

**PESTICIDE INCIDENT REPORTING AND TRACKING (PIRT)
REVIEW PANEL**

JANUARY 15, 2009 MINUTES
DEPARTMENT OF LABOR AND INDUSTRIES
TUKWILA, WASHINGTON
APPROVED BY PIRT FEBRUARY 19, 2009

PANEL MEMBERS IN ATTENDANCE:

Cynthia Lopez (CL), Chair	Department of Health	(360) 236-3340
Pam Edwards (PE)	Labor and Industries	(360) 902-6457
Allan Felsot (AF) (phone)	Washington State University	(509) 372-7365
William Hurley (WH)	Washington Poison Center	(206) 517-2350
Matt Keifer (MK) (phone)	University of Washington	(206) 616-1452
Karen Ripley (KR) (phone)	Department of Natural Resources	(360) 902-1691
Debby Sargeant (DS)	Department of Ecology	(360) 407-6139
Ann Wick (AW)	Department of Agriculture	(360) 902-2051
Liesl Zappler (LZ)	Public Member	(425) 739.8100 EXT. 481

PANEL MEMBERS ABSENT:

Bridget Moran (BM)	Department of Fish and Wildlife	(360) 902-2589
Vacant	Toxicologist	

COORDINATOR

Fran McBride (FM), Coordinator	Department of Health	(360) 236-3367
-----------------------------------	----------------------	----------------

IN ATTENDANCE:

Steve Cant (SC, alternate)	Labor and Industries	
Wayne Clifford (WC)	Department of Health	
Vincent Hebert (VH, alternate) (phone)	Washington State University	
Alice Larson (AL)	Public	
Barbara Morrissey (BFM, alternate) (phone)	Department of Health	
William Robertson (WR, alternate) (phone)	Washington Poison Center	
Myduc Ta (MT)	Department of Health	

The meeting started at 9:33 a.m. PIRT members and the public introduced themselves. CL announced that FM is recording the meeting. The PIRT-approved minutes are the official meeting record. MT, a CDC fellow, introduced herself. She is evaluating the pesticide program's surveillance system and electronic reporting from WAPC and looking at ways to quantify underreporting by various populations. (MK, AF and WC joined here by phone.)

The panel reviewed the draft agenda. The discussion of DOH expedited case investigation will be postponed. FM will send the November meeting minutes to the panel when they are completed. CL suggested moving PIRT business and subcommittee updates to after the PIRT report discussion. WH moved to make these changes, MK seconded, and all were in favor. CL proposed giving feedback to MT on underreporting in lieu of the expedited case discussion. LZ moved to do this, WH seconded, and all were in favor. AW moved to approve the agenda with these changes, DS seconded, (WR joined the meeting by phone here) and all were in favor.

Proposed 2009 - 2011 Washington State Budget

CL announced that for PIRT members of cabinet agencies who report to the governor, their role in discussion of the Governor's budget is to answer factual questions. CL opened up discussion on this topic. LZ said that in looking at the agency cuts, the most devastating cuts are to the DOH pesticide program, PIRT, and the WAPC.

Ecology – DS reported that the Ecology cuts have been less extensive. The Water Program issues National Pollution Discharge Elimination System permits for application of pesticides to water. Normally they do inspections for those types of permits, but instead will only respond to complaints. Ecology will not be hiring a toxicologist to replace Kelly McLain.

