



Mary-Ann Warmerdam  
Director

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Governor

**DEPARTMENT OF PESTICIDE REGULATION  
PESTICIDE REGISTRATION AND EVALUATION COMMITTEE  
Meeting Minutes – May 19, 2006**

Committee Members/Alternates in Attendance:

Dave Whitmer, County Agriculture Commissioners and Sealers Association (CACASA)  
Brian Larimore, Integrated Waste Management Board (IWMB)  
Barbara Todd, Department of Food and Agriculture (CDFA)  
Syed Ali, State Water Resources Control Board (SWRCB)  
Lynn Baker, Air Resources Board (ARB)  
Dave Rice, Office of Environmental Health Hazard Assessment (OEHHA)  
Tobi Jones, Department of Pesticide Regulation (DPR)

Visitors in Attendance:

Denise Webster, DPR  
Mark Rentz, DPR  
Eileen Mahoney, DPR  
Jeanne Martin, DPR  
Gary Patterson, DPR  
John Sanders, DPR  
Renee Pinel, WPHA  
John Pearson, Compliance Services  
Darren Van Stenwick, Univar  
Lee Brown, Jr., Western Ag Plastics  
Bill Croyle, Central Valley Regional Water Quality Control Board  
Paul Hann, CVRWQCB  
Greg Hyatt, Inside CAL/EPA  
Angela Csondes, ARB/SSD  
Robert Baker, Clark Pest Control  
Roberta Firoved, CA Rice Commission

1. Introductions and Committee Business - Tobi Jones, Chairperson

- a. About 23 people attended the meeting.
- b. There were no corrections to the minutes of the previous meeting held on March 17, 2006.



2. Irrigated Lands Program for the Central Valley Regional Water Regional Quality Control Board: Focus on Pesticides in Surface Water and Sediments – Margie Lopez-Read, CVRWQB

Margie Lopez-Read presented an overview of the Central Valley Regional Water Quality Control Board Irrigated Lands Conditional Waiver Program (Program), objectives of the monitoring programs, a description of the primary monitoring activities, and some of the preliminary results related to pesticides.

Water quality control plans (Basin Plans) for the Central Valley Water Board include several requirements regarding pesticides and their potential discharge to waters of the state, some of which include:

1. No individual pesticide or combination of pesticides shall be present in concentrations that adversely affect beneficial uses.
2. Discharges shall not result in pesticide concentrations in bottom sediments or aquatic life that affect beneficial uses.
3. Pesticide concentrations shall not exceed those allowable by applicable anti-degradation policies.
4. For TOXICITY: All waters shall be maintained free of toxic substances in concentrations that produce detrimental physiological responses in human, plant, animal, or aquatic life.
5. Additionally, some specific numeric limits are identified in the Basin Plan (chlorinated hydrocarbons, rice pesticides, diazinon and some metals used such as copper and arsenic).

The Irrigated Lands Conditional Waiver Monitoring and Reporting Programs have specific objectives that include:

1. Assess the impacts of waste discharges from irrigated lands to waters of the State.
2. Determine the degree of implementation of management practices to reduce discharge of specific wastes that impact water quality in the watersheds, sub watersheds or drainage areas where water quality problems have been identified.
3. Determine the effectiveness of Management Practices and strategies to reduce discharges that degrade water quality.
4. Determine concentration and load of waste in these discharges to surface waters
5. Evaluate compliance with existing narrative and numeric objectives to determine if implementation of additional management practices is necessary to improve and/or protect water quality.

Through the Conditional Waiver Program, farmers have the option of complying with the water code either by filing as individuals and conducting appropriate monitoring and reporting, or by joining a coalition group that will support their compliance measures.

A third option available to individual farmers is to file a Report of Waste Discharge to the Central Valley Water Board and to receive individual Waste Discharge Requirements. This, however, is a more expensive option for farmers, and it has not yet been utilized.

The Conditional Waiver Program is currently receiving most of its data from two monitoring programs. These include the Coalition Group Monitoring and the Central Valley Water Board monitoring that is conducted by contract through University of California. There are differences between the two programs as follows:

Coalition Group monitoring program is a self-determined approach for site selection and management practice implementation, although each Monitoring and Reporting Program Plan needs approval from the Central Valley Water Board Executive Officer. The Coalition monitoring program utilizes a phased approach that consists of toxicity testing the first two years, followed by other parameters such as analysis for pesticides, metals, and nutrients during the subsequent two years.

The UC contract monitoring is different in that the Regional Board decides upon region wide monitoring sites, which are limited only by areas of public access. There is no phased approach, and the toxicity tests are conducted at the same time as the monitoring pesticides and other contaminants that may be causing the toxicity.

