

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1066

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Operator's Signature

10/2/03  
Date

2003 HOUSE AGRICULTURE

HB 1066

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Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1066

House Agriculture Committee

Conference Committee

Hearing Date 1--17--03

Tape Number	Side A	Side B	Meter #
ONE	A		6.9 TO END
ONE		B	0 TO END
Committee Clerk Signature <i>Edward D. Clayton</i>			

Minutes:

CHAIRMAN NICHOLAS : We will open on HB 1066. Judy Carlson, Project Safe Send Coordinator is here so will turn it over to her.

JUDY CARSON: Thank you Mr. Chairman and Committee Members. My name is Judy Carlson. I am the coordinator of Project Safe Send for the Department of Agriculture. We have a hand out for you. Hopefully it will give you a lot of information of interest to you. What we have collected in the past two years. One of the reasons this Bill comes up every session is that there is a sunset clause. Some day, hopeful, we will get most of pesticides, containers etc. Collected. {{{{{{PLEASE SEE THE TESTIMONY ATTACHED AS TO JUDY CARLSONS COMMENTS, TESTIMONY.

CHAIRMAN NICHOLAS: Other comments on Bill.

Page 2  
House Agriculture Committee  
Bill/Resolution Number HB 1066  
Hearing Date 1--17---03

REPRESENTATIVE AARSVOLD: I am a cosponsor of the Safe Send project. We have collected thousands of unsafe pounds of out dated and other wise dangerous chemicals. Put them into incinerators so that the environment of our state stays clean. This activity Has of course has limited liability in our state, as to environmental contamination and also protects the health of the people in our state and gives them a better place to live. In the future with the advent of genetically modified products that we will be seeing less of a demand for a project like Safe Send because chemicals will be replaced by genetically modified in those Products. I hope you will support the Bill.

CHAIRMAN NICHOLAS : Senator Ron Nichols

SENATOR NICHOLS: I appear today in favor of HB 1066. It is an excellent program.

I encourage Judy to make know pick up points, times etc. We should check on abandon farms and farm buildings etc. Because there chemicals in the some of the buildings. I think we need to get those places cleaned up Thank you and I hope you will support HB 1066.

CHAIRMAN NICHOLAS : Any questions Committee Members.

VICE CHAIRMAN POLLERT: Any other testimony on HB 1066.

MARK SITZ: I am a farmer and I represent North Dakota Farmers Union. We stand in support of HB 1066. We have a roll on the board. We use the program and see a need for the continuation. Please support the Bill. Thanks

GARY KNUTSON: I am with the NORTH DAKOTA AGRICULTURE ASSOCIATION.

We endorse the program. We have a seat on the advisory board. We have been with the Bill since it's inception. The program is well run by Judy.

VICE CHAIRMAN POLLERT: Anyone else in favor of Bill. I have a letter from Steve

Page 3  
House Agriculture Committee  
Bill/Resolution Number HB 1066  
Hearing Date 1--17---03

Strøge, North Dakota Grain Dealers Association. In essence he states the association supports HB 1066. He states we believe it is a worth cause. Please see attached letter from Steven.

VICE CHAIRMAN POLLERT: Any other testimony in support of Bill. Any opposition?

REP. KINGSBURY : How many pick up sights.

JUDY CARLSON: We have over 100 pick up sights. We may change the pickup to less sights.

But have two day events rather than one and more people may participate. Make it more assessable to the general public.

REPRESENTATIVE BELTER: Is there a lot of chemicals being sprayed out? Is there a lot of rinse water being brought in? Commercial operators etc.

JUDY CARLSON: We do charge a dollar a pound for rinse water.

REP. WRANGHAM : History of the cost of program. Where the money comes from.

JUDY CARLSON: Money comes from registration fees. Earth environment and range protection. We stay within budget. Any extra money goes back into Earth Fund.

We are a pesticide disposal program. We encourage people to bring in empty jugs. We recycle the jugs. The pesticide companies helps pay for the program. They are helping keep the environment clean.

CHAIRMAN NICHOLAS : Anyone else wishing to make comments on this Bill.

Any opposition on HB 1066? Committee Members. What are your wishes on HB 1066?

REPRESENTATIVE KREIDT MADE MOTION FOR A DO PASS. REPRESENTATIVE

BOE SECONDED THE MOTION. ROLL CALL WAS TAKEN AND BILL PASSED

THERE WERE:

13 YES 0 NO 0 ABSENT. REPRESENTATIVE ONSTAD CARRIED BILL.

**FISCAL NOTE**  
 Requested by Legislative Council  
 03/04/2003

Amendment to: HB 1066

**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.

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
<b>Revenues</b>	\$0	\$0	\$0	\$5,000	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0	\$619,525	\$0	\$0
<b>Appropriations</b>	\$0	\$0	\$0	\$619,525	\$0	\$0

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

2001-2003 Biennium			2003-2005 Biennium			2005-2007 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 Safe Send - the program to collect and dispose of unusable pesticides. The amendment allows a charge to be levied on rinsate brought to Safe Send collections.

**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.

The amendment allows for a charge to be levied on rinsate brought to Safe Send collections. We anticipate that this will result in collections of about \$5,000 for the environment and rangeland protection fund for the 2003-2005 biennium.

**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 Safe Send line of the Agriculture Commissioner budget SB 2009.

<b>Name:</b>	Jeff Weispfenning	<b>Agency:</b>	Agriculture
<b>Phone Number:</b>	328-4758	<b>Date Prepared:</b>	03/10/2003

*Yalosta Rickford*  
 Operator's Signature

10/2/03  
 Date

**FISCAL NOTE**  
Requested by Legislative Council  
01/03/2003

Bill/Resolution No.: HB 1066

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.

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$619,525	\$0	\$0
Appropriations	\$0	\$0	\$0	\$619,525	\$0	\$0

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

2001-2003 Biennium			2003-2005 Biennium			2005-2007 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 Safe Send - 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 Safe Send line of the Agriculture Commissioner budget SB 2009.

LP

Name:	Jeff K. Welspfenning	Agency:	Agriculture Department
Phone Number:	328-4758	Date Prepared:	01/03/2003

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*10/2/03*  
Date

HB 1066

Date: 1-17-03  
Roll Call Vote #:

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO.

House AGRICULTURE COMMITTEE

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Pass

Motion Made By KREIDT Seconded By BOE

Representatives	Yes	No	Representatives	Yes	No
CHAIRMAN NICHOLAS	✓				
VICE CHAIRMAN POLLERT	✓				
REPRESENTATIVE BELTER	✓				
REPRESENTATIVE BOEHNING	✓				
REPRESENTATIVE KELSCH	✓				
REPRESENTATIVE KINGSBURY	✓				
REPRESENTATIVE KREIDT	✓				
REPRESENTATIVE UGLEM	✓				
REPRESENTATIVE WRANGHAM	✓				
REPRESENTATIVE BOE	✓				
REPRESENTATIVE FROELICH	✓				
REPRESENTATIVE MUELLER	✓				
REPRESENTATIVE ONSTAD	✓				

Total (Yes) 13 No 0

Absent 0

Floor Assignment ONSTAD

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Operator's Signature Date

**REPORT OF STANDING COMMITTEE (410)**  
January 17, 2003 12:17 p.m.

Module No: HR-09-0719  
Carrier: Onstad  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**  
HB 1066: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO PASS**  
(13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1066 was placed on the  
Eleventh order on the calendar.

