

DEPARTMENT OF FOOD AND AGRICULTURE

1220 N Street
Sacramento, CA 95814

California Notice 86-11

NOTICE OF BROMACIL FIND IN CALIFORNIA GROUND WATER
AND REGISTRANTS' OPPORTUNITY TO REQUEST HEARING

Recently, the economic poison bromacil (5-Bromo-3-sec-butyl-6-methyluracil), registered as an herbicide, was identified in the ground water of Tulare County. It has been determined that the presence of bromacil in the ground water resulted from agricultural uses.

Pursuant to Section 13149(b) and (c) of the Food and Agricultural Code (FAC), notice is hereby given of the bromacil finds and that registrants of bromacil herbicides have thirty days after this notice is issued to request a hearing. A hearing will be held within 180 days after we receive a written request. During the hearing, registrants will be required to submit a report and documented evidence supporting the continued registration, sale, and use of bromacil. Notice of a scheduled hearing will be mailed to bromacil registrants together with information regarding the report and documented evidence required for the hearing. If a hearing is not requested within thirty days after this notice is issued, the Director of the Department of Food and Agriculture is required to cancel the registration of the economic poison pursuant to Section 13149(c), FAC.

Bromacil was found in ground water in Tulare County during a well monitoring study by the Department's Environmental Monitoring and Pest Management Branch. This study was conducted to monitor the agricultural use of several pesticides. Bromacil tested positive in 11 of 120 wells in Tulare County with a detection range of 0.1 - 6.7 ppb (see enclosures for well locations and test results). Well samples were analyzed by High Performance Liquid Chromatography. Samples were analyzed by California Analytical Laboratories of West Sacramento and Agriculture & Priority Pollutants Laboratory, Inc., of Fresno.

Requests for additional information should be directed to Carol Cummins at (916) 322-3564.

9-11-86
Dated

Robert V. Peterson
Robert V. Peterson, Chief
Pesticide Registration Branch

Enclosures

DEPARTMENT OF FOOD AND AGRICULTURE

BROMACIL REGISTRANTS

THE FOLLOWING LIST IDENTIFIES COMPANIES THAT REGISTER BROMACIL PRODUCTS IN CALIFORNIA:

AMREP INC.
CELLO CORP.
DISCOUNT SPECIALTY CHEMICALS
E.I. DuPONT De NEMOURS AGRICULTURAL PRODUCTS CO.
DYMON, INC.
ENTERPRISE SALES COMPANY
FRANK MILLER & SONS INC.
GIBRALTER CHEMICAL CORP.
GRO-LYFE DIV. OF SUNGRO CHEMICALS INC.
HARTFORD CHEMICAL CORP.
HELENA CHEMICAL COMPANY
HYSAN CORPORATION
J.R. SIMPLOT COMPANY/OCCIDENTAL CHEMICAL CO.
KEM MANUFACTURING
MADISON-BIONICS, DIVISION OF CHEMTRUST INDUSTRIES
MOBLEY CHEMICALS, INC.
NATIONAL SANITARY SUPPLY COMPANY
N. C. H. CORPORATION
PRUDENTIAL CHEMICAL CORP.
ROCKFORD INDUSTRIES
SELIG CHEMICAL INDUSTRIES
SHARE CORPORATION
STANDARDIZED SANITATION SYSTEMS INC.
SUNGRO CHEMICALS, INC.
THE STATE CHEMICAL MANUFACTURING CO.
UNITED LABORATORIES INC.
UNITED STATES BORAX & CHEMICAL CORP.
VENUS LABORATORIES, INC.
WESTERN FARM SERVICE, INC.
ZEP MANUFACTURING COMPANY

DEPARTMENT OF FOOD AND AGRICULTURE

1220 N Street
Sacramento, CA 95814



October 22, 1986

Dear Economic Poison Registrant:

Hearing Regarding Finding of Bromacil in Ground Water
Pesticide Contamination Prevention Act (AB 2021)

This letter is to inform you that a hearing request was received for bromacil and a hearing has been scheduled for March 11, 1987, as specified in the enclosed Hearing Notice. This is the only hearing that will be held for bromacil.

