

HOT TOPICS

EPA will ask states for yet another round of lawn care inspections

Industry says violation rate of 1992 inspections gives misleading impression of lawn care safety.

ALEXANDRIA, Va.—When states, directed by the U.S. EPA, conducted 760 additional inspections focusing on lawn care in 1992, about 34 percent of the inspections found violations.

What does this mean? That's what several key lawn care industry members asked U.S. EPA officials at a meeting of the Lawn Care Pesticides Advisory Committee (LCPAC) here in February.

What it means is another round of unannounced inspections of lawn care application companies across the country, says EPA's Maureen Lydon.

The EPA wants yet more data on the industry. Meanwhile, it's putting together a "compliance assistance packet" which will tell LCOs how to better meet state and federal regulations.

LCOs at February's LCPAC meeting claimed the fiscal 1992 inspections unfairly portrays the industry's willingness and/or ability to comply with oftentimes confusing pesticide-use regulations. They pointed out that 25 percent of the documented violations involved recordkeeping and other non-safety issues.

Even so, as one industry member admitted, the 34 percent violation rate will make "great sound-bite stuff." Industry critics, he said, will point to this number should lawn care be the subject of a

Congressional hearing again later this spring. (As of mid-March no plans had yet been made for more so-called 'victims' hearings.)

Indeed, the EPA directed the state agencies to inspect 10 additional lawn care firms each (actually some inspected more) as a result of just such a lawn care hearing before a U.S. Senate subcommittee in May 1991.

Kimm: not a statistical sample

EPA official Vic Kimm of the '91 hearing. At that Senate subcommittee hearing both pesticide critics and the General Accounting Office scolded the EPA. The resulting 1992 inspections provide a "snapshot" of LCOs' activities, not a statistical sample, he explained.

"We can take the data and read it in a lot of ways," admitted Kimm, deputy assistant administrator of the Office of Prevention, Pesticides and Toxic Substances.

But Russ Frith, President and CEO of Lawn Doctor, said unlicensed applica-

"We were asked, 'What do we know about the nature of violations?'" said

Frith: unlicensed operators are a problem



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tors accounted for 15 percent of all violations, and should not be included with licensed operators. Marty Erbaugh, president of Lawn-mark, added that the "snapshot" drawn from the inspections is too narrow.

"We're not dealing with any kind of national crisis, but we do think we can do a better job of it (compliance)," responded EPA official Stephen L. Johnson.

Art Losey, a regulator from the Washington State Ag Department said he was surprised at the number of violations, but admitted, "some of our best applicators, if you look close enough, you're going to find something wrong. That's the world out there."

Even so, Losey said professional users of lawn/landscape pesticides seem to be doing a better job of complying with regulations in his state.

Industry and the EPA agreed on the need for a more aggressive educational effort directed at lawn/landscape care companies.

The EPA's Maureen Lydon promised that "compliance assistance packets" would be made available to lawn care companies before the additional lawn care company inspections planned for fiscal 1994.

But when a lawn care spokesman suggested that applicators be supplied with this information just before an impending inspection, regulatory officials balked. Inspections must be unannounced, they insisted.

"If our people (applicators) are licensed, we expect them to know the law," said Washington State's Losey. "We expect them to know how to read a label."

—Ron Hall



Kimm: not a statistical sample



Erbaugh: 'snapshot' too narrow

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Pesticide-sensitivity issue debated at LCPAC meeting

ALEXANDRIA, Va.—Mary Lamielle says she suffers from Multiple Chemical Sensitivity (MCS). She says she becomes ill when she's exposed to any number of chemical products, pesticides included.

Lamielle is president of the National Center for Environmental Health Strategies, Voorhees, N.J., and also a member of the U.S. EPA-sponsored Lawn Care Pesticide Advisory Committee (LCPAC).

"Pesticides are making people sick and keeping them sick," said Lamielle during a 10-minute recitation in front of the 24 LCPAC members. But MCS is not exclusively tied to pesticides, she said. It can be initiated by exposures as disparate as automobile exhaust and the fumes from new carpeting.

