



# COMPOST LEGISLATION

## PR 1133- ACP Compost Working Group Launched

The Rule 1133 Compost Industry Working Group, that the South Coast Air District staff had agreed to form as part of the implementation of Rule 1133 is now underway (see previous ACP newsletters, <http://www.healthysoil.org/acpcommunication/acpnewsletter.html>, or ACP Website documents, <http://www.healthysoil.org/acpregslegs/regulatoryactions.html> for background on this). After a meeting with Tracy Goss, of South Coast Air District, September 1, 2011, we drafted the "Next Steps" for this important Compost Industry Working Group below.

Matt Cotton noticed that we forgot to include actions regarding "pushing SCAQMD to regulate the significantly larger volume of green material processed by chippers and grinders. As you recall, Jill [Whynot] and Tracy [Goss] and the Stationary Source Committee promised to get moving on that immediately after the passage of 1133.3". This was, indeed, an oversight at our first meeting, and pointed out a whole in our keeping everyone involved and engaged as we launch this working group. So we will be including this topic in future meetings and actions. And we've since created a new group email list for all those folks beyond ACP members and affiliates, who want to also be involved in this Working Group with us. If you would like to participate in this Industry Working Group more directly, ongoing, please contact Dan Noble, ACP ED, 619-992-8389, [danwylthernoble@gmail.com](mailto:danwylthernoble@gmail.com).



### Next Steps

#### 1. Compost Industry 1133 Working Group Outline: Goals & Next Steps - Tracy Goss

- o Goals Statement - Forum, resolve compliance problems, address implementation issues
- o Organization - formal and/or informal meetings/communications (e.g., FAQ on District web-site, updated as issues are addressed)
- o Effective Date - November 8, 2011
- o Progress Report - March 2012 at District Stationary Source Committee Meeting

#### 2. Squeeze Test Clarification – Jill Whynot, Tracy Goss, Dan Noble, Compost Producer (Lopez Canyon or Aguinaga Green?)

- o Demonstrate consistent & variable feedstock and product
- o Make a video of the squeeze test and post it on SCAQMD and ACP web sites(may be AQMD web site only with link from ACP site – TBD)
- o Evaporate Moisture (lab sample) and determine % moisture for successful squeeze test (concept TBD) and evaluate use of moisture meter in lieu of squeeze test

Compare to STA (USCC - Seal of Testing Assurance) of final/finished compost sample(s)

#### 3. Record Keeping Format & Enforcement - Jill Whynot, Tracy Goss, Paul Ryan, Dan Noble

- o Registration Form Update - additional information, esp. food waste
- o Return enforcement - "everyone who's subject has submitted"

o Recordkeeping expected/acceptable to demonstrate compliance with Rule 1133 series requirements

#### 4. Implementation & Post Implementation - Tracy Goss, Jill Whynot, Dan Noble, Paul Ryan

- o Permitting & Enforcement Workshop "SCAQMD Compliance Workshop for Chip and Grind Operators, Greenwaste/Food Waste Composters and Co-composters" - October 13, 2011
- o Squeeze Test and Record Keeping Update actions and reports - December 2011 (Working Group Meetings, if necessary, sufficient to take care of this)
- o Working Group Meeting - Review of work and next steps - Jan. or Feb. 2012
- o Progress Report to Air Board - March 2012 Stationary Source Committee

## PR 1133- ACP/Air Dist. Permitting & Enforcement Workshops

Please mark your calendars for the first ever (and likely the only!):

**South Coast Air District Rule 1133,**

**Compost Permitting Workshop**

**October 13, 2011**

**Workshop Title:**

SCAQMD Air Quality Compliance Workshop for Chip and Grind Operators, Greenwaste/Food Waste Composters, and Co-Composters -

**"Rule 1133 Permitting and Enforcement"**

### Action Items:

SAVE THE DATE - **October 13, 2011** - 8 am - 3 pm - we recommend everyone attend this!

