

# LANDSCAPE MANAGEMENT

INCORPORATING LAWN CARE INDUSTRY

## New faces in U.S. Capital but industry challenges remain



Capitol Hill staffer James Aidala says legislators divided on preemption.

**Federal preemption will remain elusive this year; industry must continue to work at local and state levels.**

■ Washington D.C.'s message to the chemical green industry: Lobby. Play the legislative game. But, don't neglect local issues either. Congress this year isn't likely to pass legislation that will preempt local political bodies from enacting their own pesticide use laws. So far, only scattered local jurisdictions have rushed toward pesticide-use laws. Where they have, it's created havoc.

"You probably have some time to work," says Claudia McMurray, minority council, Senate Committee on Environment and Public Works.

The reason: the unprecedented number of new faces in Washington D.C.—President Bill Clinton and his administration, new EPA chief Carol Browner, 110 freshmen representatives, 11 new senators. (That doesn't even include new or reassigned legislative aides, individuals working directly with legislators, and

committee staff members, the people who supply legislators with information and, sometimes, opinions that drive legislation.)

"We're just barely getting started," says McMurray. Everybody in Washington is waiting to see where the Clinton administration is on the issues, she says.

So far lawn/landscape chemical pesticide use, is not high on its list. Health care and Clinton's economic package dominate the administration's attentions.

Other issues, says McMurray, that will probably take precedence over pesticide use deliberations include a Clean Water Act, the reauthorization of Superfund, amendments to the Safe Drinking Water Act, and a stronger Endangered Species Act.

James Aidala, a staff member with the House Government Operations Committee, says food safety will be a bigger issue than lawn/landscape pesticides.

"Lawn care is going to be a very small piece of that puzzle," he says. "So, the more that you (green industry) can have worked out among yourselves, the better off you'll be. Congress is not going to spend a lot of time on these issues...given all these other things going on."



Pennsylvania lawn care professionals (l. to r.) Bob Williamson, Kenneth Clemmer, and Larry Ellmaker practiced delivering the message they were going to present the following day on Capitol Hill to, right, Tom Diederich, Orkin Pest Control, Atlanta.



Meeting with Ohio Senator John Glenn's staff in February: (foreground to back) Mark Laube, Barefoot Grass Lawn Service; Gene Poole, Emerald Green/Bolton Lawn Care; Michael Dietrich, Lesco, Inc.; and George Gossett, DowElanco.



Although Aidala says the green industry and its critics seem to be approaching common ground on posting and chemical registries, preemption will be difficult to pass this year.

Last year, industry's lobbying effort to get federal preemption legislation ran out of time.

The 102nd Congress ended before the full House Agriculture Committee could act upon a bill to prevent local governments from regulating the use of pesticides. Almost 100 cosponsors in the House and 22 in the Senate had signed onto the "National/State Pesticide Regulation Partnership Act of 1991" which also set strict standards for certification and verifiable training.

Most green industry associations willingly supported the proposed bill's certification and training provisions.

Although legislation for federal preemption could get another legislative push this year, "it's not the sort of thing that's going to get worked out easily," warns Stan Ray, staff director for The House Department Operations and Nutrition House sub-committee.

"Preemption is going to be the one issue where members divide," adds fellow staffer Aidala, "It will get swept up in larger politics, especially agricultural uses of products."

Although 12 states passed new preemption legislation in 1992, industry suffered setbacks in Maryland, Kentucky and Washington. This year could see Alabama, Illinois, Massachusetts, and Texas consider the issue also.

On another front, Senator Joseph Lieberman (D-CT) will "probably be reintroducing" his "Notification of Chemical Application Act of 1992," says top Lieberman aide Sara E. Walzer.

Although no lawn care hearings had been planned as of mid March, Walzer said hearings will take place as the bill goes through committee.

Posting, notification and registry provisions in Lieberman's newest proposal are toned down from the Senator's first effort in 1990. Even so, industry remains uneasy with its intent.

Lieberman's proposed amendment to The Emergency Planning and Community Right-To-Know Act sets stiff fines and jail terms for lawn pros who willingly don't notify—also, homeowner posting.

PLCAA, for its part, has its own "lawn care bill" which it threatens to push should Lieberman's bill surface.

—Ron Hall

## **LC pesticide advisory board gave industry and its critics their say**

■ We may not have the LCPAC to kick around much longer.

LCPAC? Few turf/landscape professionals know of the Lawn Care Pesticide Advisory Committee (LCPAC). Ostensibly, its purpose has been to explore ways "to reduce the public's risk to exposure by lawn care chemicals," said Vic Kimm of the U.S. EPA. But, in reality, it's been a protracted debate with representatives from specialty chemicals and allied user groups versus pesticide critics, with the EPA and regulators acting as referees.

Indeed, the LCPAC itself hasn't agreed on whether its deliberations are fueled by safety concerns, a view sought by anti-pesticide members of the board but hotly denied by industry.

"People continue to buy and use our products," said William Chase, Jr., a LCPAC member representing Chevron Chemical. "The sales information sends us a positive message that there's no overwhelming concern by the public."

The LCPAC, formed by the U.S. EPA last spring, has met twice near the capital. It's advisory. Its charter expires in May.

Some of its 28 members represent the chemical and lawn care industries. Others represent public interest groups that seek stricter regulation and less use of pesticides.

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## **A plan to save our world**

■ Vice President Albert Gore would save the world.

He would start by mobilizing the world's governments to cooperatively attack the earth's environmental woes, he writes in his book, "Earth in the Balance, Ecology and the Human Spirit" (Houghton Mifflin Company). The United States will spearhead this environmental crusade to save society from its headlong rush to ecological suicide.

Of interest to anyone involved with ag or specialty chemicals: somewhere among the ecological ills—and apparently down the list since Gore mentions it only in passing—is modern agriculture's profligate use of pesticides.

"The huge amounts of fertilizer and pesticides now routinely used in agriculture frequently drain off into the groundwater beneath the fields, contaminating them for many centuries to come," he says.

This is the kind of generalization that Gore, a former newspaperman, likes to lean on throughout the book. There are many others.

"Earth in the Balance..." is a call to

action. Indeed, it covers a lot of real estate, an entire global environmental rescue plan in just over 400 pages.

Gore wrote the book while he was Sen. Al Gore from Tennessee, and after he'd failed in his 1988 Presidential run. It appeared on bookstands during 1992 when Gore was again blistering the campaign trail. The book takes some sharp jabs at former-opponent and former-president George Bush and his environmental policies.

(Who cares now?)

Political jabs aside, Gore's oft-repeated bigger message is the listing of the Earth's largest environmental catastrophes-in-the-making. Then he tells how to solve them.

Gore's book is earnest and his concerns seem genuine. But, he stretches a little bit of science over an awful lot of ground. Even that little bit of science is hotly disputed.

For better or worse, Gore, as vice president, probably won't get a chance to reshape modern civilization in 1993.

—Ron Hall

