

Department of Legislative Services
 Maryland General Assembly
 2017 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 932 (Senator Smith, *et al.*)

Education, Health, and Environmental Affairs
 and Finance

Department of Health and Mental Hygiene - Atrazine Study

This bill requires the Department of Health and Mental Hygiene (DHMH), in consultation with the Maryland Department of the Environment (MDE) and the Maryland Department of Agriculture (MDA), to study and make recommendations about the impact of atrazine on public health, the environment, and agriculture. The study must (1) compile and examine specified literature; (2) examine listed routes of human exposure to atrazine in the State; (3) examine routes of human exposure to chemicals with a common mechanism of effect; (4) examine the concentration of atrazine in the State; (5) examine any other aspect of atrazine that the departments consider necessary; and (6) examine potential weed resistance to atrazine. DHMH must report study results to the Governor and specified committees of the General Assembly by October 1, 2018, and publish the report on the department’s website.

The bill takes effect June 1, 2017, and terminates May 31, 2019.

Fiscal Summary

State Effect: No impact in FY 2017. DHMH general fund expenditures increase by \$80,000 in FY 2018 and \$20,000 in FY 2019 to conduct the required study. MDA and MDE can consult with DHMH within existing budgeted resources. Revenues are not affected.

(in dollars)	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	80,000	20,000	0	0	0
Net Effect	(\$80,000)	(\$20,000)	\$0	\$0	\$0

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: There is no material impact on local finances or operations.

Small Business Effect: None.

Analysis

Current Law/Background:

Regulation of Pesticides and Pesticide Use: A pesticide distributor generally must register with the State Chemist Section within MDA each brand or product name of a pesticide before distributing it in the State, unless it has been registered by another person and the product label has not been altered or changed. The registration for each pesticide expires December 31 each year. Registered pesticide products undergo a review of the product's label, proposed uses, and potential adverse impacts on agriculture, the environment, the general public, and the regulated industry. State Chemist field inspectors also sample randomly selected products in the market to ensure the products are effective and safe for consumers and the environment. Products that are determined to be ineffective, misbranded, or harmful are removed from the marketplace.

MDA also licenses commercial pest control and not-for-hire firms, issues permits to public agencies for pesticide application, certifies private applicators (farmers or growers who wish to use restricted use pesticides in the production of agricultural commodities), and conducts use observations and inspections of those regulated entities/individuals.

Atrazine: According to the U.S. Environmental Protection Agency (EPA), atrazine is one of the most widely used agricultural pesticides in the United States. It may be applied before and after planting to control broadleaf and grassy weeds and is used primarily on corn, sorghum, and sugarcane. MDA indicates that atrazine is an important tool to farmers using conservation tillage and no-till methods (used to protect soil and prevent erosion), provides economical weed control, and is an essential tool in weed-resistance management programs. Currently, 64 pesticide products registered with MDA contain atrazine.

Concerns about the impact of atrazine led EPA to undertake a comprehensive reevaluation of the pesticide's potential health and ecological impacts in October 2009. EPA published a draft ecological risk assessment in the [Federal Register](#) in June 2016. EPA indicates that, after reviewing comments received during the public comment period, EPA may issue revised risk assessments, explain any changes to the draft risk assessment, respond to comments, and request public input on risk mitigation before completing proposed registration review decisions. EPA evaluated atrazine for its potential to affect endocrine systems in mammals and wildlife.

Safe Drinking Water Act: Atrazine is regulated in public drinking water supplies under the Safe Drinking Water Act (SDWA), a federal law that was initially passed in 1974. SDWA requirements apply to “public water systems.” MDE enforces SDWA in Maryland. The National Primary Drinking Water Regulations (NPDWR) are legally enforceable primary standards and treatment techniques that apply to public water systems. The NPDWR maximum containment level goal for atrazine is 0.003 milligrams per liter. Potential health effects from long-term exposure above the maximum containment level goal can include cardiovascular system or reproductive problems. EPA indicates that atrazine can enter water through runoff from herbicide use on row crops.

According to MDE’s [SDWA Annual Compliance Report for Calendar Year 2015](#), Maryland regulates 3,342 public water systems (469 community water systems, 538 nontransient noncommunity water systems, and 2,335 transient noncommunity water systems). In calendar 2015, MDE reported zero violations related to atrazine.

State Expenditures: General fund expenditures for DHMH increase by \$80,000 in fiscal 2018 and \$20,000 in fiscal 2019 (a combined total of \$100,000) to conduct the required study of atrazine. DHMH advises that the proposed study requires resources not currently available within the department. Thus, DHMH would award a contract to an institution with expertise in environmental chemistry, toxicology, and agricultural science. As DHMH must report the results of the study by October 1, 2018, contractual expenditures are assumed in fiscal 2018 and the first quarter of fiscal 2019 only; the estimate also assumes a 30-day start-up delay.

Additional Information

Prior Introductions: None.

Cross File: Although designated as a cross file, HB 1204 (Delegate Hill, *et al.* - Environment and Transportation) is not identical.

Information Source(s): U.S. Environmental Protection Agency; Department of Health and Mental Hygiene; Maryland Department of the Environment; Maryland Department of Agriculture; Department of Legislative Services

Fiscal Note History: First Reader - February 27, 2017
md/jc

Analysis by: Kathleen P. Kennedy

Direct Inquiries to:
(410) 946-5510
(301) 970-5510

