



Department of Pesticide Regulation



Mary-Ann Warmerdam
Director

MEMORANDUM

Arnold Schwarzenegger
Governor

TO: Paul H. Gosselin
Chief Deputy Director

FROM: Mary-Ann Warmerdam
Director
(916) 445-4000

DATE: May 24, 2007

SUBJECT: DIRECTOR'S PROPOSED DECISION CONCERNING METHIDATHION AS A TOXIC AIR CONTAMINANT

Attached is a public notice of the proposed decision to declare methidathion as a toxic air contaminant. This proposed decision was based on the Scientific Review Panel's finding of methidathion as a toxic air contaminant. My response has been made in accordance with all authorities and requirements stipulated in the Food and Agricultural Code and California Code of Regulations¹ that mandate this determination.

Thanks to you, our staff, and all the members of the Scientific Review Panel for the excellent work.

Attachment

cc: [Redacted] (w/Attachment)
Air Resources Board

Joan E. Denton, Ph.D., Director (w/Attachment)
Office of Environmental Health Hazard Assessment

Jim Behrmann, Air Resources Board Liaison to the Scientific Review Panel (w/Attachment)

Scientific Review Panel (w/Attachment)

¹ The Scientific Review Panel's findings were transmitted on May 10, 2007. The Food and Agricultural Code and California Code of Regulations mandate that DPR's Director must respond within ten working days.





Mary-Ann Warmerdam
Director

Arnold Schwarzenegger
Governor

May 24, 2007

Post Until
July 4, 2007

NOTICE OF PROPOSED DECISION CONCERNING THE DIRECTOR'S DECLARATION OF METHIDATHION AS A TOXIC AIR CONTAMINANT

Section 14023 of the Food and Agricultural Code requires the Director of the Department of Pesticide Regulation (DPR) to determine if a pesticide is a toxic air contaminant (TAC) after receiving the findings of the Scientific Review Panel (SRP), a panel of experts representing a range of scientific disciplines. Based on the findings of the SRP's assessment of the report entitled "Final Draft Methidathion Risk Characterization Document" and the criteria given in Title 3, California Code of Regulations (3 CCR) section 6890(b), DPR's Director proposes to declare methidathion as a TAC.

Background

With the enactment of California's TAC Act (Assembly Bill 1807, Tanner, Chapter 1047, Statutes of 1983; amended by Tanner, Chapter 1380, Statutes of 1984), the Legislature created the statutory framework for the evaluation and control of chemicals as TACs. The statute defines TACs as air pollutants that may cause or contribute to increases in serious illness or death, or that may pose a present or potential hazard to human health. DPR is responsible for the evaluation of pesticides as TACs.

In general, the law focuses on the evaluation and control of pesticides in ambient community air. In implementing the law, DPR must: (1) conduct a review of the physical properties, environmental fate, and human health effects of the candidate pesticide; (2) determine the levels of human exposure in the environment; and (3) estimate the potential human health risk from those exposures. The law requires DPR to list in regulation those pesticides that meet the criteria to be TACs.

For each pesticide, the law requires the preparation of a report that includes: the environmental fate and use of the pesticide, an assessment of exposure of the public to air concentrations of the pesticide, and a health assessment. The report is reviewed by the Office of Environmental Health Hazard Assessment and the Air Resources Board, and is made available for public review. Based on the results of these reviews, the draft report is revised as appropriate. The draft undergoes a rigorous peer review for scientific soundness by the SRP. Based on the results of this comprehensive evaluation, DPR's Director determines whether the candidate is a TAC. If DPR's Director determines the pesticide meets the criteria to be a TAC, DPR declares the pesticide a TAC in regulation, and adds it to the TAC list.



Actions

DPR proposes to adopt a regulation designating methidathion as a TAC. DPR proposes to add methidathion to the list of pesticides in 3 CCR section 6860(a).

DPR will conduct a public hearing concerning the proposed regulation.

APPROVED BY: Mary Ann Warmerdam Date: 24 May 2007
Mary Ann Warmerdam, Director