Ms. Lopez-Read presented data for the first two years of monitoring both by the Coalitions and the UC contract work. Some of the pesticide results are being evaluated, although not all the data has yet been received from UC Davis. Furthermore, quality control checks are still being conducted. Some of the preliminary results are as follows:

In water samples, some 19,000 individual pesticides were tested – with 885 detects or about 4.5%. Of these 885 detected pesticides, 328 exceeded water quality limits. Of interest is the fact that 18% of these exceedances were for diazinon, 43% were chlorpyrifos, and 15% were DDT and breakdown products.

Results for pesticides in sediment are incomplete, with only data from the fall of 2004 being available at this time. Of these results, there were about 985 pesticides tested in sediment. Of these, there were 152 detections, or about 15%.

At this time, the State does not have sediment quality objectives, but information from the sediment toxicity tests collected at the same times are included in this table. It is of interest to see from the table the number of sediment samples that did contain legacy pesticides such as DDT and breakdown products, as well as pyrethroids. There are many remaining questions, as the data submittals and analyses are far from complete.

An evaluation of the toxicity test results in water column and sediment is also ongoing, and a table was provided at the PREC that breaks out toxicity results. The results are broken down by month, with the total number collected, and the total number that were toxic, regardless of species type.

Preliminary results indicate that overall toxicity in water column tests is about 13%, and region wide results are comparable from both the University of California contract tests and Coalition results. Sediment toxicity results are less comparable, with region wide average toxicity in sediment at 27% for UC monitoring, and 42% from Coalition monitoring.

The assessment process is still in progress, although this initial information does provide the understanding that there is an impact from irrigated agriculture. More determinate information will be provided from continued monitoring, source tracking, and implementation of management practices by Coalitions and individual farmers.

3. Update on the Pest Management Advisory Committee and Report of the 21<sup>st</sup> Century Working Group – Mark Rentz, Deputy Director, DPR

Mark Rentz, Deputy Director of Policy Coordination, provided an update of the Pest Management Advisory Committee (PMAC). At its March 24, 2006, meeting, the PMAC adopted the following motion:

Based on the recommendations set forth in the “Pest Management in the 21<sup>st</sup> Century” Working Group report, the Pest Management Advisory Committee recommends that the Director:

- Expand the department’s efforts to address urban pest management;
- Identify opportunities to further promote integrated pest management (IPM) in both the agricultural and urban settings;
- Reinvigorate the Department’s IPM Innovator program and restore the Pest Management Alliance program;
- Expand the Department’s working relationships with the University of California and California State University systems to increase pest management research, education and training, cooperative extension services and the University of California IPM program; and
- Reconfigure the PMAC membership to provide broader expertise to discuss the evolving pest management challenges identified in the working group report.

The PMAC requested that the Director report back to the Committee at its next meeting (May 11, 2006) the Department's proposed actions on these recommendations. At the May 11<sup>th</sup> PMAC meeting, DPR reported back and the PMAC took action on the following items:

- Urban Pest Management:

PMAC recommendation: "DPR should expand its efforts to address urban pest management and impacts on the environment."

The PMAC discussed what would be covered/not covered under an urban pest management program. The PMAC agreed that that DPR should include all pest management activities **not** associated with agricultural operations. The PMAC agreed that current PMAC membership structure lacks the expertise to develop a non-agricultural pest management strategy. DPR's Director wants the PMAC to be the forum for discussing pest management challenges in both settings.

DPR agreed to put together a PMAC urban/non-agricultural working group to develop a strategy based, in part, on the effort by the PMAC's Pest Management in the 21st Century working group.

- DPR-UC-CSU Working Relationships/Advancing IPM:

DPR agreed that science and applied research, education and training, are critical to successfully addressing the challenges DPR will face over the next 10-15 years. However, there is a lack of coordination between DPR and the two higher education systems, UC and CSU, to identify pest management priorities and the necessary research and training to address those priorities.

DPR-UC-CSU team will be assembled to meet on a regular basis and coordinate pest management priorities and associated research, education and training. The PMAC will be asked as a forum to identify pest management priorities for the Department's consideration. Coordinate DPR, UC, and CSU integrated pest management (IPM) efforts.

- Restructuring PMAC membership:

The PMAC agreed that the current PMAC membership is not well suited to address urban pest management issues identified by the PMAC's "Pest Management in the 21st Century" working group. Changing the membership will require rulemaking.

4. Issues with Agricultural Pesticide Container Recycling – Dave Whitmer, Napa Valley CAC and Renee Pinel, President, Western Plant Health Association.

