



**PESTICIDE REGISTRATION
AND EVALUATION COMMITTEE (PREC)
Meeting Minutes – December 6, 2024**

Committee Members/Alternates in Attendance:

Elizabeth Marder – Department of Public Health (CDPH)
Fabiola Estrada – U.S. Environmental Protection Agency (EPA), Region 9
Garrett Keating – Department of Industrial Relations (DIR)
Kristen Pidcock – Department of Resources Recycling and Recovery (CalRecycle)
Krista Hoffmann – Department of Fish and Wildlife (DFW)
Katherine Sutherland-Ashley – Office of Environmental Health Hazard Assessment (OEHHA)
Fatemeh Ganjisaffar – California Department of Food and Agriculture (CDFA)
Lisa McCann – State Water Resources Control Board (SWRCB)
Stan Armstrong – Air Resources Board (ARB)
Mai Ngo – Department of Toxic Substances Control (DTSC)
Matt Hengel – University of California (UC), Davis, IR-4 Program and Environmental Toxicology
Stephen Scheer – CA Agricultural Commissioners and Sealers Association (CACASA)
Tom Ineichen – Structural Pest Control Board (SPCB)
Tulio Macedo – Department of Pesticide Regulation (DPR)

Visitors in Attendance:

Note: Only attendees who identified themselves using their full name are listed below

Alex Ayala
Andy Lyall
Angel Garcia
Anne Katten – California Rural Legal Assistance Foundation
Bruce Houtman – Teleos
Burnet Wohlford
Byanka Santoyo
Christina Gutierrez – CPR SJV Coordinator
David Drucker
Emily Saad – Exponent
James Nakashima – Office of Environmental Health Hazard Assessment (OEHHA)
Jason Greenwald
Jing Tao - Office of Environmental Health Hazard Assessment (OEHHA)
Juan Hidalgo
Justin Wycoff
Kathleen Kilpatrick
Katie Byrne
Lendri Purcell
Margaret Reeves

Mary Matava
Matthew Allen
Michael Zeiss
Noah Beyeler
Ouahiba Laribi – Office of Environmental Health Hazard Assessment (OEHHA)
Raul Garcia
Regina Ware
Scott Bowden
Steve Honjio
Taryn Obaid
Taylor Triffo

DPR Staff in Attendance:

Aisha Iqbal – Pesticide Registration Branch
Alyssa Knudsen – Pesticide Registration Branch
Andrew Turcotte – Pesticide Registration Branch
Ann Schaffner – Worker Health and Safety Branch
Aron Lindgren – Pesticide Registration Branch
Beth Boss – Enforcement Branch
Brenna McNabb – Pesticide Registration Branch
David Bonnar – Human Health Assessment Branch
Elana Varner – Pesticide Registration Branch
Gayatri Sankaran – Human Health Assessment Branch
Jagjinder Sahota – Worker Health and Safety Branch
JT Teerlink – Pesticide Programs Division
Nicholas Santiago – Legislation and Policy
Maziar Kandelous – Environmental Monitoring Branch
Minh Pham - Environmental Monitoring Branch
Nathan Desjarlais – Enforcement Branch
Randy Segawa – Environmental Monitoring Branch
Stephen Rinkus – Human Health Assessment Branch
Yuzho Luo – Environmental Monitoring Branch

1. Introductions and Committee Business – Tulio Macedo, Chair, DPR

- a. Approximately sixty-four (64) people attended the meeting.
- b. In contrast to our standard PREC proceedings and agenda, we are not prioritizing questions over comments and encourage all statements for consideration.

2. **1,3-Dichloropropene Rulemaking For The Protection Of Occupational Bystanders, Public Comment Period, DPR**

The focus will be public comment and remaining committee member comments and questions. There is no presentation or speaker.

Committee Comment

Mai Ngo asked if there was an assessment of cumulative effects. There were a few different exposure scenarios presented, and the labeling of those scenarios as worker versus bystander may be confusing. Can the different duration scenarios be clarified? Cumulative exposures after work hours for example, is that something assessed by DPR?

Minh Pham clarified and confirmed that Mai was referring to the cumulative exposure between the work hours and then the after hours of a worker. After hours mechanistically other exposures which would add additional burdens. Minh continued to answer the first question, that the team is looking at cumulative exposure between the work hours and the after hours. It is part of the discussion with the regulations and how the modeling and monitoring is completed in real time. A pathway is under development to look closer. Minh continued that the cumulative exposure to other chemicals is not addressed in the regulation. It is something that the team is looking into as well.

