

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2110

2001 SENATE AGRICULTURE

SB 2110

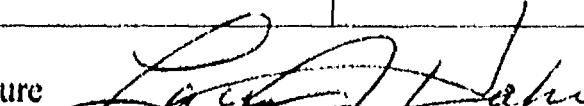
2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2110

Senate Agriculture Committee

☐ Conference Committee

Hearing Date January 19, 2001

Tape Number	Side A	Side B	Meter #
1	X		0.0 - 29.2
2	X		5.6 - 10.5
Committee Clerk Signature 			

Minutes:

The hearing opened on SB 2110.

SENATOR WANZEK introduced the bill. I am fully aware of this program and the good it has done in the past and the fact that it is a positive proactive approach to dealing with the environment and issues of concern in pesticide container disposal. Without this program many people are not sure where, and how to go about the disposal of pesticide containers. This program give them the opportunity to dispose of pesticide containers. I support this bill because it is a positive program and service for the citizens of our state.

SENATOR KLEIN, How is this program funded?

SENATOR WANZEK, All of it comes out of the EARP Fund, which funded by registration fees that product registrant pay in for pesticides that they register within our state.

REP. AARSVOLD, testified in favor of this bill. See attached testimony.

JUDY CARLSON, testified in favor of this bill. See attached testimony.

SENATOR KLEIN, Why do we continuously hear this bill every session?

JUDY CARLSON, Products are continuously being ban and changes in our farm environment, such as chemicals.

SENATOR NICHOLS, How are abandoned farms dealt with?

JUDY CARLSON, If we are aware of the situation we can do farm pickup.

BRIAN KRAMER, North Dakota Farm Bureau, testified in favor of this bill. If we get rid of this program the products will not be disposed of properly.

SENATOR KLEIN, Is a person liable for the products they drop off and can their farm be inspected?

BRIAN KRAMER, There are no questions asked.

MIKE DONAHUE, testified in favor of this bill.

BILL PFEIFER, North Dakota Chapter Wildlife Society, testified in favor of this bill. See attached testimony.

GARY KNUTSON, North Dakota Agricultural Association, testified in favor of this bill.

RICHARD SCHLOSSER, North Dakota Farmers Union, testified in favor of this bill.

The hearing was closed.

SENATOR KLIEN motioned for DO PASS on SB 2110. SENATOR URLACHER seconded the motion. Roll call vote carried: 6 Yeas, 0 No, 0 Absent and Not Voting. SENATOR URLACHER will carried the bill.

FISCAL NOTE
 Requested by Legislative Council
 12/26/2000

Bill/Resolution No.: SB 2110

Amendment to:

1A. State fiscal effect: *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$599,369	\$0	\$0
Appropriations	\$0	\$0	\$0	\$599,369	\$0	\$0

1B. County, city, and school district fiscal effect: *Identify the fiscal effect on the appropriate political subdivision.*

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

2. Narrative: *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

The bill extends the sunset on Project Safesend --the program to collect and dispose of unusable pesticides.

3. State fiscal effect detail: *For information shown under state fiscal effect in 1A, please:*

A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

Expenditures are for contracting with a hazardous waste disposal company to transport and dispose of the unusable pesticides, including 0.5 FTE to coordinate and administer the activities of this program.

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for*

expenditures and appropriations.

The funds are appropriated from the Environment and Rangeland Protection Fund. The appropriation is included in the executive recommendation in the Safesend line of the Agriculture Commissioner budget--HB1009.

Name:	Jeff Weispfenning	Agency:	Agriculture, Department of
Phone Number:	328-4758	Date Prepared:	12/28/2000

Date: Jan. 19
Roll Call Vote #:

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2110

Senate _____ Agriculture _____ Committee

☐ Subcommittee on _____
or
☐ Conference Committee

Legislative Council Amendment Number _____

Action Taken _____

Motion Made By Senator Klein Seconded By Senator Urlacher

Senators	Yes	No	Senators	Yes	No
Senator Wanzek - Chairman	✓		Senator Kroeplin	✓	
Senator Erbele - Vice Chairman	✓		Senator Nichols	✓	
Senator Klein	✓				
Senator Urlacher	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Sen. Urlacher

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
January 19, 2001 1:00 p.m.

Module No: SR-09-1301
Carrier: Urlacher
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2110: Agriculture Committee (Sen. Wanzek, Chairman) recommends DO PASS
(6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2110 was placed on the
Eleventh order on the calendar.

2001 HOUSE AGRICULTURE

SB 2110

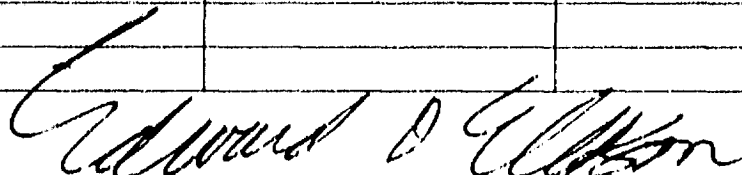
2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2110

House Agriculture Committee

☐ Conference Committee

Hearing Date 3--2--01

Tape Number	Side A	Side B	Meter #
ONE	A		00 TO 3624
Committee Clerk Signature 			

Minutes:

CHAIRMAN NICHOLAS: Committee Member, we will open the hearing on SB 2110.

Sen. Wanzek, I will call on you,

SEN. WANZEK: This Bill has been a good program. It addresses many peoples concerns.

I have no testimony prepared for SB 2110. It addresses health concerns, environmental concerns, farmers concerns and even house wife's concerns, who might have an old can of cleaning solvent where it would be prudent or wisely disposed of. I'll save all the details for other that are going to testify.

CHAIRMAN NICHOLAS: Any Questions?

REPRESENTATIVE AARSVOLD: Printed testimony. Please see. I would respond to questions:

REPRESENTATIVE BERG: Mr. Chairman, two things, when we first put this in place, the intent was kind of a hold harmless for everyone that has been stock piling chemicals. There

would be a window where they could bring them all in and clean it up and from that point on we would move forward. This has kind of evolved every two years and again I think two things. One..... To make it clear the majority of this revenue comes from household products. Not farm chemicals. The taxation. It would seem to me that rather than just renewing this program year after year it might be more efficient to look at most rural areas served by some sort of municipal waste. We could tie what we want to accomplish here more into the private sector, if they are having problems of disposing of some of these chemicals. I think we should be somewhere else long term. I don't know whether you want to respond to that.

REPRESENTATIVE AARSVOLD: I think that this will be an ongoing program in terms of need. With the new chemicals that come to the market almost on a daily basis are replacing chemicals that are not effective. Those chemicals then become potential hazards for disposal. In terms of the structure for establishing collection points, I think that is necessary in terms of liability. Typically those are at sights across the state where we can concentrate the potential hazards, potential liability into fewer sights opposed to having multiple sights in other parts of the state.

REPRESENTATIVE BERG: My point is this. You live on a farm. You have someone that comes and picks up garbage.