AGENDA: Draft Agenda for Event is In the document Library below this newsletter on the ACP website at <http://www.healthysoil.org/acpcommunication/acpnewsletter.html> - *decide who in your compost management and/or regulatory compliance team, should attend, if not your whole team* on the ACP website (Direct questions or comments to Dan Noble, 619-992-8389, [danwyldernoble@gmail.com](mailto:danwyldernoble@gmail.com))

## Local Solid Waste Advisory Taskforces—San Bernardino County

One of our ongoing activities in ACP is to assist local Solid Waste Advisory Taskforces (set up, by law, as part of AB 939 in 1991), to participate and assist them with the "organics recycling" portion of their county wide planning process. To date, most of our relationship development has been in the counties of our members in Southern California (especially Riverside, San Bernardino and San Diego Counties). Also we have observed that active members of CRRA ([www.crra.com](http://www.crra.com)) participate in these Taskforces ongoing. Recently, ACP members, including San Bernardino County itself, via Olivia Sanchez and Erika Ellis (the one who does the graphics of this newsletter ever month!), we have started to participate a little in the Strategy Committee of the

Solid Waste Advisory Taskforce (SWAT) of San Bernardino County. They have been working diligently over the past few months to build a strategy for solid waste management for the County into the future. The draft report is titled: "Alternative Reduction, Recycling, Composting, and Energy Technology Report - Tasks 1 and 2

Jeff Ziegenbien ([ACP President](#) and Deputy Operations Director of [IERCA](#)) and Bob Figoni, (City of Ontario), are performing the food scraps composting capacity assessment portion of the report at this time. They could use more assistance in ob-

taining accurate data for this report. A beginning table is available for review, if you have any information and can provide input on any of the missing information. They would welcome more participation from composters. You can provide input via Dan Noble either directly or at the next ACP meeting on Sep. 28th. The next SWAT Strategy Committee Meeting is scheduled for October 13th, 2011. (Please direct additional questions or comments prior to the ACP meeting to Dan Noble, [619-992-8389](tel:619-992-8389), [danwyldernoble@gmail.com](mailto:danwyldernoble@gmail.com))

## Exposure Risk to Trace Organic Chemicals in Biosolids Based Compost?

A recent article in Biocycle, August 2011 published the extensive research on "Evaluating the Exposure Risk to Trace Organic Chemicals in Biosolids". And concluded that "due to widespread use of trace organic chemicals in manufacturing of personal care and consumer products, research found that *the greatest human exposure is in the household environment* [e.g. through the use of those products, as well even in the household dust that contains ~ 10x the concentration of these chemicals compared to biosolids] and *not* via land application of biosolids." The six page article is posted on the Newsletter Document Library for this newsletter. (<http://www.healthysoil.org/acpcommunication/acpnewsletter.html>)

## State Water Board-Statewide Order for Compost Facilities

One August 31 and September 1, 2011, the California State Water Resources Control Board sent their project and area leaders to give Information Workshops introducing their "DRAFT CONCEPTS FOR A PROPOSED STATEWIDE ORDER FOR COMPOSTING FACILITIES". Many ACP members and other composters and stakeholders (LEA's, Regional Water Board representatives, etc.) were in attendance. In the document library below this newsletter (posted on ACP's website at <http://www.healthysoil.org/acpcommunication/acpnewsletter.html>) please find beginning draft working paper responding to these "Draft Concepts" (also available in the same document library).

ACP's Working Paper is organized into three simple sections: Intro, Perspectives & Actions. It is designed to be a *collaborative working paper*.

As you have more ideas, questions, and input, please respond accordingly. If you would like to work directly on the Stakeholder Workgroup, please let us know (via Dan Noble, 619-992-8389, [danwyldernoble@gmail.com](mailto:danwyldernoble@gmail.com)). If you want to be involved separately (rather than through) ACP, you certainly can; however, you will need to be directly in touch with the Water Board Lead Person, Roger Mitchell, [858-467-2724](tel:858-467-2724), [composting@waterboards.ca.gov](mailto:composting@waterboards.ca.gov).