Mai responded that it's not an easy question. Department of Toxic Substances Control (DTSC) is also trying to figure out how to evaluate community and cumulative exposures. And Mai wanted to confirm that it was being considered by DPR with the assessments.

Garrett Keating asked how the bystander worker exposure is calculated. In the presentation, there are nine days when applications happen and then model decay over the next 300 days. Are the applications dispersed throughout the year and then do you model that the decay of that concentration with the model? Is that cumulatively added in the risk calculation? At Occupational Safety and Health Administration (OSHA), the assumption is a constant time weighted average for every day for the 300 plus or 220 working days. For the model is it a more variant concentration, how is there a concentration barrier that cannot be exceeded every day in the field. Minh Pham responded the confusion comes in because the regulation is aimed at cancer risk and chronic exposure. The numbers calculated are averages that DPR and OEHHA have worked jointly to develop to calculate for a worker not in the field but adjacent to the field. Variables considered in the calculations include movement, workload, and time. It is overall an average over the 40-year work life of a worker. Garrett responded that the process is different because it is an environmental release instead of an industrial process putting out a pollutant.

Minh Pham followed up to Mai's question about the cumulative exposure. There is the first regulation that was put out for residential use and all these regulations build upon each other and work cumulatively. All are being considered when looking at cumulative exposure.

Stan Armstrong commented that there were a lot of questions about the thresholds for cancer risk levels for residents and for workers. It would be helpful to have a brief summary of why the thresholds are different to help the public understand better. Minh Pham responded that for the regulation, DPR is looking at a different population and works jointly with OEHHA. DPR looks at potential exposures for what is identified as an occupational worker. DPR has to make assumptions regarding the workload around a treated field, such as timing, exposure, and other variables. The first regulation applies to residential bystanders. All thresholds draw from the same toxicological studies and endpoints, but have different variables related to the populations. With the first regulation, it is an acute endpoint that also works with chronic. The second one is for chronic workers, and there are different timelines for both.

Public Comment

Mark Weller commented: The regulation of 1,3-D that DPR has been proposing assumes that there is not one human species, but several when it comes to lifetime cancer risks. Most of us called residential or non-occupational bystanders, DPR says, can be exposed to 50 micrograms per day of 1,3-D, the equivalent of breathing air concentrated with 1,3-D at 0.56 parts per billion. Another species apparently can, according to this draft, withstand 0.21 parts per billion at work, but 0.56 parts per billion when not at work. And yet another species of human, which would be protected to OEHHA's 3.7 micrograms per day. Equivalently breathing 0.04 parts per billion and work 8 a.m. to 4 p.m. for 40 years and are never exposed to 1,3-D before or after work hours.

This, unfortunately, is a mythical being, as no farm worker that we have ever met works 8 a.m. to 4 p.m. and is never exposed in childhood, retirement, or in the hours before and after work. There is only one human species. If you're not going to ban 1,3-D is there's 34 other countries that don't allow its use. You must limit its exposure to the one legal standard determined by OEHHA in 2022. That's 3.7 micrograms per day, which means breathing air concentrated with less than 0.4 parts per billion in it. One standard for one species. Thank you.

Taryn Obaid – Families Advocating for Chemical and Toxic Safety (FACTS) – commented: Because your committee plays an important role in protecting the public health and because you're the only people in the state who can ask questions and hopefully get answers on the record about the discrepancies and dangerous inequities of the proposed 1,3-D regulations. We please request that you deeply investigate these issues. Your silence would be interpreted as tacit approval of regulations, which create much higher targets of exposures for children and farmworker families and their wider communities in the Central Valley. Schools' 1,3-D community exposure levels have been documented at even higher than those proposed.

The second target of 0.56 parts per billion per worker bystanders is more than five times higher than the level considered safe by OEHHA. The model used for the levels of 1,3-D during night and early morning, didn't, didn't model night and early morning hours. And that's when a lot of farm work is done because of daytime temperatures. Please take into account the exposure in the communities when particulates are brought back toward the home communities. We request, please, that PREC ask DPR to answer these questions before moving forward. To not justify a

two-tier framework that one cancer level for workers, and then a much less protective level for residents in the communities, including children. So the OEHHA's no significant risk level of 0.04 parts per billion of Californians is 14 times lower than what is being proposed.

