

# PESTICIDE INCIDENT REPORTING AND TRACKING REVIEW PANEL

July 16, 2009  
9:30 am to 12:30 pm  
Department of Health  
Town Center One, Room 163  
Tumwater, WA

(Approved by PIRT Panel August 20, 2009)

## Panel Members in Attendance

Pam	Edwards	Labor and Industries
Richard	Fenske, Alternate	University of Washington
Gregg	Grunenfelder, Chair	Department of Health
William	Robertson, Alternate	Poison Control Center
Debby	Sargeant	Department of Ecology
Ann	Wick	Department of Agriculture
Liesl	Zappler	Public Member

## Panel Members Absent

Fish and Wildlife – No Member
Natural Resources
Toxicologist – No Member
Washington State University

## In Attendance

Heather	Hanson	WFFF
Cynthia	Lopez	Member of the Public
Barbara	Morrissey, Alternate	Department of Health
Nancy	Napolilli	Department of Health
Joanne	Prado	Department of Health
Kammeran	Todd	WFFF

## Welcome

### *Introduction*

- Gregg Grunenfelder, Chair called the meeting to order at 9:34am.
- Introductions of panel members in attendance and on the phone (a quorum was met).
- Introduction of public in attendance
- Discussion on taking meeting minutes
- Voice recordings of PIRT meetings
  - **Key Points.** The Panel discussed whether meetings should continue to be recorded. Historically meetings were recorded to address concerns when someone felt they were misquoted or

mistreated. The recordings were intended to assist with the minutes, and then were destroyed. Today's meeting is not being recorded.

- **Action.** Liesl Zappler motioned to have all meetings recorded and kept until minutes are approved. This motion was amended so that the recording is kept for a month after the meeting at which the minutes are approved.
- **Vote.** All in favor. None opposed.

*Review and approval of July 16 agenda*

- Richard requested an update on the vacant practicing toxicologist position to be added to the agenda.
  - The vacant toxicologist position is added to the agenda
- Richard anticipates being away from the meeting from approximately 10:00 – 10:40.
  - **Action.** Liesl requested that any action items be held until Richard has returned to the meeting.
  - **Vote.** Agenda approved with noted requests. All in favor.

*Review and approval of June meeting minutes*

- **Actions**
  - The Panel reviewed Karen Ripley's email with comments/corrections to the previous meeting minutes.
  - Correct the reference to Cardiff.
  - Karen will transfer relevant documents on the Forestry Subcommittee to subcommittee members.
  - On Page 5 - change "appealed" to "repealed".
  - Liesel Zappler motioned to approve. Debby seconded the motion.
- **Vote.** Minutes approved with the changes noted. All in favor.

*Update membership*

- The Panel reviewed the current membership list.
  - **Actions**
    - Wendy Brown will no longer be with DNR.
    - Liesl's area code needs to be changed.
    - Liesl made a motion for the Chair to write a letter to the Director of Fish and Wildlife for membership to be filled and an alternate to be named and to write a letter to the Director of Department of Natural Resources for an alternate. Debby seconded the motion.
    - **Vote.** All in favor. None opposed. Chair will provide a copy of the letter to the PIRT Panel.
  - **Key Points**
    - Toxicologist membership is vacant. Gregg Grunenfelder discussed this matter with the Governor's Office. The direction of Governor's Office is not to make appointments until the issues relating to reducing the number of boards and commissions is resolved.
    - PIRT members commented on the following issues relating to not having a toxicologist on the panel:

- reduces the effectiveness of PIRT Panel
- makes it difficult to fill the quorum
- RCW says vacant positions will be filled within 30 days
- Richard motioned that a letter be sent to the Governor's Office requesting while PIRT is an active panel it will have its full membership filled in order to hold a quorum. Chair will draft a letter for the PIRT Panel members to review.
- Liesl seconded the motion with the ammendment that the letter will refer to the RCW's requirement for the position to be filled.
- **Vote.** Pam Edwards opposed, all others approved.

#### *Other general business*

- Updated memo from Mark Calkins (dated July 10, 2009).
  - Six panel members are required to do business and take action. A quorum is the majority of the 11 identified members (whether the membership is filled or not).
  - Richard Fenske signed off the call at 10:03.
  - Department of Health needs to prepare and submit an annual report as an agency report. Bring it to PIRT for review. PIRT Panel can express comments on the report and Department of Health will reflect review, approval, and any expressed comment.
  - If a quorum isn't present, can we still meet?
    - Mark's direction is that we can not conduct business.
    - Mark's memo says that meetings end when the quorum is lost.
    - A subcommittee can meet without a quorum.
  - Item #5 on page 2 says PIRT must meet each month.
    - Historically, months without meetings were needed to review information before meeting again. With emergency meetings and other side meetings, PIRT met 12 times in 2008; although it was not every month. The public could take issue to PIRT not meeting monthly since it is in the RCW. It was also noted that the meeting timeframe was established prior to easy communication via Internet and email.
- **Action**
  - Add this subject to the September PIRT meeting agenda for further discussion.

