



California Notice 2017-07

NOTICE OF PUBLIC MEETING

PERTAINING TO METOLACHLOR/S-METOLACHLOR DETECTIONS IN GROUND WATER

May 4, 2017
9:00 a.m. (Pacific Time)
California Environmental Protection Agency (CalEPA) Headquarters Building
Coastal Hearing Room
1001 I Street, Second Floor
Sacramento, California 95814

BACKGROUND

The Pesticide Contamination Prevention Act (PCPA) of 1985 (Assembly Bill 2021, Food and Agricultural Code sections 13141 through 13152) requires the Department of Pesticide Regulation (DPR) to monitor and review the use of pesticides designated as having the potential to contaminate ground water. If DPR detects a pesticide or its degradation product in ground water, the PCPA requires DPR to determine if the detection resulted from legal agricultural use. Once this determination is made, DPR notifies registrants of the opportunity to request a hearing to determine if continued use of the pesticide should be allowed. If no registrant requests a hearing, the agricultural use product registrations are canceled.

DPR detected two degradation products, ethanesulfonic acid and oxanilic acid, of the active ingredients metolachlor and S-metolachlor in California's ground water. DPR determined these detections were the result of legal agricultural use of metolachlor/S-metolachlor products and provided notice to the registrants. At the request of the metolachlor and S-metolachlor product registrants, DPR held a public hearing on March 28, 2017 to gather information about the continued agricultural use of metolachlor and S-metolachlor. At this hearing, registrants presented oral testimony regarding metolachlor and S-metolachlor use, toxicity, and ground water exposure. Members of the public also gave testimony. In addition, written documents and comments were submitted to DPR regarding continued use of metolachlor and S-metolachlor. Written public comments were accepted prior to, and following, the March 28, 2017 hearing. The public comment period was closed on April 12, 2017. Information submitted to DPR by the registrants and the public is available to view or download at <http://www.cdpr.ca.gov/docs/emon/grndwtr/metolachlor.htm>



PURPOSE

The purpose of the May 4, 2017, public meeting is to hear additional information from state scientists about metolachlor and S-metolachlor use patterns, toxicology, alternatives, and mitigation options to determine if agricultural use of metolachlor and S-metolachlor should continue, and if so, under what conditions. The PCPA calls for a formal review of evidence by a subcommittee of DPR's Pesticide Registration and Evaluation Committee. The three-member subcommittee acts in an advisory capacity to DPR's Director and consists of one representative from DPR, the Office of Environmental Health Hazard Assessment (OEHHA), and the State Water Resources Control Board. The subcommittee reviews documented evidence presented and submitted by the registrant, state scientists, and others in order to determine whether:

- 1) The ingredient found in ground water has not polluted, and does not threaten to pollute, the ground water of the state.
- 2) The agricultural use of the pesticide can be modified so that there is a high probability the pesticide would not pollute the ground water of the state.
- 3) Modification of the agricultural use of the pesticide or cancellation of the pesticide will cause severe economic hardship on the state's agricultural industry, and no alternative products or practices can be effectively used so that there is a high probability pollution of the ground water of the state will not occur.

The subcommittee will make any of the above findings and recommendations within 90 days of the March 28, 2017 hearing. The Director will issue a decision regarding the continued agricultural use of the pesticide within 30 days of the submission of the subcommittee's reported findings. If none of the above findings are made, the product registrations may be subject to cancellation.

MEETING AGENDA

1. Opening remarks
2. DPR presentation
3. OEHHA presentation

The public is invited to attend this meeting; however, public testimony will not be taken. In addition, questions for the presenters will be limited to subcommittee members. This meeting will also be Webcast live to the public and can be viewed by selecting the appropriate link at <<https://video.calepa.ca.gov/>>. Information presented at the meeting will be available on DPR's Web site at <<http://www.cdpr.ca.gov/docs/emon/grndwtr/metolachlor.htm>> within a few days after the meeting.

PARKING

A parking garage between “I” and “J” Streets, with entrances on both 10th Street and 11th Street is located across from the Cal/EPA building. Metered parking spaces are also available in the vicinity of the building. For a map and additional information, refer to the CalEPA Web site at <<http://www.calepa.ca.gov/EPAbldg/Location.htm>>.

If you have any questions regarding the May 4, 2017 meeting, please contact Dr. Tulio Macedo by e-mail at <Tulio.Macedo@cdpr.ca.gov> or by telephone at 916-324-3527.

Original signed by Ann M. Prichard

Ann M. Prichard, Chief
Pesticide Registration Branch
916-324-3931

April 18, 2017

Date

cc: Dr. Tulio Macedo, DPR Senior Environmental Scientist (Supervisory)