Rocio Madrigal – Central California Environmental Justice Network (CCEJN) – commented I'm a community organizer with Central California Environmental Justice Network [CCEJN], and our work is mostly done in the counties of Madera, Fresno and Tulare. And we would like to also agree with Mr. Mark Weller, the farmworkers, hundreds of farmworkers that we outreach to each month do not have the working hours that are quoted in what is being studied and said is safe. We have cancer levels in the Central Valley extra nominal. We have a cancer center across from Saint Agnes Hospital that every year is just has hundreds and thousands of more patients. And of course they don't know why, but our farm workers work, live, next to these fields, sometimes in the middle of these fields where they're being exposed to these high levels. So, we ask you to please study, reconsider and remember that, yes, every human being needs to be protected the same. Thank you.

Kathleen Kilpatrick – commented I live in the Pajaro Valley. I am a former school nurse, and I have a background in occupational environmental health, including working on exposure assessment projects. I also want to address the levels of exposure and how they've been calculated. The farm workers who work here in heavily fumigated community that grows mono crops on fumigated fields and also live next to the fields. The schools are by the fields. The homes are by the fields. I was really offended by the contention that teachers who work next to fumigated fields are not workers. They. I know teachers who've worked 35 years in the same school in a fumigated area. Teachers also are concerned about their elevated cancer levels. I think the issue that also is missing from this is that Telone is applied in conjunction with other carcinogenic substances, and the combination and the cumulative effect of all these different chemicals is something that is not addressed at all.

There are also people who by virtue of their age or their health conditions or their genetic conditions, are more vulnerable to these chemicals. And in our Latino composite community population, we do have some genetic conditions that may make people more susceptible to these chemicals. I don't really think these are all factored in. When you give a higher standard to the residents than you do to the workers, and both those standards are well above the safety level that has been established by OEHHA. I know DPR has been juggling their methods and their numbers for years to try and make this work out so that they don't have to say, we need to move away from mono-cropping and fumigants and all that goes with the way agriculture is done in our industrial systems here in California. But it's time to look at agricultural methods. Thank you.

Woody Rehanek – Safe Ag Safe Schools in Watsonville - I was one of those teachers for 18 years in Pajaro Valley Unified School District who was exposed to pesticides as part of my normal routine. One day, I clocked the number of miles I walked in the course of a normal day. It was three miles, a lot of it outside library visits, recess, yard duty, and so on. So, teachers are occupationally exposed to these pesticides. I want to reference a study that was done about acute

exposures called association between 1,3-Dichloropropene and asthma emergency department visits in California, 2005 to 2011.

One thing that DPR seems to be overlooking and involves some degree of magical thinking on their part, is the acute exposures of asthma. This study found over six years that the increase of 100th of one part per billion, 0.01 part per billion, in ambient air quality by the state's own monitors resulted in an average 13.5% increase in ER visits for asthma attacks on that same day. I think this kind of acute information needs to be taken into account, as well as the fact that 1,3-D is a known carcinogen banned, we're talking about chronic effects now, in 34 countries. Why are we applying this by our schools? As I said, I was a farm worker for 18 years in Washington state. I was a special ed teacher in this district for 18 years. And I think we need to take into account the multiple impacts, the cumulative effects over time of multiple pesticides, which references another study, Exposure and Interaction Potential effects of Multiple Pesticides that came out 2017 and 2016.

Angel Garcia – Californians for Pesticide Reform – commented I do want to share some concerns regarding the recent proposal related to the 1,3-D exposure limits. As you may know, the legal cancer risk level set by the Office of Environmental Health Hazard Assessment in 2022 is 3.7 micrograms per day. This translates to an exposure limit of just 0.04 parts per billion per day for breathing air concentrated with 1,3-D. This level should be ideal or should be the ideal standard for all Californians. However, it appears that DPR's proposal regulations are based on assumptions that differ from that of OEHHA's. They suggest that most people can tolerate exposure levels up to 14 times higher than what's deemed safe by OEHHA, while only a small fraction of individuals would be protected under those standards.

