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THE STATE SENATE
Wednesday, March 17, 1999

ENGROSSED
House Concurrent
Resolution No. 1006

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 1006 - By: REESE, ADAIR, ADKINS, ASKINS, BEGLEY, BENGE, BENSON, BEUTLER, BLACKBURN, BONNY, BOYD, BRADDOCK, BRYANT, CALVEY, CASE, CLAUNCH, COLEMAN, COLLINS, CORN, COVEY, COX, CULVER, DANK, DAVIS, DEUTSCHENDORF, DUNEGAN, EASLEY, EDDINS, ERVIN, ERWIN, FERGUSON, FIELDS, FRAME, GILBERT, GLOVER, GRAVES, GRAY, GREENWOOD, HASTINGS, HEFNER, HIETT, HILLIARD, HUTCHISON, INGMIRE, JONES, KINNAMON, KIRBY, KOUBA, LANGMACHER, LEIST, LINDLEY, LIOTTA, MADDUX, MASS, MATLOCK, MCCARTER, MILLER, MITCHELL, MORGAN, NANCE, NATIONS, NEWPORT, OSTRANDER, PAULK, PERRY, PETTIGREW, PHILLIPS, PIATT, PLUNK, POPE (Clay), POPE (Tim), RICE, ROACH, ROBERTS, ROGGOW, ROSS, SEIKEL, SELLERS, SETTLE, SMITH (Dale), SMITH (Hopper), STAGGS, STANLEY, STITES, SULLIVAN (John), SULLIVAN (Leonard), SWEEDEN, TAYLOR, THOMAS, THORNBRUGH, TOURE, TURNER, TYLER, VAUGHN, WEAVER, WEBB, WELLS, WILT, WINCHESTER, WORTHEN and WRIGHT of the House of the House and MILACEK, HELTON and LAUGHLIN of the Senate.

A Concurrent Resolution memorializing Congress to direct the United States Environmental Protection Agency to take certain actions regarding the new restrictions relating to the use of aluminum or magnesium phosphide in grain storage facilities; and directing distribution.

WHEREAS, Oklahoma's agricultural heritage and economy is dependent upon the harvest, storage, and transportation of grain;

WHEREAS, there are two hundred sixty-four grain elevators in Oklahoma and eighty-three thousand farms in Oklahoma, many of which are family-owned operations; and

(Bold face denotes Committee Amendments)

1 WHEREAS, Oklahoma grain elevators are valued neighbors to and
2 located in close proximity to homes, schools, farms, and businesses
3 in most of all Oklahoma's communities; and

4 WHEREAS, Oklahoma grain elevators, feed mills, processors, and
5 growers are committed to protecting the health and safety of
6 applicators, workers and the public; and

7 WHEREAS, grain elevators are located in Oklahoma communities
8 near railroads and highways to facilitate the transportation of
9 grain; and

10 WHEREAS, Oklahoma is a leader in the nation and in the world in
11 grain production; and

12 WHEREAS, Oklahoma grain elevators, feed mills, processors, and
13 growers are committed to producing an adequate, safe and high
14 quality food supply for domestic and world consumers; and

15 WHEREAS, treaties and established trade relations may require
16 pest-controlled grain before grain can be exported; and

17 WHEREAS, insect pests in grain without fumigation treatment
18 could create health risks and reduce the quality of the grain
19 marketed from Oklahoma;

20 WHEREAS, aluminum and magnesium phosphide gas are cost-
21 effective fumigants used both by commercial elevators and farmers in
22 the storage of grain in Oklahoma; and

1 WHEREAS, the current label restrictions for aluminum and
2 magnesium phosphide gas provide for the safe and effective use of
3 the product; and

4 WHEREAS, the State of Oklahoma practices rigorous enforcement
5 of the label restrictions on fumigants and ensures adequate training
6 of certified applicators; and

7 WHEREAS, restrictions in the use of fumigants in grain storage
8 and transportation should be based only on sound scientific
9 reasoning, available technology and accurate analysis of risk level
10 and avoid raising undue public alarm over unsubstantiated or
11 inconsequential risk.

12 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES
13 OF THE 1ST SESSION OF THE 47TH OKLAHOMA LEGISLATURE, THE SENATE
14 CONCURRING THEREIN:

15 THAT the Oklahoma Legislature memorializes Congress to direct
16 the United States Environmental Protection Agency to curtail
17 implementation of new restrictions from its Registration Eligibility
18 Decision on phosphine gas that would require a five-hundred-foot
19 buffer zone and other restrictions that effectively preclude the use
20 of aluminum or magnesium phosphide in most Oklahoma grain storage
21 facilities and grain transportation.

22 THAT the Oklahoma Legislature memorializes Congress to direct
23 the United States Environmental Protection Agency to ensure that

1 risk mitigation allowances for aluminum/magnesium phosphides are
2 clearly demonstrated as necessary to protect human health, are based
3 upon sound science and reliable information, are economically and
4 operationally reasonable, and will permit the continued use of these
5 products in accordance with the label.

6 THAT copies of this resolution be distributed to the President
7 of the United States, the Clerk of the United States House of
8 Representatives, the Secretary of the United States Senate, the
9 Administrator of the United States Environmental Protection Agency,
10 and each member of the Oklahoma Congressional Delegation.

11 COMMITTEE REPORT BY: COMMITTEE ON AGRICULTURE & RURAL DEVELOPMENT,
12 dated 3-15-99 - DO PASS, As Coauthored.