



FDEP's final policy, although we do know the policy will be more conservative if ground water in the area is used for drinking water.

**Option 3:** *Position ourselves to perform a risk assessment.*

Whether Option 1 or 2 is selected, it was worthwhile considering a risk assessment. For this effort, our testing would include collection of site-specific information that would enable us to evaluate the potential human health risk due to exposure to the elevated arsenic levels.

**Pros:** This work would enable us to present a better technical basis for whatever remedy we propose depending on whether or not undue risk is present. A risk assessment would probably be required by FDEP anyway if the desire is to propose a nonstandard remedy to resolving the problem (for example, proposing no cleanup and monitoring only or minimal cleanup) and if the plan is to propose arsenic cleanup criteria that are less stringent than the State's.

**Cons:** This adds another step and additional front-end cost to the project. The risk assessment may or may not prove successful in minimizing the total costs to resolve this problem. Also, this assessment (which would be in the public record) would present estimated risks to golfers, workers and others in the area.

In this example, the owner decided to evaluate the presence of arsenic throughout the golf course and to pursue a risk assessment. Hopefully, an argument can ultimately be made for a low-cost remedy. This outcome may be strengthened by the fact that the presence of arsenic is probably due to the legal use of pesticides and/or fertilizers. Whereas the FDEP may require cleanup for an isolated problem, some FDEP officials seem reluctant to require cleanup of a golf course-wide problem.

It is possible that more and more owners may be faced with these types of decisions (no one knows how prevalent this problem is throughout Florida). The opportunity is there for owners to have a say in how this matter will be addressed in the future. Since the State of Florida is

in the process of policy development, there is an immediate need for the golf course industry to actively work with the State toward a policy that is comfortable for both sides. It is worth expending some effort on this and the State is willing to listen.

**Editor's Note:** *Chris is working on behalf of several golf course owners to negotiate solutions with FDEP regarding the presence of elevated arsenic levels at golf courses. He is a member of a state task force charged with development of new environmental cleanup guidelines in Florida. As information comes to light which could be of use to the golf course industry, he plans to share this with the FGCSA. If you have any information (experiences at other golf courses, etc.) which could help him reach a practical solution to the arsenic matter, feel free to contact him at (561) 736-4648 or via e-mail at [ermjsch@aol.com](mailto:ermjsch@aol.com).*

## FQPA Update

### Environmentalists Get Off TRAC!

**T**he Environmental Working Group (EWG), the most vocal anti-pesticide activist organization in the FQPA controversy, has resigned from the FQPA Tolerance Reassessment Advisory Committee (TRAC).

In a letter to Vice President Al Gore, EWG complained the Administration has failed to take "any tangible action to actually protect children from pesticides" and sharply criticized recently passed legislation that delays the phase-out of methyl bromide. EWG also claimed the Administration has been unwilling to act to reduce pesticide risks "in deference to economic concerns of agribusiness groups, pesticide companies and food processors."

EWG had threatened to pull out of the process earlier this year when USDA and EPA agreed to extend the TRAC sessions into 1999.

•The FQPA science issues framework was published in the Oct. 29 *Federal Register*. The framework is a schedule for the

issuance of a series of nine science policies to implement FQPA provisions. The framework is a direct result of TRAC discussions and comments on each interim science policy document will be invited through separate notices in the *Federal Register*.

•Idaho, Michigan, Pennsylvania, California and others are working on state resolutions supporting the industry position on FQPA that real exposure data should be used by EPA and that the law's deadlines should be extended to allow time to collect the data.

•The Western States FQPA Coalition will ask EPA to remove nonfood and nonfood-type uses from risk cup calculations in an issue paper being prepared by the group, reports the American Crop Protection Association (ACPA). Nonfood uses include sod production, ornamental nursery stock, and crops grown for seed. The position paper maintains nonfood uses do not pose dietary risk and that their removal from the process would allow for more efficient implementation of FQPA.

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### FQPA Letter Offer The Dialogue Continues

**F**QPA Implementation won't go away and neither should we! We need to keep emphasizing a scientific and realistic process to Congress. Joel Jackson, FGCSA Director of Communications will prepare a letter to your representative and senators for your signature on your club's letterhead. Just send three sheets of your club's letterhead and a self-addressed stamped envelope to Joel Jackson, FQPA, 6780 Tamarind Circle, Orlando FL, 32819. The letters will be returned to you for your signature and mailing to your legislators to keep the pressure on EPA to use good science and common sense in enacting the law.