

TPSA Conference
Albuquerque New Mexico
February 22-24, 2009

Good (morning or afternoon),

My name is Jason Robertson. I am an Assistant Director in the Pesticide Division at the Arkansas State Plant Board. One of my job duties at the Plant Board is to work with the Abandoned Pesticide Program.

Arkansas's program began with Act 1174 of the 1999 Arkansas State Legislature as a response to concerns voiced by several agencies in the state. The agencies were fielding numerous questions from farmers about the proper way to dispose of old or unwanted pesticides. The answer was to contact a hazardous waste disposal company, but this often proved to be too costly for the farmers, and lead to fears amongst the agencies that the farmers might dispose of the pesticides in a way that might be detrimental to the environment. The passage of act 1174 established the Abandoned Pesticide Advisory Board and charged the Arkansas State Plant Board with implementation of the program under guidance

from the Advisory Board. The Advisory Board consists of members from the Plant Board, the Natural Resources Commission, The Arkansas Department of Environmental Quality, The University of Arkansas Cooperative Extension Service, and Arkansas Farm Bureau.

Following the establishment of the Pesticide Advisory Board a pilot program was initiated to see how successful a collection event would be. In the year 2000, Benton county in Northwest Arkansas was chosen as the test county. There were several reasons for choosing just one county. These included a limited amount of funding, and the willingness and ability of the county to help with the implementation of the program. There was a total of 31,154 pounds of unwanted pesticides collected during this event. After such a successful test collection event, act 1130 of 2001 was enacted. This established a sustainable fund for the program by requiring a fee to be paid by the pesticide manufacturers for each agricultural pesticide they register for sale in Arkansas.

From the beginning fears existed on both sides of the program. The Advisory Board was concerned that the collection would cost more than was available in the budget, and the participants were leery about trusting regulatory

agencies and were seeking anonymity. These concerns became the foundation of the program in Arkansas. In an effort to address the financial concerns of the Advisory Board, it was decided that the collections would be conducted on a county by county basis. This is accomplished by promoting the collection event only to the citizens of the county where the event will take place and asking the farmers to submit an inventory sheet listing their intended submissions. Members of the county government, the State Plant Board, County Cooperative Extension, the Arkansas Natural Resources Commission, the county Farm Bureau and the local Natural Resource Commission are involved in a planning meeting to develop advertising materials and to determine the best way to promote the collection event. The Cooperative Extension Service developed outreach materials including posters, letters, television and radio announcements and flyers to help promote the events and to specify what types of pesticides will be accepted at the events. These promotional materials make no mention of any regulatory agency's involvement to help ease the fears of the farmers. The inventory sheets allow the board to consider the costs before the collection event takes place. If the inventory sheet analysis shows that more pesticides are going to be collected than we can afford to dispose of, the remaining participants are called and asked to hold their inventory until funding can be acquired and another collection can be scheduled.

The issue of producer anonymity is handled by working with the county Farm Bureau. The inventory sheets are returned to the county Farm Bureau office. Farm Bureau, which is a non government agency, is not subject to the Arkansas Freedom of Information Act. The inventory sheets are divided into two portions and numbered. The top of the sheet is kept at the county Farm Bureau office and contains the farmers' information. The bottom of the sheet is labeled with a corresponding number and contains the type and quantity of pesticides the farmer will be bringing to the collection event. No government entity or representative has access to the top portion of the inventory sheet. A meeting is held with representatives from the county Farm Bureau, the State Plant Board, the county Extension Service, the county Judges Office and the Hazardous Waste Contractor to determine the total of all of the inventory sheets that have been received by the county Farm Bureau. The hazardous waste contractor will make the determination of the cost of the inventory indicated on each of the sheets and if an on-site pick up will be required due to quantity of pesticides or the condition of the pesticide containers. If it is determined that an on-site pick up will be required, the contractor will work with the county Farm Bureau to contact the farmer. The hazardous waste contractor is also exempt from the state freedom of information act. On the day of the collection the participants do not have to

identify themselves or even get out of their vehicle, they are not required to speak to anyone and the hazardous waste contractor will unload the pesticides for the producer without anyone ever asking a question.

The first collection following the passage of Act 1130 of 2001 did not take place until 2005. The delay was to allow funding to build up to ensure enough funds were in place to cover the collection events and allow a cushion for unexpected costs. Collections began in the Mississippi River delta region of Arkansas starting with Clay County in Northeast Arkansas. This first collection event was met with some apprehension from the farmers. The event total was 6,929 pounds and fell short of the expectations of everyone involved. As with all new programs the old saying “if it seems too good to be true, it is” seemed to plague the program. Over the next year several collection events were held yielding mixed results due in part to mistrust on the participant’s side. During this period it was also determined that the time of year would greatly impact the turn out at the collection events. The next events were scheduled in the early spring, before planting time, and in the late fall after the harvest season ended. As the program moved forward, the collections began to grow, however one event in Northeast Arkansas would completely change the producer’s view of the program. A participant turned in an inventory sheet listing 4,000 pounds of Calcium Arsenate. After some discussion the contractor decided this required an on site pick up. When the contractor arrived at the location, it turned out that there was

40,000 pounds of Calcium Arsenate. As word of this spread through the farming community and they realized that no regulatory action was taken, they became less fearful of the program.

In 2006, collection events were held in nine counties. In the year 2007, collection events were held in six counties. In 2008, ten collection events were held. All of these took place in the Mississippi River Delta Region. To date we have collected more than 551,000 pounds of unwanted pesticides in Arkansas. At the December 2008 meeting the Abandoned Pesticide Advisory Board approved holding collection events in eleven counties in 2009. The spring collection events will finish the counties in the delta region and the fall collections will begin to expand into the north-central part of the state. The goal is to hold at least one collection event in each county in Arkansas. Some counties in the delta area will be revisited as funding allows.

The Abandoned Pesticide Program in Arkansas has been very successful thanks to help from many different state agencies, the Cooperative Extension Service, Farm Bureau, the county governments, and the funding provided by the pesticide manufacturers. I would like to stress that this program is intended for private users of agricultural pesticides, not homeowners or commercial applicators. The program continues to grow and is gaining more trust and support from the farming community and county officials. We are receiving requests to

hold collection events in counties where they have already been held and as the image of the program evolves, new counties are calling wanting to know when it will be their turn to be a part of such an important and outstanding program. At this time I will be happy to answer any questions you may have.

Thank you.