



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF THE DIRECTOR
235 Promenade Street, Room 425
Providence, Rhode Island 02908

April 29, 2026

The Honorable V. Susan Sosnowski
Chairwoman
Senate Committee on Environment and Agriculture
82 Smith Street
Providence, Rhode Island 02903

RE: S 2439 An Act Relating to Health and Safety – Pesticide Control

Dear Chairwoman Sosnowski,

Thank you for providing the Department of Environmental Management (DEM) the opportunity to comment on S 2439, which would amend the state's law governing the use of pesticides at schools, pre-schools, and childcare centers. DEM shares the sponsor's desire to protect children from the potentially harmful impacts of exposure to pesticides, but we note that some of the legislation's proposed amendments are duplicative of existing regulatory requirements. We further note that the DEM pesticide program is small and that adding new responsibilities will be difficult to implement with existing resources.

Over the last year, DEM has worked with the Rhode Island Department of Education (RIDE) to review the existing statute and identify areas where we can collaborate to further the intent of the law. For example, prior to the start of the current school year, DEM prepared a letter distributed to school superintendents by RIDE which outlines the responsibilities of school administrators regarding pesticide use in schools and on school grounds. DEM is committed to implementing the law as resources allow and working with stakeholders to align existing efforts with the requirements of the law.

S 2439 would direct DEM and the Rhode Island Department of Health (RIDOH) to jointly develop and promulgate regulations no later than January 1, 2027 to restrict the use of hazardous pesticides and rodenticides in schools, pre-schools, and child care centers, including a prohibition on the use of any pesticide or rodenticide containing the herbicide glyphosate (commonly known as "Roundup"); for the promotion and implementation of integrated pest management (IPM); and to cover situations where emergency use of a pesticide (including rodenticide) must be conducted to eliminate an immediate threat to human health is necessary.

Existing DEM pesticide regulations codified at [250-RICR-40-15-2.19](#) include provisions specific to the use of pesticides at schools. This includes restricting any person other than a licensed or certified commercial applicator from applying pesticides within any school building or on the grounds of a school during regular school hours or during planned activities at any school. The regulations further restrict the application of restricted use or state limited use pesticides in or around school property of grades preschool through twelve at any time without receiving prior approval from DEM and the school administration.

We note that the term "lawn care pesticide or rodenticide" is not defined in the legislation and this could inadvertently cause confusion as to which products are covered by the prohibitions on applications on

school grounds that the bill proposes. The lack of clarity in the legislation regarding the definition of this term could lead to confusion about which products may be legally applied. For example, is an insecticide used to control mosquito populations considered to be a lawn care pesticide? Furthermore, we note that the term “pesticide” has a statutory definition that is inclusive of rodenticides, herbicides, and other such substances.

One of the core responsibilities of DEM’s pesticide program is to determine which pesticides should be designated as “state limited use pesticides” which are subject to additional restrictions to prevent unreasonable adverse effects on the environment including humans, land, beneficial insects, animals, crops, and wildlife, other than pests (see R.I. Gen. Laws § 23-25-4(37)). Those pesticides listed as state limited use pesticides, as well as those designated as restricted use pesticides by the U.S. Environmental Protection Agency (EPA), may only be legally sold by licensed pesticide dealers to licensed and/or certified pesticide applicators (e.g. they cannot be legally sold to the public). Both DEM and the EPA rely upon scientific research to justify the listing of a pesticide as state limited use or restricted use, respectively. At present, EPA has not listed glyphosate as a restricted use pesticide, and it is therefore classified as a general use pesticide in Rhode Island which may be purchased at retail by the public.

S 2439 also introduces duplicative requirements governing the storage of pesticide and rodenticide containers prior to disposal to those currently included in DEM regulations codified at 250-RICR-40-15-2.24. Existing regulatory provisions include requirements to store pesticides in locked, secure areas with access limited to authorized personnel only; and to ensure that pesticide storage areas are constructed of rigid materials without bottom drains or openings, and which are impervious to prevent contamination of the environment, among other requirements.

Finally, the legislation requires DEM and RIDOH to establish a joint task force to explore the presence and health risk of polyfluoroalkyl substances (PFAS) in artificial fields at private and public schools with a final report due to be submitted no later than January 1, 2029. DEM shares the sponsor’s concern about the presence of PFAS in artificial turf and we note that the Consumer PFAS Ban Act of 2024 (R.I. Gen. Laws § 23-18.18) includes a prohibition on the sale of artificial turf containing intentionally introduced PFAS which takes effect on January 1, 2029. With the ban scheduled to take effect on the same date that the task force’s final report would be submitted we respectfully suggest that a task force may not be needed.

We appreciate the opportunity to offer comments on this legislation and would be pleased to make ourselves available as needed. Please feel free to contact Ryan Mulcahey, DEM Director of Legislative Affairs, at ryan.mulcahey@dem.ri.gov should you have any additional questions or wish to discuss this matter further.

Sincerely,



Terrence Gray, P.E.
Director

cc: Members of the Senate Committee on Environment and Agriculture
The Honorable Lammis Vargas
Kristen Silvia, Deputy Chief of Staff and Director of Legislation