#### **2008 PIRT Report**

- **Key Points**
  - The PIRT Panel reviewed the July 1, 2009 letter from Mary Selecky (specifically paragraphs 3 and 4) related to the 2009 budget. There were edits made to the draft 2008 PIRT Report Executive Summary. The Department of Health cannot support using the 2008 PIRT Report to discuss the 2009 – 2011 biennial budget. Liesl takes issue to removing this budget information and read excerpts of an email from Representative Campbell (copies were provided to all in attendance). There was further discussion on whether the

2008 PIRT Report is a Department of Health Report or solely a PIRT Panel Report. No agreement was met on this topic. The PIRT Panel also discussed the inconsistencies in the draft 2008 PIRT Report regarding the use of acronyms, especially in the Executive Summary. There was disagreement on the preference of using acronyms versus the full name of agencies. The Department of Health has adopted a policy to not use the "DOH" acronym in any formal, written report.

- **Action**

- Debby motioned for PIRT to meet with Mark Calkins, Assistant Attorney General, in August to discuss the PIRT RCW interpretations and items. Items to be discussed:
  - What is the definition of agency
  - Who is ultimately responsible for the annual report
- Richard moved to table any action on the draft 2008 PIRT Report review and approval until the PIRT Panel meets with Mark Calkins. Bill seconded the motion.
- The meeting with Mark Calkins should be scheduled for the first available date in August and the PIRT Panel Chair should inform Mark of the PIRT Panel concerns and questions raised today prior to the meeting.
- **Vote.** All in favor, none opposed.

- **Follow-up contact**

- Gregg Grunenfelder

## 2009 PIRT Report

### *Format*

- **Key Points**

- Previous versions of Legislative Summaries were provided to the panel for review and consideration.
- The PIRT Panel discussed what changes could be made to the 2009 PIRT Report format.
  - Have each agency create their own report that the Panel can review, then PIRT will write a summary that draws conclusions from the data reports provided. Real effort would be on what the data is telling us and the meaningful recommendations that can be drawn from it. The agency reports would be posted and noted which agency reviewed the report.

### **Comments**

- Separate agency reports will not be the same as a PIRT Report.
- The RCW does have requirements for what is supposed to be in the report.
- The PIRT Panel is already doing this.
- The Legislative Summaries were created so the Legislature could review a summary. It was dropped because it was more work and didn't save time. Concerned that this could happen again.

- Like to see everyone on the panel involved in the Executive Summary.
  - Use the trends and data that we have now collected.
- The Panel discussed whether editing of the agency summaries should be left to each agency or whether the Department of Health should edit the summaries. The PIRT Panel does review each agency summary and recommend edits.
- It appears the majority of time spent on the report is on agency chapters leaving little time for review.
- It was recommended to “beef up” the Executive Summary. Put more emphasis on conclusions and recommendations so the Legislature sees the PIRT Panel’s work.
- Consider working towards an electronic version of the PIRT Report with online links.

*Schedule*

- **Key Points**
  - WAPC – July 30 due date
  - LNI DOSH – September 15 is the earliest to get DOSH data
  - WSDA – September 1 and September 30 due dates
  - Ecology – Move back one month to October 1 and October 30 due dates.
  - DOH – September 15 and September 30 due dates

**November Meeting Date and Location**

- **Key Points**
  - The November 19 meeting has been tentatively scheduled for the L&I Building in Tukwila.
  - Traditionally this meeting has been held in Yakima.
  - Members of the panel highly recommend getting to Yakima once a year. There was discussion whether the meeting would be best to be held in April or November in Yakima.
  - The Chair agreed holding the meeting in Yakima will assist in keeping in touch with the agriculture community. However, this November is particularly problematic due to staff changes and new budget reductions. The Panel should look ahead to 2010 and the best time of year to meet in Yakima.
  - Is it possible to do more outreach to have people call in to the meeting?
  - Pam and Ann prefer April because the target audience will be in town.
- **Action**
  - Pam Edwards motioned that we meet November 19 in Tukwila and discuss the future agenda.
  - Debby Sargeant seconded the motion. The vote was held until Richard returned to the call.
  - **Vote.** All in favor.

## Subcommittee Updates

### *Forestry*

- **Key Points**

- Liesl Zappler and Debby Sargeant are going to meet to discuss why the subcommittee was created and its intent within the next month.

### *Pesticide Penalties*

- **Key Points**

- Liesl Zappler and Debby Sargeant will meet to discuss other states' pesticide penalty structures. Liesl has some data from California and New York and would like information from Oregon and Idaho.
- They are also interested in how California's pesticide registration and licensing fees are allocated, if the PIRT panel feels this information would be helpful.