WAPC – WH spoke about the proposed cut to WAPC. The contract to provide poison center services is defined in the RCW. RCW requirements have been difficult to meet on the existing budget. DOH pass-through funding supports only WAPC's core service of answering phone calls from the public. WAPC acquires additional funds from the federal government for other things, including his position as medical director, availability of toxicological consultation services to Washington health care providers, and outreach and education efforts. These functions are defined in the RCW but are not funded by the state. From the start, the WAPC has not received any increase in state funding except for a one half of one percent increase in 2000. WAPC has not asked for additional funds and has been creative in maintaining a high level of service to the people of Washington without adequate funding. The proposed fifty percent cut would lead to a closure of the WAPC within a year of going into effect. Should WAPC services cease to be available; the estimated cost increase to the state and the public would be between \$35 and \$175 million for those patients to be cared for in alternative environments. These numbers are backed up by studies in other states that have gone through a similar process. Louisiana experienced a similar cut and closed their poison center, and within a year reopened it, recognizing the massive increase in expenditures incurred by that closure. Patients who would normally be managed at home by contact with WAPC would go to emergency departments, with significantly more cost. Another consideration is the increase in costs for consultation to health care providers. Patients who are managed with WAPC consultation to health care providers have a shorter length of hospital stay, have fewer procedures and tests, and have improved outcomes. For each dollar you take away from poison centers, you increase health care costs by approximately \$175. WAPC was not consulted on what a fifty percent budget cut would mean in terms of maintaining services. It would eventually lead to significantly increased expenses for the same problems. The only other poison center that would be able to pick up services for Washington would charge on a per capita basis at a cost of \$1.3 to \$1.5 million for basic phone services.

DOH – CL reported that the proposed budget cuts 12 full time equivalents (FTE's) from DOH, with 3.4 of those from the pesticide program. The proposed \$842 thousand cut to the pesticide program is a little less than half of the program's budget. DOH spent about \$13,400 on PIRT in 2007 and

about \$8,000 in 2008. One way to cut expenses would be to discontinue Yakima meetings, as meeting publicity, travel, hotel, and catering for a longer meeting are costly. In terms of case investigation, understaffing affects the program's ability to investigate and close cases in a timely manner and to acquire sufficient information to give a definitive classification. The proposed budget cut may mean a forty to fifty percent decrease in the number of cases the program would be able to investigate. Without electronic reporting from WAPC, there would be no referrals. WH mentioned that Rocky Mountain Poison Center would charge the state of Washington for electronic transfer of pesticide reports. It took DOH several years to be able to interface with WAPC to get these reports. The staff cuts to the pesticide program are approximately 28 percent of total DOH staff cuts and 60 percent of staff cuts to the Office of Environmental Health. A non-permanent employee has already been asked to leave. WC said that he would like to approach this in terms of what services will not be provided. CL said that with the proposed budget, the reporting function to the legislature would be eliminated, and probably outreach and education. LZ spoke about an email from Gregg Grunenfelder responding to her questions about the decision making process, in which he told her that Mary Selecky had conversations with the Governor from time to time, but this was not a process that involved the department developing a proposal and submitting it for consideration. OFM developed the budget using tools like the "Priorities of Government." Mr. Grunenfelder said that originally, the proposal was to eliminate 100 percent of the funding for the pesticide program, but he convinced Ms. Selecky that the program needed a minimum level of staff. From that conversation, budget staff identified the costs of two investigators, a toxicologist, and an administrative support person. These costs were retained in the Governor's proposed budget. LZ said that Mr. Grunenfelder said he does not feel bound by the specific positions used to identify the dollar amount. LZ reiterated that the pesticide program cut is disproportionate to cuts in other programs.

VH commented that the role of DOH goes beyond surveillance to protection of public health, and prevention is a big area that will be impacted. DOH has been involved with WSU in the air monitoring study. Drift is an identified public health concern. Prevention will not happen unless there is some oversight in that area. The study showed that we are able to reduce emissions from conventional fumigation significantly with other types of reduced emission technologies. Without effort by a state agency working with the academic community and growers, we will lose a lot of capability instituting preventative measures. WC said to keep in mind that the proposed budget is just the first attempt at balancing the state budget.

AF: For PIRT members not tied to a state agency, what are the limits of appropriate action or lobbying? LZ: She and AL sent a letter to all the legislators regarding the cuts. It would be helpful to follow up with what exactly these cuts do to these programs and how services will be affected.

WSDA: AW reported that roughly 80 percent of the WSDA budget comes from fees and federal programs; the agency does not have a lot of general fund money. For pesticide management, all the general fund money was eliminated, but a fee increase proposal that went through last year will keep the budget intact through the next biennium. Three vacant positions will not be filled. Program activities are registration, licensing, communication and outreach. There will be no reduction in pesticide investigation ability in the next biennium. The Pesticide Advisory Board is funded by local funds, pesticide registration, or licensure. (*Note correction by AW at the February 19 meeting: the Pesticide Advisory Board is funded by general funds, not local funds, etc.*) WSDA will also reduce funding of weed control grants and eliminate funding for the interagency IPM

coordinating committee, the Farm to School Program, and the From the Heart of Washington Campaign.

