

June 13, 2007

Clerk of the Board
Air Resources Board
1001 I Street
Sacramento, CA 95814

Re: San Joaquin Valley 2007 Ozone Plan

We are writing on behalf of various registrants, applicators and users of soil fumigants in the State of California to comment on that portion of the San Joaquin Valley 2007 Ozone Plan (2007 Plan) concerning pesticides. Specifically, we are commenting on that part of the plan that references the pesticide inventory adjustments provided by the California Department of Pesticide Regulation (DPR). DPR's calculations regarding the emissions inventory and the impact of various application practices were released for public comment on May 18, 2007, with comments due on July 13, 2007. We are in the process of reviewing DPR's analysis. However, we believe it is important for the ARB to be aware that our analysis has indicated that the DPR inventory may seriously overestimate emissions. For example, the data currently available for one application method for chloropicrin, deep non-tarped shank injection, indicate that the emission rate for that method is approximately six times less than that indicated by DPR. We are developing the technical comments to be provided to DPR by July 13, 2007; however, as that will be after your consideration of the plan on June 14, 2007, we wanted to provide you with this preliminary information.

We note that because of the overestimation of the emission factors, some application methods which DPR has proposed to eliminate in its May 18 release should not be eliminated as they are important tools for growers. The severe economic consequences of the elimination of these methods are not justified given their relatively low contribution to VOC emissions. For example, DPR has proposed eliminating deep, non-tarped shank chloropicrin application. This application method is an essential tool for controlling orchard replant disease in the San Joaquin Valley. DPR has assigned an emission factor of 64% to this application method. We believe that a careful review of the existing facts will show that, given current agricultural practices, a 10% emission factor is more accurate. Similarly, overestimation of emissions could result in unnecessary restrictions on the use of soil fumigants, which also would result in significant economic impact.

As noted in DPR's memorandum of April 6, 2007,¹ DPR has indicated that it "is likely, if not certain, that DPR will revise its application method, adjustment factors, method use fraction estimates and the proposed regulations" after its review of the public comments. Therefore, we request that ARB's review of the San Joaquin Valley 2007 Ozone Plan specifically acknowledge

¹ Memorandum on Pesticide Volatile Organic Compound Emission Adjustments For Field Conditions and Estimated Volatile Organic Compounds Reductions—Initial Estimates, From Barry, Spurlock and Segawa to Sanders. Section VI (April 6, 2007).

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that the pesticide emission inventory estimates provided by DPR are subject to revisions and that ARB take no actions that would prohibit various fumigant application methods or fumigant use generally prior to the completion of the DPR review process.

If you have any questions, please contact Jim Wells at (916) 443-2793.

Respectfully Submitted,

California Farm Bureau
California Grape & Tree Fruit League
Chloropicrin Manufacturers' Task Force
Dow AgroSciences
Methyl Bromide Industry Panel
Trical, Inc.
Western Growers Association

cc: DPR