



Department of Pesticide Regulation



Edmund G. Brown Jr.
Governor

MEMORANDUM

TO: Chuck Andrews
Associate Director
Pesticide Programs Division

FROM: Chris Reardon
Chief Deputy Director
916-445-4000

DATE: September 7, 2011

SUBJECT: DIRECTOR'S RESPONSE CONCERNING DETECTIONS OF HEXAZINONE
PURSUANT TO ASSEMBLY BILL 2021

Attached is a public notice of decision serving as my response to the findings and recommendations of the subcommittee of the Pesticide Registration and Evaluation Committee concerning ground water detections of hexazinone. My response has been made in accordance with all authorities and requirements stipulated in the Pesticide Contamination Prevention Act (Assembly Bill 2021), which mandates this process of review for these detections. The subcommittee's findings and recommendations were transmitted to me on August 8, 2011. 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: Syed Ali, State Water Resources Control Board (w/Attachment)
David Ting, Office of Environmental Health Hazard Assessment (w/Attachment)
Lisa Ross, Department of Pesticide Regulation (w/Attachment)



**NOTICE OF DECISION CONCERNING THE DIRECTOR'S RESPONSE
TO THE PESTICIDE REGISTRATION AND EVALUATION COMMITTEE'S
SUBCOMMITTEE FINDINGS REGARDING
THE DETECTION OF HEXAZINONE IN GROUND WATER**

Section 13150 of the Pesticide Contamination Prevention Act (Article 15, Chapter 2, Division 7 of the Food and Agricultural Code) requires the Director of the Department of Pesticide Regulation to respond to the findings of the Pesticide Registration and Evaluation Committee (PREC) subcommittee within 30 days of issuance. The findings and recommendations of the PREC subcommittee, entitled "Implementation of the Pesticide Contamination Prevention Act, Hexazinone: Findings and Recommendations," were transmitted to the Department on August 8, 2011.

After reviewing the findings and recommendations of the PREC subcommittee, pursuant to paragraph (1) of subdivision (d) of section 13150, the Department concurs with their findings made pursuant to paragraph (1) of subdivision (c) of section 13150, namely that the agricultural use of hexazinone has not polluted, and does not threaten to pollute, the ground water of the state. Food and Agricultural Code section 13142(j) defines "pollution" as the introduction into the ground waters of the state of an active ingredient of a pesticide above a level, with an adequate margin of safety, that does not cause adverse health effects. The Director concurs with the subcommittee that based on the detected concentrations of hexazinone (ranging from 0.05 to 0.27 µg/L) and the health-protective drinking water level of 170 µg/L established by the Office of Environmental Health Hazard Assessment (OEHHA), hexazinone cannot be found to have polluted ground water. Further, the Director concurs with the subcommittee that a review of use data, agricultural trends, sampling data, and modeled predictions did not indicate a potential for hexazinone to pollute ground water.

The PREC subcommittee recommended that the Department continue to monitor for hexazinone in ground water to ensure that detections do not increase significantly in concentrations or frequency. The Director finds continued monitoring of hexazinone levels in ground water an appropriate approach to protect against pollution of the ground waters of the state.

Department Action

- A. The Department will continue to monitor in areas of hexazinone use for any significant changes in concentrations or frequency of detections.
- B. The Director will take immediate additional action if there is sufficient evidence that hexazinone is approaching the health-protective drinking water level, factoring in an adequate margin of safety.

On behalf of the California Department of Pesticide Regulation,

Approved By: *Christopher Reardon*

Christopher Reardon
Chief Deputy Director

Date: 09/07/2011

