

Rice Pesticides Program 2004

Date established	April 2, 2004
Enclosure to	ENF 04-06
Distribution	County Agricultural Commissioners
Referrals	If you have any questions pertaining to this letter or enclosure, please contact the Enforcement Branch Liaison assigned to your county.
Approval	<i>Original signed by</i> Roy Rutz, Agriculture Program Supervisor III Enforcement Branch (916) 324-4100

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Rice Pesticides Program 2004, Continued

Introduction Enclosed are the 2004 recommended permit conditions for rice pesticides:

- Handler Worker Safety
 - ? Molinate (Ordram[®])
- Water-Holding
 - ? Molinate and Thiobencarb
 - ? General Water-holding Requirements
 - ? Methyl Parathion
- Drift Mitigation
 - ? Certain Rice Pesticides
 - ? Phenoxy/Dicamba
 - ? Thiobencarb
 - ? Methyl Parathion

On March 19, 2004, Central Valley Regional Water Quality Control Board (CVRWQCB) approved Resolution No. R5-2004-026 requiring continued management practices for rice pesticides. The CVRWQCB will e-mail the final resolution to the rice counties when it is available. You may consider it as enclosure A.

The Department of Pesticide Regulation (DPR) believes that use of the enclosed recommended permit conditions for 2004 will meet CVRWQCB's water quality management objectives for Molinate, Thiobencarb, Methyl Parathion, and Malathion for the 2004 rice season.

Rice Pesticide Water Monitoring and Annual Reporting

**CRC
responsible
for water
monitoring and
annual
reporting**

The rice industry, via the California Rice Commission (CRC), is responsible for leadership in water monitoring, annual reporting to the CVRWQCB, and coordinating the participation of all program stakeholders.

- The rice industry is ultimately responsible for meeting water quality objectives.
- DPR, as a co-regulator with the water boards, will continue to use its authority to regulate the sales and use of pesticides to address water quality issues involving pesticides. DPR will continue to actively participate with the rice industry and CVRWQCB staff to address rice pesticide issues.

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Rice Pesticides Program 2004, Continued

Molinate Voluntary Cancellation - Status

Voluntary cancellation by registrants	On September 17, 2003, EPA issued a Federal Register notice announcing receipt of requests for voluntary cancellation of registered products containing the herbicide molinate. The sale and distribution of molinate products will be phased out during the next five years and use of molinate will end on August 31, 2009. This phase-down period will allow rice growers time for transition to registered alternatives to molinate and any new alternatives that may be developed.
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Molinate Worker Safety Requirements

Amended for 2004	The recommended 2004 molinate permit conditions (Page 1) have been amended (updated) to specify personal protective equipment (PPE) required in addition to what is required by the two Ordram labels to adequately protect handlers from molinate exposure. Enclosure B is a one-page summary that summarizes PPE required by the Ordram [®] 15-GM and Ordram 8-E labels and PPE that is required by the recommended molinate permit conditions.
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Water Management Requirements for Molinate and Thiobencarb

Same as last year	The recommended molinate and thiobencarb water-holding permit conditions (Page 6 and 11) remain unchanged despite considerable simplification in descriptions.
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Methyl Parathion Water Management Requirement

Same as last year	The recommended methyl parathion water-holding permit conditions (Page 15) remain unchanged despite considerable simplification in descriptions.
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Rice Pesticides Program 2004, Continued

Seepage Mitigation Requirements

Seepage control CVRWQCB has concern about thiobencarb seepage. DPR has developed recommended permit conditions (Page 16) to mitigate potential lateral movement (seepage) of rice pesticides from rice fields.

Seepage defined The American Society of Agricultural Engineer's Standard section 5226.2 defines seepage as, "Water escaping below or out from water conveyance facilities, such as open ditches, canals, natural channels, and waterways."