Labor and Industries: PE reported that L&I is facing a \$690 thousand reduction in several programs. Division of Occupational Safety and Health, which is responsible for enforcement, consultations, and the cholinesterase monitoring program, will be stable for this biennium. Claims should not be affected. LZ said that it appears that L&I will have some increases. SC explained that L&I has many different funding sources. The Governor imposed a one percent cut across the board to L&I from general fund money, so the agency eliminated some jobs and has some unfilled positions that will be eliminated. The bulk of L&I's funding source is primarily from Worker Compensation premiums or from money that employees pay per hour of work for insurance coverage. L&I covers about 171 thousand employers and over two and a half million workers. These workers logged almost 3.4 billion work hours last year. The agency has had some cuts, but at the same time, has approved some additions in the budget to continue to manage the insurance system. In terms of administering the Washington Industrial Safety and Health Act, there were no cuts from the Governor's proposal, but there will be discussion on whether or not redistribution within agency of funds and positions will be necessary. SC anticipates being able to maintain the same level of activity related to agricultural and pesticide related activities.

ACTION: FM will post agencies' budget documents on the PIRT webpage.

AL asked why the pesticide program and the WAPC took such a huge hit. SC said that the predominant area in which the Governor and OFM focused was on general funded activity. The Governor directed the identification of boards and commissions for reduction or elimination for the next biennium.

CL mentioned that the pesticide program has a grant from NIOSH, and that work still needs to be done. The net result will be a larger FTE decrease from general funds, but some people may be shifted to other funds.

MK reiterated that these decisions are penny wise and pound foolish. It is PIRT's responsibility to make clear to the legislature that in the end, these decisions will cost much more than their savings. Non-agency members can make comments. MK asked LZ to contact him regarding discussion about this. KR said that it would be helpful to have documentation of the impacts of these cuts, so if members wanted to remark independently, they would have the facts.

LZ asked DOH and WAPC to send bullets on their programs to MK. Any correspondence on this topic would not be sent on PIRT letterhead.

WH moved to break, AW seconded, and all were in favor. The meeting adjourned for break at 10:47, and resumed at 10:58. WH, CL, AW, LZ, PE and DS were present.

Public Comment

SG restated that it is penny wise and pound foolish to support the cuts to PIRT and the WAPC. He informed the panel of a website called IPMopedia.org that helps the public understand integrated pest management, and requested feedback and comments on the website from PIRT.

PIRT Business:

Subcommittee Updates

Toxicologist – LZ has not received a response to a letter the subcommittee sent to the Governor's Office in November about the toxicologist appointment. CL has not heard back about the panel reviewing the conflict of interest policy that the Governor is developing for boards and commissions. The toxicologist has a level of expertise necessary for the panel to function. With the panel's subcommittee activities, having one less person makes it difficult to get work done.

AL commented on how disgusted she is with the Governor proposing to axe PIRT. She suggested that the panel document its accomplishments and educational value, and mentioned that former members might be able to provide historical perspective on PIRT.

ACTION: LZ will put together facts on PIRT and contact former members. FM will give her names of previous PIRT members.

PIRT Report and Executive Summary - LZ reported that KR has been working on an outline based on last year's summary. LZ will move forward with this in the next couple weeks. This subcommittee consists of members who do not contribute a section to the report, including the public member, toxicologist, and members from DNR, WSU, UW, and Fish and Wildlife. FM will assist.