(2) DESK, (3) COMM

Page No. 1

HR-09-0719

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*10/2/03*  
Date

2003 SENATE AGRICULTURE

HB 1066

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10/2/03  
Date

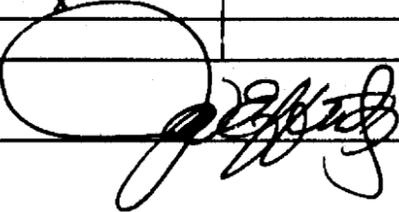
2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1066

Senate Agriculture Committee

Conference Committee

Hearing Date 02/28/03

Tape Number	Side A	Side B	Meter #
1	x		26 - 2080
1	x		4786 - 5579
Committee Clerk Signature 			

Minutes:

Chairman Flakoll opened the hearing on HB 1066. All members were present.

Senator Nichols introduced the bill.

Representative Nicholas stopped by before the hearing convened to sign the register and voice his support of the bill.

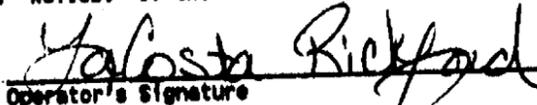
Representative Aarsvold testified in favor of the bill (written testimony).

Judy Carlson, Coordinator of Project Safe Send for the North Dakota Department of Agriculture, testified in favor of the bill (written testimony) (meter # 279).

Judy Carlson distributed the Report to the 2003 Legislature, Project Safe Send and Recycling of Pesticide Containers.

Judy Carlson distributed proposed amendments to the bill. The amendments would remove the sunset and would permit the program to charge for the disposal of rinsate. The funding for the project is in the Agriculture Department budget. Rinsate is rinse water left over from rinsing

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10/2/03  
Date

Page 2  
Senate Agriculture Committee  
Bill/Resolution Number HB 1066  
Hearing Date 02/28/03

large pesticide application tanks by commercial applicators. The authority to charge for rinsate was in the Agriculture Department's Appropriation Bill during the last biennium but it is not there this session. The funds collected last session were put into the environmental range protection fund. When the project started charging for the disposal of rinsate, the amount of rinsate turned into the program was cut by 90%. Last session approximately \$11,000 was collected for rinsate disposal.

She also distributed a news report from CNN, describing the stockpiling of cyanide by terrorists in New Zealand. She noted that the amount described in the news report was half the amount collected by Project Safe Send in this reporting period.

Senator Flakoll asked if there were any products they can't incinerate?

Ms. Carlson said those with heavy metals cannot be incinerated but generally most chemicals can be.

Senator Flakoll asked about some banned chemicals still showing up at collection points.

Ms. Carlson said some people, when they hear of an upcoming ban on a product, will stockpile it.

They try to keep their program non-regulatory. They keep track of what comes in at each collection point.

Senator Flakoll asked if this is public information?

Ms. Carlson said yes.

Senator Flakoll noted the number of pounds collected in 2002 was increased significantly.

Ms. Carlson said the West Fargo collection was quite large. They try to vary the sites so the program is available to all North Dakota residents.

Senator Klein asked what we are spending? Are there dollars left over?

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Senate Agriculture Committee  
Bill/Resolution Number HB 1066  
Hearing Date 02/28/03

Ms. Carlson said the budget is part of the Department of Agriculture budget. She said the program goes out on bid. In 1992, the first year of the program, the budget was \$600,000 for the biennium. This year it is about the same. In 1992, the cost was \$5/pound and in 2002 the cost was \$.91/# plus a mobilization cost. There has been \$30,000 - \$40,000 left over which goes back into the herb fund.

Senator Flakoll asked where the residue goes?

Ms. Carlson said the ash has to be managed according to EPA guidelines.

Senator Nichols asked if some things can't be incinerated are they taken to a site when they are disposed of?

Ms. Carlson said each barrel goes on a manifest and they receive a certificate of disposal for each. The method of disposal varies with the type of product. Partial payment is withheld until the Agriculture Department receives the certificate of disposal.

Senator Flakoll asked if like products are combined?

Ms. Carlson said they leave North Dakota separately and are combined at their final destination. Brian Kramer, North Dakota Farm Bureau, testified in favor of the bill. (meter # 1157) He is an advisory board member for Project Safe Send and they have always supported the program.

Senator Klein asked how Mr. Kramer feels about the amendments?

Mr. Kramer said he has been a proponent of leaving the sunset clause in because it allows the legislature to hear about the program each session. If the committee is comfortable with removing the sunset, it would be okay with him. Regarding the rinsate, he agrees with that amendment as well. If something isn't done, this becomes a disposal program for the chemical companies. They should be willing to accept some of this cost.

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*10/2/03*  
Date

Page 4  
Senate Agriculture Committee  
Bill/Resolution Number HB 1066  
Hearing Date 02/28/03

Senator Flakoll confirmed if the sunset were removed, the program would still be reviewed by Appropriations.

Mark Sitz, North Dakota Farmer's Union, testified in favor of the bill. He supports the program and also serves on the advisory board. The program does a good job and is necessary. He supports the amendments. (meter # 1388)

Bill Pfeifer, North Dakota Chapter of the Wildlife Society, testified in favor of the bill. (written testimony) (meter #1455) He said this is a very well operated program.

Gary Knutson, North Dakota Ag Association, testified in favor of the bill. He noted the program is paid for through pesticide registration fees and they feel they are getting good value for their dollars. The program is very well run.

Senator Klein asked if Mr. Knutson is comfortable with the rinsate amendment?

Mr. Knutson said yes.

Ms. Carlson returned to answer questions.

Senator Flakoll asked if they use public service announcements to publicize the program?

Ms. Carlson said they do paid advertising. They received a grant from the EPA for advertising. They work with an advertising agency to get better rates. They have surveyed their participants and most see the ads in the weekly papers. They run large ads with directions to the sites and many participants cut out the ad and bring it along. They use radio ads as reminders.

Chairman Flakoll closed the hearing on HB 1066.

Senator Urlacher asked what is rinsate?

Ms. Carlson said dealers doing commercial applications can't triple rinse so they accumulate the rinse water and can accumulate up to 30,000#. (meter #2075)

Page 5  
Senate Agriculture Committee  
Bill/Resolution Number HB 1066  
Hearing Date 02/28/03

Senator Flakoll said he thinks the program is better off if they appear before the Senate Agriculture Committee each session. (meter # 4786)

Senator Klein said he agrees. The Appropriations Committee is looking at the dollars while we are looking at the necessity. He has seen the bill for four sessions and likes to see what is going on. The number of pounds collected is going up.

Senator Urlacher said we are more likely to endanger the program by lifting the sunset clause.

Senator Klein said we lifted the sunset in the Senate once before and the sunset went back on in conference committee.