REPRESENTATIVE AARSVOLD: I don't, I take my garbage to a dumpsite in the township.

REPRESENTATIVE BERG: If at that dumpsite, there were a smaller dumpsite for the products that would fit hazardous chemical. Would not that be a better way to collect it?

I am thinking of the big picture.

REPRESENTATIVE AARSVOLD: Responding very briefly. I think there is a potential hazard for not only for me as a contributor to those sights but to a township who might sponsor that dumpsite or city where that dumpsite might be located. We are far better off having fewer sights. Having those collected by a special vehicle.

CHAIRMAN NICHOLAS: Any more questions committee members? Thank you Rep. Aarsvold.

We will take additional testimony in support of 2110.

JUDY CARLSON: I am Judy Carlson, the Project Safe Send Coordinator for the Department of Agriculture. Printed testimony follows, please see attachments.

CHAIRMAN NICHOLAS: Any questions committee members? THERE IS LIABILITY.

REPRESENTATIVE MUELLER: Judy, you make a statement here in your testimony. Regard to the number of pounds. Has that poundage gone up or down. What has been the general trend?

JUDY: Representative Mueller, what we find is if we do more advertising, the number of participants increases. We have to make the dumpsites convent or they just will not bring it in. The poundage has gone up. We have tables showing the increase. We like to have a sight every 50 miles.

REPRESENTATIVE JOHNSON: Judy, at your collection points your numbers. Like Larimore, the participant is over 1000 pounds. Are people bring truck loads in?

JUDY: At the Larimore sight one potato farmer, a large potato farmer, cleaned up a farm stead and they had three truck loads of ugly stuff. We do accept some waste from businesses.

REPRESENTATIVE ONSTAD: It is always a concern when you have that unmanned dumpsite. Who is liable if someone throws a five gallons into a dumpsite. Or garbage sack? Who is liable? The garbage truck comes and gets it. Who is liable. If it ends up in the waste. The person because he took the garbage.

JUDY: Under federal law there is a cradle to grave liability. Who ever owned the land, who is responsible. If you can track back, it is difficult. Picker uppers repackage the waste. We have a bid contractor for garbage pick ups. They do the loading, unloading, packaging, inventory of the pesticides.

BERG: Judy, my concern is how do we make it more convenient? Some of these people do have financial liability. They created the waste. It should not be for someone else to pay for. If I am in a business that creates hazardous waste, I should take care of it, that is part of the cost of doing business. JUDY Some of the people that are using this is probably not what we intended.

WE used to only accept waste from farmers. Some of the same people that we were not accepting waste from are the same people that are paying into it. They would be double charged. We have talked about this.

REPRESENTATIVE BERG: We just have not got the job done.

JUDY: I could tell you that even if you gave us 2 or 3 million this biennium, we could have continued collections in 50 places all over the state and say this is it. I am not sure that human nature, I'm not sure it would work.

CHAIRMAN NICHOLAS: There are chemicals now. An example is the chemical that we are using now ROVANT, for killing bugs in grain now, the EPA is going to pull that off by 2003

and I'm sure that I have one or two bags in my quasant, I am sure a lot of other farmers have bags or in a liquid form. The point being there are chemicals that are being pulled off. It is kind of an on going thing. A chemical that you can use one year you can't the next. There are new ones coming out.

REPRESENTATIVE LLOYD: This project will never end. Farmers bought to much and then the chemical was taken off. Fee's should be set. Some no's said. No we are not going to take that if it is waste water. I can't believe that we would take that. That is a persons responsibility. You can get rid of by spraying out on a solid ground or old crop ground. That is not a problem, that is the way it is supposto to be disposed of. I think that the administration of the program could be enhance and I guess on of my questions is how often dose the advisory board meet and who are the members of the board. JUDY:

Please see the hand out as to the board members.

REPRESENTATIVE LLOYD: We need guide lines as to what we pick up. That would reduce the amount of material we pick up.

JUDY: EPA tells people that they should use their state as to pesticide disposal. They don't help fund. our program which is frustrating.

REPRESENTATIVE MUELLER: The label is gone, I don't know what is in the can, sack etc. How often do you know exactly what is in those containers.

JUDY: We have on site testing. Our contractor checks. They segregate different chemicals. It is cheaper to segregate then to test everything. It cost about a hundred dollars to test it.

REPRESENTATIVE RENNER: Empty jugs. Do we collect those.

JUDY: EAP IS DOING IT. They do it at no charge to us. They process the containers and sell it to some one else.

REPRESENTATIVE BRANDENBURG: Poundage question. can we do something about that.

JUDY: We could just pay a contractor to take this waste.. We could set fees. This is something that the advisory board is looking at. That is something the legislator dose for us.

JEFF OLSON: I have had some conversation with the Ag. Association on this particular issue. They have the same concerns that we have as far as the collection. So what we have proposed is that they are going to start policing themselves on the collection and disposal. This is for the rensalg. We are working with the Ag. Association on trying to eliminate that particular product from coming into the program.

REPRESENTATIVE LEMIEUX: The program seems to be working quite well. Are we getting a lot of industrial, non agriculture hazardous products coming in.

JUDY: It is nearly all AG. products. After the the 1997 flood. We received an EPA GRANT and that paid for 100 percent of the damaged products in the valley. We were also able to take out waste and the EPA paid for that.

CHAIRMAN NICHOLAS: THANK YOU JUDY. Anyone else wishing to offer comments on this.

BILL PFEIFER: We strongly support SB 2110. I am Bill Pfeifer representing the NORTH DAKOTA CHAPTER OF THE WILDLIFE SOCIETY. PLEASE SEE ATTACHED TESTIMONY.

CHAIRMAN NICHOLAS: Who else as to testimony.

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House Agriculture Committee
Bill/Resolution Number SB 2110
Hearing Date 3--2--01

MIKE DONAHUE: I am with the United Sportsman Wildlife Federation. We support SB 2110. We think it is a win win situation.

JERRY KNUTSON: We support the Bill. There is just one concern. In appropriations they are suggesting a couple of amendments. Hopefully we can keep the program.

MARK SITZ: North Dakota Farmers Union We support this Bill. We are part of the advisory Board, as to what Judy passed out.

CHAIRMAN NICHOLAS: Any one else wishing to support this Bill. Any opposition to this Bill. O.K. we will close the hearing on SB 2110

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2110 A

House Agriculture Committee

☐ Conference Committee

Hearing Date 3--2--01

Tape Number	Side A	Side B	Meter #
TWO	A		3256 TO 3354
Committee Clerk Signature <i>Edward D. Ellison</i>			

Minutes:

CHAIRMAN NICHOLAS: Committee Members, we will open the hearing on SB 2110.

REPRESENTATIVE FROELICH MOVES FOR A ""DO PASS""SECONDED BY

REPRESENTAIVE PIETSCH. IS THERE ANY DISCUSSION? THE CLERK WILL TAKE

THE ROLL. THERE WERE """"14 YES""""0 NO""""1

ABSENT""""REPRESENTATIVE MUELLER WILL CARRY THE BILL. WE WILL

CLOSE THE HEARING ON SB 2110.

