

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

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

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



Frith: unlicensed operators are a problem



Erbaugh: 'snapshot' too narrow

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