State of California

Memorandum

To : Tobi Jones, Chairperson
Pesticide Registration and Evaluation
Committee

Date : August 21, 1987

Place : Sacramento

From : **Department of Food and Agriculture**

Subject: Director's AB 2021 Response Concerning Simazine

I am attaching a public notice of decision which shall serve as my response to the finding and recommendations of the Subcommittee of the Pesticide Registration and Evaluation Committee concerning ground water detections of simazine. My response has been made in accordance with all authorities and requirements stipulated in the Pesticide Contamination Prevention Act (AB 2021) which mandated this process of review for these detections. The Subcommittee's finding and recommendations were transmitted to you on my behalf on July 24, 1987. Therefore, this response has been made within the 30 days statutory deadline.

Let me take this opportunity to thank you and each member of the Subcommittee for your diligence and dedication to this difficult task.

Jack C. Parnell
Director
(916) 445-7126

Attachment

cc: Lyn Hawkins
Don Mengle
Syed Ali
Ronald Oshima

SURNAME SO-106						

DEPARTMENT OF FOOD AND AGRICULTURE

POST UNTIL
SEPTEMBER 21, 1987

NOTICE OF DECISION CONCERNING THE DIRECTOR'S RESPONSE TO THE PREC SUBCOMMITTEE FINDING MADE PURSUANT TO THE PESTICIDE CONTAMINATION PREVENTION ACT REGARDING THE DETECTION OF SIMAZINE IN GROUND WATER

Section 13150 of the Pesticide Contamination Prevention Act (Article 15, Chapter 2, Division 7 of the Food and Agricultural Code) requires that the Director of the Department of Food and Agriculture respond to the finding of the Pesticide Registration and Evaluation Committee (PREC) Subcommittee within 30 days of the PREC Subcommittee finding issuance. The finding and recommendations of the PREC Subcommittee, entitled "Implementation of the Pesticide Contamination Prevention Act, Simazine: Findings and Recommendations," were transmitted to the Department on July 24, 1987.

After reviewing the finding and recommendations of the PREC Subcommittee, the Director concurs with their finding made pursuant to paragraph (2) of subdivision (c) of Section 13150, namely that the agricultural use of simazine can be modified in such a way that there would be a high probability that no simazine residues other than those already present would migrate to ground water, and that there are alternative practices that are reasonably effective and practicable. The Department recognizes, however, that since the SB 950 data gaps for simazine have not yet been filled by valid, complete, and adequate studies, it is not possible to establish a pollution level for simazine at this time, or to determine if simazine has polluted or threatened to pollute the ground waters of the state. Because of this uncertainty, modification of agricultural practices of simazine use is the appropriate approach to protect against further residues unless and until pollution levels might be set.

Department Action

A. The Department will modify the agricultural use of simazine in specifically defined areas of the state known as Pesticide Management Zones and will eliminate the use of simazine in right-of-way areas within those zones.

B. The Department will list simazine in regulation as a restricted material which is exempted from permit requirements statewide except in Pesticide Management Zones. Within the Pesticide Management Zones, the Department will require issuance of a permit which is based upon a written recommendation by a licensed pest control adviser.

C. To determine further appropriate modifications of agricultural use of simazine, the Department will study means of minimizing pesticide movement through soils and will review materials submitted by researchers, users of simazine, registrants and other agencies which document agricultural practices and simazine uses which decrease movement of simazine to ground water.

D. The Department will monitor within Pesticide Management Zones to evaluate the effectiveness of modifications of agricultural use of simazine.

E. The Department proposes to implement a Ground Water Protection Training program to provide information to licensed pest control advisers upon which their written recommendations will be based. A licensed pest control adviser will not write a recommendation of modified agricultural use of simazine if there are effective alternative products available.

F. The Department will continue to monitor ground water and soil for simazine in California. It will also coordinate with other agencies that conduct soil and ground water monitoring, especially the State Water Resources Control Board and the Department of Health Services. When soil or ground water monitoring reveals the presence of simazine under the circumstances listed under Section 13149 (a) in areas outside of the designated Pesticide Management Zones, the impacted section(s) will be considered for inclusion as Pesticide Management Zones by regulation provided the residues were the result of legal agricultural use.

G. The Department is investigating its options for protecting well heads from the potential effects of agricultural practices under existing authorities.

H. The Department will eliminate the use of simazine in all recharge areas which are managed for weed control throughout the State. In order to eliminate use, it is essential that the State Water Resources Control Board develop an adequate definition of recharge areas which are managed for weed control and identify those areas which meet the definition criteria by using a specific, accepted geographical coordinate system. These Board recommendations will be reviewed and incorporated into the regulatory program upon approval by the Department. Subsequent to approval, registrants of all products containing simazine will be encouraged to amend labels to reflect the elimination of use in ground water recharge areas managed for weed control.

The Department will adopt regulations to implement the proposals described in this document. During the development of these regulations, the rationale behind each of the proposals will be fully explained and ample opportunity for public comment will be provided.

Jack C. Parnell
Director

AUG 23 1987
Date