

plus... **BioCYCLE**
INTERNATIONAL

BIOCYCLE

JOURNAL OF COMPOSTING & ORGANICS RECYCLING

DECEMBER 2003

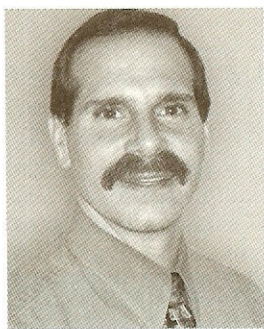
2 0 0 3

PERSPECTIVES
AND

PREDICTIONS

2 0 0 4

THREE SYSTEMS TO MANAGE MANURE ■ ANAEROBIC STUDY FOR SEATTLE FOOD RESIDUALS
WINDROW DESIGN IN HIGH RAINFALL AREAS ■ BIOSOLIDS COMPOST REMEDIATES A LANDFILL



Ron Alexander

COMPOST AND THE FERTILIZER REGULATION WORLD

THE American Association of Plant Food Control Officials (AAPFCO) is a volunteer organization of state Department of Agriculture (DOA) officials who register and regulate the distribution of fertilizer, soil amendments and liming agents in the U.S., its territories, as well as Canada. The organization creates model laws and regulations to assist interstate commerce of these agricultural and horticultural staples. AAPFCO's strongest goals seem to be consumer protection, by requiring 'truth in labeling,' and uniform regulation from state to state. It should be noted, however, that their model laws, regulations and Statements of Uniform Interpretation and Policy (SUIP) are created to provide guidance to states (i.e., they are not forced upon them).

AAPFCO activities are of interest to composters because the state DOAs (AAPFCO members) can greatly impact the way we do business — from requiring us to pay tonnage and other registration fees to creating minimum product standards, to changing the way we label our products. Further, composting facilities in states with a Uniform Soil Amendment Law "on the books" that make soil amending type claims on their compost need to have their product registered (unless they are exempted for some reason). And technically, any publication (literature, advertisement, billboard, etc.) used to market compost could be considered a "label." And if that is the case, any reference to nutrient content is not allowable — unless the product is registered as a fertilizer.

Given this connection between composters and plant food control officials,

COMPOST MARKETS UPDATE

the Market Development Committee of the U.S. Composting Council (USCC) has been involved with AAPFCO over the past seven years. Great headway has been made in certain areas with AAPFCO, while in others, success has been more limited. The USCC's involvement has been focused within two specific committees — the Environmental Affairs Committee (within its By-Products and Recycled Materials subcommittee) and the Uniform Bills Committee. The following is an update of AAPFCO committee activities related to compost, based on attending the association's last meeting in August 2003.

ENVIRONMENTAL AFFAIRS COMMITTEE

The Environmental Affairs Committee's By-Products and Recycled Materials Subcommittee met to discuss several issues, with SUIP #25 (Heavy Metals in Fertilizers), microbial screening and verification of claims for composts (and related products) being the most relevant to composters. We first got involved with this committee because of its interest in developing a set of heavy metal standards for fertilizers, which would have impacted any compost products registered as a fertilizer, as well as all manure-based composts. This initiative began because of a scare in Washington State regarding heavy metal tainted fertilizer (see "Setting Metals Standards For Fertilizers, May 1999). It culminated in the development of SUIP #25, which includes numerical standards based on two independent risk assessments on chemical fertilizers (Table 1). After several years of efforts, a vote was taken at the August 2003 meeting by the entire AAPFCO (voting) membership to move the SUIP to "official" status. The motion was carried and the SUIP will be published in the next AAPFCO Official Publication.

This development will now allow for wider scale use of the SUIP by state DOA officials. Many believe that the SUIP will help state Secretaries of Agriculture better define when a fertilizer product is adulterated. If a product is found to adulterated, the Secretary has the right to cease its distribution. The finalized SUIP lists compost as an exempted product, which does not have to meet the fertilizer heavy metal standards, but instead those developed by the U.S. EPA in their CFR Part 503 regulations.

For the first time at the Subcommittee meeting, questions were posed regarding potential biological contami-

nants found in compost, and other organically based products (e.g., manure, biosolids), as well as what should be considered as verifiable or allowable claims (benefits) for compost. We provided information regarding Part 503's process to further reduce pathogens (PFRP), and how it is used in compost production to limit risk associated with biological contaminants. We also had to confirm the fact that no federal regulations exist regarding pathogens in manure-based products. We further suggested that the organization invite a representative of the USDA to outline the department's research and current stance regarding pathogens related to risk in horticultural and agricultural products. Patricia Millner of the USDA was invited to attend the February, 2004 AAPFCO meeting and she has accepted this invitation. (Millner is a co-editor of a new *Compost Science & Utilization* publication titled *Contemporary Perspec-*

Table 1. SUIP #25 metals standards for fertilizers¹

Metals	ppm per ppm per 1% P ₂ O ₅	1% Micro nutrients
Arsenic	13	112
Cadmium	10	83
Cobalt	3,100	23,000
Lead	61	463
Mercury	1	6
Molybdenum	42	300
Nickel	250	1,900
Selenium	26	180
Zinc	420	2,900

¹For details on how to calculate the allowable concentrations, download the SUIP #25 PDF file from the AAPFCO website: www.aapfco.org

tives On Infectious Disease Agents In Sewage Sludge And Manure to be available in winter 2004.)