3-2-2001

Date:
Roll Call Vote #:

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO.

SB 2110

House AGRICULTURE

Committee

☐ Subcommittee on _____
or
☐ Conference Committee

Legislative Council Amendment Number _____

Action Taken DO PASS

Motion Made By FROELICH Seconded By RENNER

Representatives	Yes	No	Representatives	Yes	No
Eugene Nicholas, Chairman	✓		Rod Froelich	✓	
Dennis E. Johnson - Vice Chairman	✓		Doug Lemieux	✓	
Rick Berg			Philip Mueller	✓	
Michael Brandenburg	✓		Kenton Onstad	✓	
Joyce Kingsbury	✓		Sally M. Slandvig	✓	
Myron Koppang	✓		Dennis J. Renner	✓	
Edward H. Lloyd	✓		Dwight Wrangham	✓	
Bill Pietsch	✓				

Total (Yes) 14 No 0

Absent 1

Floor Assignment MULLER

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
March 2, 2001 1:15 p.m.

Module No: HR-36-4720
Carrier: Mueller
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2110: Agriculture Committee (Rep. Nicholas, Chairman) recommends DO PASS
(14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2110 was placed on the
Fourteenth order on the calendar.

2001 TESTIMONY

SB 2110

**SENATE AGRICULTURE COMMITTEE
SENATOR TERRY WANZEK, CHAIRMAN
PREPARED BY: REPRESENTATIVE OLE AARSVOLD
DISTRICT 20
SENATE BILL 2110**

Senate Bill 2110, if passed, would provide reauthorization of Project Safe Send for the 2001-2003 biennium. It has been in place since 1991 and has safely disposed of tons of unusable, outdated or hazardous farm chemicals. Cooperation with the agriculture chemical industry has resulted in the disposal and/or recycling of chemical containers as well.

Modest fees placed on all registered farm chemicals are the source of revenue for Safe Send. The cost per unit of product is microscopic compared to benefit of ridding farm sheds, landfills and farm trash heaps of potentially hazardous materials. Interestingly, most farms establish trash heaps on the least useable and least valuable land. That is typically near a pothole, creek or river - the very places where water contamination, sub-surface or surface, originates.

It is safe to say that Project Safe Send has the virtual unanimous support of agriculture chemical manufacturers, distributors, dealers and users.

The potential liability of every sector of production agriculture dictates that a Project Safe Send continue in North Dakota.

I solicit the Committee's endorsement of Senate Bill 2110.

Senate Agriculture, January 19, 2001

SB 2110-- Agricultural pesticide and pesticide container disposal program

Chairman Wanzek, Committee members, I'm Judy Carlson, the Project Safe Send coordinator for the department of agriculture. SB 2110 continues "Project Safe Send" (PSS), the unusable pesticide collection and the pesticide container recycling program.

This legislation continues the program for another two years.

The funding for PSS is included in the department of agriculture's budget. A special fund, the Environment and Range Protection (EARP) Fund supports this program.

(Distribute legislative report.)

This biennium, we facilitated thirty ^{two} collection events throughout the state. The pounds collected continue to increase. Over 600 participants brought in 325,887 pounds of unusable waste pesticides.

The amount of pesticides collected demonstrates the continued need for this program and the concern of North Dakota agricultural producers for the environment. Project Safe Send makes it economically feasible for individuals to get rid of their unusable pesticides.

We recently commissioned the North Dakota Agricultural Statistics Service to survey farm and ranch operations on PSS using questions very similar to a survey completed in 1995. The results are included in the legislative report. The percentage of producers with unusable pesticides and the quantities are about the same now as they were then.

The Project Safe Send advisory board and Roger Johnson, commissioner of agriculture, recommend that this program be continued.

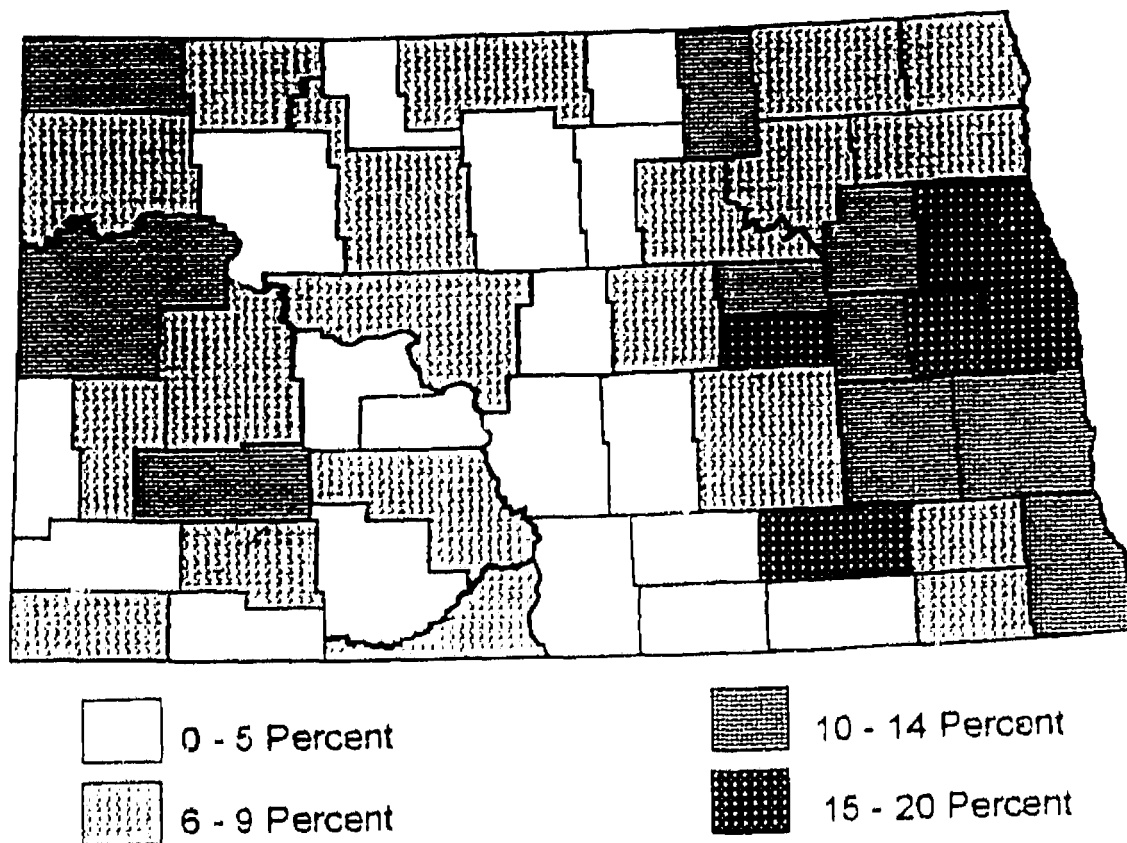
Thank you for your consideration.

