

TEXT OF PROPOSED REGULATIONS

Current wording is indicated by regular type.
Proposed deletions are indicated by ~~strikeout~~.
Proposed additions are indicated by underline.

TITLE 3. CALIFORNIA CODE OF REGULATIONS
DIVISION 6. PESTICIDES AND PEST CONTROL OPERATIONS
CHAPTER 3. PEST CONTROL OPERATIONS
SUBCHAPTER 2. WORK REQUIREMENTS
ARTICLE 1. PEST CONTROL OPERATIONS GENERALLY

Amend section 6622 to read:

6622. Operator Identification Numbers

- (a) A person performing pest control for hire is exempt from the requirements of this section.
- (b) This subsection applies to the production of an agricultural commodity. Prior to the purchase and use of registered pesticide(s) for the production of an agricultural commodity, the operator of the property (or the operator's authorized representative) shall obtain an operator identification number from the commissioner of each county where pest control work will be performed. The operator shall provide each pest control business applying pesticides to such property with his or her operator identification number.
- (c) This subsection applies to the registered pesticides listed below, when they are not used for the production of an agricultural commodity (e.g., uses on cemeteries, golf courses, parks, right-of-way, post-harvest agricultural commodities, and certain nonagricultural sites). Prior to the purchase and use of registered pesticides listed below, each operator of the property (or the operator's authorized representative), shall obtain an operator identification number from the commissioner of each county in which the operator intends to perform pest control. The operator of the property is not required to obtain an operator identification number when a person performing pest control for hire purchases and applies these pesticides.
 - (1) Any pesticide intended for agricultural use, as defined in Food and Agricultural Code section 11408, excluding those for use only on livestock, as defined in Food and Agricultural Code section 18663;
 - (2) Any pesticide listed in section 6400;
 - (3) Any pesticide for industrial use as a post-harvest commodity treatment; and
 - (4) Any pesticide listed in sections 6800(b) or (c) for any outdoor institutional or outdoor industrial use.

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NOTE: Authority cited: Sections 12976, 13145 and 14005, Food and Agricultural Code.
Reference: Sections 11501, 14006 and 14011.5, Food and Agricultural Code.

Amend section 6624 to read:

6624. Pesticide Use Records

- (a) The following persons shall maintain records of pesticide use:
- (1) Any person who uses a pesticide for an agricultural use as defined in Food and Agricultural Code section 11408, other than use on livestock as defined in Food and Agricultural Code section 18663;
 - (2) Any person who uses a pesticide listed in section 6400;
 - (3) Any person engaged for hire in the business of pest control;
 - (4) Any person who uses a pesticide for industrial post-harvest commodity treatment; and
 - (5) Any person who uses a pesticide listed in sections 6800(b) or (c) for any outdoor institution or outdoor industrial use.

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NOTE: Authority cited: Sections 12976, 13145, 13188 and 14005, Food and Agricultural Code.
Reference: Sections 11501, 11708, 11733, 13186, 14006 and 14011.5, Food and Agricultural Code.

CHAPTER 4. ENVIRONMENTAL PROTECTION
SUBCHAPTER 1. GROUNDWATER
ARTICLE 1. PESTICIDE CONTAMINATION PREVENTION

Amend section 6800 to read:

6800. Groundwater Protection List.

Pesticides labeled for agricultural, outdoor institutional or outdoor industrial use that contain any of the following ~~chemicals~~ active ingredients and/or their degradation products, including their salts and esters, are designated as having the potential to pollute groundwater:

(a) The following ~~chemicals~~ active ingredients and/or their degradation products, including their salts and esters, detected ~~in groundwater or soil~~ pursuant to section 13149(a) of the Food and Agricultural Code and subject to section 13150(d)(2) of the Food and Agricultural Code:

- (1) Atrazine
- (2) Simazine
- (3) Bromacil
- (4) Diuron, except for products with less than 7% diuron that are applied to foliage
- (5) Prometon
- (6) Bentazon-~~(Basagran®)~~
- (7) Norflurazon

(b) The following active ingredients and/or their degradation products, including their salts and esters, detected pursuant to section 13149(a) of the Food and Agricultural Code and subject to section 13150(d)(1) of the Food and Agricultural Code:

Chlorthal-dimethyl
Hexazinone
Imidacloprid
Metolachlor
(S)-Metolachlor

(bc) The following chemicals-active ingredients and/or their degradation products, including their salts and esters, identified pursuant to section 13145(d) of the Food and Agricultural Code:

~~Acephate~~

Alkyl dimethyl benzyl ammonium chloride (ADBAC)

~~Alachlor~~

~~Aldicarb~~

Aminocyclopyrachlor

~~Aminocyclopyrachlor, potassium salts~~

~~Aminopyralid, triisopropanolamine salt~~

~~Azoxystrobin~~

Bensulfuron methyl

Benzobicyclon

Benzovindiflupyr

~~Bensulide~~

~~Bispyribac-sodium~~

~~Boscalid~~

~~Carbaryl~~

Chlorantraniliprole

Chlorfenapyr

Chloropicrin

Chlorothalonil

Chlorsulfuron

Clopyralid

~~Clomazone~~

Clothianidin

Cyantraniliprole

Cyclaniliprole

~~Cycloate~~

Cyprodinil

2,4-Dichlorophenoxyacetic acid (2,4-D), 2-ethylhexyl ester

~~2,4-D, diethanolamine salt~~

~~2,4-D, dimethylamine salt~~

~~2,4-D, isooctyl ester~~

2-(2,4-Dichlorophenoxy)-(R)-propanoic acid (2,4-DP-P)