The issue of verifiable compost claims also was discussed. We explained that both the USCC and National Bark & Soil Council have stated on several occasions that well documented and acknowledged benefits of soil amendments should be automatically accepted by state DOAs, and not require further research by individual product manufacturers. The committee was provided a list of compost benefits that the Minnesota Department of Agriculture recently deemed as acceptable for com-

posters to cite. Discussions will continue at the February 2004 AAPFCO meeting.

UNIFORM BILLS COMMITTEE

The Uniform Bills Committee met to continue its discussion on the uniform regulation of compost products, among other subjects. Teresa Crenshaw, the Committee's Chair, started by outlining the history of the USCC's efforts with AAPFCO on this issue. She addressed the problems with trying to regulate compost within the Uniform State Fertilizer and Soil Amendment Laws, and described why several leaders within the organization felt it was important to present (and regulate) compost as a soil amendment with innate nutrition — and to allow for the legal disclosure of nutrient content data. Currently, any mention of nutrient content in compost would make it a fertilizer in the eyes of state DOAs.

In support of our efforts, the state of Idaho presented its updated Soil and Plant Amendment Law, which allows nutrient content in compost to be identified — with the understanding that “any nutrient claims, verbal or written, are estimates and not guaranteed.” Section 030, “Soil and Plant Amendment Labels,” does not specifically cite compost but does apply to compost products according to an Idaho Department of Agriculture official. (To see the wording, log onto www.idahoag.us. Go to Rules, then IDAPA Rules, then click on 02.06.41.) Following further discussion, it was suggested that we (the USCC) develop some language that, with assistance from the Committee Chair, could be used in an SUIP that would address this issue. The suggested text, which will be presented at the February 2004 meeting, will be modeled after the Idaho law. We have tried modifying both the Uniform State Fertilizer and Soil Amendment Laws to no avail, and even create a new Uniform Compost Bill. Now we will try solving the problem with the creation of a Compost SUIP. ■

Ron Alexander is with R. Alexander Associates, Inc. in Apex, NC. He can be reached at 919-367-8350, alexassoc@earthlink.net (www.alexassoc.net). He currently serves as an Industry Liaison to AAPFCO representing the US Composting Council.

PROFESSIONAL SERVICES

Robert Tardy
& Associates, Inc.
 Residuals Management & Composting
 Design and Feasibility Review
 Arvada, Colorado
 (303)423-4100 rtacompost@cs.com

SEC Your Organics Composting Specialists
 North American Distributor of Gore™ Cover Systems
 Facility Design • Operational Plan Development
 Process Monitoring Plan Development • Operator Training
 Facility Inspections • Facility Laboratory Design
 774-D Meadowlark Rd. Lynden, WA 98264
 Phone / Fax (360) 650-0443
os@compost-technologies.com
www.compost-technologies.com

ENVIRONMENTAL CONCEPTS & DESIGNS, LTD.
 Site Design • Permitting • Operations Development or Expansion of Compost & Mulch Production and C&D Recycling Facilities
 Organic Soil Erosion Control/Prevention Program
 Market Development • Feasibility Studies/Audits • Grants Developed
 417-890-1463
 Fax: 417-823-0138 • Mobile: 417-848-2720
 Email: ecd@environmentalconcepts.net
 Website: www.environmentalconcepts.net

CalRecovery INCORPORATED
 INTERNATIONAL WASTE MANAGEMENT CONSULTANTS SINCE 1975
 CalRecovery, Inc.
 2454 Stanwell Drive
 Concord, California 94520
 USA
 Tel: 925-356-3700
 Fax: 925-356-7956
www.calrecovery.com

- Source Reduction
- Collection
- Composting
- Recycling / MRFs
- Biosolids Reuse
- C&D Recovery
- Planning/Implementation
- Engineering Design
- Performance Studies
- Market Analysis
- Financial Analysis
- Procurement
- Recyclability Analysis

RENDA ENVIRONMENTAL
 SPECIALIZING IN:
 Biosolids Management & Consulting Services
 Dewatering Systems • Beneficial Reuse • Dredging
 Digester Cleaning • Belt Press Rentals
 ...additional wastewater and compost service available
 2501 Greenbelt Road, Fort Worth, TX 76118
 tel 817-571-9391 fax 817-571-6783

ADVERTISE YOUR CONSULTING SERVICES HERE
 For Details Call Teri Sorg-McManamon
 At (610) 967-4135 ext.33

Woods End Research Laboratory INCORPORATED
Comprehensive Analytical Laboratory
 established 1974
 ✓ Compost Quality Certification Program
 ✓ Chemical & Microbiological Analysis
 ✓ Research & Product Development
 ✓ Solvita Maturity Test Kits
 ✓ Consulting Services
 P.O. Box 297
 Mt. Vernon, ME 04352
 1-800-451-0337
www.woodsend.org

BANFE CONSULTING
Compost, Soil & Mulch Sales & Marketing
 tel: 1-856-216-7770 ext 16

visit BioCycle online

- searchable online article database
- conference program updates
- back issues
- issue contents
- new publication announcements
- online subscription renewals
- change of address
- links

www.biocycle.net