Pursuant to Section 13150(b) of the Food and Agricultural Code (FAC), the subcommittee of the Director's Pesticide Registration and Evaluation Committee will hold this hearing to review reports and documented evidence submitted by registrants and any other information or data the subcommittee determines is necessary to make a finding.

Registrant's report. To support the continued registration, sale and use of your product(s), you are required to submit a report and documented evidence which demonstrate both of the following:

1. That the presence in the soil of bromacil does not threaten to pollute the ground water of the state in any region within the state in which the economic poison may be used according to the terms under which it is registered; and
2. That bromacil that has been found in the ground water has not polluted, and does not threaten to pollute, the ground water of the state in any region of the state in which the economic poison may be used according to the terms under which it is registered.

Registrants should submit any data, evidence, and supporting arguments that demonstrate why the active ingredient, other specified ingredient, or degradation product was found in the ground water or in the soil under the conditions specified in Section 13149(a), FAC. Data demonstrating conditions under which leaching does not occur also should be provided. Registrants may individually or collectively submit the required report(s) for review at the hearing. For your assistance, an outline you may wish to follow in preparing your material is enclosed.

Subcommittee hearing. The subcommittee consists of three members, one member each representing the Director of CDFA, the State Department of Health Services and the State Water Resources Control Board. The chair of the subcommittee will conduct the hearing and the proceedings will be recorded. A written copy

of any testimony presented at the hearing should be provided. None of the materials submitted as part of the hearing process will be considered confidential. Testimony will be accepted only from registrants of economic poisons containing bromacil and labeled for agricultural use or their designated representatives. If you or your representative plan to present testimony, please notify us at least thirty days in advance of the hearing date. Advance notification will enable us to schedule sufficient time to accommodate those wishing to testify.

Findings. Within ninety days after the hearing, the subcommittee may make any of the following findings:

1. The ingredient found in the soil or ground water has not polluted and does not threaten to pollute the ground waters of the state.
2. The agricultural use of the economic poison(s) containing the ingredient can be modified so that there is a high probability that the economic poison(s) would not pollute the ground waters of the state.
3. The modification of the agricultural use or cancellation of the economic poisons containing the ingredient will cause severe economic hardship on the state's agricultural industry, and no alternative products or practices can be effectively used so that there is a high probability that pollution of state ground water will not occur. In this case, the subcommittee shall recommend a level of the ingredient that does not significantly diminish the adverse health effects safety margin.

For further information, please contact Carol Cummins at (916) 322-3564.