This approach raises serious concerns about public health and safety, and it implies that we're not all equally vulnerable to these exposure and risks. So, we need regulations that prioritize everyone's health equally, rather than creating a two-tier system where some are more exposed than others. The legal cancer risk level is currently set at 3.7 micrograms per day, and we need to do more to protect all Californians. And so, to truly safeguard all Californians, we must advocate for a single regulation. One cancer risk limit for everyone at 0.04 parts per billion in the air, as established by our scientists at OEHHA. Thank you.

Raul Garcia – Californians for Pesticide Reform – commented I wanted to speak on the or on our community's disappointment for proposed DPR regulation that allows Telone exposure at 14 times the recommended limit by OEHHA. This is a double standard. We believe this is a double standard in house protections that directly endangers our workers and their communities, and that it prioritizes the profits of the of the agrochemical industry over the health of the workers that actually move and generate profit for the industry. As an individual, I guess as a taxpaying individual, do not want my money to be going towards this junk science. And you know, these, you know, unenforceable regulations and then to ignore real science like they're doing from Proposition 65 when it's their convenience.

And we are not working here every day, just so that the large agrochemical industry can just have their way with us and tell DPR what the regulations need to be. No, DPR needs to listen to its own scientists that are funded by our tax dollars and more importantly, science and information that impacts our health as well. It is ruining our quality of life. It is ruining our quality of work and more importantly, it is putting at risk millions and millions of people that not only live in agriculture not, not only work in the agricultural industry, but live near sectors where the agricultural industry is very active as well. And that's up and down the state and in the Bay.

Lendri Purcell – Sonoma Safe Ag Safe Schools and Jonas Philanthropies - please consider no 1,3-D near schools. I'm a former special education teacher. I cannot tell you how much classroom time children with asthma lost, and how it feels to give a kid who's having an asthma attack an inhaler on the playground. My husband has documented glyphosate poisoning as a teacher in Sebastopol, California, who used to run through the local vineyards during his lunch break. He missed a year of school. He was so sick having to detox from that. I also want to ask why DPR is disregarding OEHHA, it has no significant risk level of 0.04 parts per billion for all Californians, which is 14 times lower than the proposed regulations allow. How can DPR put into regulations unproven, unverifiable measurement methods rather than requiring use reduction? How can DPR use daytime work hours that are inaccurate? 1,3-D is a known carcinogen. The public relies on you to evaluate and advise DPR and to protect our most vulnerable populations. Please protect them. Do your job.

Byanka Samtoyo – Center Race Poverty and the Environment - have also been working with the AB 607, an air protection for our communities, for our disadvantaged communities, working with the community of Shafter, where DPR does have a monitor. We've known that there's high elevation of Telone, 1,3-D, in the area, and the way that DPR has runaround giving us different type of statements in how to protect our community health is ridiculous. It's awful to see that DPR has two different type of standards, one for residential and the other for a working individual, which in reality, our communities work, live and actually our children go and live in in these communities go to school in these communities.

It's awful that DPR has been doing this. This work back and forth, giving us a runaround and not giving us a safe standard that OEHHA had already presented to them. We need DPR to do much better. And for you guys to question DPR, why are they making two different, separate regulations for this type of chemical? It's awful to see that DPR pockets are growing with the use of this type of chemical, but our communities are the ones that are being burdened. Our families are being the ones that are being affected. It's awful to hear that one of our Ag Commissioners had to make a statement that our children need to be poisoned for him to do something. It's awful to hear that as a human being, as a parent to hear that our children have to be poisoned. It's awful that we can't. We can't look at at state regulation to make any type of changes in our community. We are going to door to door making, trying to make changes in our community. It's and we're looking up to you.

Vanessa Forsythe – California Nurses for Environmental Health and Justice – commented that as a school nurse, I am concerned about exposure to 1,3-D with children in schools as well as staff

in schools, as has been previously presented. I know that these kids live in communities where they're exposed again, and maybe they will be farm workers like their parents. So, it really needs to be the one of regulation for all people of what OEHHA recommends. 0.4 parts per billion. It does not make sense to have two separate regulations. And you know, for the future of our children. Thank you.

3. Agenda Items for Next Meeting

None to report.

The next meeting is scheduled for March 21, 2025 at 10:00 a.m. This meeting will be held virtually on the Zoom platform and broadcast live on the [CalEPA webcast page](https://www.cal EPA.gov/webcast).
<video.calepa.ca.gov/>

4. Adjourn