

# PESTICIDE INCIDENT REPORTING AND TRACKING (PIRT)

## REVIEW PANEL

### JUNE 19, 2008 MINUTES

DEPARTMENT OF HEALTH

TUMWATER, WASHINGTON

(APPROVED JULY 17, 2008)

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#### PANEL MEMBERS IN ATTENDANCE:

Cynthia Lopez (CL), Chair	Department of Health	(360) 236-3340
Robert Arrington (RA), Alternate	Department of Agriculture.	(360) 902-2051
Pamela Edwards (PE)	Department of Labor and Industries	(360) 902-6547
William Hurley (WH)	Washington Poison Center	(206) 517-2356
Matthew Keifer (MK)	University of Washington	(206) 616-1452
Kelly McLain (KM)	Department of Ecology	(360) 407-6938
Karen Ripley (KR))	Department of Natural Resources	(360) 902-1691
Liesl Zappler (LZ)	Public Member	(425) 739.8100 EXT. 481

#### PANEL MEMBERS ABSENT :

Allan Felsot (AF)	Washington State University	(509) 372-7365
Bridget Moran (BM)	Department of Fish and Wildlife	(360) 902-2589
Vacant	Toxicologist	

#### OTHERS IN ATTENDANCE:

Steve Cant (SC)	Department of Labor and Industries	
Steve Gilbert (SG)	Independent Toxicologist	
Heather Hanson (HH)	Washington Friends of Farm and Forest	
Zack Hudgins (ZH)	Representative, WA State Legislature	
Amber Hurley (AH)	Washington Poison Center	
Alice Larson (AL) (phone)	Public	
Sherrise Martin (SM)	Department of Health	(360) 236-3360
Fran McBride (FM), Coordinator	Department of Health	(360) 236-3367
Barbara Morrissey (BFM)	Department of Health	(360) 236-3368
Helen Murphy (HM)	Pacific Northwest Agricultural Safety and Health	

The meeting started at 9:30. Panel members introduced themselves. CL announced that FM is recording the meeting to assist with writing the minutes, and only the PIRT-approved minutes are the official meeting record. FM announced that Helen Murphy will be attending the latter half of the meeting. KM and MK moved to approve the draft agenda, all were in favor.

BFM has a minor change to the discussion of Helen Murphy in the May minutes that she will give to FM. There were no other changes. KR moved to approve the May minutes with BFM's change. MK seconded, all were in favor.

### **2007 PIRT Report Executive Summary - Findings and Recommendations**

**Paragraph one, first sentence:** MK asked whether "*loss of staff*" (referring to L&I) could be quantified to make the sentence more meaningful. PE felt that this discussion was more appropriate for the L&I summary. Loss of staff was only part of the reason why there were fewer investigations in 2006. KR felt that the PIRT panel has some interest in agencies being appropriately staffed to do timely investigations as needed. If there has been a decline, PIRT should weigh in. PE claimed that though there were less staff and fewer inspections, L&I response times were valid, and there were more fines and penalties. LZ suggested rewording this as "*Loss of staff and lack of resources potentially . . .*" MK said that it would be good for PIRT to know how agencies make decisions on what to inspect. SC commented he does not believe that the loss of staff in 2006 had any effect on the number of pesticide-related inspections, as these inspections are prioritized. The relatively small number of pesticide inspections will vary from year to year, and variations in the numbers are not meaningful. KR suggested language for the L&I section "*Although there was an apparent decrease in the number of inspections from 2005 to 2006, we feel this was an appropriate number, and pesticide inspections received highest priority.*" KR felt the heart of paragraph one should be "*The PIRT panel acknowledges that pesticide incident investigators need to have high levels of training and rapid response capacity. It is important that agencies have sufficient first line staff and redundancy within their organizations to accomplish rapid, effective investigations when they are needed.*" Whether we cite L&I to fit this, it appeared to have been a condition at DOH.

