

## **APPENDIX 4**

### **COMMENTS ON THE DRAFT REPORT AND RESPONSES**

#### **Comment 1**

Roundup PowerMAX Herbicide has thermogravimetric analysis data to support the registration on file at California Department of Pesticide Regulation, tracking ID 223517. The VOC data referenced supporting this registration is 'Determination of Volatile Emission Potential of MON 79790' and the emission potential is zero. You have incorrectly classified this product as an isopropyl amine salt of glyphosate; Roundup PowerMAX Herbicide contains the potassium salt of glyphosate.

#### **Response 1**

DPR has corrected this error in its database.

#### **Comment 2**

This report confirms the very positive steps taken by commercial agriculture, and the citrus industry in particular, to reduce the VOC contribution from crop protection materials. The citrus industry's emissions contribution in tons/day dropped from 1.319 t/d in 2009 to 1.016 t/d in 2010, a reduction of 6.13 percent of the total contribution to 4.08 percent, moving citrus from the 3<sup>rd</sup> highest contributor to the 8<sup>th</sup> position. Research on efficacy of non-VOC emitting alternative crop protection materials combined with the educational outreach of CCM and the University of California Cooperative Extension, have made significant progress in changing growers material choices. This reduction indicates that citrus growers are successfully transitioning away from older, broad-based, higher VOC emitting material. It is significant to note that citrus acreage has not decreased, but in fact is slightly increasing.

#### **Response 2**

No response necessary.

#### **Comment 3**

The draft, while noting that VOC emissions in all five non-attainment areas (NAA) remains in compliance with the SIP, is written in a way that seems to emphasize the increase in 2010. With regard to the San Joaquin Valley NAA, the emissions were up from 2009, but were still lower than four of the seven years for which data is included. We would like to see that distinction made in the final report. We would like to have the report include an explanation for the increase. It is important for the non-agricultural community that utilizes the report to understand that no two years are identical in farming and that usage of crop protection materials will vary, sometimes significantly, from one year to the next based on pest and disease pressure.

#### **Response 3**

The following paragraph has been added to the report. "Pesticide use varies from year to year depending on many factors, including weather, pest problems, economics and types of crops planted. Increases and decreases in pesticide use from one year to the next or in the span of a few years do not necessarily indicate a trend. Such variances are and will continue to be a normal

occurrence. For example, extremely heavy rains result in excessive weeds, thus more pesticides may be used; drought conditions may result in fewer planted acres, thus less pesticide may be used. A more detailed explanation of pesticide use patterns is given in DPR's annual summary of pesticide use reports available at:  
<http://www.cdpr.ca.gov/docs/pur/pur10rep/chmrpt10.pdf> .”

#### **Comment 4**

Again with regard to the San Joaquin Valley NAA, the draft puts emphasis on non-fumigants making up 75% of the contribution. This distinction is misleading. Fumigant usage is determined primarily by planting schedules, whereas non-fumigant usage is determined by pest and disease pressures, which have a higher degree of fluctuation, based on pest and disease pressures. Over weighting the importance of the percentage of non-fumigant usage is not a fair way to distinguish the two. Table 6a makes this point very clearly. In the seven years of data included in the table comparing emissions to 1990 levels the non-fumigants have never exceeded the 1990 levels, fumigants have exceeded the 1990 level four at of seven years. It would be more relevant to note this distinction in the final report than to emphasize the percentages.

#### **Response 4**

DPR does not think it is misleading to emphasize that nonfumigants contribute 75 percent of the pesticide VOC emissions for the San Joaquin Valley NAA. While nonfumigant emissions may be less than the 1990 base year, DPR is required to reduce emissions by 12 percent relative to 1990. Since the fumigant regulations went into effect in 2008, fumigant emissions have decreased by 45 percent relative to 2004-2007, and by 35 percent relative to 1990. Nonfumigant emissions have not shown any clear trend. If additional VOC reductions are needed in the future, nonfumigant emissions should be reduced because they contribute the majority of pesticide VOC emissions in the San Joaquin Valley NAA, and actions have already been taken to reduce fumigant emissions.

#### **Comment 5**

In the section of the draft report titled “Projection of 2012 VOC Emissions and Fumigant Limits,” the 95% trigger is referred to. CCM has repeatedly taken exception and continues to take exception to any trigger that is less than the 1990 benchmark. An arbitrary number that is less than the 1990 benchmark in effect is a lower benchmark, circumvents the benchmark, and penalizes growers when they are actually in compliance. We believe that using a rolling average of emission levels would be a much better way to benchmark agricultural emissions.

#### **Response 5**

This comment is outside the scope of the report. However, the emission level in 1990 is not the benchmark DPR is required to achieve. DPR is required to reduce pesticide VOC emissions 12 percent less than the emission level in 1990.