Ms. Renee Pinel discussed the Ag Container Recycling Council (ACRC). It was formed in 1992 to manage the collection and recycling of one-way HDPE (plastic) crop protection and other pesticide containers. The ACRC is a non-profit organization funded by members of CropLife America who sell crop protection products in HDPE containers in the U.S. marketplace. The containers range in size from a few ounces to 55-gallon drums. Users of these containers include farmers as well as, forest, lawn care, right-of-way, golf course, and structural pest control applicators. Prior to the ACRC program, users disposed of emptied containers by burning them on the farm, sending them to landfills, burying, or reusing them improperly.

The ACRC implements nationwide collection programs in partnership with local and state agencies. It hires contractors to collect and shred clean, empty, HDPE containers and oversees recycling of recovered plastic, and researches new uses for granulated plastic.

ACRC prescribes a level of rinsing for containers equivalent to the rinsing requirements proposed by the EPA Office of Pesticide Programs in 1994. Over 99.99% of the pesticide residues are removed when ACRC recommended practices, or even less stringent standards are followed. The ACRC has grown into one of the most successful industry recycling initiatives in the country. Since inception, more than 82 million pounds of plastic have been safely recycled.

Renee discussed the ACRC funding issue that is affecting collection rates. In addition to improving efficiency, a newly hired Executive Director will develop new business models that will help reduce collection and recycling costs and identify ways to share in the value of recovered plastic. The ACRC Board is considering a new management structure to streamline its oversight of the Council.

US-EPA has announced that it will be proposing guidelines for container recycling on a national basis that all pesticide packagers will have to meet either through participation in the ACRC program, or through an equivalent program. They have stated this rulemaking will be announced in 2007. In the interim it would be to the benefit of all users of HDPE containers to develop interim funding for the California program until full funding is restored.

Dave Whitmer, Napa County Agricultural Commissioner, presented information about Napa County's agricultural container recycling program. Twenty-two recycling events have been held since 1994, averaging about 70 participants at each event and collecting a total of

approximately 156,000 pounds or 78 tons of plastic for recycling. The program reaches across the CalEPA jurisdictions as it reduces the volume of material reaching the landfills and adds to the California recycling efforts, reduces air quality emissions from the burning of plastic containers, and reduces impacts on water quality by reducing the burying or land filling of agricultural chemical containers. The success of the program is currently threatened by a funding shortfall in the statewide program operated through the Agricultural Container Recycling Council (ACRC) by contractor Western Ag Plastics. A short-term funding solution is needed to continue the program until federal regulations are implemented to provide a long-term funding solution.

Dave introduced a motion to encourage an interim funding solution.

Motion: The PREC recommends to the Director that DPR work with the California Integrated Waste Management Board to find an interim funding solution.

The motion was seconded and passed unanimously.

5. Reevaluation Status Report- Denise Webster, Registration Branch

Denise provided an update that extended the Semiannual Report of Reevaluations, California Notice 2006-07.

**Chloropicrin**

- Reevaluation was initiated as a result of SB950 data. Chloropicrin can cause adverse health effects at low doses.
- DPR required registrants to conduct and submit worker exposure studies and air quality monitoring studies from field and greenhouse applications.
- Data received August 2005. Task Force members responded to DPR comments in November 2005. Information will be used in DPR's Risk Assessment (RA) of chloropicrin. RA is expected to be released to external peer review by the last quarter of 2006.

**Diazinon**

- Reevaluation was initiated February 2003. Placed products labeled for use as dormant sprays into reevaluation based on water quality monitoring data collected by Central Valley Water Quality Control Board showing exceedances of Fish and Game's Water Quality Objectives for aquatic invertebrates in California rivers and tributaries.
- Supplemental labeling was established to mitigate off-site movement.

- In May 2004, the registrant submitted an update on various studies, intended to indicate whether the new mitigation measures will be effective. In August 2005, the registrant submitted study protocols. DPR expects to complete its review of the registrant response in the near future.

### **Chlorpyrifos**

- Reevaluation was initiated March 2005. Placed all agricultural uses into reevaluation based on similar concerns of diazinon.
- Basic manufacturer identified mitigation measures intended to reduce chlorpyrifos in surface water. Registrant is now working on a monitoring protocol to assess the impact of proposed mitigation measures. The monitoring protocol is due to DPR by the end of this month.

### **Cyfluthrin**

- Reevaluation was initiated based on a 1997 incident where an outbreak of respiratory irritation was reported among orange harvesters exposed to residues and other pesticide illness reports related to cyfluthrin.
- The registrant submitted numerous worker exposure studies and respiratory irritation journal articles to DPR. In 2004, the registrant submitted a sweet corn hand harvesting worker exposure study. All of the data and information will be used in the risk assessment of cyfluthrin that DPR hopes to complete in early 2007.