Senator Klein moved the portion of the amendment, adding section 3, which would permit charging for the disposal of rinsate and to renumber accordingly. The motion was seconded by Senator Nichols and was passed on a roll call vote. Voting yes were Senator Flakoll, Senator Erbele, Senator Klein, Senator Urlacher, Senator Nichols and Senator Seymour. There were no negative votes cast.

It was moved by Senator Klein, seconded by Senator Erbele and passed on a roll call vote that the Senate Agriculture Committee take a Do Pass As Amended and Re-refer to Appropriations action on HB 1066. Voting yes were Senator Flakoll, Senator Erbele, Senator Klein, Senator Urlacher, Senator Nichols and Senator Seymour. No negative votes were cast. Senator Nichols will carry the bill to the floor.

Chairman Flakoll recessed the meeting of the Senate Agriculture Committee.

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1066

Page 1, line 2, remove "; and to provide an expiration date"

Page 2, line 10, remove "-Proposed legislation"

Page 2, line 13, remove "Before December 12, 2004, the commissioner shall determine whether the project"

Page 2, remove lines 14 through 18

Page 2, after line 13, insert:

**"SECTION 3. PROJECT SAFE SEND PESTICIDE AND PESTICIDE CONTAINER COLLECTION – USER FEES.** The agriculture commissioner, in consultation with the advisory board for the project safe send pesticide and pesticide container disposal program, may charge a fee for collection of rinsate. The fees shall be established at a level that will generate enough revenues to cover the cost of disposal associated with the rinsate that is collected. Collections from this fee must be deposited in the environment and rangeland protection fund."

Renumber accordingly

38142.0101  
Title.0200

Adopted by the Agriculture Committee  
February 28, 2003

*JB*  
2-28-03

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1066

Page 2, after line 16, insert:

**"SECTION 3. Project safe send pesticide and pesticide container collection - User fees.** The agriculture commissioner, in consultation with the advisory board for the project safe send pesticide and pesticide container disposal program, may charge a fee for collection of rinsate. The fees must be established at a level that will generate enough revenue to cover the cost of disposal associated with the rinsate that is collected. Collections from this fee must be deposited in the environment and rangeland protection fund."

Renumber accordingly

Page No. 1

38142.0101

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Operator's Signature

*10/2/03*  
Date





REPORT OF STANDING COMMITTEE (410)  
February 28, 2003 2:04 p.m.

Module No: SR-36-3685  
Carrier: Nichols  
Insert LC: 38142.0101 Title: .0200

**REPORT OF STANDING COMMITTEE**

**HB 1066: Agriculture Committee (Sen. Flakoll, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS and BE REREFERRED to the Appropriations Committee (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1066 was placed on the Sixth order on the calendar.**

Page 2, after line 16, insert:

**"SECTION 3. Project safe send pesticide and pesticide container collection - User fees. The agriculture commissioner, in consultation with the advisory board for the project safe send pesticide and pesticide container disposal program, may charge a fee for collection of rinsate. The fees must be established at a level that will generate enough revenue to cover the cost of disposal associated with the rinsate that is collected. Collections from this fee must be deposited in the environment and rangeland protection fund."**

Renumber accordingly

2003 SENATE APPROPRIATIONS

HB 1066

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Operator's Signature

*10/2/03*  
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1066

Senate Appropriations Committee

Conference Committee

Hearing Date March 14, 2003

Tape Number	Side A	Side B	Meter #
#1		x	4545 - end

Committee Clerk Signature

*Jan Hindrickson*

Minutes:

**Senator Holmberg** opened the hearing on **HB 1066 (#4545)**

**Jeff Welspfenning**, Deputy Commissioner for the Department of Agriculture. Written testimony attached, Exhibit #1. Also attached to his testimony is a report to the 2003 Legislature on Project Safe Send and Recycling of Pesticide Containers.

Questions: (#4826)

**Senator Tallackson:** He wanted to know what Rinsate is. **Jeff** replied: It is the stuff you get when you put water inside a pesticide container and you triple rinse it, it is a lot of water, but it has pesticide residue in it. Generally, farmers and commercial applicators can spray this out, but there were some cases where commercial applicators were pouring one pesticide into a container that might have some residue left from another pesticide and they ended up with a mixture.

**Senator Tallackson** wanted to know what the cost was to the average farmer. **Jeff** replied there is no charge to farmers for bringing in any product, but the rinsate charge was \$1.00 per pound if

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Operator's Signature

*10/2/03*  
Date

you bring in some rinsate. No charge if you bring in old pesticides, they are disposed of free of charge.

**Senator Bowman (#5099)** What this income included in the original Agricultural Department Budget or is this over and above? **Jeff** replied that the amendment and the fiscal note were done after the Ag budget was heard by this committee and so it was be an extra \$5,000 that wasn't under consideration.

**Senator Mathern (#5175)** He wanted to clarify with **Jeff** that the amendment on the bill was acceptable. **Jeff** stated that he encouraged the committee to pass the bill as amended.

**(#5244) Ole Aarsvold, Representative Ole Aarsvold, District 20.** Written testimony attached, Exhibit #2. He was a cosponsor of the bill. His testimony addresses the program and not the funding. See attached testimony.

**Judy Carlson,** Project Safe Send coordinator for the Department of Agriculture. She was unable to attend the hearing but left her testimony. Exhibit #3, which is attached.

**Senator Andrist (#5431)** He wondered where the pesticides went to. **Jeff** replied that they used to go to Arkansas, the products are packaged, made very secure and they are taken to a final incineration place, lots of paper work, payment is not made until there is a manifest that states the material has been incinerated and destroyed. He believed it was Arkansas but not positive.

**(#5555) Senator Lindaas** moved for a **DO PASS**, seconded by **Senator Thane**. Roll call vote called. 12 y 0 n 2 absent and not voting. Motion carried. Bill will be sent back to the Ag. Committee for carry.

**Hearing & vote closed: (#5696) by Senator Holmberg, chairman.**

Date: 3/14/03  
Roll Call Vote #: 1

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1066

Senate Appropriations Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Pass (as amended)

Motion Made By Lindaas Seconded By Than

Senators	Yes	No	Senators	Yes	No
Senator Holmberg, Chairman	✓				
Senator Bowman, Vice Chair	✓				
Senator Grindberg, Vice Chair	✓				
Senator Andrist	✓				
Senator Christmann					
Senator Kilzer	✓				
Senator Krauter					
Senator Kringstad	✓				
Senator Lindaas	✓				
Senator Mathern	✓				
Senator Robinson	✓				
Senator Schobinger	✓				
Senator Tallackson	✓				
Senator Thane	✓				

Total (Yes) 12 No 0

Absent 2

Floor Assignment Aq Committee - Nichols

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

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Yolanda Rickford 10/2/03  
Operator's Signature Date

REPORT OF STANDING COMMITTEE (410)  
March 14, 2003 3:08 p.m.

Module No: SR-46-4850  
Carrier: Nichols  
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE  
HB 1066, as amended, Appropriations Committee (Sen. Holmberg, Chairman)  
recommends DO PASS (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING).  
HB 1066, as amended, was placed on the Fourteenth order on the calendar.

