Denny

Office of Environmental Health Hazard Assessment

Joan E. Denton, Ph.D., Director
Headquarters • 1001 I Street • Sacramento, California 95814
Mailing Address: P.O. Box 4010 • Sacramento, California 95812-4010
Oakland Office • Mailing Address: 1515 Clay Street, 16th Floor • Oakland, California 94612

Winston H. Hickox
Agency Secretary

Gray Davis
Governor

MEMORANDUM

TO: Paul Gosselin
Chief Deputy Director
Department of Pesticide Regulation

FROM: Val F. Siebal
Chief Deputy Director
Office of Environmental Health Hazard Assessment

DATE: April 9, 2003

SUBJECT: DEVELOPMENT AND CONSULTATION ON METHYL BROMIDE REGULATIONS

Thank you for your March 17, 2003, memorandum regarding the ongoing consultation that our office is providing to your department on the development of methyl bromide regulations based on a sub-chronic reference exposure level (REL). Specifically, you referred to the issue of consistency in health-based recommendations and regulatory approach. This issue was also raised in the April 2, 2003, letter from Paul Helliker to Senator Byron Sher and Assembly Member John Laird.

Specifically, in the current evaluation of methyl bromide by the pesticide program, staff have consulted and included input from the Office of Environmental Health Hazard Assessment's (OEHHA) Air Toxicology Section on the analysis and recommendations concerning the sub-chronic air target level. Note that the Air Toxics Hot Spots Risk Assessment Guidelines, which are undergoing revision pursuant to Senate Bill 25 to specifically account for infants and children, only address the development of acute and chronic RELs and do not have procedures for sub-chronic RELs.

OEHHA's position for both our air toxics and pesticide programs remains as stated in our March 11, 2003, memorandum from Anna Fan to Chuck Andrews that supports a sub-chronic air target level for methyl bromide of no greater than 1 parts per billion (ppb) for children (which does not incorporate additional uncertainty factors). Note that the Department of Pesticide Regulation's (DPR) peer review by the National Academy of Sciences (NAS) was consistent with our recommendations of 1 ppb as a sub-chronic level. The NAS Executive Summary of that peer review states on page 3: "The subcommittee also supports DPR's 6-week RfC's of

2 ppb and 1 ppb for adults and children, respectively, based on a LOAEL of 5 ppm for decreased responsiveness, and spleen weight in dogs."

We appreciate the value you put on our assessments and will continue in providing our consultation to your department on the important issues relating to methyl bromide regulations. If you have any questions, please contact me at (916) 324-2831.

cc: The Honorable Byron Sher
California State Senate
P.O. Box 422848
Sacramento, California 94249-0027

The Honorable John Laird
California State Assembly
P.O. Box 942849
Sacramento, California 94249-0027

Joan E. Denton, Ph. D.
Director
Office of Environmental Health Hazard Assessment

Paul E. Helliker
Director
Department of Pesticide Regulation

Department of Pesticide Regulation

Paul Helliker
Director

Gray Davis
Governor
Winston H. Hickox
Secretary, California Environmental Protection Agency

MEMORANDUM

TO: Val Siebal
Chief Deputy Director
Office of Environmental Health Hazard Assessment

OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT
Received
MAR 20 2003
Sacramento

FROM: Paul Gosselin
Chief Deputy Director
(916) 445-4330

DATE: March 17, 2003

SUBJECT: DEVELOPMENT AND CONSULTATION ON METHYL BROMIDE REGULATIONS

Thank you for your memorandum designating your staff to work with us on the development of the methyl bromide regulations. I agree that the timeframe to develop and propose these regulations are fairly tight. Fortunately, there are only a few new areas related to the risks and regulation of methyl bromide that have not been previously discussed. Given the experience our staffs have in evaluating and regulating the risks associated with methyl bromide, I am confident we will be successful.

I was pleased that your staff provided an evaluation (peer review) of the addendum regarding the subchronic endpoint. Your staff's analysis is very important to our deliberations. I understand that the initial meeting on March 12 went well.

As we proceed forward in regards to choosing the most appropriate subchronic regulatory value, I want to see if you would make sure that your staff's recommendation, which I understand is mainly from the Office of Environmental Health Hazard Assessment's (OEHHA's) Pesticide Unit, is consistent with the views of your Air Toxics Program.

The views from your Air Toxics Program is very important to us because we intend to use the subchronic regulatory value to manage risks from chambers that use methyl bromide. Methyl bromide emissions from chambers are regulated by the Department of Pesticide Regulation through the county agricultural commissioners and also fall under the jurisdiction of the air pollution control districts. We and the Air Resources Board have worked since 1995 to facilitate a coordinated permitting process at the local level. The districts base their permit decisions on recommendations from OEHHA's Air Toxics Program in the form of reference exposure levels (RELs). We hold the RELs developed by OEHHA in high regard. The methyl bromide RELs developed by OEHHA followed published risk assessment guidelines that are equivalent to our own methodology. The approval of the RELs by the Scientific Review Panel emphasizes their standing.

Although RELs were only developed for acute (one hour) and chronic risk, in the future, I expect the air districts may be interested in subchronic exposures from stationary sources. Additionally, the air districts involvement in the development of our regulations speaks volumes to the importance of consistency in our health-based recommendations and regulatory approach.

Although your Air Toxics staff may not have participated in our previous consultations, they attended the public workshop last month and are familiar with the issues. Thank you in advance of looking into this issue.