For purposes of mitigating seepage in rice production:

- Seepage is lateral movement of irrigation water through a rice field levee or border to an area outside the normally flooded production area.
 - Seepage can occur through levees into adjacent dry fields or into adjacent drains and canals.
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Seepage documentation

For 2004, DPR requests that county agricultural commissioners (CACs) continue monitoring for seepage when inspecting for water-holding compliance by:

- Checking for seepage, or collection of seepage, that occurs through the outer borders of a field or the bottom border located at the lowest part of the field.
 - Using the water-holding inspection logs to document seepage observations. The Pesticide Use Monitoring Inspection Form (PR-ENF-104) may also be used to document seepage observations. Indicate "water-hold inspection" on the blank line under "application inspection."
 - Document in the "Remarks" section on either form: Seepage flow less than 5 gallons per minute, or seepage flow more than 5 gallons per minute.
 - Please note that any visible seepage moving offsite during the water-holding period that drains into State waters is considered an early release and is a water-holding violation.
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Rice Pesticides Program 2004, Continued

Enforcement action for all water-holding violations

DPR requests the rice counties in the Sacramento Valley take enforcement action against all growers for first time and repeat violations of water-holding permit conditions.

- Any visible seepage moving offsite during the water-holding period that drains into waters of the State, is considered an early release and is a water-holding violation.

Please report all “completed” water-holding enforcement actions to the CVRWQCB within 30 days after enforcement action is completed. Send enforcement actions to Ms. Amanda Smith, Central Valley Regional Water Quality Control Board, Central Valley Region, 1020 Sun Center Drive #200, Rancho Cordova, CA. 95670-6114. Please send copies to Ms. Roberta Firoved at CRC and Mr. Tom Anderson at DPR.

Brochure

Please continue to distribute the brochure *Seepage Water Management, Voluntary Guidelines for Good Stewardship in Rice Production*, Publication 21568, to growers at the time of permit issuance.

Drift Minimization Requirements

Mitigation measures

The recommended drift minimization permit conditions (Page 17) should be used for all pesticides designated as restricted materials that are applied to rice in the Sacramento Valley.

- The drift control permit conditions reflect DPR’s direction on drift mitigation.
 - DPR will provide “focused” oversight inspection of thiobencarb aerial applications to monitor thiobencarb drift mitigation requirements.
 - DPR will negotiate with the Sacramento Valley Rice counties, through county negotiated work plans, to increase the number aerial application inspections to monitor compliance of thiobencarb wind speed and buffer zone requirements.
 - Failure to comply with the drift mitigation permit conditions, or any other permit conditions is a violation of Food and Agricultural Code section 12973. CACs may take enforcement action against the applicator and permittee for not complying with conditions of the permit issued by the commissioner.
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Thiobencarb Drift Mitigation Requirements

Mandatory preseason thiobencarb stewardship training

CRC facilitated two (2) preseason Thiobencarb Stewardship Meetings during February 2004. These meetings were held to make growers, pest control advisers, and pest control operators aware of potential thiobencarb drift into agricultural drains, best management practices to minimize thiobencarb drift, and 2004 thiobencarb restricted material drift mitigation procedures.

- Restricted material permits for the use of thiobencarb should not be issued to growers who have not received CRC certification that they have attended a Thiobencarb Stewardship Meeting.

The CAC may certify a grower that cannot attend a Thiobencarb Stewardship Meeting by having them view a video of the preseason Thiobencarb Stewardship Meeting.

Thiobencarb drift mitigation requirements

The following recommended drift mitigation permit conditions (Page 19) are designed to minimize drift of thiobencarb into the Sacramento and Feather Rivers.

- In all counties, no aerial applications shall be made or continued within 1/2 mile of the Sacramento or Feather rivers unless there is a continuous positive airflow away from the river.
 - In Sacramento and Yolo counties only, no aerial applications shall be made or continued within 1/4 mile of the Sacramento River unless they are made under the direct supervision of the commissioner's representative.
 - The maximum acres treated by air each day within 1/4 mile of the Sacramento River in Sacramento and Yolo counties shall not exceed 33% of the average acres treated per day by air within this area in each county during 2002.
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Rice Pesticides Program 2004, Continued

Methyl Parathion Use - Status

Currently registered for use

The voluntary cancellation of methyl parathion (Federal Register, Notice FRL-6387-8) on October 27, 1999, canceled specific food/feed crops and non-food uses. The action further required that current methyl parathion registrations (Penncap-M[®], EPA Registration No. 4581-393-ZA, registered by DPR) pertaining to certain food/feed uses on rice be revised.

