

8/2/11

~~(c) Deny any permit or notice of intent that would cause the fumigant limit to be exceeded.~~

~~(3) Condition permit to prohibit or require any of the methods allowed by sections 6447.2(a), 6448(c), 6449.1(b), 6450.1(d), or 6452 during the May 1 through October 31 time period.~~

~~(e) No person may apply a field fumigant during the May 1 through October 31 time period in an ozone nonattainment area for which a fumigant emission limit has been established pursuant to this section, unless their restricted material permit includes conditions specified in (c) or (d), or notice of intent is approved in writing.~~

~~NOTE: Authority cited: Sections 11456, 12976, 14005, and 14102, Food and Agricultural Code. Reference: Sections 11501, 14006, and 14102, Food and Agricultural Code.~~

6452.3 Field Fumigant Volatile Organic Compound Emission Allowances.

(a) To obtain a field fumigant emission allowance, a permittee shall request an emission allowance by submitting information to the commissioner by a date designated by the commissioner. The information must include but is not limited to the following:

- (1) restricted materials permit number;
- (2) crop;
- (3) number of acres to be fumigated; and
- (4) identification of each site to be fumigated.

NOTE: Authority cited: Sections 11456, 12976, 14005, and 14102, Food and Agricultural Code. Reference: Sections 11501, 14006, and 14102, Food and Agricultural Code.

~~6452.4 Annual Volatile Organic Compound Emissions Inventory Report.~~

~~(a) The Director shall issue an annual emissions inventory report for the Sacramento Metro, San Joaquin Valley, South Coast, Southeast Desert, and Ventura ozone nonattainment areas. The emission inventory report must:~~

- ~~(1) report the total agricultural and structural (fumigant and nonfumigant) pesticide volatile organic compound (VOC) emissions for the previous years. Nonfumigant pesticide product emissions will be the summation of the pounds of each pesticide product used multiplied by the VOC content (emission potential) for the specific product. Fumigant product emissions will be the summation of the pounds of each pesticide product used multiplied by the emission potential for that specific product and VOC emission rating for the application method, as specified in (3);~~
- ~~(2) evaluate compliance with the total pounds of agricultural and structural VOC emissions specified in section 6452.2;~~
- ~~(3) establish fumigant emissions limits pursuant to section 6452.2 for the upcoming year;~~
- ~~(4) establish an emission rating for each field fumigation method described in sections 6446.1, 6447.3, 6448.1, 6449.1, 6450.1, 6450.2, 6451.1, or 6452. The emission rating will be expressed as a percentage of the amount of fumigant applied. The Director shall base the emission rating upon available scientific data documenting the VOC emissions.~~

~~(b) A draft emission report shall be made available to the public for comment. A 45-day public comment period will be provided to allow for submission of written statements or arguments to the Director for review before finalizing the Annual Volatile Organic Compound Emission Report. The emission report will be posted on the Department's Web site.~~