## Agency Updates

### *Agriculture*

- No updates.

### *Ecology*

- No updates.

### *Fish and Wildlife*

- Not present

### *Health*

- **Key Points**

- Joanne Prado provided an update of two previous presentations to PIRT, September 2008 and February 2009, about an expedited process for investigating certain types of DOH pesticide-illness cases.
- This process, which would involve reducing amount of investigator time spent on more familiar cases, would apply only to non-occupational, non-drift cases, where the product is well known, like moss abatement products and some "over-the-counter" sprays, and the health outcomes are not severe (not hospitalized). These are primarily our residential cases that come to us through reports from Washington Poison Center.
- Given the reduction in staff, we curtailed a second pilot study of the proposed process, and moved ahead with implementing an expedited process as of January 1, 2009.
- To date, we have 115 illness case investigations and 30 of them (26%) are expedited.
- We are trying to retain key elements of the investigations, and have consulted with NIOSH about the variables they most value.
- The data entry Teleform Scannable form has been completed for both expedited and full investigations, and are available for your review.
- A key difference between the expedited process and full investigation is that a decision of "DPP" or "not-DPP" will be rendered instead of the D-P-P-S-U-I scheme. This will require a different kind of analysis at the end of the year, but we believe it will still render valid and useful information about pesticide-illness and

illness prevention. At NIOSH request, we are also retaining the "S" (suspicious) classification, which is rarely used and alerts NIOSH of new or different pesticide product or some troubling health effect that may not be recognized in the literature.

- A periodic six month evaluation cycle is set-up to check if we are retaining quality and saving significant time. We may adjust the expedited process after evaluating success or lack thereof.
- An investigator may decide, after looking at the medical records, to conduct a full investigation of the case, with complete interview and application detail obtained.

#### *Labor and Industries*

- No updates.

#### *Natural Resources*

- Not present.

#### *University of Washington*

- **Key Points**

- UW has completed their study report on air monitoring of organophosphate pesticides. Department of Health expects to receive the final version of the report this upcoming Monday. Department of Health will post on the project website with a summary in English and Spanish by end of August.

#### *Washington Poison Center*

- **Key Points**

- No additional money has been received, but are hopeful that the functions will continue. There are problems across the country where states have been cut (37%). All of the centers in California have had their budget eliminated. Four centers are in California. Hospitals in which three of the centers are located are temporarily trying to manage the calls. Unsure of the future plans of this situation.
- There has been no reduction in calls. We are charging for calls regarding pets (\$28-\$30 – by the call, not by the minute). Veterinarians can call as a professional, but that doesn't necessarily answer all of the owner's questions.
- There is no data to suggest that people are placed on hold longer than before.
- WAPC does not have the resources to follow up on individual calls to look for regional problems. WAPC is referring to the Department of Health when possible.
- Will WAPC begin to charge states for calls when their centers close?
  - Unless there is a contract in place between the states – they can not be charged.
  - The phone number is a nationwide number that is routed by satellite to the poison center in the correct state.

#### *Washington State University*

- Not present.

#### **Public Comment**

- Key Points
  - Nancy Napolilli, Department of Health, provided an overview of the reorganization of the Pesticide Program, including administrative support and outreach changes. There is a .35 FTE administrative support vacancy and an added .2 FTE data entry vacancy. The administrative support vacancy will be filled when possible.
  - Heather Hanson. When and how will we receive the air monitoring report?
    - When the Pesticide Program receives the final version from the University of Washington, the Department of Health will write a plain talk summary document in English and Spanish and post this to the project website. Following this, the Department of Health will do a report to the Legislature approximate at the end of summer or in September. You can sign up to receive notification when new items are posted on the air monitoring website. PIRT interested parties email distribution list will also be notified.
  - Cynthia Lopez. Have Mark Calkins address what it means to prepare a report. She has always viewed the PIRT Executive Summary as PIRT's thoughts on the various agency chapters. Clarified to Cynthia there would be an August meeting scheduled to discuss this issue with Mark Calkins.

#### **Draft September Agenda**

- Key Points
  - Draft September agenda reviewed. Richard will contact Dr. Keifer to see if he will be available on September 17 to provide a Pesticide Program Dialogue Committee update.
  - Barbara Morrissey volunteered to present on 2003 – 2008 NIOSH data on agriculture works. Tracking risk factors and where to focus on prevention.
  - Subcommittee updates.
  - Available agency data should be brought to begin the review process for the 2009 Report.

#### **Draft August Agenda**

- Key Points
  - Mark Calkins in attendance
  - Potential action on the 2008 PIRT Report
  - Any other PIRT Report process points for discussion

#### **Adjourn**

- 12:18 adjourned
  - All members were in agreement to adjourn the meeting.