
MEMORANDUM

DATE: August 13, 1999
TO: USCC Board
FROM: Ron Alexander, Co-Chair USCC Market Development Committee and
Sharon Barnes, USCC President
RE: Update from AAPFCO meeting

Uniform Bills Committee - National Compost Law

On Sunday August 3rd, the Uniform Compost Law Subcommittee met to continue work on developing a draft law. Several definitions within the law were amended and upgraded. However, the most significant modifications to the proposed law were in Section 5, Exemptions, where a method to allow composters to make soil amendment claims and disclose nutrient content was devised. It reads: Unfortified compost containing no more than 3% each of the primary plant nutrients shall be exempted from the "cite State's Fertilizer Law", "the State Fertilizer Law", and from the (cite State's Soil Amendment Law), "the State Soil Amendment Law", provided that the label bears a statement that the product is intended solely to be used for one or more of the following: 1. improves the soil structure; 2. improves water holding capacity; 3. modifies the bulk density of the soil; 4. supplies organic matter; 5. improves the cation exchange capacity (CEC) of soils and growing media; and 6. improves drainage.

The actual text which must be placed on the product label to allow the disclosure of nutrient content has yet to be finalized. The term 'unfortified' compost and how that affects the composting industry must also be discussed, as must the table describing a 'general use' compost.

Environmental Committee - Heavy Metals and Fertilizer SUIP

During the first day of the Environmental Committee's By-Products and Recycled Products Subcommittee meeting, The Fertilizer Institute (TFI) was allowed to outline their 'heavy metals in fertilizer' risk assessment study which is nearing completion. This risk assessment shows a low risk in the use of current fertilizer products.

The U.S. Composting Council was also allowed to present it's position regarding the AAPFCO's 'heavy metals in fertilizer SUIP' and discuss the national composting industry in general.

During the second day of discussions, the State of California's heavy metals in fertilizer risk assessment was also discussed in detail, and the current status of related regulatory programs in Washington state, Texas, Utah were discussed. After discussing in detail, a motion was passed to develop a working group to further evaluate the risk-based standards for non-nutritive metals found in fertilizers. Ron Alexander was placed on this work group which will evaluate current and soon to be completed risk assessment work on the subject. This group will then provide a proposal to the By-Products and Recycled Products Subcommittee to be evaluated as soon as possible. It was also determined that this proposal would not have to be completed by the February AAPFCO meeting (therefore, a lack of alternative heavy metal limits would not force action to be taken at the August 1999 meeting). Further, voting on moving the heavy metals in fertilizer SUIP to an official status, which would lead to official action by the AAPFCO membership, would not take place until an Environmental Committee of AAPFCO would request it. This stance will allow the working group to develop alternative heavy metal standards which are based on risk based science, without pressure being placed upon them to finish up within a specific timeline. Hopefully, this will avoid incorrect values from being established.

Other

The next AAPFCO meeting will be held in February in St. Augustine, Florida and the one following that will be in August in Charleston, West Virginia. By being involved in the work group and staying engaged with the AAPFCO, the U.S. Composting Council can ensure that risk based standards are developed for heavy metals in fertilizer. We can hopefully further verify how biosolids products will be regulated once the new rule is developed and push for the exclusion of compost products which are registered as fertilizers.