Once an individual acquires a MCS they often react to more and more chemical products at lower and lower exposure levels. Symptoms include headaches, fatigue, mental confusion and upset stomach, she said.

"My guess is that many of your (pesticide) applicators have spoken to people

who are sick or are getting sick," she claimed.

Allen James of RISE (Responsible Industry for a Sound Environment), and also a member of LCPA, protested. "This presentation is not scientific nor is it contributing to our deliberations," he said.

Several other LCPA members representing the chemical industry pointed out that opinion, even within the main-stream medical community, concerning MCS isn't as clear-cut as Lamielle claims.

"It seems the EPA itself has some question about Multiple Chemical Sensitivity," said William Chase, Chevron Chemical Company.

EPA's Vic Kimm, however, termed MCS "an area of growing concern."

The LCPAC was established one year ago under the umbrella of the U.S. EPA. It is composed of about 25 members representing the chemical industry, lawn care business owners, several public interest groups, and state agencies. It has met three times in the year since it was formed.

—Ron Hall

Scotts, Sandoz plan 1994 label for jointly-developed fungicide

DES PLAINES, Ill.—Sandoz Agro and O.M. Scott & Sons has signed a limited time, exclusive agreement for Rizolex fungicide.

Rizolex, as a stand-alone product or in combination as a fungicide premix, will use a new chemistry developed by Sandoz. According to a Sandoz press release, this unique chemistry provides superior, cost-effective brown patch and snow mold con-

trol for both cool- and warm-season turf.

Rizolex (tolclofos-methyl) has been field tested by the two companies since the mid-1980s. Sandoz expects it to be registered as early as 1994, with the market launch of Scotts' products formulated with Rizolex possible in 1995. Scotts estimates that it will use Rizolex in up to six turf care products.

FTGA coloring book tells value of turf

■ The Florida Turfgrass Association (FTGA) wants to educate children on the benefits of turfgrass. It's created an activity booklet called "Follow FTGA's Turfgrass Friends."

Coloring pages, cartoon characters, word puzzles, and drawing games fill the booklet. All illustrate the importance of turfgrass to the environment and our quality of life. Through these illustrations and activities, children learn about the role of turfgrass:

- ✓ in trapping air pollutants,
- ✓ absorbing carbon dioxide and releasing oxygen,
- ✓ filtering and filling the underground water supply,
- ✓ cooling the environment and preventing erosion, and
- ✓ providing great playing surfaces.

For more information on this project, contact the FTGA office, 302 S. Graham Ave., Orlando, FL 32803; (800) 882-6721.

Family medical leave: the rules

WASHINGTON—The Family & Medical Leave Bill has passed both the House of Representatives and Senate, and Pres. Clinton has signed it into law.

Here is what is required of you, if you employee 50 or more workers:

● 12 weeks of unpaid leave during any one-year period for births, adoptions, care of seriously ill children, parents or spouse. (Only workers who have been employed for at least 12 months and for at least 1,250 hours of service during those 12 months are eligible.)

● You must return the worker to his/her old job or an equivalent position.

● You must maintain existing health care benefits.

Employees who use the medical leave are not eligible for unemployment compensation during that period. And if the employee does not return to work, you can recapture the health care premiums paid during the leave.

You may also deny leave benefits to salaried employees in the highest 10 percent of your workforce if the leave would create "substantial and grievous injury" to the business.

Look for more information when the American Association of Nurserymen publishes a compliance guidebook. For more information on the guidebook or membership into the AAN, write 1250 I St., Suite 500, Washington, DC 20005 or phone (202) 789-2900.

Business coaching services offered

BAKERSFIELD, Calif.—The Landscape Horticulture Center for Personnel Development (LCHPD) is offering a new service that can provide landscaping, nursery and tree care companies with information and guidance for successful business management practices.

"Business Coaching" is a way to get information on running small businesses. It covers general business management, financial management, marketing and sales, personnel management (including recruiting and training), expansion and profitability. Guidance for buying or selling an existing business is also available.

For further information, call Jim Keener at (800) 359-6647 or (805) 498-6916.