(2) DESK, (3) COMM

Page No. 1

SR-46-4850

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Operator's Signature

10/2/03  
Date

CP

2003 TESTIMONY

HB 1066

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Salosta Rickford  
Operator's Signature

10/2/03  
Date



representative Ole Aarsvold  
 District 20  
 Route 2, Box 12  
 Blanchard, ND 58008-9513  
 oaarsvold@state.nd.us

# NORTH DAKOTA HOUSE

STATE CAPITOL  
 600 EAST BOULEVARD  
 BISMARCK, ND 58505-0360



COMMITTEES:  
 Appropriations

**To:** House Agriculture Committee  
 Representative Gene Nicholas, Chairman

**From:** Representative Ole Aarsvold, District 20

**Re:** HB 1066

*Same testimony given to Senate Agriculture*

I am pleased to appear before you as a cosponsor of HB 1066. It would reauthorize Project Safesend through the 2003-2005 biennium. As you will hear from the agency spokesperson, thousands of pounds of unsafe, outdated, and otherwise dangerous chemicals have been collected, transported, and incinerated during the last decade. This activity has served to minimize the liability of certain North Dakota citizens as related to environmental contamination, protected the health of all residents, and made North Dakota a better place to live.

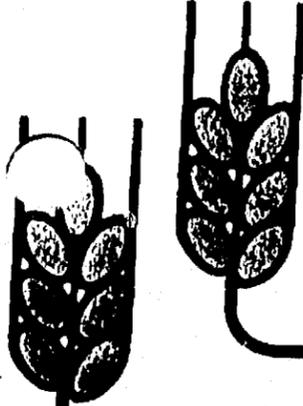
As genetically modified products become more available and accepted, I see the demand for chemical use and disposal decreasing. This revolution in agricultural practices will certainly have an impact on the need for Safesend. Until then Safesend remains a necessary activity, worthy of our sponsorship.

I solicit the Committee's endorsement of HB 1066.

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*Yalosta Rickford*  
 Operator's Signature

*10/2/03*  
 Date



# NORTH DAKOTA GRAIN DEALERS ASSOCIATION

STEVEN D. STREGE, Executive Vice President  
CHERYL WELLE, Executive Assistant  
CONNIE LEIER, Administrative Assistant  
Ph: 701-235-4184, Fax: 701-235-1028  
118 Broadway, 608 Black Bldg., Fargo ND 58102  
Website: www.ndgda.org

LARRY PHILLIPS, Safety & Health Director  
Ph: 701-251-9112, Fax: 701-251-1758  
P.O. Box 5055, Jamestown, ND 58402-5055

STU LETCHER, Safety Specialist  
Ph: 701-643-3110, Fax: 701-643-4183  
P.O. Box 72, Hatton, ND 58240

January 14, 2003

Representative Gene Nicholas, Chairman  
House Ag Committee  
State Capitol  
Bismarck, ND 58505

House Ag Committee Clerk  
State Capitol  
Bismarck, ND 58505

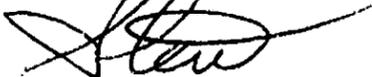
I don't know if we will be there on Friday for the hearing on HB 1066 and so will send this letter in advance.

The North Dakota Grain Dealers Association has a representative on the Project Safe Send Advisory Board. We believe it to be a worthy program and support its continuation.

This is the shortest testimony I have ever presented to the House Ag Committee. Thank you for considering it.

Best Regards,

NORTH DAKOTA GRAIN DEALERS ASSOCIATION



Steven D. Strege  
Executive Vice President

Roger Johnson  
Agriculture Commissioner  
www.agdepartment.com



Phone (701) 328-2231  
Toll Free (800) 242-7535  
Fax (701) 328-4567

600 E Boulevard Ave., Dept. 602  
Bismarck, ND 58505-0020

**Testimony of Judy Carlson, Project Safe Send Coordinator  
House Bill 1066**

Chairman Nicholas, Committee members, I'm Judy Carlson, the Project Safe Send coordinator for the department of agriculture. HB1066 continues "Project Safe Send" (PSS), the unusable pesticide collection and the pesticide container recycling program for another two years.

This biennium, we facilitated thirty-seven collection events throughout the state. The pounds collected continue to increase. Over 700 participants brought in 338,616 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 (SB 2009). Funding for this program is from pesticide registration fees that are deposited into the Environment and Rangeland Protection (EARP) Fund.

In 2000, we commissioned the North Dakota Agricultural Statistics Service to survey farm and ranch operations on PSS using questions 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 continue to show a need for the program.

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

Attached to this testimony are copies of the legislative report which includes the survey report.

Thank you for your consideration.

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*Jalosta Rickford*  
Operator's Signature

10/2/03  
Date

Roger Johnson  
Agriculture Commissioner  
www.agdepartment.com



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Toll Free (800) 242-7535  
Fax (701) 328-4567

600 E Boulevard Ave., Dept. 602  
Bismarck, ND 58505-0020

**Testimony of Judy Carlson,  
Project Safe Send Coordinator  
House Bill 1066  
Senate Agriculture Committee  
February 28, 2003**

Chairman Flakoll, Committee members, I'm Judy Carlson, the Project Safe Send coordinator for the department of agriculture. HB1066 continues Project Safe Send (PSS), the unusable pesticide collection and the pesticide container recycling program for another two years.

This biennium, we facilitated thirty-seven collection events throughout the state. The pounds collected continue to increase. Over 700 participants brought in 338,616 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.

The funding for PSS is included in the department of agriculture's budget (SB 2009). Funding for this program is from pesticide registration fees that are deposited into the Environment and Rangeland Protection (EARP) Fund. Last session, the legislature gave us the authority to charge for rinsate (in the department's budget). Because this is not included in our current budget bill, we would like you to amend this bill to continue our authority to charge for rinsate, with the revenue going into the EARP Fund.

In 2000, we commissioned the North Dakota Agricultural Statistics Service to survey farm and ranch operations on PSS using questions 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 continue to show a need for the program.

During the floor debate on HB 1066, in the House of Representatives, the sunset clause was discussed. We would appreciate your consideration of removing the sunset language.

Attached to this testimony are copies of the legislative report which includes the survey report. I also have a draft of proposed amendments for your consideration. Thank you.

North Dakota Department  
of Agriculture

---

## Report to the 2003 Legislature

Project Safe Send and Recycling of Pesticide  
Containers



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*10/2/03*  
Date

# INTRODUCTION

**D**uring the past decade, more than 3,700 participants have used Project Safe Send to safely dispose of more than 1.3 million pounds of dangerous, unusable pesticides, such as DDT, chlordane, arsenic and mercury.

In just the past biennium, 739 people, mostly farmers, pesticide dealers and applicators, brought in 338,616 pounds of unusable pesticides to Project Safe Send collection sites.

The need for the program continues. The North Dakota Department of Agriculture (NDDA) continues to receive calls asking when and where the next collection will take place. Participants have overwhelmingly said the program should be continued.

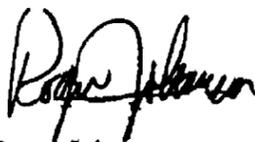
This support is understandable – the program is simple, effective and free. Participants bring their unusable pesticides to a scheduled, local collection site. They are asked to complete a voluntary survey and inventory form. A contractor unloads the wastes for the participants and collects any paperwork.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

The contractor properly packs the waste pesticides for shipment to out-of-state incinerators and prepares the necessary shipping manifests and bills 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.