### **Methyl Bromide**

- Reevaluation was initiated June 2001. Placed all products allowing field fumigation into reevaluation based on air monitoring data the previous year.
- DPR determined that additional mitigation measures were necessary and proposed an additional regulatory level to protect the public and agricultural employees from possible subchronic methyl bromide exposures.
- DPR is waiting to determine the effectiveness of the mitigation measures before concluding the reevaluation.

### **Brodifacoum**

**Initiated:** December 30, 1999

**Basis:** Concern that California wildlife are exposed and may be adversely affected by currently registered uses.

**Product Count:** 23 products

Since 1999, DFG has identified several more incidents of non-target wildlife exposures.

- DPR scientists presented an issue paper at the November 2005 PREC meeting recommending mitigation measures.
  - Use of rodenticide baits containing brodifacoum, difethialone, and bromadiolone be restricted to “indoor structural use only,”
  - Use of rodenticides outside homes, industrial, commercial, agricultural, public buildings, around transport vehicles, and related port or terminal buildings be prohibited.
  - Limit uses of rodenticides indoors to tamper-proof bait boxes.

Letters supporting mitigation were received from approximately twenty people.

- January 2006, DPR sent out a letter to registrants allowing them an opportunity to comment on propose mitigation measures.

Informational letters were received from approximately seventy people.

Proposed mitigation by registrants:

1. Make brodifacoum restricted use material.
2. Allow outdoor use by certified applicator used in tamper resistant bait boxes
3. Simplified consumer labeling
4. Homeowner use limited to “indoor use only”.
5. Create point of sale communication document on safe use practices.

The Department is evaluating all received comments in developing its decision.

### **Certain Agricultural and Commercial Structural-use Liquid Formulation Pesticide Products (Data Call-in for Volatility Potential)**

**Initiated:** February 16, 2005

**Basis:** Concern about Volatile Organic Compound (VOC) emissions (VOCs combine with nitrogen oxides and sunlight to create ground-level ozone.)

**Product Count:** 787 products

**Data:** Product specific Thermogravimetric Analysis (TGA) data were to be submitted to DPR by December 31, 2005.

**Currently registered products from  
 203 registrants (as of April 18, 2006). 676**

Number of products submitting TGA data:	412
Number of products exempt* from conducting TGA data: (*consumer products covered by ARB's regulations)	104
Number of products submitting an appeal to DPR from generating TGA data:	63
<b>Total products:</b>	<b>579</b>

**On April 24, 2006, DPR issued proposed cancellation orders to  
 53 registrants for 97 products (as of May 11, 2006).**

Number of products submitting TGA data or voluntarily canceling their registration:	32
Number of products committing to submit TGA data:	5
Number of products with proposed cancellation orders standing:	60

**Certain Agricultural and Commercial Structural-use Liquid Formulation Pesticide Products (Reformulation)**

**Initiated:** May 31, 2005

**Basis:** Staff analyses indicate that reformulation could result in significant VOC reductions throughout the state.

**Product Count:** 748 products

**Data:** Registrants are required to choose one of three options for each product by August 1, 2005.

- Written commitment to reformulate
- Request for exemption
- Detailed explanation as to why product cannot be reformulated.

Registrants requested an extension until after the TGA data were conducted. DPR granted an extension until March 1, 2006.

Currently registered products from 167 registrants  
(as of March 21, 2006). **662**

Number of products with written commitments to reformulate:	20
Number of products exempt* from reformulation (*TGA data demonstrate VOC emission potentials below 20%)	102
Number of products responding to reformulation:	269
<b>Total products:</b>	<b>391</b>

We are still reviewing the TGA data so the number of exempt products may still rise.

A response may be in the form of:

1. A detailed reason why reformulation is not feasible or contrary to VOC reduction.
2. The product is a supplemental distributor and they are relying on the basic to make a reformulation decision.
3. TGA estimate is below 20 percent VOC emissions and are requesting an exemption from reformulation.

Management will decide how to handle products for which no response was received.

6. Agenda Items for Next Meeting- Tobi Jones, DPR

Syed Ali requested information on the active ingredients triclosan and triclocarban that were showing up in sediments from Publicly Owned by Treatment Works.

The next meeting will be held on Friday, July 21, 2006, in the Sierra Hearing Room located on the second floor of the Cal/EPA building.

7. Closing Comments - Tobi Jones

The meeting was adjourned.