



Mary-Ann Warmerdam  
Director

Arnold Schwarzenegger  
Governor

California Notice 2005-03

POST UNTIL April 15, 2005

## **NOTICE OF DECISION TO BEGIN REEVALUATION OF CERTAIN AGRICULTURAL AND COMMERCIAL STRUCTURAL-USE PESTICIDE PRODUCTS**

Pursuant to Article 8, Subchapter 1, Chapter 2, Division 6 of Title 3 of the California Code of Regulations, the Director of the Department of Pesticide Regulation (DPR) notices her decision to begin a reevaluation of certain liquid formulation agricultural and commercial structural-use pesticide products. Interested persons may comment on this decision up to and including the date shown on the top-right corner of this notice to the Department of Pesticide Regulation, Pesticide Registration Branch, 1001 I Street, P.O. Box 4015, Sacramento, California 95812-4015.

### REEVALUATION

DPR is hereby commencing a reevaluation of certain liquid formulation agricultural and commercial structural-use pesticide products for which DPR does not have thermogravimetric analysis (TGA) data. This reevaluation involves 220 registrants and 787 pesticide products. DPR determined that the number of products included in this reevaluation were too numerous to list within this notice. A list of products included in the reevaluation is available upon written request to the above address.

### BASIS OF REEVALUATION

The basis for the reevaluation is concern about the release into the atmosphere of volatile organic compounds (VOCs) from agricultural and commercial structural-use pesticide products. VOCs and nitrogen oxides react with sunlight to create ground-level ozone. Ozone is a major air pollutant, which is known to be harmful to both human health and vegetation. Many pesticide active ingredients and inert ingredients are VOCs.

The federal Clean Air Act requires states to submit state implementation plans (SIPs) for implementing, maintaining, and enforcing national ambient air quality standards (NAAQS) for air pollutants, such as ozone, in each air quality control region of the State. Any region that does not meet the NAAQS for a given pollutant is designated as a federal nonattainment area (NAA). Currently, several California air quality control regions do not meet the NAAQS for ozone.

In 1994, the California Air Resources Board (ARB) submitted a SIP to the U.S. Environmental Protection Agency (U.S. EPA). The SIP included a pesticide element. The pesticide element (also referred to as the Pesticide SIP) addresses VOCs that result from the use of agricultural and commercial structural-use pesticides. (Consumer pesticide product sources of VOCs are



regulated by ARB.) In the pesticide element, DPR committed to reducing VOC emissions from agricultural and commercial structural-use pesticides by specified amounts within specified time periods for five NAAs. Currently three of the five NAAs do not meet the goals established in the 1994 SIP (Relative to 1990 base year: San Joaquin Valley, 12 percent reduction by 1999; Ventura, 20 percent reduction by 2005; and Southeast Desert, 20 percent reduction by 2007.)

To implement the 1994 SIP, DPR developed a method to estimate the VOC content (emission potential) of pesticide products and to calculate estimated pesticidal VOC emissions. DPR used TGA data to determine the VOC content of each pesticide product, and in conjunction with data from DPR's pesticide use-reporting system calculated estimated annual VOC emission totals for each pesticide product. In order to obtain TGA data on each agricultural and commercial structural-use pesticide, DPR placed all agricultural and commercial structural-use pesticides formulated as liquids into reevaluation in 1994, and all solid formulations into reevaluation in 1995.

However, during these reevaluations, DPR gave registrants the option of calculating the VOC emission potential of a pesticide product using water and/or inorganic subtraction, instead of submitting TGA data. In addition, if no data (either TGA or subtraction) were submitted for a given pesticide product, DPR assigned the product a default emission potential value based on the highest TGA value for the product's formulation category (default values were later revised to the median TGA value for each formulation category). In 1996, DPR requested that registrants of new agricultural and commercial structural-use products submit TGA data for each new product. A few registrants of new pesticide products submitted TGA data; however, the majority did not, and DPR had to assign default emission potential values to many new pesticide products.

As a result, DPR only has TGA data for approximately 30-40 percent of currently registered agricultural and commercial structural-use pesticides. This means that DPR's current calculations of total VOC emissions from pesticide products may be inaccurate. DPR needs actual TGA emission potential data on currently registered agricultural and commercial structural-use pesticide product. Since pesticide products formulated as liquids (i.e., emulsifiable concentrates, aqueous concentrates, flowable concentrates, oils) have the highest VOC emission potential and constitute the bulk of the products with unknown (default) emission potentials, DPR is placing these products into reevaluation and requiring the submission of TGA data on each product. This data is necessary to reduce the uncertainty in DPR's emission inventory, and allow DPR to more accurately determine reductions in total VOC emissions from pesticide products. Once DPR receives TGA data for the products included in this reevaluation, DPR estimates that it will have accurate data for 90-95 % of VOC emissions from pesticide products in California.

DPR used the following criteria to determine which pesticide products to include in the reevaluation:

1. Formulated as a liquid (i.e., solution, emulsifiable concentrate, aqueous concentrate, flowable, oil);
2. Actively registered as of August 30, 2004;
3. Registered for use in California on at least one agricultural or commercial structural-use site;
4. DPR's 2002 statewide pesticide use report indicates that, the product, or a product with an identical "registration number," was applied in an amount greater than 10 pounds. Products with the same "registration number" include additional brand names and distributor registrations (subregistrations), the formulations of which are assumed not to differ in any substantive way;
5. DPR does not currently have a TGA-based emission potential on file for the product, or any product with an identical registration number;
6. Not a spray adjuvant (the VOC contribution of adjuvants is expected to be minimal and adjuvants are not part of ARB's inventory);
7. Does not contain the following as a primary active ingredient (the VOC emission potential of pesticide products containing these active ingredient is known):
  - 1,3-dichloropropene
  - Chloropicrin
  - Metam Sodium
  - Methyl Bromide
  - Metam Potassium
  - Sodium Chlorate
  - Sodium Hypochlorite

Pursuant to this reevaluation, registrants are required to submit TGA data that will allow DPR to accurately assess the volatility potential of each currently registered liquid formulation agricultural and commercial structural-use pesticide product. Registrants will be required to develop the data using a TGA protocol supplied by DPR.

For information regarding the reevaluation process, please contact Ms. Ann Prichard, Senior Environmental Research Scientist, Pesticide Registration Branch, by e-mail at <aprichard@cdpr.ca.gov> or by telephone at (916) 324-3931. For information regarding the required data or the TGA protocol, please contact Mr. Randy Segawa, Senior Environmental Research Scientist, Environmental Monitoring Branch, by e-mail at <rsegawa@cdpr.ca.gov> or by telephone at (916) 324-4137.

*Original signed by Barry Cortez*

2-16-05

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Barry Cortez, Chief  
Pesticide Registration Branch  
(916) 445-4377

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Date

cc: Ms. Ann Prichard  
Mr. Randy Segawa