PE told the panel that her predecessor on the panel defined pesticide incidents differently than she does. MK suggested that it would be helpful to note in the report when data definitions change for epidemiologists who look at the data over time. CL suggested that PE add a few sentences to explain differences in definitions over time.

LZ made a motion to add "*potentially*" to the "*Loss of staff...*" sentence. PE seconded, WH abstained, all else approved. MK moved to flip the paragraphs so they start with conclusions, and end with supporting statements. WH and RA seconded, all were in favor.

CL explained that DOH pesticide program staff is small and the loss of one investigator can impact case findings. BFM explained that in 2006, DOH had three full time investigators, and two left. The remaining staff readjusted their workload to step in, but there was not enough capacity to obtain sufficient information to definitively classify some cases. Although the number of investigations was the same as in previous years, there was a drop in cases classified as definite, probable and possible (DPP) and an increase in cases classified as insufficient information. CL would be willing to add a sentence to explain this. MK made a motion for CL to do this. KR expressed her preference for a concise statement in the executive summary, with details in the agency section. LZ seconded the amended motion. PE abstained, all else approved.

**ACTION:** CL will draft a brief explanation about the decrease in DPP cases and increase in insufficient cases in 2006.

**Paragraph Three:** KM suggested removing the sentence starting "*These products...*" and changing wording in the next sentence to "*Analysis... will be conducted.*" MK suggested changing

the last sentence to a more directive statement, both here and in the fourth paragraph. LZ suggested including WSDA and DOH's collaboration to improve labeling. BFM was asked to write a paragraph for the DOH section on pyrethrins and pyrethroids in Oregon and Washington, as she looked at root causes for this data from 2000-2006. Most of these incidents occurred because people were not following the label. The executive summary can refer to this for context.

KR proposed adding: *“Additional information received in 2007 indicates that labeling and consumer usage patterns contributed to these incidents. The PIRT recommends that member agencies work to improve packaging, user instructions, and educational materials.”* CL moved to include KM's prior changes with KR's motion. MK seconded the amended motion, all were in favor.

**Paragraph Four:** LZ suggested changing *“out of reach of children”* to *“away from children.”* BFM talked about coordinating with WPC on outreach articles in the newspaper. DOH staff does the “First Steps” newsletter for new parents, which includes pesticide safety for children. The effectiveness of these education and outreach programs has not been evaluated. MK suggested looking at the available data on children's exposures and determining the next steps for evaluation of outreach programs. BFM said that DOH could work with WPC, as WPC has a much larger dataset on children's symptomatic and non-symptomatic exposures than DOH and already collects some data on root causes. WH proposed adding *“The PIRT panel recommends investigation, analysis, and support of education and outreach activities to decrease pesticide exposures in children.”* MK seconded, all were in favor.

**Paragraph Two:** PE questioned what *“quite low”* means relative to penalties for violations. KR noted the fees \$958 and \$720 for violations that have a substantial probability for death or serious physical harm. CL proposed starting with conclusions, and providing supporting data afterward. KM seconded, all were in favor. There may be studies on whether higher fees for violations act as a deterrent; this could be a future agenda item. CL proposed adding *“for violations”* to *“serious citation penalty is \$720.”* There was a suggestion to place a footnoted definition for *“failure to abate”* at the bottom of the page. In addition to human costs, there are environmental costs that are not quantified. CL proposed changing fines *“appear to be low relative to the impacts”* to fines *“appear inconsistent with potential damages.”* WH seconded, PE abstained. All were in favor. The panel discussed looking at analyses of the use of monetary penalties as a deterrent for pesticide violations in other states at an upcoming meeting.

**AGENDA:** FM will add this to the list of potential agenda topics.

**Paragraph Nine:** MK asked whether completing the report before the legislative session is realistic. The PIRT Report Subcommittee was created to address some of the barriers to completing the report sooner. If it concludes that this is not a realistic goal, this should be stated in the PIRT report. KR recommends the subcommittee investigate the real barriers to completing the report, and identify milestones to achieve this. Late availability of agency data and a cumbersome review process are contributing factors. Another barrier is the timing of PIRT report submission to OFM when they are reviewing many reports to the legislature. The report should be completed by the November meeting to reach OFM before then.