PROJECT SAFE SEND COLLECTION COST SUMMARY

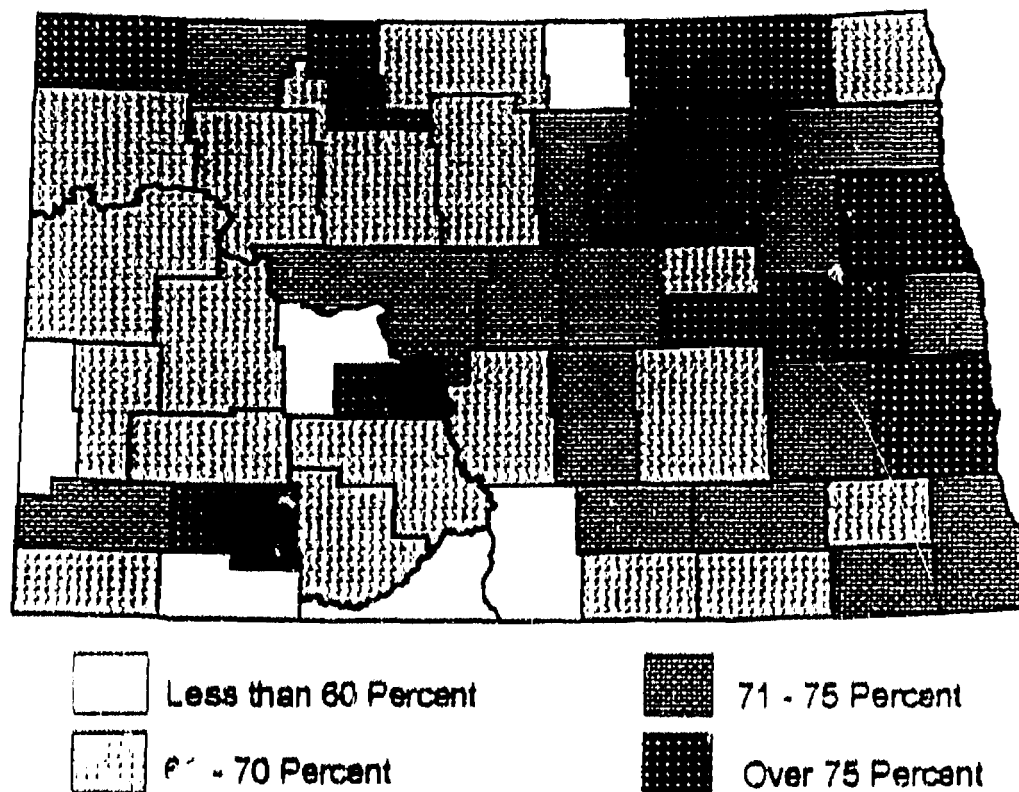
January 23, 2001

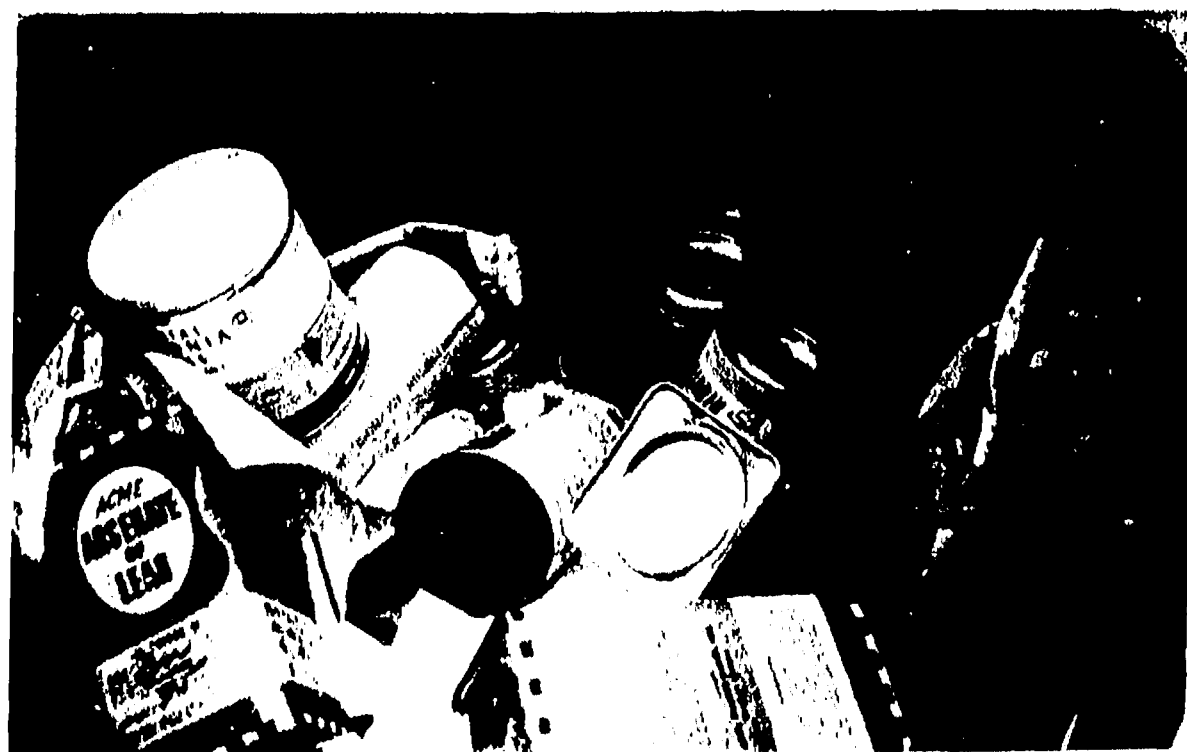
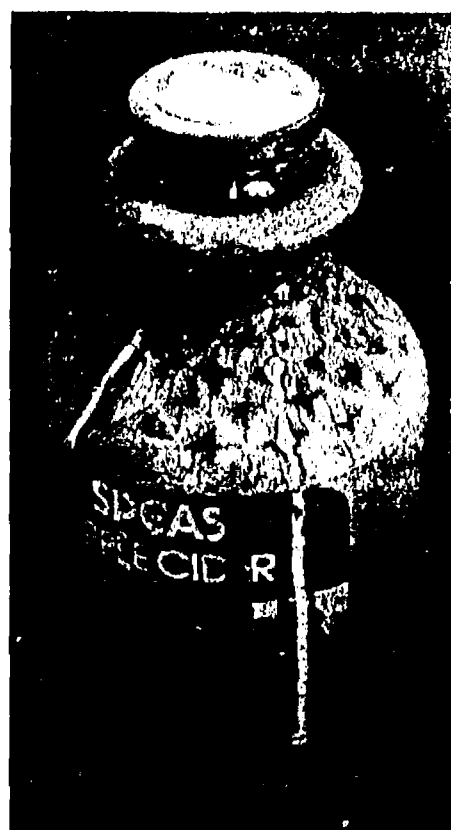
	91-93	93-95	95-97	97-99	99-01
Budget	\$600,000	\$883,958 includes carryover and \$150,000 EPA grant	\$665,000 includes \$15,000 EPA grant	\$734,428 (\$552,133 general fund) includes \$182,295 EPA grant	\$573,907
Expenditures - Includes salaries, operating, advertisement	\$442,872	678,294	428,568	Est. \$625,000	\$573,907
Number of collections	1 - summer 92	2- 1994 1-1995	1-1996 1-1997	2-1997 (flood&July) 1-1998	1-1999 1-2000
Number of sites	3	6-1994 (summer 5-1994 (fall) 3-1995 (spring)	16-1996 (summer) 8-1997 (June)	4-flood 1997 8-1997 (July) 16-1998 (summer)	16-1999 (July) 16-2000 (July)
Average contract price per pound	\$5	\$3.30	\$1.70 - 1996 see 1997 rates	1997 - \$2.07 1 st 30,000 lbs, then \$1.42 per lb 1998 - \$180,000 mobilization & .99 per lb	1999 - \$42,000 mobilization \$.91 per pound. 2000 - \$40,000 mobilization \$.91 per pound
Pounds collected	80,901	71,584 60,254 48,222	94,389 19,402	90,567 (flood) 63,917- 1997 July 131,709 - 1998	158,938 - 1999 166,949 - 2000
Total pounds per biennium - on weight pd. In that biennium.	80,910	180,060	113,791	286,193	325,887
Average pounds per site	26,970	12,861	4,741	10,221	10,184
Approximate cost per pound over biennium - includes dept. costs	\$5.47	\$3.77	\$3.77	\$2.18	\$1.76

