

Volatile Organic Compounds Regulation Update

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The State Implementation Plan (SIP) for ozone requires the Department of Pesticide Regulation (DPR) to track and reduce volatile organic compound (VOC) emissions from pesticides in five non-attainment areas. DPR estimates and tracks VOC emissions based on pesticide use report data, lab data on the VOC content of pesticide products, and field emission data for fumigants. Three of the five non-attainment areas currently do not meet the reduction obligations in the SIP. DPR has developed regulations to obtain the needed reductions by controlling fumigant emissions.

The regulations contain five major elements. First, pest control businesses must have at least one person certified in the new licensing sub-category for fumigation. Second, only "low-emission" fumigation methods can be used during May - October in the three non-attainment areas that need additional reductions. Third, pesticide use reports for fumigations in the five non-attainment areas must include the specific method of fumigation. Fourth, DPR must implement a fumigant limit for a non-attainment area if emissions exceed a trigger level. DPR will implement a fumigant limit for the Ventura non-attainment area in 2008, and likely in the San Joaquin Valley and Southeast Desert non-attainment areas in 2009. The fumigant limits are enforced through "emission allowances" included as a condition on restricted materials permits for each grower. Fifth, DPR must publish an annual report containing the latest emission estimates and any needed fumigant limits.