MK moved to add: *“The PIRT panel has organized a subcommittee charged with identifying barriers to timely report production and will make recommendations in the coming year on a reasonable time schedule for report production and delivery.”* Additionally, KR proposed moving

the last sentence in the paragraph to precede “*PIRT Panel members are committed...*” LZ seconded, all were in favor.

### **Public Comment**

SG thanked PIRT for putting together the executive summary, and reminded the panel of the importance of getting the report to the legislature in a timely manner so they can take action on findings. This is the mandate of PIRT. He also asked about the WSDA notification program. RA responded that they have received no requests from facilities to be put on the list. WSDA intends to visit facilities again, and remind administrators of the notification program availability. RA has not received feedback on barriers to participating.

CL introduced Helen Murphy to the panel; Ms. Murphy was suggested as a speaker on evaluation of pesticide safety training for farm workers, such as the joint WSDA/L&I Hands On and Train the Trainer programs. As the director of outreach at Pacific Northwest Agricultural Safety and Health Center (PNASH), she felt she needed more information on her audience before starting her outreach activities. She developed a survey to find out where members of the community go with questions about pesticide use and what they consider to be credible information. This was done with growers, applicators and some farm workers. Ms. Murphy could present the survey results, along with some of the tools that were subsequently developed. She found that farm workers preferred information at their worksite from somebody related to the health profession. She helped organized a network of “promotores” to educate the agricultural community, and trains them primarily in pesticide-related issues, as well as heat and ladder safety. She can present this at the July meeting.

### **Break 11:16, resume at 11:29**

CL introduced Rep. Zack Hudgins. He reported that the legislature likes to stay in touch with the panels, boards and commissions that they have created. This helps him inform other legislators as they move into policy discussions for the next session.

### **2007 PIRT Report Executive Summary - Findings and Recommendations (continued)**

**Paragraph four:** LZ read her additional language “*There were also two school-related incidents....*” The paragraph starts by mentioning exposure by repellents, and then jumps into drift. MK recommended using a sentence to transition to the drift cases. CL suggested “*There are additional mechanisms by which children can become exposed.*”“ WH moved to accept the paragraph as amended. MK seconded, all were in favor.

KR suggested adding “*One of these accidental exposure cases resulted in death.*” to the end of WPC data summary section. MK seconded, all were in favor.

KR requested that all members review the findings and executive summary carefully.

### **2007 PIRT Report - Labor and Industries**

PE explained changes to the L&I appendix and how the failure to abate citations and penalties were averaged. CL said the subcommittee might want to provide some recommendations for comparing

2005 and 2006 data and addressing the changes in classification over time. FM announced modifications to the L&I claims data based on DOH classification.

**Introduction:** RA said to spell out the entire name of “*DOSH*” (Division of Occupational Safety and Health) and had a question about WSDA incident response time. In *Combined 2006 Agency Data*, FM questioned the number of combined total of 2,743 suspected exposures. The panel discussed ways to represent this more accurately. In the first sentence, “*calls*” is duplicated; the second one should be deleted. KM moved to remove the “*PIRT agencies and the WPC...*” and change the beginning of the next sentence to state “*of the totals listed in the table above, 149 individuals experienced adverse health effects.*” BFM thought this statement is misleading. CL suggested that the panel work on this outside of the meeting and come prepared to finalize the report in July. The L&I section and PIRT Activities and Action Recommendations still need to be finalized.

MK proposed some wording “*A total of 2,743 suspected incidents were reported to one or more PIRT agencies. DOH did actual investigations on 254 individuals involved in these incidents. Of these, 149 experienced adverse health effects determined to be related to pesticide exposure. Most were mild; however, one was fatal.*” KM seconded, all were in favor.