Have Unusable Pesticides **Percent of Producers, North Dakota, 2000**



Familiar With Safe Send **Percent of Producers, North Dakota, 2000**







North Dakota Chapter

THE WILDLIFE SOCIETY

P.O. BOX 1442 • BISMARCK, ND 58502



**TESTIMONY OF BILL PFEIFER
NORTH DAKOTA CHAPTER OF THE WILDLIFE SOCIETY
PRESENTED TO THE SENATE AGRICULTURE COMMITTEE
ON SB 2110, JANUARY 19, 2001**

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

I'm Bill Pfeifer representing the North Dakota Chapter of The Wildlife Society, an organization of approximately 300 professional natural resource managers, scientists, and educators.

The Wildlife Society strongly supports SB 2110, a Bill which provides for the continuation of a program that collects and disposes of pesticides and pesticide containers. The collection program is titled "Project Safe Send."

This program is a winner for all living things including our natural and human resources. A simple example is the reduction in the potential of contaminated drinking water.

Since the disposal program began in 1992, nearly a million pounds of pesticides have been collected from 2,994 pesticide users. A survey of the program participants in 2000 indicated all but one individual supported the program's continuation.

The North Dakota Chapter of The Wildlife Society encourages passage of SB 2110 for the continued protection of all our resources.

**North Dakota Department
of Agriculture**

Report to the 2001 Legislature

Project Safe Send and Recycling of Pesticide
Containers



INTRODUCTION

During the 1999-2000 biennium, Project Safe Send made it possible for 653 people, mostly farmers, pesticide dealers and applicators, to safely and at no charge dispose of almost 325,000 pounds of dangerous, unusable pesticides, such as DDT, chlordane, arsenic and mercury.

Since 1992, nearly 3,000 participants have brought in almost one million pounds of unusable pesticides to Project Safe Send collection sites.

Yet the need for the program continues. Throughout the year, the North Dakota Department of Agriculture (NDDA) hears from callers asking when the next collection will take place. Participants overwhelmingly say the program should be continued.

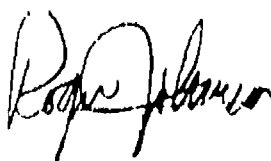
The support for the program is understandable – it's simple, effective and free. Participants bring their unusable pesticides to a scheduled, local collection site. They are asked to complete a voluntary survey and inventory form. A contractor unloads the wastes for the participants and collects any paperwork. The whole process usually takes just a few minutes.

The contractor properly packs the waste pesticides for shipment to out-of-state disposal facilities and prepares the necessary shipping manifests and bill of lading. The contractor accepts most of the program liability. NDDA carefully monitors the collection events and documentation, withholding a substantial portion of the payment to the contractor until final certificates of disposal are received.

Thanks to the foresight of the 1991 Legislature, what would be a difficult, dangerous and expensive undertaking for individual producers has become easy and affordable and a model of sound public policy for dealing with complex environmental issues.

The need for this valuable program remains, and I encourage the 2001 Legislature to continue Project Safe Send.

Sincerely,



Roger Johnson
Commissioner of Agriculture

1999 COLLECTIONS

SITE	PARTICIPANTS	POUNDS
Mohall	22	4,355
Parshall	11	1,784
Watford City	12	4,167
Belfield	10	3,864
Beulah	15	1,835
Flasher	5	1,223
Courtenay	20	4,938
Ashley	16	3,045
Harvey	17	4,727
Steele	16	3,232
Mayville	22	52,935
Drayton	38	15,633
Starkweather	29	17,245
Michigan	30	12,621
Casselton	46	18,497
Forman	<u>12</u>	<u>2,377</u>
TOTALS	321	158,938

2000 COLLECTIONS

SITE	PARTICIPANTS	POUNDS
Larimore	27	32,333
Cavalier	46	12,296
Devils Lake	32	9,711
Cooperstown	30	18,856
Lidgerwood	20	3,373
West Fargo	34	32,947
Jamestown	36	9,248
Towner	20	5,508
Wishek	6	615
Kenmare	8	30,370
Mott	10	2,316
Williston	25	4,100
Bowman	6	824
Halliday	12	1,870
Mandan	11	947
<u>McClusky</u>	<u>2</u>	<u>1,635</u>
TOTALS	332	166,949

PROJECT SAFE SEND SUMMARY

1992-2000

YEAR	PARTICIPANTS	POUNDS
1992	396	80,910
1994*	608	131,838
1995	145	48,222
1996	341	94,389
1997**	484	167,319
1998	367	131,709
1999	321	158,938
<u>2000</u>	<u>332</u>	<u>166,949</u>
	2,994	980,274

* Two series of collections were held in 1994.

** Additional collections were made in 1997 to gather pesticides damaged in the flooding of the Red River Valley.

1999-2001 Project Safe Send Advisory Board

Ken Astrup

North Dakota Farmers Union
Jamestown

Brian Kramer

North Dakota Farm Bureau
Turtle Lake

Terry Knudson

North Dakota Grain Dealers
Falkirk

Ed Ryen

North Dakota Department of Transportation
Bismarek

Andrew Thostenson

North Dakota State University
Pesticide Programs
Fargo

Martin Schoek

North Dakota Health Department
Bismarek

Cal Thorson

North Dakota Agriculture Association
Fargo

Pesticide Container Recycling Program

The number of empty, plastic pesticide containers collected for recycling increased more than 40 percent from 1999 to 2000.