Pesticide Use Reporting – CL spoke with Oregon, New York and California representatives and focused on variables such as when pesticide use reporting started, funding source (e.g., in Oregon, fifty percent is fee based), who reports, and how often. In Oregon, everyone is expected to report except for households. In California about 99 percent of reporting is electronic. Their program originated in the 1950's and evolved over time. County agricultural commissioners are the data recipients. California also has the fastest turnaround; commercial applicators are required to report in seven days and everyone else must report monthly. New York and Oregon have annual reporting. Oregon reporting is by watershed, probably because almost fifty percent of their land is forested, and there is concern about ecological effects. California specifies geographic location at the level of township and range. New York is a paper based system, which poses a great deal of difficulty in terms of maintaining the data system and data quality, and reducing costs. At one time, New York had excellent data quality assurance but has lost that because of funding cuts. Another variable is who is allowed access to data. New York established a research board that takes applications. Data is confidential, so individual growers cannot be identified. CL would like to pull the information together with the subcommittee, finalize it and provide it to Representative (Rep.) Campbell.

Some of the states with smaller use reporting systems have a requirement to report randomly. One group might report one year, another in another year. This seems to be a way to report without incurring huge costs.

In New York, applicators, technicians, and vendors report. Obtaining information on sales of household products is difficult and is considered to be proprietary business information. EPA requires that information, but it is aggregated at the state level.

Oregon's system cost \$1 million to start and \$60 thousand to maintain it annually, and requires 1.5 FTE's. Electronic systems seem have a higher up front cost, but lower maintenance costs. Paper

systems have a lower up front cost but are difficult to maintain and cost more in terms of data quality assurance. There seems to be more reticence to report by those using paper. In California, local county agricultural commissioners can provide technical assistance for those who cannot report electronically. Another problem is that variables differ across states, making national comparisons difficult. California had pesticide industry buy-in because the system was originated primarily for market research. Arizona, New Jersey, and Florida have less extensive pesticide use reporting systems.

Forestry – LZ reported that the subcommittee discussed issues of aerial spraying in forestry and received forestry data from WSDA and DOH. The roadside spraying subcommittee has completed its work of getting a letter to Rep. Campbell.

2009 Meeting Schedule

CL moved that PIRT consider not holding a Yakima meeting. These meetings are costly due to travel, advertising expenses, catering and interpretation services. PE suggested publicizing the meeting by word of mouth instead. CL said that we have received complaints from Carol Dansereau's group and from Columbia Legal Services that farm workers don't feel comfortable coming to these meetings because of an overrepresentation of growers, pesticide applicators, and chemical companies. PE said that they are also members of the public. CL: Carol Dansereau suggested meeting at a local church or other community-oriented site, rather than the WSDA site. LZ thought there was a large turnout of growers in November because of the drift air monitoring topic. PE: Turnout at every Yakima meeting varies. It is a good idea to have one meeting on the eastside because the agricultural community is affected by PIRT's recommendations. AW: The meeting content affects turnout. Growers were interested in the fumigation topic. CL: Another suggestion was to hold an evening meeting, which means an overnight stay. LZ suggested getting feedback from people who are likely to attend Yakima meetings. CL: It's frustrating to spend a lot of money and have a meeting that is not well attended. AW offered WSDA's bilingual staff to translate, rather than hiring an interpretive service.

AW moved that DOH contact interested parties to see if they would attend an April Yakima meeting, and to look into the cost of an alternate location. DS seconded, and all were in favor.

ACTION: FM will ask interested parties whether they will attend the Yakima PIRT meeting and look into an alternate location.

2007 PIRT Report

Agriculture – The panel reviewed a simplification to the WSDA response time paragraph, as suggested by Gregg Grunenfelder. DS moved to approve the WSDA section. WH seconded, AW abstained, and all else were in favor.

Washington Poison Center – The panel looked at a revised table on organophosphates and pyrethrins, and suggested changing the references on pyrethrins and borates toxicity from "low" to "lower." The reference to 2,4,5-T will be cut, as there were no cases involving this pesticide in 2007. LZ moved to approve the WAPC section, DS seconded, and all were in favor.

ACTION: FM will ask AF for feedback on the revised table on organophosphates and pyrethrins.

(WR left the meeting here.)

Labor and Industries – PE will send the section with revised claims data by next Tuesday.

Health – This section was reorganized since the last review, with additional sections on underreporting, pyrethroid foggers, a cherry packing facility incident, and conclusions.