I encourage the 2003 Legislature to continue Project Safe Send.

Sincerely,



Roger Johnson  
Agriculture Commissioner

- 1 -

Yalosta Rickford  
Operator's Signature

10/2/03  
Date

## 2001 Collections

<u>Site</u>	<u>Participants</u>	<u>Pounds</u>
Garrison	16	5,030
Napoleon	20	2,870
Watford City	4	288
Carson	6	732
Crosby	14	1,780
New England	6	1,269
New Town	4	1,098
Beach	9	2,436
Fessenden	17	3,057
Richardton	8	1,707
Minot	18	13,397
LaMoure	20	2,088
Bottineau	13	5,219
Wyndmere	23	5,218
Langdon	46	8,494
Pekin	15	6,065
Drayton	12	4,730
Larimore	26	12,493
Mayville	28	24,578
Valley City	25	5,764
Casselton	<u>39</u>	<u>39,536</u>
<b>TOTALS</b>	<b>369</b>	<b>147,857</b>

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 Operator's Signature

*10/2/03*  
 Date

## 2002 Collections

<u>Site</u>	<u>Participants</u>	<u>Pounds</u>
Selfridge	3	426
Bismarck	28	4,686
Hettinger	12	1,456
Medina	19	5,699
Dickinson	23	7,492
Ellendale	17	3,343
Stanley	12	3,386
Lisbon	21	4,209
Velva	26	17,202
Wahpeton	25	4,056
Cando	20	3,845
Maddock	17	8,742
Grafton	42	24,436
Grand Forks	32	26,972
Finley	28	28,065
<u>West Fargo</u>	<u>45</u>	<u>46,744</u>
<b>TOTALS</b>	<b>370</b>	<b>190,759</b>

## Project Safe Send Summary 1992-2000

Year	Participants	Pounds
1992	106	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
2000	332	166,949
2001	369	147,857
2002	370	190,759
	<b>3,733</b>	<b>1,318,890</b>

\* 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.

# 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 empty containers weighing 53,144 pounds were collected in 2001, and that 51,757 pounds were collected in 2002.

## 2001 COLLECTION SITES

Ambrose, Arthur, Beach, Belfield, Bentley, Berthold, Carrington, Clifford, Devils Lake, Dickinson, Drayton, Elgin, Fairdale, Golva, Grand Forks, Gwinner, Halliday, Harvey, Hebron, Hettinger, Jamestown, LaMoure, Landa, Lansford, Minot, New England, Plaza, Regent, Rolla, Rugby, Scranton, Stanley, Taylor, Tolley, Watford City, Williston, Wimbledon.

## 2002 COLLECTION SITES

Ambrose, Arthur, Belfield, Bentley, Berthold, Bowbells, Bowman, Carrington, Clifford, Devils, Lake, Dickinson, Drayton, Elgin, Fairdale, Golva, Grand Forks, Gwinner, Halliday, Harvey, Hebron, Hettinger, Jamestown, LaMoure, Lansford, Mapleton, Minot, New England, Plaza, Regent, Rolla, Rugby, Scranton, Stanley, Taylor, Watford City, Williston, Wimbledon.

## 1999-2001 Project Safe Send Advisory Board

### KEN ASTRUP

North Dakota Farmers Union  
Jamestown

### CURTIS ERICKSON

North Dakota Health Department  
Bismarck

### GARY KNUTSON

North Dakota Agriculture Association  
Fargo

### BRIAN KRAMER

North Dakota Farm Bureau  
Turtle Lake

### KEVIN PETERSON

North Dakota Grain Dealers  
Voltaire

### ED RYEN

North Dakota Department of Transportation  
Bismarck

### ANDREW THOSTENSON

North Dakota State University Pesticide  
Programs  
Fargo

## PROJECT SAFE SEND SURVEY FOR 2002

### How did you learn about Project Safe Send?

123 Newspaper      12 Television      76 Radio      45 Extension Agent  
25 Poster-Cenex      3 Poster-Local Restaurant      30 Poster- Local Elevator  
8 REC Magazine      9 Farm Bureau/Farmers Union newsletter  
39 North Dakota Department of Agriculture  
33 Other - Drove by sign, poster mailed to us, Elevator Agronomy Center, Extension Service newsletter, Safety Director, Boss, Flier, drove down road, word of mouth, called Health Dept., DTN, ND Pesticide Quarterly, co-worker, County DES Office, saw truck, NDWCA newsletter

### Should Project Safe Send be continued?

275 Yes      0 No

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

OK. It is excellent as is. Don't see anything wrong with program now. Company like UAP should pay to dispose. Well organized. Notification of date collection site will be set up and where. They do a very good job. I think this is a very good program and continuing to do what you do is an excellent asset to North Dakota and its people. More pickup spots. Better advertising, should send postcard to all chemical applicators or license holders. Ads did not note location until shortly before event. Seems to be very good right now. First time. Sufficient equipment for loading/moving large & heavy items. Possible place to obtain containers/packaging for waste chemicals/granules. Make sure date and time are prominently displayed. If it's working, don't try and fix it. More promotion earlier in season with locations and times. Keep doing it every year. Maybe have it twice a year. This was my first experience; even though items to be handled very well. Very good program, no need to change anything as I can see. Thank you. Take paint. More signs as to where to go. I like it. Very good now. Take more photos of hazardous materials.

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

99 More      0 Less      160 Same as this year

### What is your business?

155 Farmer/rancher      43 Pesticide Dealer      25 Pesticide applicator  
75 Other - dad was a farmer, golf course. Home owner, food manufacturing facility, retired, college, bought a farm site-inherited some pesticides, grain elevator, x-farmer, UND lab technician, DOT employee lab, welder mechanic, horse owner, landowner, Farm Credit System, state agency, Fed government employee, housewife, Ag research, clean old farmstead, beekeeper, chemist, construction & DES director, Extension Agent, work at service station, diesel technician, research center, Government applicator, weed board secretary