KM moved to hold an emergency phone meeting to discuss and finalize the PIRT report prior to the next meeting. KR recommended that the meeting not be held until the changes from the meeting were incorporated and the panel had a chance to review the most complete product. MK seconded the motion, all were in favor.

**ACTION:** FM will make changes to the Executive Summary and Introduction, distribute to the panel, and schedule a special meeting. CL will draft a sentence on the loss of staff in 2006. FM will ask Ann Wick about WSDA response time.

### **Draft Letter to Representative Campbell re: Pesticide Use Reporting and Roadside Spraying**

In preparation for responding to Rep. Campbell’s letter, the Pesticide Use Reporting and Roadside Spraying and Forestry Subcommittees have been reviewing data and presentations from previous meetings. FM sent a brief survey on roadside spraying to each county, and is compiling these results. The Pesticide Use Reporting Subcommittee met a few times and has developed questions for other states with use reporting systems. CL has been in contact with some of these individuals. KR is chair of the Roadside Spraying and Forestry Subcommittee. She proposed that the subcommittee draft a response to Rep. Campbell’s letter at their June 26 meeting and later hold a meeting on issues in forestry, forest roadways and Christmas tree applications that were brought up in Paul Figueroa’s presentation in February. The subcommittee also has LZ, KM, AW and AF, with FM assisting. The Pesticide Use Reporting Subcommittee was previously chaired by Steve Gilbert. CL will step in as chair. KM, RA or Ann Wick, and Rich Fenske or MK will participate. The subcommittees will provide draft paragraphs to FM for the response letter to Rep. Campbell. The target date for completion of the letter is September when legislators return for subcommittee work.

**ACTION:** The subcommittees will provide draft paragraphs to FM after their meetings.

### **DOH and L&I Memorandum of Understanding (MOU)**

The MOU would make DOSH cholinesterase data accessible to the DOH Pesticide Program, and would result in automated referrals from DOH to DOSH on occupational cases of pesticide illness. The agencies are working on details of the agreement. DOH does case investigations on individuals enrolled in the cholinesterase monitoring program. It would be helpful to have access to their cholinesterase results. DOSH has expressed an interest in getting more robust referrals from DOH for inspectors. While doing occupational investigations, DOH staff asks workers if they would like to be referred to L&I; many say no. DOH honors this, unless there is an imminent public health problem. The agencies are discussing ways to preserve the rights of the worker.

MK suggested that DOH consider asking whether the worker has been offered cholinesterase monitoring and whether they have met the threshold for handling hours for monitoring. DOH investigators often do not know what pesticides were involved when they are interviewing occupational exposure cases.

### **Toxicologist Position**

At the May meeting, the panel voted that CL would contact the Governor's Office and draft a letter recommending Steve Gilbert's reappointment.

CL reported that she called the Governor's Office and was told that they planned to reopen the application process. She asked if the Governor would consider having Steve Gilbert serve as interim toxicologist; the response was not clear, but did not seem favorable. CL distributed a draft of the PIRT letter to the panel. She is concerned that if the Governor goes through the usual process of reviewing applications and interviewing candidates, it could take a long time to fill the vacancy. The Governor's Office asked PIRT for input. The vacancy had not been posted on the Boards and Commissions website a couple of weeks ago. It was not clear whether they would reopen the application period.

The panel suggested removing language about the 30 day limit for filling vacancies specified in the PIRT RCW, and adding language to reiterate the importance of having a toxicologist on the panel and of filling the position in a timely manner. "*A toxicologist member is crucial to the completion and quality of our work*" was added to the letter. LZ moved to approve the letter as amended. WH seconded; CL, KR, and MK were in favor. PE, KM and RA were opposed. The motion carried, as a majority of the quorum approved.

### **Agency Updates**

**Ecology** – The agency is moving forward with DOH on preparing for West Nile Virus. Ecology has been receiving many complaints about human exposure to aquatic pesticide applications, and is working with legislators whose constituents are concerned about such exposures from recreational activities on lakes.

