



Department of Pesticide Regulation



Brian R. Leahy
Director

MEMORANDUM

Edmund G. Brown Jr.
Governor

TO: Marylou Verder-Carlos
Assistant Director
Pesticides Program Division

for

FROM: Brian R. Leahy
Director
916-445-4000

DATE: July 17, 2017

SUBJECT: DIRECTOR'S RESPONSE CONCERNING DETECTIONS OF
METOLACHLOR/S-METOLACHLOR DEGRADATES IN GROUNDWATER OF
THE STATE

Attached is my decision in response to the findings and recommendations of the Pesticide Registration and Evaluation Committee subcommittee concerning groundwater detections of the ethanesulfonic and oxanilic acid degradates of metolachlor/S-metolachlor. My response has been made in accordance with all authorities and requirements stipulated in section 13150 of the Food and Agricultural Code which mandates this process of review for these detections. The subcommittee's findings and recommendations were transmitted to me on June 23, 2017; therefore, this response has been made within the 30 days statutory deadline.

I thank you and all the members of the subcommittee for carrying out this difficult task.

Attachment

cc: Rich Breuer, State Water Resources Control Board (w/Attachment)
Dr. Lori Lim, Office of Environmental Health Hazard Assessment (w/Attachment)
Sheryl Gill, Department of Pesticide Regulation (w/Attachment)





Brian R. Leahy
Director

Department of Pesticide Regulation



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DIRECTOR'S DECISION IN RESPONSE TO THE PESTICIDE REGISTRATION AND EVALUATION COMMITTEE'S SUBCOMMITTEE FINDINGS REGARDING THE DETECTION OF METOLACHLOR/S- METOLACHLOR DEGRADATION PRODUCTS IN GROUNDWATER

Section 13150 of the Pesticide Contamination Prevention Act (Article 15, Chapter 2, Division 7 of the Food and Agricultural Code) requires the Department of Pesticide Regulation (DPR) Director to respond to the findings of the Pesticide Registration and Evaluation Committee subcommittee (PREC subcommittee) concerning the detection of metolachlor/s-metolachlor degradation products in groundwater within 30 days of issuance. The findings and recommendations of the PREC subcommittee, entitled "Implementation of the Pesticide Contamination Prevention Act, Metolachlor/S-Metolachlor: Findings and Recommendations," were transmitted to the Department on June 23, 2017.

After DPR detected concentrations of the ethanesulfonic and oxanilic acid degradates of metolachlor/s-metolachlor (MESA and MOXA, respectively) in California groundwater, the PREC subcommittee held public meetings on March 28 and May 4, 2017 to determine if agricultural use of the pesticides could continue. At the May 4 public meeting, the PREC subcommittee determined pursuant to paragraph (1) of subdivision (c) of Food and Agricultural Code section 13150 that MESA and MOXA have not polluted and do not threaten to pollute groundwater. The PREC subcommittee findings and recommendations entitled, "Implementation of the Pesticide Contamination Prevention Act, Metolachlor/S-Metolachlor: Findings and Recommendations," memorialize that decision. The PREC subcommittee found that the detected groundwater concentrations of MESA and MOXA—which range from 0.05 to 20.2 µg/L—fell below the health-protective drinking water levels of 1300 µg/L (MESA) and 2300 µg/L (MOXA) established by the Office of Environmental Health Hazard Assessment. In addition, the PREC subcommittee found that groundwater monitoring and computer modeling results do not indicate that MESA or MOXA threaten to pollute groundwater under current use conditions. The PREC subcommittee recommended that DPR continue to monitor for both MESA and MOXA in groundwater to ensure that detections do not increase significantly in concentrations or frequency.

The Director reviewed and concurs with the PREC subcommittee finding that MESA and MOXA have not polluted and do not threaten to pollute groundwater, and finds that the continued monitoring of MESA and MOXA levels in groundwater is an appropriate approach to protect against pollution of the groundwaters of the state.



Department Action

- A. DPR will continue to monitor in areas of metolachlor/S-metolachlor use for any significant changes in concentrations or frequency of degraded detections. The Director will take immediate additional action if there is sufficient evidence that either MESA or MOXA is approaching the health-protective drinking water level, factoring in an adequate margin of safety.
- B. If the parent compounds, metolachlor/S-metolachlor, are ever detected in California groundwater and determined to be the result of legal agricultural use, the detected active ingredient will be subject to subcommittee review under Food and Agricultural Code section 13149(c).

On behalf of the California Department of Pesticide Regulation,

Jessica Marko

Approved By: _____ for _____ Date: _____

Brian R. Leahy
Director