



Connecticut Department of  
**ENERGY &  
ENVIRONMENTAL  
PROTECTION**

**STATE OF CONNECTICUT  
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION**

Public Hearing – February 25, 2013  
Environment Committee

Testimony Submitted by Commissioner Daniel Esty  
Presented By Deputy Commissioner Macky McCleary

**Raised House Bill No. 6440 – AN ACT CONCERNING MUNICIPALITIES AND THE APPLICATION OF LAWN CARE PESTICIDES**

Thank you for the opportunity to present testimony regarding Raised House Bill No. 6440 – An Act Concerning Municipalities And The Application Of Lawn Care Pesticides. The Department of Energy and Environmental Protection (DEEP) offers the following testimony.

DEEP has serious concerns about this bill. To allow towns to petition DEEP to ban particular lawn care pesticides within that town presupposes that DEEP and the US Environmental Protection Agency do not adequately regulate such pesticides. This bill would not promote or enhance environmental protection. Pesticides are already closely regulated on both the state and federal level. There is no compelling reason to single out lawn care pesticides as more hazardous than other use patterns. We therefore must oppose this bill.

The bill would require municipalities to apply for authority to regulate lawn care pesticides upon showing a compelling reason that the municipality should regulate the pesticide. The DEEP would use as its criteria for approval a showing that there is a threat to human health or the environment in the municipality that justifies local prohibition. It is difficult to conceive a situation where a pesticide would be more hazardous in one town and not another, so it is unlikely that local authority would be granted. Either an existing use pattern would be allowed to continue, or statewide action would be taken. Since hazard does not vary by town, neither should regulation. If authority were to be granted, enforcement would be exceedingly difficult. Residents could easily cross municipal boundaries to purchase pesticides in a neighboring town with no ban and bring them back to their own town for use. Since there are not stores in every town, this purchase pattern undoubtedly exists today.

This bill makes a judgment that lawn care pesticides are somehow more problematic than pesticides used on other sites. There is no evidence to support this position.

Most states have laws not allowing municipalities to have authority over pesticides. New York does allow counties to require neighbor notification but does not have local bans.

This bill could have significant financial impact on businesses. Retailers in towns with bans would not be able to market products, even to non-residents. Commercial applicators could face a patchwork of regulations, and have a difficult time keeping track of what they could apply where. DEEP would potentially be faced with review of town applications to allow regulation, chemical by chemical, with no additional staff to conduct such reviews.

In conclusion, this bill has serious unintended consequences, and will add to regulatory overload without providing any additional health benefits.

Thank you for the opportunity to present testimony on this proposal. If you should require any additional information, please contact DEEP's legislative liaison, Robert LaFrance at (860) 424-3401 or [Robert.LaFrance@ct.gov](mailto:Robert.LaFrance@ct.gov).