

LANDSCAPE MANAGEMENT

LEGISLATION

New lawn council meets with EPA representatives

WASHINGTON, D.C. — Better communication between the Environmental Protection Agency (EPA) and the lawn care industry was a chief topic discussed during a recent meeting in the nation's capital.

The meeting between PLCAA's newly-formed Council for Lawn Care Information and EPA officials was especially timely in light of recent activism against and legislation regulating the use of pest control chemicals in many states.

Those present at the meeting included Jim Wilkinson, PLCAA's director of environmental and regulatory affairs; Bob Earley, publisher of *Lawn Care Industry* magazine; and various LCOs, university experts, manufacturers,

formulators and distributors.

The meeting included a discussion about whether or not LCOs would be included in agricultural worker protection standards currently being promulgated. The lawn care industry would like input on these standards, and would like to see distinctions made between mixers, loaders and applicators.

Depending on the toxicity of particular pesticides, there might someday be three levels of certification required. Some products would be applied only by certified applicators, others would require an on-site supervisor and others would require a supervisor be available within a reasonable time of application. □

MORE LEGISLATION

PLCAA challenges new local ordinance in Mayfield, Ohio

COLUMBUS, Ohio — The Professional Lawn Care Association of America (PLCAA) has filed in the U.S. District Court of Ohio challenging a local ordinance on constitutional grounds.

The village of Mayfield had passed an ordinance requiring lawn chemical users to notify abutting neighbors when they planned to spray lawns and to tell them the type of chemicals being used.

"The industry is not opposed to reasonable, sound regulation, and we're not opposed to further regulation in the state of Ohio," says PLCAA's Jim Wilkinson. "However, there are some 88,000 local governments in the United States, and if each of those governments decided they wanted to regulate the lawn care industry, it would create ab-



solute chaos."

The PLCAA is asking that Mayfield be permanently restricted from enforcing the ordinance and that it be prohibited from passing similar ordinances.

The association believes that the Federal Insecticide, Fungicide and Rodenticide Act established that only states or the federal government could regulate pesticide use. "Mayfield Village," reads the suit, "by purporting to regulate pesticide use, violates the Supremacy Clause of the U.S. Constitution."

Sign-posting regulations took affect across Ohio on June 1. They prohibit lawn

service companies from applying pesticides to residential lawns in any municipality or subdivided area of a township without meeting certain requirements.

Requirements include written notification to the property owner listing the pesticides applied and other information.

Companies are also required to make a reasonable attempt to notify residents of adjacent property prior to an application, providing the neighbor has asked the company in writing to provide such notification.

Such proposed legislation is not unprecedented. In 1984, the city of Wauconda, Ill. unsuccessfully tried to pass the same type of laws that would, in effect, pre-empt the FIFRA laws. □

TREES

'Waggle' damage examined in U.K.

LONDON, England — Scientists here are seeking ways to minimize tree damage caused by high winds.

Wind damage results in the loss of hundreds of thousands of trees each year in the United Kingdom, representing approximately 13,000 forest acres.

Dr. Ronnie Milne has been leading a research team at the U.K. Natural Environment Research Council's Institute of Terrestrial Ecology that could have applications in the U.S.

Milne reports that 40 mile per hour winds combining with the trees' natural swaying motion results in extreme movement, or "waggle."

Milne and his associates are constructing mathematical models of how trees bend in the wind in order to find ways to reduce the losses due to wind damage. According to Milne, site selection, soil depth, spacing and drainage all affect the trees' wind survivability. □