

**NOTICE OF SECOND MODIFICATIONS TO TEXT OF PROPOSED CHANGES
IN THE REGULATIONS PERTAINING TO
HEALTH RISK MITIGATION AND VOLATILE ORGANIC COMPOUND EMISSION
REDUCTION FOR 1,3-DICHLOROPROPENE**

Pursuant to the requirements of Government Code section 11346.8(c) and section 44 of Title 1 of the California Code of Regulations (CCR), the Department of Pesticide Regulation (DPR) is providing notice of changes made to the proposed text of section 6448.4 of Title 3, CCR. Additional changes are being proposed for reasons stated below. The public comment period on the originally proposed regulatory action closed on January 18, 2023. The first 15-day comment period closed on May 31, 2023. The Director finds that the modifications are sufficiently related to the original text of the proposed action. The second modified text is being made available to the public for 15 days, during which written comments on the modifications will be received as provided in Government Code section 11346.8(c).

- Amend section 6448.4(a) to specify that the annual report for 1,3-Dichloropropene shall be issued for each calendar year by October 1 of the following year or as soon thereafter as is reasonably practicable, starting with a report covering calendar year 2024. It is necessary to specify that the report will be issued for each calendar year by October 1 or as soon thereafter as is reasonably practicable, to provide members of the public with the expected date of the report's release. The Annual 1,3-Dichloropropene Report will include analyses of pesticide use data provided by applicators via County Agricultural Commissioners and DPR air monitoring data provided via the California Department of Food and Agriculture analytical laboratory. DPR selected October 1 to provide sufficient time for the department to receive and analyze the data and draft the report. Laboratory analysis of air monitoring samples currently takes approximately six months, and DPR will need approximately three months to review, analyze and prepare a report of the data. Any additional time needed for the laboratory analysis or the department's review, analysis or reporting of the laboratory and pesticide use data may impact the report release date.
- DPR also proposes to move and renumber the proposed requirements for the content of the Annual 1,3-D Report to subsection (b). As a result of this renumbering, the originally proposed cross-reference to subsection (a)(1) is being renumbered to (b)(1) and originally proposed subsection (b) is being renumbered to subsection (c).

DPR will accept written comments relevant to the modifications between July 25, 2023, and 5:00 p.m. on August 10, 2023. Written comments relevant to the modifications may be sent via e-mail <dpr22005@cdpr.ca.gov>; or may be directed to Lauren Otani, Senior Environmental Scientist (Specialist), Department of Pesticide Regulation, 1001 I Street, P.O. Box 4015, Sacramento, California 95812-4015. FAX: (916) 324-1452.

Current wording of the regulation is shown in normal type. Originally proposed additions are shown by underline. Originally proposed deletions are shown by ~~strikeout~~. New wording added by the first modifications is shown in **bold and double underline**. Wording deleted in the first modified text is shown by ~~italics and strikeout~~. Wording added in this second modified text is

shown by **bold, double underline, and italics**. Wording deleted in this second modified text is shown by ***bold, italics, and strikeout***.

All written comments received by 5:00 p.m. on August 10, 2023, which pertain to the indicated changes, will be reviewed and considered in this rulemaking. Please limit your comments to the second modifications of the text.

This Notice of Second Modifications to Text of Proposed Changes and the text of second modified regulations are also available on DPR's Internet Home Page <<http://www.cdpr.ca.gov>>.