Though the cherry packing facility incident was not responsible for any DPP cases, it demonstrates the difficulty of investigating some of these incidents, collaboration between DOH and L&I, and the potential for health problems due to this method of fumigation. DOH brought up concerns with DOSH that the portable testing devices they were using for methyl bromide were not accurate enough. In a separate investigation during the next season, DOSH looked at the fumigation chambers in the packing house and found no methyl bromide levels over the level of concern. WSDA does not take air samples, but does take residue samples. In a situation like this, it is difficult to determine whether there are residues in air during the event, because agencies arrive after the event. PIRT members agreed that it was valuable to leave this highlight in the DOH section.

Other feedback included: a verb tense change in conclusion paragraph, use of “impoverished,” use a word other than “trend,” as it implies statistical significance, and insertion of a reference on page five. CL asked that the panel review this version after the meeting and provide comments so FM can compile them prior to the next meeting and finalize the DOH section at the February meeting.

There is a shorter section on foggers/pyrethroids; FM will send this version to the panel. FM and LZ will work on children’s pesticide cases by product/ingredient. FM will include a breakdown of agricultural and non-agricultural incidents by county, since prevention activities are different for each.

Executive Summary – LZ will work with KR to get the draft executive summary.

Draft February Agenda

Science Corner was moved to February. FM will add a review of the L&I section, and an update on budget issues. AW will do a presentation on the survey done by Matt Keifer’s graduate student on the pesticide application notification project. PE moved to approve the February agenda with additions, DS seconded, and all were in favor.

WH moved to approve the 2009 PIRT meeting schedule with the exception of the Yakima meetings, AW seconded, all were in favor.

ACTION: FM will post this 2009 schedule noting Yakima meetings “to be determined”

Agency Updates

L&I – PE announced that the Agricultural Safety Day will be held February 21 in Yakima. The EPA, WSDA and Pacific Northwest Agricultural Safety and Health will be there.

WSDA – AW reported that the WSDA received four new fee bills, but none involved pesticides.

Health – DOH is expecting the University of Washington’s air monitoring data.

Discussion of November 20, 2008 Yakima PIRT Meeting

LZ met with some farm workers afterward, and heard stories of retribution for complaining about an employer who did not provide personal protective equipment, and of a woman who was told by a nurse not to report a job-related accident because she would lose her job. CL thought that there was tension and disconnect between the different topics, and observed some of the audience did not seem very receptive to the woman who spoke of her pesticide-related illness. LZ said that the majority of employers treat their employees well, but there are obviously problems. Though this is a controversial issue, PIRT must still allow all people to have a voice. DS was bothered by employees not being able to report incidents with health impacts to L&I in confidentiality. PE incorrectly stated that L&I will not cover the first visit on a claim if the claim is denied, and later verified that L&I will cover first visit for claims and testing. Most people in the Yakima meeting audience have the impression that L&I will not cover these costs and claims will be denied. FM will correct this in the November meeting minutes. It is not easy to plan and conduct a meeting when there are such disparate interests. It is difficult to identify topics of interest to the farmworker population unless you have a focus group. Farm workers will be afraid to speak, especially if there are repercussions. Underreporting might be a good issue to continue working on, both at the clinic and field levels.

MT spoke of her ideas on underreporting, that a pertinent issue was to get an estimate of urban residential pesticide exposures that are not reported but have generated visits to providers. She is not sure of the best way to find appropriate datasets for this.

LZ thought the best hope for decreasing underreporting would be for L&I to investigate anonymous complaints. AL remarked that holding evening meetings might draw more farmworkers, and that actively reaching out to farmworker organizations and service agencies could be done to enhance farm worker participation. To encourage grower participation, PIRT could contact grower and crop associations and extension agencies.

The meeting adjourned at 12:25 pm.

Future PIRT Meetings

March 19	Labor and Industries, Tukwila
April 16	to be determined – Yakima
May 21	Department of Health, Tumwater

See <http://www.doh.wa.gov/ehp/Pirt/pirt-meetings.htm> for agendas directions, and meeting materials.