The container collection program is conducted by a private company, UAP Northern Plains of Fargo.

The North Dakota Department of Agriculture promotes these collections through paid advertisements, news releases and personal communications with growers.

The North Dakota State University Extension Service promotes container rinsing and recycling at pesticide applicator training meetings.

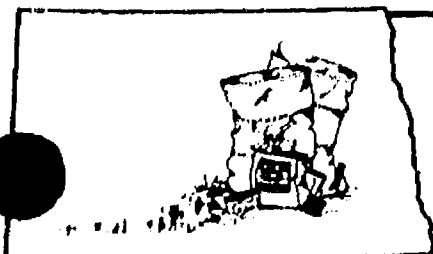
UAP reported that 107,588 empty containers weighing 64,533 pounds were collected in 2000, and that 76,238 jugs or 45,743 pounds were collected in 1999.

1999 COLLECTION SITES

Arthur, Belfield, Berthold, Bowbells, Bowman, Carrington, Clifford, Crosby, Devils Lake, Dickinson, Drayton, Elgin, Golva, Grand Forks, Gwinner, Halliday, Harvey, Hebron, Lakota, Lansford, Mapleton, Minot, Newburg, New England, LaMoure, Parshall, Rolla, Rugby, Scranton, Stanley, Taylor, Watford City, Williston, Wimbledon, Ypsilanti.

2000 COLLECTION SITES

Ambrose, Arthur, Belfield, Berthold, Bowman, Carrington, Clifford, Devils Lake, Dickinson, Drayton, Elgin, Fairdale, Golva, Grand Forks, Gwinner, Halliday, Harvey, Hebron, Jamestown, LaMoure, Lansford, Mapleton, Minot, Newburg, New England, Parshall, Rolla, Rugby, Scranton, Stanley, Taylor, Tolley, Underwood, Voltaire, Watford City and Williston.



Project Safe Send Survey Results North Dakota, 2000

Survey Results

Seven out of 10 (70 percent) of producers contacted said they were familiar with Project Safe Send. Using 1997 Census of Agriculture data as a base, this leaves just 9,105 North Dakota producers unaware of the project. The last time this survey was conducted in 1995, 74 percent of the producers were familiar with Project Safe Send.

When asked if they had any unusable pesticides for disposal, nearly 1 in 10 (8 percent) said yes. The same number (8 percent) was reported in 1995. Again using Census data as a base, this translates to about 2,333 producers who could benefit from the program. Of this number, 21 percent had some dry chemical and 89 percent had some liquid. Dry quantity on hand ranged from 1 to 400 pounds, averaged 60 pounds, and expands to a total of 27 pounds in the state, compared to 23,676 pounds in 1995. Liquid quantity ranged from 1 to 500 gallons, averaged 13 gallons, and expands to a 25,940 gallon state total, compared with 21,171 gallons in 1995.

Holders of unusable pesticides reported that they were willing to travel an average of 33 miles to an official collection site. The shortest distance producers were willing to travel was 1 mile, the longest distance was 100 miles. In 1995, producers

were willing to travel an average of 38 miles. When asked if there should be more local announcements of Project Safe Send collection dates and sites, 82 percent of respondents with unusable pesticides said yes.

Background

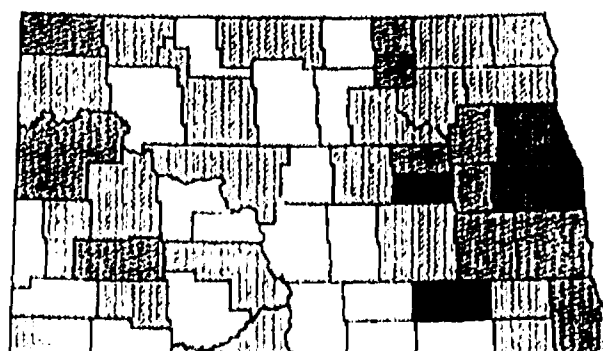
This report is the result of a phone survey conducted in November and December by the USDA's North Dakota Agricultural Statistics Service. The survey results are based on reports from approximately 3,800 North Dakota farming and ranching operations. It was undertaken to determine familiarity with Project Safe Send, quantity of unusable pesticides on hand, distances producers would travel to collection sites and whether or not more local announcements should be made with respect to collection dates and sites. Data has been aggregated to the county, district, and state levels. It was also summarized by selected farm type strata. Details are listed in accompanying tables.

The survey was requested by the North Dakota Department of Agriculture who provided supporting funds. They also provided the original data items for the inquiry. This is the second time this survey has been conducted. The first was in 1995.

Familiar With Safe Send
Percent of Producers, North Dakota, 2000



Have Unusable Pesticides
Percent of Producers, North Dakota, 2000



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N.D. Agricultural Statistics Service, USDA • P.O. Box 3166, Fargo, ND 58108 3166 • 701-239-5300

E-mail: nass.nd@nass.usda.gov • Internet: <http://www.nass.usda.gov/nd/>

Project Safe Send Survey Results

Producer Familiarity with Project Safe Send, by County and District, North Dakota, 2000

District and County	Number of Farms		Producers Familiar with Project Safe Send		Producers with Pesticides to Dispose	
	1997 Census	Reporting	Pct.	Expanded Number	Pct.	Exp. No.
Burke	479	54	74	355	6	27
Divide	535	70	80	428	10	54
Mountrail	755	75	67	503	3	20
Renville	390	37	78	306	3	11
Ward	1,172	105	70	815	9	100
Williams	850	89	67	573	7	57
Northwest	4,181	430	71	2,980	6	269
Benson	604	77	77	463	8	47
Bottineau	808	86	69	554	6	47
McHenry	905	141	67	603	5	45
Pierce	491	90	75	366	4	22
Rolette	511	62	52	264	5	25
North Central	3,319	456	68	2,250	6	186
Cavalier	682	83	77	526	6	41
Grand Forks	768	149	83	639	15	113
Nelson	471	58	74	349	10	49
Pembina	615	99	66	404	9	56
Ramsey	525	90	87	455	7	35
Towner	428	48	79	339	13	54
Walsh	755	129	71	533	8	64
Northeast	4,244	656	76	3,245	10	412
Dunn	618	53	68	420	8	47
McKenzie	668	59	64	430	14	91
McLean	969	126	74	715	9	85
Mercer	473	26	58	273	4	18
Oliver	327	30	77	251	1/	1/
West Central	3,055	294	68	2,089	8	241
Golden Valley	288	42	62	178	12	34
Kidder	282	41	78	220	15	41
Sheridan	513	73	71	365	4	21
Stutsman	380	38	71	270	3	10
Wells	979	99	67	653	9	89
Central	593	93	74	440	6	38
	3,035	386	70	2,126	8	233
Barnes	772	103	75	577	10	75
Cass	919	145	78	716	10	89
Griggs	357	50	80	286	10	36
Steele	290	85	79	229	20	58
Traill	471	94	72	341	19	90
East Central	2,809	477	77	2,149	12	348
Adams	367	31	58	213	3	12
Billings	237	11	64	151	9	22
Bowman	358	31	65	231	6	23
Golden Valley	244	15	47	114	1/	1/
Hettinger	436	47	85	371	8	37
Slope	263	21	71	188	5	13
Stark	802	41	68	548	12	98
Southwest	2,707	197	67	1,816	8	205
Burleigh	867	81	64	557	5	43
Emmons	744	88	58	431	3	25
Grant	596	61	61	362	1/	1/
Morton	907	113	70	634	6	56
Sioux	193	13	38	74	8	15
South Central	3,307	356	62	2,058	4	139
Dickey	517	82	62	322	5	25
LaMoure	616	88	74	455	15	91
Logan	401	41	73	293	2	10
McIntosh	505	48	67	337	1/	1/
Ransom	485	88	67	325	9	44
Richland	874	135	71	622	10	91
Sioux	449	69	74	332	9	39
South East	3,847	551	70	2,686	8	300
TOTAL	30,504	3,803	70	21,399	8	2,333

