



Department of Pesticide Regulation



Mary-Ann Warmerdam
Director

Arnold Schwarzenegger
Governor

April 4, 2008

Mr. Earl McPhail
Ventura County Agricultural Commissioner
815 East Santa Barbara Street
Santa Paula, California 93060

Dear Mr. McPhail:

As you know, volatile organic compounds (VOCs) contribute to the formation of ozone, a major air pollutant. Under the federal Clean Air Act, the Department of Pesticide Regulation (DPR) tracks and reduces VOC emissions from pesticides. Title 3, California Code of Regulations (3 CCR) section 6452.2(c) establishes a field fumigant VOC emission limit of 734,000 pounds in the Ventura nonattainment area (Ventura County) during the May 1–October 31 period. As specified in 3 CCR section 6452.3, the fumigant limit is enforced through emission allowances issued to growers. The county agricultural commissioners enforce the emission allowances as conditions included on restricted-materials permits.

For the May–October 2008 period, DPR received field fumigant emission allowance requests for 2,477,837 pounds of VOCs for the Ventura County nonattainment area. The requests exceed the field fumigant emission limit of 734,000 pounds by 338 percent. The field fumigant emission allowances must not exceed 29.62 percent of the requested amounts to comply with the field fumigant emission limit. The attachment includes a listing of each permittee and his/her specific field fumigant emission allowance, as well as a description of the method DPR used to determine the allowances and an evaluation of the requests. As specified in 3 CCR section 6452.3(d), you must include the emission allowance as a condition of the restricted-materials permit for each permittee listed.

You should establish a system to maintain a running total from May to October of VOC emissions from all fumigants, as they occur. As specified in 3 CCR section 6452.3(e), you must deny any notice of intent that does not comply with the fumigant emission allowance.



Mr. Earl McPhail
April 4, 2008
Page 2

Thank you for your assistance. If you have any questions, feel free to contact Mr. Randy Segawa, Program Manager, at (916) 324-4137, or <rsegawa@cdpr.ca.gov>.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Reardon".

Christopher Reardon
Chief Deputy Director
(916) 445-4000

Attachments

cc: Ms. Mary-Ann Warmerdam, DPR Director (w/Attachments)
Ms. Polly Frenkel, DPR Chief Counsel (w/Attachments)
Mr. Randy Segawa (w/Attachments)