## 2002 PROJECT SAFE SEND COLLECTIONS BY SITE

CHEMICAL	BIRMINGHAM	CAMBO	DICKINSON	ELLENDALE	FRILEY	GRAFTON	GRAND FORKS	HETTINGER	LIBBON	MADDOCK	MEDINA	SELFREDGE	STANLEY	VELVA	WAMPETON	WEST FARGO	TOTAL
ACTAMASTER																2427	2427
AGSORB																3576	3576
ALUM. PHOSPHIDE	2		20	2		318	2		81	20				60	4	40	547
ALACHLOR														450			450
AMINOPURICINE						851											851
AMINOTRIAZOLE	584			88												172	844
AMITROLE								108		369						378	843
AMMONIUM SULFATE																440	440
ARSENIC	44	4	1	80			1	19		1	12		1	1412	4	446	2036
ATRAZINE	46			55	4269	530	6		168		450			94	35	647	6277
AVERAGE		60			20	29								56		315	472
BACILLUS T.			422													130	552
BARBAN		52				131										188	371
BASON					878									120		55	1053
BLADEX			110		545	800	39			55			24		26	320	2019
BLAZER											204						204
BROMOXNYL							134							88			222
BUCTRAL		101		86			66		21						126	90	501
CALCIUM MICRO NUTRIENTS					2173											95	2268
CARBOFURAN		11				11	2760				270						3042
CA...			56				97									165	307
CA...		32											48				80
CARBYNE		232	8		1247	678	50	25	148	385	45			3	288	784	3871
CAPTAN		1			40			25			150		1	585		348	1128
CHLORDANE	11		7	1				2									21
CHLOROPICRIN	5		402		46		9		40	402						90	894
CHLOROPYRIFOS	9					41	175	1	44				8		12	1810	1900
COPPER SOLUTION																630	630
COUNTER					261											560	821
CROP OIL		527		578	2161	95								547		150	4056
CYLINDER																30	30
DOT	103	5	20	16	34	173	1	2	16	20	45	181	5		69	16	685
DAZINON	15		298													2	315
DIELDRIN					880			7					5			65	857
DMETHOATE					22					376						118	516
DIOXINS	648	7	64					24	87	9					1	45	865
DOWPON						152										405	557
ENDRIN					107											75	182
EPTAM		202			300		51	69							27	420	1089
ERADICANE		87			453	309	75				623				113	330	1990
FARGO		281	200	232	675	180	147			1249			131			1750	4845
FIRST MATE		11			1120											161	1292
FURADAN						212	4072		22		270		28			175	4779
FUSION					105										176	115	398
RINSEATE														881			881
JEATE														2891			2891
HEPTACHLOR									68	70						215	353
HOELON		111	118			425	40				12				53	178	938
HUMIC ACID(GOLD TECH)														2240			2240

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*Yolanda Rickford*  
Operator's Signature

10/2/03  
Date

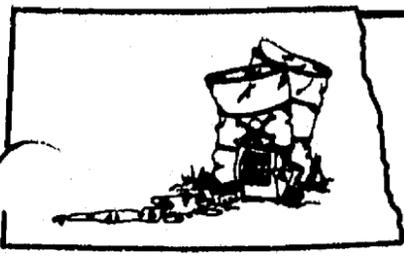
CHEMICAL	BISMARCK	CANON	DICKINSON	ELLENDALE	FINLEY	GRAFTON	GRAND FORKS	HETTINGER	LISSON	MADDOCK	MEDINA	SELFRIDGE	STANLEY	VELVA	WAHPETON	WEST FARGO	TOTAL	
HYDROCHLORIC ACID							10	1		26							37	
LASSO			59		48						75				34	2618	2631	
LINDANE/THIRAM	341	2	558	50	2702	3372	810	70	188	887	317		498	1385	53	2987	13710	
MANCOZEB						772										48	870	
MALATHION	186	7	219			1018	148	8	748	219			858	354	17	617	4388	
MANED	27	19	47			772	8448	30					288	800	88	1083	11388	
MCPA			80		55	188	33			50					5	30	381	
MERCURY-ORGANIC	19	11				206	2		25		18						281	
METHOXYCHLOR	2			2		130	10	11									80	255
NAPHTHALENE					253												254	517
NEWTONE					1027												106	1132
PARATHION			2							2							175	179
PHOSPHORIC ACID								4	308									313
PHENOL MERCURY						70												70
POAST		19	70				100				528						225	843
POTASSIUM PYRIDAZINONE						1163												1163
PRAMITOL											41						315	356
PRINCEP		22	25	100	130												380	857
PRINS						49			27						81		175	312
ROUNDUP					8	35	4878	27						33	30	410	5222	
SEVIN	247	32	27					284		167		9	48	33		13	880	
SMAZINE				55		183											15	253
SODIUM CYANIDE														101				101
SODIUM HYDROXIDE										188								188
SODIUM TCA						640											1107	1747
SONALAN	51		14	329	4485	2451	582		980	287	128				111	2045	11441	
SPRAY ADJUVANT		173	20				130	162			488						40	1011
STAMPEDE						280								750		350	1380	
STRYCHNINE	10		1						1		128		11	40	5			196
TOXAPHENE	33		5	8		108		46		17			53	47	106			421
TRILIN			200				350											550
TREFLAN	148	200	400	114	1351	5324	258		192	1735	396	50	21	299	401	6060	16949	
THIRAM						1017			130					498	29			1674
THIMET																	316	316
UREABOR	329																	329
VITAVAX		56	459		878		550			386	167		309	2176	60	1008	6049	
WARFARIN		4		15			14										8	41
2,4-D	1499	978	3070	1071	1725	779	1717	200	374	2092	230	165	197	1183	1808	7225	24313	
OTHER	359	596	540	445	80	858	1416	308	544	0	1104	41	870	304	309	1505	9279	
TOTAL	4886	3845	7492	3343	28065	24436	28972	1456	4209	8742	5899	426	3386	17202	4054	46744	190759	

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*Yalosta Rickford*  
Operator's Signature

10/2/03  
Date

UP



# 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 24,927 pounds in the state, compared to 6 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.

Holdings 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

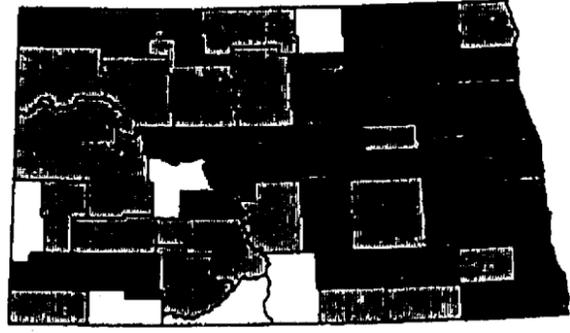
were willing to travel an average of 38 miles. When asked if there should be more local announcements of Project Safe Send collection dates and sites, 82 percent of respondents with unusable pesticides said yes.

## Background

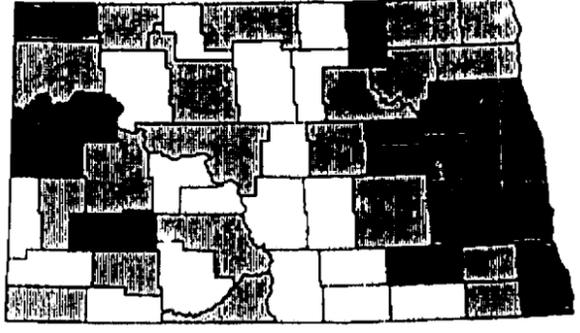
This report is the result of a phone survey conducted in November and December by the USDA's North Dakota Agricultural Statistics Service. The survey results are based on reports from approximately 3,800 North Dakota farming and ranching operations. It was undertaken to determine familiarity with Project 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



Less than 60 Percent  
61 - 70 Percent  
71 - 75 Percent  
Over 75 Percent

0 - 5 Percent  
6 - 9 Percent  
10 - 14 Percent  
15 - 20 Percent

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*Yolanda Rickford*  
Operator's Signature