1/ Insufficient data

Project Safe Send Survey Results

Unusable Pesticides by District, North Dakota, 2000

District	Unusable Pesticides									
	Dry					Liquid				
	Pct. "	Range Reported		Average	Exp. Total	Pct. "	Range Reported		Average	Exp. Total
		Min.	Max.				Min.	Max.		
Northwest	14	1	300	105	3,077	93	1	30	7	1,943
North Central	24	1	100	31	1,368	88	1	60	10	1,510
Northeast	15	1	350	112	4,895	94	1	100	14	4,923
West Central	17	10	200	78	2,116	92	1	35	10	2,318
Central	17	7	25	14	509	90	1	30	8	2,025
East Central	23	1	400	89	5,654	86	1	150	15	4,640
Southwest	14	2	2	2	44	86	1	90	22	2,246
South Central	27	4	200	42	2,393	87	1	25	9	1,101
Southeast	30	2	150	42	4,871	87	1	500	19	5,231
STATE	21	1	400	60	24,927	89	1	500	13	25,940

// Refers only to those producers who indicated they had unusable pesticides to dispose of

Producers' Willingness to Travel to Collection Sites, by District, North Dakota, 2000 //

District	Miles Willing to Travel to Collection Site		
	Range Reported		Average
	Min.	Max.	
Northwest	10	100	36
North Central	10	80	36
Northeast	1	100	35
West Central	10	100	36
Central	10	100	28
East Central	8	100	31
Southwest	6	50	28
South Central	3	65	33
Southeast	5	100	32
STATE	1	100	33

// Refers only to those producers who indicated they had unusable pesticides to dispose of.

Need for More Publicity on Dates and Sites, by District, North Dakota, 2000 //

District and County	More Local Publicity for Dates and Sites	
	Number	Percent
Northwest	25	86
North Central	20	77
Northeast	55	81
West Central	17	65
Central	22	71
East Central	57	89
Southwest	11	85
South Central	11	69
Southeast	44	92
STATE	262	82

// Refers only to those producers who indicated they had unusable pesticides to dispose of.

Project Safe Seed Survey Results

Producer Familiarity and Unusable Pesticides, North Dakota, 2000

Operation Type	Number of Reports	Producers Familiar with Project Safe Seed (Percent)	Has Pesticide to Dispose (Percent)
Potato	20	70	15
Oilseed	348	83	11
Dry Bean	81	84	16
Small to Medium	229	71	7
Large	158	84	11

Willingness to Travel to Collection Sites by Operation, North Dakota, 2000 ^{1/}

Operation Type	Miles Willing to Travel to Collection Sites		
	Range Reported		Average
	Min.	Max.	
	... Miles ...		
Potato	25	75	50
Oilseed	8	100	31
Dry Bean	1	50	34
Small to Medium	3	100	24
Large	10	100	31

^{1/} Refers only to those producers who indicated they had unusable pesticides to dispose of.

Need for More Publicity on Dates and Sites by Operation, North Dakota, 2000 ^{1/}

Operation Type	More Local Publicity on Dates and Sites	
	Number	Percent
Potato	3	100
Oilseed	32	80
Dry Bean	12	86
Small to Medium	11	65
Large	16	89

^{1/} Refers only to those producers who indicated they had unusable pesticides to dispose of.

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2000 PROJECT SAFE SEND SURVEY

1. How did you learn about Project Safe Send?

Newspaper story (87)

Television story (7)

Extension Agent (86)

Newspaper advertisement (42)

Radio advertisement (66)

Poster/Cenex (33)

Poster Local Restaurant (8)

Poster Local Elevator (32)

Other (27) • County sprayer • Health Department • Department of Agriculture • State Health
mauler • Health brochure • My Dad • Commercial pesticide newsletter • Supervisor/Environ-
mental Office • Internet • poster/lounge • Andrew/NDSU • sign by road • Flyer from Cass
County Extension Service • did it before • neighbor • poster in clinic • faxed by a neighbor • word
of mouth • relative • farmer.

2. Should Project Safe Send be continued?

Yes (263)

No (1)

3. What changes would you like to see in Project Safe Send?

• Thank you • Fine to me • More collection sites • Have it more often • The program is great,
better advertised than previous • Add other chemicals • More in west • Have them located more
centrally • Doing a good job • Closer where I live, more pickup locations • Could you develop a
project to get rid of old paint? • Very good program • First time — it looks good • More notices
planned on disposal a couple years ago • Excellent program — keep it up • Take all chemicals •
One in every county • Fine, but less waiting • More specific on date & time • First time I have
used it and really appreciate being able to get rid of these chemicals • No changes necessary •
Expand it • Very good service • Have a forklift • Earlier advance on dates •

4. Should there be more or less advertising of Project Safe Send?

More (196)

Less (2)

Same as this year (144)

5. What is your business?

Farmer/rancher (151)

Pesticide dealer (30)

Pesticide applicator (12)

Other (75) • Landfill • City • Government • Public Health • Retired educator • State agency •
Farmer/bookkeeper • Research • Commercial use of grounds • NDSU • Extension agent •
University/Greenhouse • Retired • State Research Center • CRP Farmer/Janitor • Retired farmer
• County commissioner • Elevator • Researcher • Emergency Manager • Pharmacy • Home-
owner • NDSU • Golf course • Field Research • Teacher • Retired housewife • Hobby • Land
management • Red Willow Bible Camp • Camp director • Greenhouse • Homeowner • Tele-
phone company • Motor Market magazine • Electrical • City superintendent • Bakery owner

6. What is your age group?

18-30 (19)

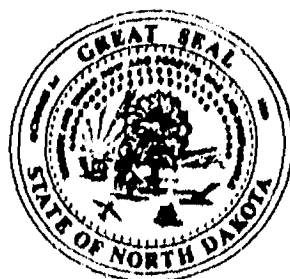
31-45 (85)

46-60 (85)

61-75 (62)

76 or older (14)

COMMISSIONER OF AGRICULTURE
ROGER JOHNSON



PHONE (701) 328-2231
(800) 242-7535
FAX (701) 328-4567

DEPARTMENT OF AGRICULTURE
State of North Dakota
600 E. Boulevard Ave. Dept. 602
Bismarck, ND 58505-0020

Testimony of Judy Carlson, Project Safe Send Coordinator
Senate Bill 2110
House Agriculture, March 2, 2001

Chairman Nicholas, Committee members, I'm Judy Carlson, the Project Safe Send coordinator for the department of agriculture. SB 2110 continues "Project Safe Send" (PSS), the unusable pesticide collection and the pesticide container recycling program for another two years.