Buffer zone

In addition to the enclosed recommended drift control permit conditions for rice pesticides, please continue using the recommended methyl parathion water management permit condition (Page 20) that prohibits aerial application of liquid formulations of methyl parathion to rice within 300 feet of any agricultural drain unless there is a continuous positive air flow away from the drain.

Phenoxy/Dicamba Use Status

Recommended permit conditions

The status of phenoxy/dicamba use on rice within the Sacramento Valley is unchanged. CACs may refer to the enclosed, *Recommended permit conditions for Phenoxy/Dicamba Herbicides* (Page 21), as recommended permit conditions when issuing restricted material permits for these herbicides.

Amended Propanil Regulation – Status

Effective April 22, 2004

The Office of Administrative Law has approved amendments (Enclosure D) to Title 3, California Code of Regulations section 6462 that place restrictions on air and ground applications of propanil as follows:

- No emulsifiable concentrate formulation of propanil will be allowed to be applied in Butte, Colusa, Glenn, Placer, and Yuba counties; the portion of Sutter County situated north of Sankey Road; and the portion of Yolo County situated north of State Highway 16.
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Rice Pesticides Program 2004, Continued

**Effective
April 22, 2004**
(continued)

For aerial applications:

- Aerial applications will not be allowed within four (4) miles of cultivated commercial plantings of prunes, except for the Rice Research Station in Butte County under certain conditions.
- No more than 720 acres may be treated by aircraft within each county per day.

For ground applications:

- Ground applications shall not be made within one (1) mile of cultivated commercial plantings of prunes.
 - The CAC will have the option of approving ground applications at sites not less than a 1/2 mile distance and sites less than a 1/2 mile distance under certain conditions.
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General Information

**Malathion
water
management
recommend-
ations**

CVRWQCB has approved a water management practice (Page 22) for malathion applied to rice that will help meet 2004 water quality performance goals for malathion in surface water. Malathion is currently not a restricted material and not subject to permit conditions. However, it is important that growers comply with the following practice:

- All water from fields treated with pesticides containing malathion should be retained on the site of application or contained within a tailwater recovery system, or other system, adequate to prevent discharge to waters of the State for four (4) days following application.
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Rice Pesticides Program 2004, Continued

Storm Event Work Group

Last year a Storm Event Work Group was convened to identify and recommend mitigation measures to improve compliance in the event of severe storm events. Currently the work group is comprised of staff from the Regional Water Board, DPR, University of California, a reclamation district representative, CACs, and the rice industry. The California Rice Commission will take the lead in facilitating this group.

One -page summaries

Enclosure B summarizes the PPE required by Ordram[®] 15-G and Ordram[®] 8-E PPE labeling, and DPR's recommended permit conditions for molinate. Enclosure C summarizes the recommended water-holding permit conditions for molinate and thiobencarb. The summaries can be used as quick references. Please refer to the specific permit conditions and pesticide labeling for a complete explanation of the requirements.

Topic	See Enclosed
Personal protective equipment required by Ordram labeling and recommended permit conditions for molinate	B
Water-holding permit conditions for molinate, thiobencarb, methyl parathion, and malathion	C

Permit conditions

Please refer to the following recommended permit conditions when issuing 2004 permits:

Topic	See Page
Molinate Worker Safety Permit Conditions	1
Molinate Water Management Permit Conditions	6
Thiobencarb Water Management Permit Conditions	11
Methyl Parathion Water Management Permit Conditions	15
General Water-Holding Permit Conditions	16
Pesticides Applied to Rice in the Sacramento Valley Drift Minimization Permit Conditions	17
Thiobencarb Drift Minimization Permit Conditions	19
Methyl Parathion Drift Mitigation Permit Conditions	20
Phenoxy/Dicamba Herbicides Permit Conditions	21