
HOUSE BILL 1946

State of Washington 60th Legislature 2007 Regular Session

By Representatives Wood, Campbell, Hudgins and Ormsby

Read first time 02/01/2007. Referred to Committee on Select
Committee on Environmental Health.

1 AN ACT Relating to a pesticide use reporting system to protect
2 human health and the environment; adding a new chapter to Title 15 RCW;
3 and prescribing penalties.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature finds that pesticide use
6 reporting is crucial for the protection of human health and safety and
7 to protect Washington's water and environment. The legislature further
8 finds that the development of a comprehensive, reliable, and cost-
9 effective system for collecting and organizing information on all
10 categories of pesticide use in Washington allows people to obtain
11 information with a single contact regarding what pesticide was used,
12 where it was used, and under what conditions it was used. This
13 information is valuable when used for conducting detailed studies of
14 human exposure to pesticides, environmental monitoring, and the
15 relationship to human health.

16 NEW SECTION. **Sec. 2.** The definitions in this section apply
17 throughout this chapter unless the context clearly requires otherwise.
18 (1) "Department" means the department of agriculture.

1 (2) "Pesticide" has the same meaning as defined in RCW 70.104.020.

2 (3) "Pesticide user" means any person who uses or applies a
3 pesticide in the course of business or any other for-profit enterprise,
4 or for a governmental entity, or in a location that is intended for
5 public use or access.

6 (4) "Retail pesticide user" means a person who sells, offers for
7 sale, handles, displays, or distributes any pesticide but who is not
8 licensed under RCW 15.58.180.

9 NEW SECTION. **Sec. 3.** The department shall establish and implement
10 a pesticide use reporting system. In establishing and implementing the
11 system, the department shall:

12 (1) Design, develop, and implement the system in order to collect,
13 evaluate, summarize, retain, and report information on the use of
14 pesticides in each major category of use in Washington, including
15 agriculture, forestry, industrial, urban commercial, and urban
16 homeowner uses;

17 (2) Collect the best data practicable at least once per year from
18 each major category of pesticide use in a manner that reduces paperwork
19 and reporting costs;

20 (3) Require all pesticide users to report basic information on
21 their use of pesticides that includes:

22 (a) The location of use. For pesticide use within an urban area,
23 as defined by the department by rule, the pesticide user shall report
24 the location of use by identifying the five-digit zip code for the
25 location. For pesticide use that is not within the urban area, the
26 pesticide user shall report the location of use by identifying the
27 five-digit zip code for the location or by use of other identification
28 as defined by the department by rule;

29 (b) The name and United States environmental protection agency
30 registration number for the pesticide product used;

31 (c) The quantity of pesticide product applied;

32 (d) The purpose of and type of site of the application; and

33 (e) The month of the application;

34 (4) Develop a mechanism to ensure the accuracy, reliability, and
35 validity of the database by providing for an independent review of the
36 pesticide use data and collection procedures by data quality assurance
37 specialists; and

1 (5) Develop a specific mechanism to identify household and other
2 urban uses of pesticides. If this mechanism involves sales reporting
3 by retail pesticide dealers, the department shall develop a minimum
4 monthly sales quantity below which the retail pesticide dealer is
5 exempt from reporting.

6 NEW SECTION. **Sec. 4.** In carrying out its responsibilities under
7 this chapter, the department shall seek technical assistance as
8 appropriate from at least the following entities:

- 9 (1) The commission on pesticide registration;
- 10 (2) The department of ecology;
- 11 (3) The department of fish and wildlife;
- 12 (4) The department of general administration;
- 13 (5) The department of health;
- 14 (6) The department of labor and industries; and
- 15 (7) The department of natural resources.

16 NEW SECTION. **Sec. 5.** (1) In implementing the pesticide use
17 reporting system, the department shall publish an annual report
18 summarizing the pesticide use data reported to the department under
19 section 3 of this act. The report shall include:

- 20 (a) An analysis of trends in pesticide use;
- 21 (b) An assessment of the accuracy of the pesticide use reporting
22 data; and

23 (c) Pesticide use information summarized by zip code or other
24 identification method as described in section 3(3)(a) of this act.

25 (2) The department shall adopt rules relating to the release of
26 pesticide use information. The rules must ensure that the identity of
27 the owner or lessee of a specific property where a pesticide has been
28 applied remains confidential, except where the release of the
29 information is otherwise authorized by law.

30 (3) The department shall adopt rules regarding the transmittal of
31 information required under RCW 17.21.100(1), and any additional
32 information required, for inclusion into the pesticide use reporting
33 system.

34 (4) The department shall adopt rules imposing civil penalties for
35 failure to transmit information as required by subsection (3) of this
36 section.

1 NEW SECTION. **Sec. 6.** Sections 1 through 5 of this act constitute
2 a new chapter in Title 15 RCW.

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