

## **Appendix 5**

### RESPONSES TO COMMENTS ON THE 2021 VOC INVENTORY REPORT

## Appendix 5 – Responses to Comments on the 2021 VOC Inventory Report

#	Comment	Response	Action
1.	<p><b>From Mid Valley Agricultural Services:</b></p> <p><b>Continuing nonfumigant restrictions –</b>                      The argument that drought is the reason that hypothetical volatile organic compound (VOC) emissions in the San Joaquin Valley nonattainment area (NAA) were less than the trigger level in 2020 and 2021 is ridiculous. Drought is being used as a pretense to maintain these restrictions. Will drought or other excuses similarly be used to maintain nonfumigant restrictions beyond 2021?</p>	<p>Reported pesticide use in the San Joaquin Valley NAA has decreased by roughly 17% since 2019. By definition, hypothetical emissions decrease when pesticide use decreases. The 2021 report does not claim that water availability is the sole driver of pesticide use, but drought does appear to be a significant factor. According to the National Integrated Drought Information System (NIDIS), the period from October 2019 to September 2022 was “the driest in the California record.” Personal communication with the scientist in charge of the database of pesticide use reports confirmed that drought and fallowing of land were leading contributors to a statewide decrease in reported pesticide use in 2021.</p> <p>The decision to continue the nonfumigant restrictions will be reviewed annually in subsequent inventory reports.</p>	<p>No changes to report are needed.</p>

#	Comment	Response	Action
2.	<p>From ValleyAg Consulting Services:</p> <p>Continuing nonfumigant restrictions – The San Joaquin Valley NAA has finally met the requirement to lift nonfumigant prohibitions; however, the Department of Pesticide Regulation (DPR) has chosen to continue the prohibitions based on a pretense. DPR is out of compliance with its own rules and has no authority to fabricate a hypothetical reason not to lift nonfumigant prohibitions. To abide by its own rules, DPR should lift the prohibitions for 2023. Growers and pest control advisers have worked hard to reduce VOCs to meet the conditions for lifting the prohibitions, and they should be allowed to use products that are currently prohibited when such products are needed.</p>	<p>According to 3 California Code of Regulations (CCR) 6884(c):</p> <p>“If prohibitions for high-VOC nonfumigant products are in effect pursuant to section 6452.2(f), those prohibitions must remain in effect until the hypothetical VOC emissions shown in the Annual VOC Emissions Inventory Report comply with the limit specified in section 6452.2(f) for at least two consecutive years.”</p> <p>This regulation required DPR to maintain the prohibitions in prior inventory reports. It does not affirmatively require DPR to lift the prohibitions; however, the Director, while evaluating the contributing factors, will decide whether to maintain or lift the prohibitions. A decision to maintain the nonfumigant restrictions will be reviewed annually in subsequent inventory reports.</p> <p>Based on the National Integrated Drought Information System (NIDIS), the period from October 2019 to September 2022 was “the driest in the California record.” Personal communication with the scientist in charge of the database of pesticide use reports confirmed that drought and fallowing of land were leading contributors to a statewide decrease in reported pesticide use in 2021. Emissions are</p>	<p>No changes to report are needed.</p>

#	Comment	Response	Action
		expected to increase in future years if the drought conditions that were present during these years are alleviated.	