10/2/03  
Date

**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	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
<b>Northwest</b>	<b>4,181</b>	<b>430</b>	<b>71</b>	<b>2,980</b>	<b>6</b>	<b>269</b>
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
<b>North Central</b>	<b>3,319</b>	<b>456</b>	<b>68</b>	<b>2,250</b>	<b>6</b>	<b>186</b>
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
<b>Northeast</b>	<b>4,244</b>	<b>656</b>	<b>76</b>	<b>3,245</b>	<b>10</b>	<b>412</b>
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/
<b>West Central</b>	<b>3,055</b>	<b>294</b>	<b>68</b>	<b>2,089</b>	<b>8</b>	<b>241</b>
Foster	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
<b>Central</b>	<b>3,035</b>	<b>386</b>	<b>70</b>	<b>2,126</b>	<b>8</b>	<b>233</b>
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
<b>East Central</b>	<b>2,809</b>	<b>477</b>	<b>77</b>	<b>2,149</b>	<b>12</b>	<b>348</b>
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
<b>Southwest</b>	<b>2,707</b>	<b>197</b>	<b>67</b>	<b>1,816</b>	<b>8</b>	<b>205</b>
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
<b>South Central</b>	<b>3,307</b>	<b>356</b>	<b>62</b>	<b>2,058</b>	<b>4</b>	<b>139</b>
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
Hand	874	135	71	622	10	91
rent	449	69	74	332	9	39
<b>theast</b>	<b>3,847</b>	<b>551</b>	<b>70</b>	<b>2,686</b>	<b>8</b>	<b>300</b>
<b>STATE</b>	<b>30,504</b>	<b>3,803</b>	<b>70</b>	<b>21,399</b>	<b>8</b>	<b>2,333</b>

// Insufficient data.

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*Yalisto Rickford*  
Operator's Signature

10/2/03  
Date

**Project Safe Send Survey Results**

**Unusable Pesticides by District, North Dakota, 2000**

District	Unusable Pesticides									
	Dry					Liquid				
	Pct. <sup>1/</sup>	Quantity (Pounds)				Pct. <sup>1/</sup>	Quantity (Gallons)			
		Range Reported		Average	Exp. Total		Range Reported		Average	Exp. Total
Min.		Max.	Min.				Max.			
Northwest	14	1	300	105	3,077	93	1	30	7	1,946
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
<b>STATE</b>	<b>21</b>	<b>1</b>	<b>400</b>	<b>60</b>	<b>24,927</b>	<b>89</b>	<b>1</b>	<b>500</b>	<b>13</b>	<b>25,940</b>

<sup>1/</sup> 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 <sup>1/</sup>**

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
<b>STATE</b>	<b>1</b>	<b>100</b>	<b>33</b>

<sup>1/</sup> 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 <sup>1/</sup>**

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
<b>STATE</b>	<b>262</b>	<b>82</b>

<sup>1/</sup> Refers only to those producers who indicated they had unusable pesticides to dispose of.

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*Yolanda Rickford*  
Operator's Signature

10/2/03  
Date

**Project Safe Send Survey Results**

**Producer Familiarity and Unusable Pesticides, North Dakota, 2000**

Operation Type	Number of Reports	Producers Familiar with Project Safe Send (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<sup>v</sup>**

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

<sup>v</sup> 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<sup>v</sup>**

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

<sup>v</sup> Refers only to those producers who indicated they had unusable pesticides to dispose of.

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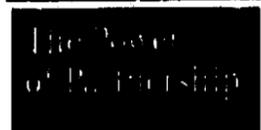


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### NZ 'cyanide stockpile' warning

Wednesday, February 26, 2003 Posted: 4:39 AM EST (0839 GMT)

**WELLINGTON, New Zealand (CNN) --** Stockpiles of cyanide could be released at the America's Cup, the world's premier yachting event, if Iraq is attacked, letters to embassies in New Zealand have threatened.



Security was beefed up slightly around Auckland harbour.

Police revealed the contents of the letters on Wednesday, while beefing up security at the event and urging the public to be vigilant.

One letter sent to the British High Commissioner on Tuesday contained cyanide.

Two other threatening letters, one sent to the U.S. Ambassador and the other to the Australian High Commissioner, contained an innocuous white powder, the U.S. Embassy quoted police as saying.

The letters contained the following message:

"To ambassadors of America, Australia, and British.

"September 11 fights for rights of free Islamic people of world. Our purpose is to challenge actions of the great satan America and resist its imperialist ambitions in the Islamic world.

"Faced with such force September 11 will fight Jihad by attacking American interests with weapons we have, stealth and sacrifice.

"Our operations at Tiger Woods event succeeded in closure of Israeli Embassy. But the butcher of Beirut still walks free. Until justice is done sacrifice will continue for the innocent and guilty.

"America, Australia and British will suffer because of foreign policies. September 11 waits at the Americas Cup for instruction if Iraq is attacked by the host of Satan, all interests and their supporters will be attacked by September 11.

"September has stockpiled 25 kilo weapon grade cyanide and will use those against those interest wherever they are. We know where you are your homes and families."

It was signed: "Allahu Akbar Abd Allah September 11."

A fourth letter was received by The New Zealand Herald newspaper on Monday. It contained an identical message and an equal amount of white powder, which was determined to be harmless.

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*Yalosta Rickford*  
Operator's Signature

10/2/03  
Date

"We have the testing completed to the point where we have tested positive for cyanide and we've tested negative for anthrax on any of the letters," said Jon White, commissioner in charge of counter-terrorism for the New Zealand police.

The three letters were mailed from within New Zealand. They were intercepted at the South Auckland Mail Center after one of the letters leaked white powder.

White said the letters could have come from outside of the country, despite the postmarks.

"The earlier letter was postmarked in Wellington, and these later letters were postmarked in Auckland but that doesn't mean to say they weren't introduced from outside of the country," he said, adding that "we don't have a clear idea about the origin at this point."

Although White said police "don't have any clear suspicions at this stage," they could not rule out the possibility the author of the letter was the same person who sent a threatening letter in December, accompanied by cyanide, to the American Embassy ahead of the New Zealand Golf Open in January 2002.

Swiss team Alinghi is leading the best-of-nine America's Cup regatta 3-0 against Team New Zealand. Race four is scheduled for Thursday after unsuitable weather conditions delayed it five times in the past week.

Police encouraged participants and spectators to continue with their normal business, but to be observant about "anything which might seem out of the ordinary and worthy of reporting to the police."

Police also encouraged the public to be vigilant, particularly with public transportation and consumption of pre-purchased food.

Security around the America's Cup was recently reviewed and security was increased, the U.S. Embassy said, adding, "the current threat is within the approach to the higher setting addresses."

Security arrangements for British, Australian and U.S. diplomatic representatives in New Zealand will be reassessed to take into consideration the latest threats, the U.S. Embassy said.

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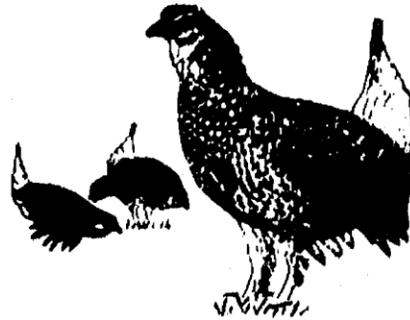
*10/2/03*  
Date



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 HB 1066, FEBRUARY 28, 2003**

**MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:**

I'm Bill Pfeifer speaking on behalf of the North Dakota Chapter of The Wildlife Society. The Wildlife Society strongly supports HB 1066 which provides for the continuation of the "Project Safe Send" program which collects and disposes of pesticides and pesticide containers.