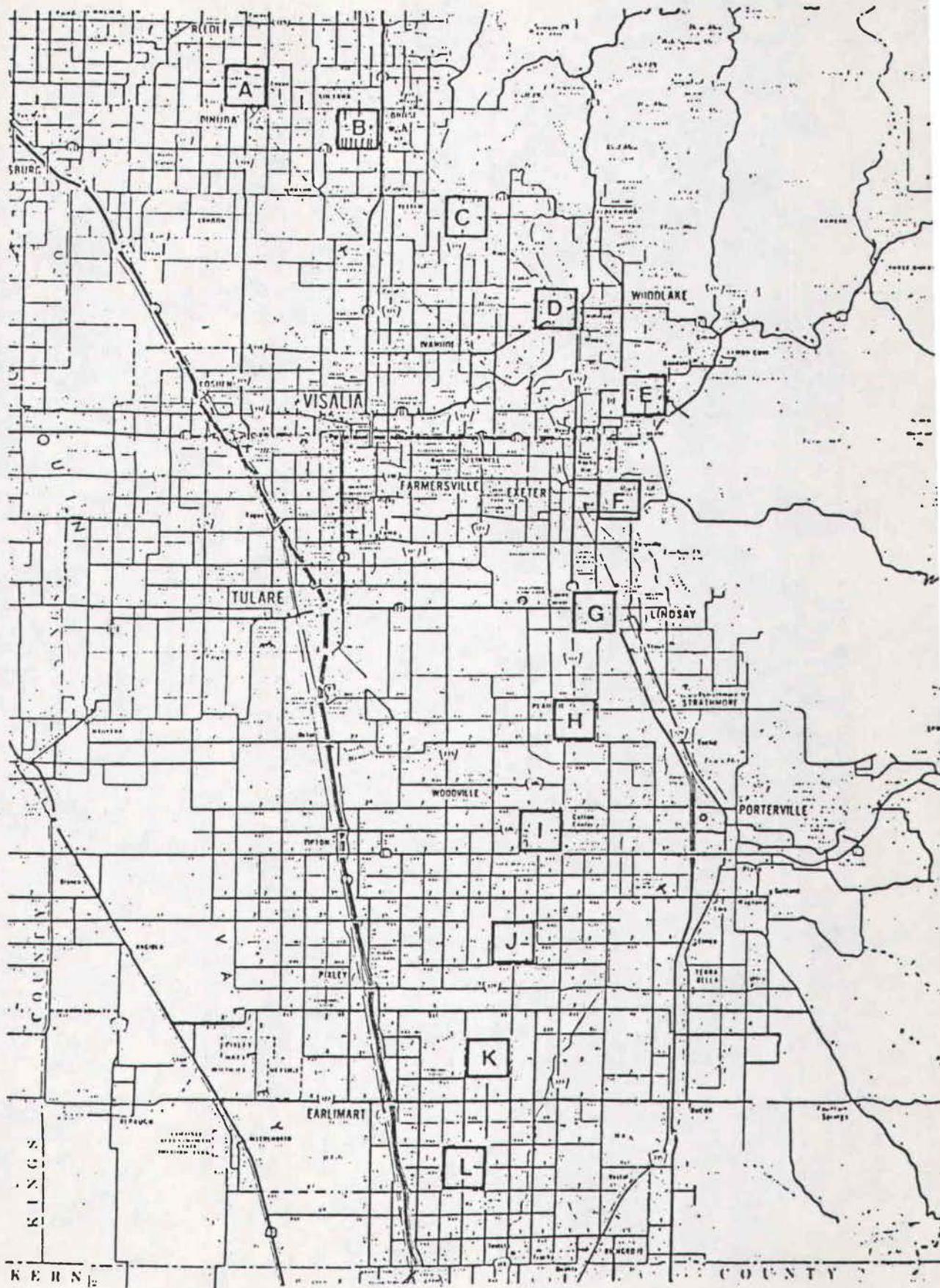
Sincerely,

Robert V. Peterson

for Robert V. Peterson, Chief
Pesticide Registration Branch

Enclosures

SAMPLING AREA



Because of variations in size and shape, cell boundaries shown are approximate. Cell "E" represents the original sampling area.

CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE

Detection of Bromacil in Ground Water

The Environmental Monitoring and Pest Management Branch has received the following results from chemical analysis of 120 wells sampled in Tulare County.

	<u>Bromacil</u>
Number of positive results	11
Number of negative results	109
Range of positives ppb	0.1 - 6.7 ppb
MDL	0.1 ppb

Residue levels for each sampled well are shown in Table 1. The general locations of wells in the study area are designated by the lettered squares in Figure 1. The letter preceding the well number corresponds with the lettered squares on the map.

TABLE 1. Residue levels of bromacil found in Tulare County. ND = none detected at minimum detectable level of 0.1 ppb. NA = a sample was taken but was not analyzed for bromacil.