~~Dazomet~~

Diazinon

~~Dicamba, diglycolamine salt~~

~~Dicamba, dimethylamine salt~~

~~Dicamba, sodium salt~~

Dichlobenil

Dichloran

Didecyl dimethyl ammonium chloride

1,3-Dichloropropene

Dimethenamid-P

~~Dimethoate~~

~~Dimethomorph~~

Dinotefuran
Diquat dibromide
 Dithiopyr
~~EPTC~~
~~Ethofumesate~~
~~Ethoprop~~
 Fenamidone
Fipronil
 Flazasulfuron
 Fludioxonil
 Fluopicolide
Fluopyram
Flupyradifurone
Flurprimidol
Flutianil
 Flutolanil
Flutriafol
Foramsulfuron
Forchlorfenuron
 Fosetyl-Al (aluminum tris)
 Fosthiazate
 Halosulfuron-methyl
~~Hexazinone~~
Hydrogen cyanamide
~~Imazamox, ammonium salt~~
~~Imazapyr, isopropylamine salt~~
~~Imazethapyr, ammonium salt~~
Imazosulfuron
~~Imidacloprid~~
 Indaziflam
Iodosulfuron-methyl-sodium
Ipflufenquin
 Iprodione
 Isoxaben
Kasugamycin hydrochloride
Kresoxim-methyl
~~Linuron~~
~~Malathion~~
 Mefenoxam
Mepiquat chloride
Mesosulfuron-methyl
 Mesotrione
 Metalaxyl
 Metaldehyde
 Metconazole
~~Methiocarb~~

Methomyl
Methoxyfenozide
~~Metolachlor~~
~~(S)-Metolachlor~~
Metribuzin
Monosodium methanearsonate (MSMA)
Myclobutanil
Nicosulfuron
~~Napropamide~~
~~Nitrapyrin~~
Orthosulfamuron
Oryzalin
Paraquat dichloride
Penflufen
Penoxsulam
Penthiopyrad
Phorate
Prometryn
~~Propamocarb hydrochloride~~
~~Propanil~~
Propiconazole
Propyzamide
Pydiflumetofen
~~Prothioconazole~~
Pyraclostrobin
Pyrifluquinazon
Pyrithiobac-sodium
Pyroxasulfone
Pyroxsulam
Quinclorac
~~Pyrazon~~
Rimsulfuron
Saflufenacil
~~Siduron~~
Sulfentrazone
Sulfometuron-methyl
Sulfosulfuron
Tebuconazole
Tebufenozide
Tebuthiuron
Tembotrione
Terrazole
Tetraconazole
Tetraniliprole
Thiamethoxam
Thidiazuron

Thiencarbazone-methyl
Topramezone
~~Thiobencarb~~
~~Thiophanate-methyl~~
Triadimefon
Triallate
Tribenuron-methyl
Trifloxysulfuron-sodium
~~Triclopyr, butoxyethyl ester~~
~~Triclopyr, triethylamine salt~~
~~Triflumizole~~
Triticonazole
Uniconazole-P

NOTE: Authority cited: Sections 11456 and 13145, Food and Agricultural Code. Reference: Sections 13144, 13145 ~~and 13149~~, and 13150, Food and Agricultural Code.

Repeal section 6804:

6804. Specific Numerical Values.

~~Specific numerical values required by Food and Agricultural Code Section 13144(a) are established as follows:~~

- ~~(a) Water solubility—3 ppm~~
- ~~(b) Soil adsorption coefficient (Koc)—1900 cm³/gm~~
- ~~(c) Hydrolysis—14 days half life~~
- ~~(d) Aerobic soil metabolism—610 days half life~~
- ~~(e) Anaerobic soil metabolism—9 days half life~~

~~NOTE: Authority cited: Sections 11456 and 13145, Food and Agricultural Code. Reference: Sections 13144 and 13145, Food and Agricultural Code.~~

Adopt section 6805 to read:

6805. Multivariate Leaching Value and Threshold

(a) If a currently registered active ingredient and/or its degradation product has a multivariate leaching value greater or equal to the multivariate threshold value, the active ingredient will be placed on the Groundwater Protection List specified in section 6800.

(b) The multivariate leaching value will be calculated from the following:

- (1) Median soil adsorption coefficient (Koc)
- (2) Median soil aerobic metabolism half-life (ASM) (days)
- (3) Dipole moment (Debye)
- (4) Energy of the highest occupied molecular orbital (E_{HOMO}) (eV)
- (5) Maximum Electrostatic Potential (MaxElPot) (kJ/mol)

(c) The multivariate leaching value formula is: $1.9349 (\text{Log}_{10} \text{ASM}) - 1.2197 (\text{Log}_{10} \text{Koc}) + 0.1562 (\text{Dipole Moment}) - 0.914 (E_{\text{HOMO}}) + 2.2728 (\text{Log}_{10} \text{MaxElPot}) = \text{MLV}$

(d) The multivariate threshold value is 14.4706.

NOTE: Authority cited: Sections 11456 and 13145, Food and Agricultural Code. Reference: Sections 13144 and 13145, Food and Agricultural Code.