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.

During the last biennium, 238,616 pounds of pesticides were collected from 370 participants. Since the program began in 1992, 1,318,890 pounds of pesticides have been collected from 3,733 participants. The collection of these pesticides is the best investment that we, the citizenry, can make to help protect ourselves and our children from accidental poisoning. One misplaced pesticide container under a sink can be devastating to a child.

A Project Safe Send survey in 2002 asked the participants if the program should be continued. A total of 275 respondents all said yes.

The Wildlife Society proposes the following amendment. Page 2, line 13. After the word "Act," delete the remainder through line 18. This program is so favorably important that the risk of losing it should be removed rather than the reintroduction of this legislation each session.

Therefore, the North Dakota Chapter of The Wildlife Society requests a unanimous DO PASS of HB 1066 for the continued protection of all of our resources.

Dedicated to the wise use of all natural resources

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Operator's Signature

10/2/03  
Date

# NORTH DAKOTA GRAIN DEALERS ASSOCIATION

STEVEN D. STREGE, Executive Vice President  
CHERYL WELLE, Executive Assistant  
CONNIE LEIER, Administrative Assistant  
Ph: 701-235-4184, Fax: 701-235-1088  
118 Broadway, 608 Black Bldg., Fargo, ND 58102  
Website: www.ndgda.org

LARRY PHILLIPS, Safety & Health Director  
Ph: 701-251-8112, Fax: 701-251-1788  
P.O. Box 5055, Jamestown, ND 58402-5055

STU LETCHER, Safety Specialist  
Ph: 701-543-3110, Fax: 701-543-4183  
P.O. Box 72, Hetton, ND 58240

*unable to attend*

February 28, 2003

TO: Members of the Senate Agriculture Committee  
FROM: Steve Strege, North Dakota Grain Dealers Association  
RE: HB 1066 – Project Safe Send hearing

We want you to know of our organization's support for Project Safe Send and its continuation. It is an effective way of dealing with leftover chemicals.

Grain Dealers has a representative on the Project Safe Send board.

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*10/2/03*  
Date

Roger Johnson  
Agriculture Commissioner  
www.agdepartment.com



Exhibit # 1  
Phone (701) 328-2231  
Toll Free (800) 242-7535  
Fax (701) 328-4567

600 E Boulevard Ave., Dept. 602  
Bismarck, ND 58505-0020

**Testimony of Jeff Weispfenning**  
**North Dakota Department of Agriculture**  
**House Bill 1066 with Senate Amendments**  
**Senate Appropriations**  
**Harvest Room**  
**10: 45 a.m., March 14, 2003**

Chairman Holmberg, Committee members, I'm Jeff Weispfenning, deputy commissioner for the department of agriculture.

Project Safe Sent was authorized by the legislature in 1991 to help farmers safely and legally dispose of unusable pesticides and to remove potentially dangerous chemicals from our environment. Funding for this program is from pesticide registration fees that are deposited into the Environment and Rangeland Protection Fund (EARP).

Two years ago, we received considerable amounts of rinsate from a few businesses. Our PSS Advisory Board has discussed rinsate—whether we should be collecting it, having a fee for it, and looking at other disposal methods (waste collected is incinerated). Most farmers are able to triple rinse containers and spray out the rinsate or rinse water. The large quantities we received were from custom applicators that are unable to spray out rinsate and accumulate large quantities.

During the 2001 legislative session, this was discussed in several committee hearings, and an amendment was put into the department's budget bill to allow us to charge for rinsate. The authority to charge was not put into the department's budget bill this session.

Since we have been charging for rinsate, the amount brought into the program has dramatically decreased—from 39,283 pounds in 2000 when there was no charge, to 7,918 pounds in 2001 and 3,772 in 2002. Letters were mailed to all pesticide businesses notifying them that there would be a charge.

Without the authority to charge, we are concerned that very large quantities of rinsate from businesses would be brought to collections. By charging our cost of disposal, we can help pesticide businesses and continue to offer the program to all North Dakotans.

Thank you for your consideration.

*Yalosta Rickford*  
Operator's Signature

10/2/03  
Date

4

Exhibit #2



Representative Ole Aarsvold  
District 20  
Route 2, Box 12  
Blanchard, ND 58009-9513  
oearsvo@state.nd.us

# NORTH DAKOTA HOUSE

STATE CAPITOL  
600 EAST BOULEVARD  
BISMARCK, ND 58505-0360



COMMITTEES:  
Appropriations

**To: Senate Appropriations Committee  
Senator Ray Holmberg, Chairman**

**From: Representative Ole Aarsvold, District 20**

**Re: HB 1066**

I am pleased to appear before you as a cosponsor of HB 1066. It would reauthorize the Agricultural Pesticide and Pesticide Container Disposal Program through the 2003-2005 biennium. As you will hear from agency and industry spokespersons, thousands of pounds of unsafe, outdated, and otherwise dangerous chemicals and their containers have been collected, transported and incinerated during the last decade. This activity has served to minimize the liability of certain North Dakota citizens as related to environmental contamination, protected the health of all residents, and made North Dakota a better place to live.

As genetically modified products become more available and accepted, I see the demand for chemical use and disposal decreasing. This revolution in agricultural practices will certainly have an impact on the need for this program. Until then it remains a necessary activity, worthy of our sponsorship.

I solicit the Committee's endorsement of HB 1066.

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Roger Johnson  
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Exhibit # 3  
Phone (701) 328-2231  
Toll Free (800) 242-7535  
Fax (701) 328-4567

(not given orally -  
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600 E Boulevards Ave., Dept. 602  
Bismarck, ND 58505-0020

**Testimony of Judy Carlson, Project Safe Send Coordinator  
House Bill 1066 with Senate Amendments  
Senate Appropriations  
Harvest Room  
11:15 a.m., March 12, 2003**

Chairman Holmberg, Committee members, I'm Judy Carlson, the Project Safe Send coordinator for the department of agriculture.

Project Safe Send was authorized by the legislature in 1991 to help farmers safely and legally dispose of unusable pesticides and to remove potentially dangerous chemicals from our environment. Funding for this program is from pesticide registration fees that are deposited into the Environment and Rangeland Protection (EARP) Fund.

In 2000, we received considerable amounts of rinsate from a few businesses. Our PSS Advisory Board has discussed rinsate—whether we should be collecting it, having a fee for it, and looking at other disposal methods (waste collected is incinerated). Most farmers are able to triple rinse containers and spray out the rinsate or rinse water. The large quantities we received were from custom applicators that are unable to spray out rinsate and accumulate large quantities.

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Without the authority to charge, we are concerned that very large quantities of rinsate from businesses would be brought to collections. By charging our cost of disposal, we can help pesticide businesses and continue to offer the program to all North Dakotans.

Thank you for your consideration.

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

*Jalisto Rickford*  
Operator's Signature

10/2/03  
Date