KM left the meeting at 12:41.

LZ thanked RA for the pesticide disposal information. She suggested that this information on the WSDA website also translated into Spanish, and that the website's toll-free number information shouldn't say press "one" for English.

**Health** – DOH is considering doing expedited investigations on cases that are more common or routine, such as exposures to moss control products. DOH will continue to do in-depth investigations on more unusual or complicated cases, and on cases referred to other agencies. CL will ask Joanne Bonnar Prado, who is working on developing criteria for expedited cases, to brief the panel at the July meeting. The other change is the transition of the current data entry system to a scannable system. Sherrise Martin has been working on developing forms that are easier to use and faster to scan. The pesticide program plans to track the amount of time needed for manual case entry versus scanning.

BFM informed the panel that the final report on Vince Hebert's metam sodium study from last fall was just sent to the technical panel for review and comment, and will be posted to the air monitoring website. The organophosphate study is in phase two; there may be preliminary results by October. Participants in the air monitoring study are committed to posting project reports and providing a Spanish summary on the website.

**ACTION:** CL will ask Joanne Bonnar Prado to update the panel at the July meeting on criteria for expedited case investigations.

**L&I** - PE estimates that the L&I section of the PIRT report with 2007 data will be available in August. This will include inspection and cholinesterase monitoring. DOH claims data will not be available until fall. L&I will be holding a cholinesterase stakeholder meeting on June 23. Steve Cant, the assistant director of DOSH, is the new L&I PIRT alternate. He is an industrial hygienist who has done extensive work in agriculture.

**WPC** – WH reported that there was a break in the DOH case reporting link, which now appears to be fixed. Over time, two WPC death cases were missed by the data transfer mechanism to DOH. One of these was reported to DOH five months after its occurrence. In looking at this, DOH discovered a few more missing WPC cases. Both agencies will run a quarterly report to check that DOH received all WPC pesticide-related calls. CL thanked him for his quick response.

**ACTION:** WH will email 2007 WPC data to FM. KM will email the 2007 Ecology section.

**July Agenda** will include a talk on NIOSH SENSOR by Geoff Calvert and an update on the Pest Management Transition Project by Jay Brunner. Both speakers will be participating by phone. Helen Murphy will be on the agenda instead of discussion of the 2008 PIRT report. "*Organic Diets Significantly Lower Children's Dietary Exposure to Organophosphorus Pesticides*" was suggested for Science Corner; FM will email Rich Fenske, a co-investigator on the study, to ask if he would lead the discussion. WH will report on 2007 WPC data in his agency update. MK and RA moved to accept the July agenda. PE abstained, all else were in favor.

**ACTION:** WH will email the 2007 data. FM will ask KM for the 2007 Ecology section. FM will send Helen Murphy the July agenda and meeting directions and ask RF to lead the Science Corner.

### **Public Comment**

Alice Larson informed the panel that the University of Washington was involved with evaluation related to EPA efforts to develop a curriculum on Train the Trainer. Karen Lewis was heavily involved in that and would be a good resource for an update. The Association of Farm Worker Opportunity Programs has been using AmeriCorps to teach pesticide health and safety to workers

using members of the farm worker community. Ms. Larson complemented the panel for its continuing efforts to get a quality toxicologist on board and urged PIRT to ask the Governor to make the appointment or have an interim toxicologist.

**ACTION:** FM will add Karen Lewis and AmeriCorps program to potential agenda items.

RA and MK moved to adjourn, all were in favor. The meeting adjourned at approximately 1 pm.

***Future Meetings***

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The next meeting will be July 17 from 9:30 am to 12:30 pm at the Department of Labor and Industries in Tumwater. The draft agenda will be posted at <http://www.doh.wa.gov/ehp/Pirt/pirt-meetings.htm>. Meeting materials will be posted, if available prior to the posting deadline.