

## UPDATE

### Arborists file suit over noise rules

The National Arborist Association (NAA) filed suit in June against The U.S. Department of Labor for "arbitrary, capricious, discriminatory, and unconstitutional" regulation under the Hearing Conservation Amendment.

The suit, filed in the U.S. Court of Appeals, claims the Occupational Safety and Health Administration regulation adversely impacts, harms and prejudices the membership of the Association. The Amendment, to take effect March 1, 1984, requires employers to monitor noise levels in employee work areas. Noise levels are not to average more than 85 decibels (dB) over an eight-hour period. OSHA has allowed exemptions to agriculture, oil and gas drilling, and the construction industry.

"The ominous aspect of this regulation is it makes an employer responsible for hearing loss, regardless of the cause," says NAA Executive Vice-President Robert Felix.

"Although chippers, stump cutters and chain saws exceed the decibel level, hearing protection required by other legislation reduces noise levels to well below the required level," Felix points out.

The NAA suit was filed in the US Court of Appeals naming US Department of Labor and Occupational Safety and Health Administration officials as defendants. NAA pointed out the sound level of a typical disco is 127 decibels. The organization seeks to resolve the matter before the compliance date of March 1, 1984.

### Nursery lab saved from budget cuts

A broad-based plea to save the Delaware, Ohio, Nursery Crops Research Laboratory from the budget ax has succeeded. The appeal, led by the American Association of Nurserymen, was initiated after word leaked from various budget committees the Delaware facility and two others were in jeopardy.

The present level of funding, more than \$5 million, will be retained and "Research work will be continued," said Orville Bently, USDA Assistant Secretary for Science and Education.

### Monsanto exec urges joint R and D

Testifying before a U.S. House subcommittee on agriculture in June, Dr. John Marvel, general manager of Agricultural Products Research for Monsanto, called for more government effort to encourage joint research programs in agriculture.

Marvel emphasized the need for protection of current research data and "a growing erosion of national and international property rights."

"For decades our agricultural productivity has been sustained by scientific and technical advances and the quick application of these technologies. Now this momentum is threatened.

"The role of government should be to focus on setting national policies and priorities for publicly funded programs and research. New research efforts must reach across campus disciplines, federal research organizations, and private industry to create new types of research teams which will help each other and bring new scientific disciplines into agriculture."

range plan, the reorganization of the research program and \$1.5 million building expansion. He has also authored more than 200 articles and journals.

"We are very excited about having Dr. Turgeon join us," said Ross Pechto, vice president of operations for Tru Green. "We feel he is the undisputed expert in the country regarding turf research and turf management. He will bring the kind of knowledge and expertise to Tru Green that every company needs in order to succeed."

In his new position, Turgeon will coordinate corporate research and act as liaison between the company and the academic world. Tru Green has offices throughout the eastern United States.

Dr. James Gardenhire will take over Turgeon's duties at Texas A&M Research and Extension Center until a full-time successor is named.

#### STAFF

### Third editor joins *Weeds Trees & Turf*

Kevin Cooney, a news journalist trained at Colorado State University and raised in New Jersey, was named assistant editor of *Weeds Trees & Turf*, *Lawn Care Industry* and *Pest Control* magazine in July. He becomes the third member of the editorial staff, including Associate Editor Maureen Hrehocik and Executive Editor Bruce Shank.



Kevin Michael Cooney, new assistant editor

Cooney's experience ranges from newspaper reporter to public relations for the Colorado Extension Service.

This is the first time *Weeds Trees & Turf* has had an editorial staff larger than two. "We are putting great emphasis on news and personal interviews with readers," said Shank. "To do this well, we needed a third editor."

### Sales changes made for WT&T and LCI

Group Publisher Bob Earley announced changes in the sales staff for *Weeds Trees & Turf* and *Lawn Care Industry* magazines in July following

*Continued on page 19*