(Distribute legislative report.) This biennium, we facilitated thirty-two collection events throughout the state. The pounds collected continue to increase. Over 600 participants brought in 325,887 pounds of unusable waste pesticides.

The amount of pesticides collected demonstrates the continued need for this program and the concern of North Dakota agricultural producers for the environment. PSS makes it economically feasible for individuals to get rid of their unusable pesticides.

The funding for PSS is included in the department of agriculture's budget (HB 1009). Funding for this program is from pesticide registration fees that are deposited into the Environment and Rangeland Protection (EARP) Fund. An amendment to HB 1009 requires a fee for certain chemicals to generate \$100,000.

We have considered user fees and our advisory board has not recommended fees for several reasons:

1. If fees are set, will participants still bring in waste?
2. If participants don't bring in chargeable waste, do we need to expand the types of wastes to set fees to generate the \$100,000?
3. Are we double charging businesses that already pay into the EARP fund?
4. Will the use of fees be detrimental to the positive image that we've worked hard to establish? How would this effect bid price?

We recently commissioned the North Dakota Agricultural Statistics Service to survey farm and ranch operations on PSS using questions very similar to a survey completed in 1995. The results are included in the legislative report. The percentage of producers with unusable pesticides and the quantities are about the same now as they were then.

The Project Safe Send advisory board recommended that the commissioner submit legislation to continue this program.

Thank you for your consideration.


**ND House Agricultural Committee
Gene Nicholas, Chairman
March 2, 2001
9:00 a.m.**

SB 2110

The United Sportsmen of North Dakota and the North Dakota Wildlife Federation are in support of this bill.

We see it as a win-win situation for all of North Dakota.

Thank you,

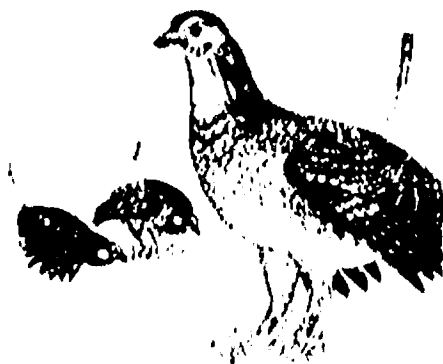

Mike Donahue
Lobbyist #258



North Dakota Chapter

THE WILDLIFE SOCIETY

P.O. BOX 1442 • BISMARCK, ND 58502



**TESTIMONY OF BILL PFEIFER
NORTH DAKOTA CHAPTER OF THE WILDLIFE SOCIETY
PRESENTED TO THE HOUSE AGRICULTURE COMMITTEE
ON SB 2110, MARCH 2, 2001**

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

I'm Bill Pfeifer representing the North Dakota Chapter of The Wildlife Society.

The Wildlife Society strongly supports SB 2110, a Bill which provides for the continuation of a program that collects and disposes of pesticides and pesticide containers. The collection program is titled "Project Safe Send."

This program is a winner for all living things including our natural and human resources. A simple example is the reduction in the potential of contaminated drinking water.

Since the disposal program began in 1992, nearly a million pounds of pesticides have been collected from 2,994 pesticide users. A survey of the program participants in 2000 indicated all but one individual supported the program's continuation.

An amendment to the companion Bill HB 1009 (North Dakota Department of Agriculture appropriation) states that the Department of Agriculture's safe send pesticide collection program "SHALL charge a fee for collection of select chemicals..." and further states that "the fees **MUST** be established at a level that

will generate an estimated \$100,000 for the biennium beginning July 1, 2001, and ending June 30, 2003."

This amendment is totally unacceptable. The mission of project safe send is to encourage pesticide holders to bring the pesticides and pesticide containers to a collection point. This amendment will be counterproductive and defeat the very purpose of project safe send. The end result will be that pesticide holders simply will not deliver the collection materials thereby causing project safe send to fail. We can not let this happen.

It is requested that the committee take whatever steps necessary to remove that amendment language from HB 1009 so that this Bill, SB 2110, can succeed as intended.

The North Dakota Chapter of The Wildlife Society encourages passage of SB 2110 for the continued protection of all our resources.

HOUSE AGRICULTURE COMMITTEE
PREPARED BY: REPRESENTATIVE OLE AARSVOLD
DISTRICT 20
SENATE BILL 2110
MARCH 2, 2001

Senate Bill 2110, if passed, would provide reauthorization of Project Safe Send for the 2001-2003 biennium. It has been in place since 1991 and has safely disposed of tons of unusable, outdated or hazardous farm chemicals. Cooperation with the agriculture chemical industry has resulted in the disposal and/or recycling of chemical containers as well.

Modest fees placed on all registered farm chemicals are the source of revenue for Safe Send. The cost per unit of product is microscopic compared to benefit of ridding farm sheds, landfills and farm trash heaps of potentially hazardous materials. Interestingly, most farms establish trash heaps on the least useable and least valuable land. That is typically near a pothole, creek or river - the very places where water contamination, sub-surface or surface, originate.

It is safe to say that Project Safe Send has the virtual unanimous support of agriculture chemical manufacturers, distributors, dealers and users.

The potential liability of every sector of agriculture production dictates that Project Safe Send continue in North Dakota.

I solicit the Committee's endorsement of Senate Bill 2110.

Environment & Rangeland Protection Fund (376) Estimated Revenues and Expenditures

Beginning Balance 7-1-99	701,250.00
Projected 1999 Biennium Revenue	<u>2,620,500.00</u>
Available Funds	3,321,750.00

Projected 1999 Biennium Expenditures	
Ag Dept. Minor Use Pesticide	(285,000.00)
Pesticide Pads	(90,000.00)
Noxious Weeds	(1,080,524.00)
SafeSend	(573,907.00)
Pesticide Programs	(266,467.00)

Health Department	<u>(200,000.00)</u>
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Total Expenditures	(2,495,898.00)
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Beginning Balance 7-1-01	825,852.00
Projected 2001 Biennium Revenue	<u>2,083,250.00</u>

Available Funds	2,909,102.00
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Projected 2001 Biennium Expenditures	
Ag Dept. Noxious Weeds	(1,404,602.00)
SafeSend	(596,842.00)
Pesticide Programs	(314,620.00)
Salary Package	(25,751.00)

Health Department	<u>(200,000.00)</u>
	(2,541,815.00)

Available Cash Balance	<u>367,287.00</u>
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