINAL REEVALUATION DECISION

DPR has determined that no additional restrictions are necessary at this time. Therefore, this reevaluation is concluded.

For more information on DPR's reevaluation, please contact Mr. Carlos Gutierrez by email at <Carlos.Gutierrez@cdpr.ca.gov> or by telephone at (916) 445-2885.

Original signed by

July 1, 2015

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Date

cc: Mr. Carlos Gutierrez, DPR Environmental Scientist