Well#	Bromacil	Well#	Bromacil	Well#	Bromacil	Well#	Bromacil	Well#	Bromacil
A01	ND, ND	C08	ND	F03	ND	H10	ND	K07	ND
A02	ND, ND	C09	ND	F04	ND	I01	ND, ND	K08	ND, ND
A03	3.0, NA	C10	ND	F05	ND	I02	ND	K09	ND
A04	ND, ND	D01	ND, ND, ND	F06	ND	I03	ND	K10	ND
A05	ND, ND	D02	0.56	F07	ND	I04	ND	L01	ND
A06	ND, NA	D03	ND	F08	ND	I05	ND	L02	ND
A07	ND, NA	D04	0.64	F09	ND	I06	ND	L03	ND
A08	ND	D05	ND, ND	F10	ND	I07	ND	L04	ND
A09	ND	D06	ND	G01	0.1, 0.29	I08	ND	L05	ND
A10	ND	D07	ND	G02	ND	I09	ND	L06	ND
B01	ND, ND	D08	ND	G03	ND	I10	ND	L07	ND
B02	ND, ND	D09	1.0	G04	ND, NA	J01	ND, ND	L08	ND
B03	ND, ND	D10	ND	G05	ND, NA	J02	ND	L09	ND
B04	ND	E01	ND	G06	ND	J03	ND	L10	ND
B05	3.6, 6.2	E02	ND	G07	ND, NA	J04	ND		
B06	ND, ND	E03	ND	G08	6.7, NA	J05	ND		
B07	ND, ND	E04	0.50	G09	ND	J06	ND		
B08	ND, ND	E05	ND	G10	ND	J07	ND		
B09	ND, ND	E06	0.15	H01	ND, ND	J08	ND		
B10	ND, ND	E07	ND	H02	ND	J09	ND, ND		
C01	ND, NA, 0.32	E08	ND	H03	ND, ND	J10	ND		
C02	ND, ND	E09	ND	H04	ND	K01	ND, ND		
C03	ND	E10	ND	H05	ND	K02	ND		
C04	ND	E11	NA	H06	ND	K03	ND		
C05	ND	E12	NA	H07	ND	K04	ND		
C06	ND	F01	ND, NA, 0.26	H08	ND	K05	ND		
C07	ND	F02	ND	H09	ND	K06	ND		

CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE

Registrant's report(s) pursuant to Section 13150(a), Food and Agricultural Code.
SUGGESTED OUTLINE:

- A. Name of active ingredient.
- B. Name and address of registrant.
- C. Name and phone number of contact person(s).
- D. Name, EPA registration number, and label of each of your product(s) containing the detected active ingredient, other specified ingredient or associated degradation product registered in California for agricultural use.
- E. Date of initial registration of each product in California, if known.
- F. Documented evidence that the material detected in soils does not threaten to pollute ground water in any region of the state when used according to terms under which it is registered; and that material detected in ground water has not polluted, and does not threaten to pollute, ground water in any region of the state when used according to terms under which it is registered.
- G. Data, evidence, and narrative explaining why the active ingredient, other specified ingredient, or degradation product was found in ground water or soil under conditions specified in Section 13149(a), FAC. Other data may be submitted. These data may include:
 1. Factors affecting movement of the material into ground water or soil (e.g., local soil characteristics and environmental conditions) which could be used to predict leaching potential in other areas of the state.
 2. Information regarding principal sites of application in the detection area, including methods of application.
 3. Evidence of misuse.
 4. Evidence that the presence of the material in soil or ground water resulted from repeated mixing, rinsing, or disposal at the same location.
- H. The registrant may submit potential mitigation measures and rationale for their adoption, including proposed restriction or agricultural use modification for certain areas of the state or for the entire state.
- I. The registrant may submit evidence that agricultural use modification or cancellation of the product(s) will cause severe economic hardship on the state's agricultural industry. Such evidence should show that the registrant's product is the preferred material for use and the additional costs to growers if agricultural use modifications are made or if alternative products are used.
- J. The registrant may recommend a level of the material in the soil or ground water that does not significantly diminish the adverse health effects safety margin.