If you are interested in engaging in this important issue, **please add your comments, questions, and recommendations into your own, personally identified, "save as" version of this document**, and send it to me. **Alternatively**, you can call me and I can take notes over the

phone on your behalf, and we'll see that they get incorporated into our responses to them.

If you choose to engage in this, please focus on:

**Questions:** what new questions do you have that we (or their Draft Concepts) have not addressed (I've left a lot of blank spaces in this document for that).

**New WQPM:** (water quality protection measures), we are taking the position that we will be developing unique WQPM's for compost facilities... not simply transporting landfill WQPM's (pads, berms and ponds) to our facilities.

We are being asked to participate in this process ... and this will take place over the next couple of months, but starting in the next week or two prior to the first Stakeholder Workgroup meeting, September 28<sup>th</sup> and October 27<sup>th</sup>. Specific times and locations are not known as of this writing, but will be published on ACP's website on the Home page under "Announcements" (<http://www.healthysoil.org/> )

Thanks for any and all input you can give on this important issue to you and other composters.

### Gaining Assistance and Input from Filtrexx.com

On September 16<sup>th</sup>, 2011, I contacted Dr. Britt Faucette, Sr. Scientist with Filtrexx International ([www.filtrexx.com](http://www.filtrexx.com)). They are some of the foremost compost-based water, storm water and erosion control experts in the US.

Our first "Stakeholder Workgroup" meetings will be September 27, 2011 in Southern California, and September 28, 2011, Northern California, about a week.

Agendas for both meetings can be

found in this Months Newsletter Document Library on the ACP website at:

<http://www.healthysoil.org/acpcommunication/acpnewsletter.html>

We would like to begin that first meeting by speaking and delivering (both before and during in writing, which Roger Mitchell, of the Water Board, and Calrecycle folks are anticipating):

**The core concept:** *that compost facilities are categorically different than landfills, and require unique and categorically different WQPM's*

**Draft unique WQPMs for Compost Facilities:** and compost-based, WQPMs for the Stakeholder Workgroups serious consideration.

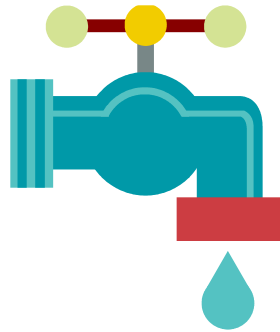
We've shared this perspective with Bob Horowitz and Brian Larimore of Calrecycle, and they are of like mind. FYI, Brenda Smyth is overseeing and directing this process and Brian Stalker is the project leader on this, for Calrecycle. They all also seem to share a skepticism, that some of you have shared with me, that the Water Board's *willingness and ability to truly collaborate with us* on this would be counter to their considerations about using compost and their previous behavior relative to rule making.

We're holding that "people are bigger than their considerations... and that 'shift happens'"! The two Brian's (Larimore and Stalker) and Bob are interested, in working collaboratively with us on this, too. So, when the time is right, we will bring them in on this, too... although we will still represent our respective organizations separately as well (i.e. the compost industry via the current coalition of composters on this, along with Calrecycle).



# State Water Board (cont.)

**September 27, 2011**  
 (Southern California)  
 9:00 am – 12:00 pm  
 Santa Ana RWQCB Office  
 3737 Main Street, Riverside, CA. 92501  
 5th Floor Conference Room



**September 28, 2011**  
 (Northern California)  
 12:00 pm – 3:00 pm  
 Joe Serna Jr./CalEPA Building  
 1001 I Street, Sacramento, CA. 95814  
 Conference Room 620

The photo on the next page is of the Engel and Grey compost facility in Santa Maria. This facility already has a "WDR" (waste discharge requirement) permit with the Central Regional Water Quality Control Board -3.

According to Bob Engel, Principal of Engel and Grey, and Secretary/Treasurer of the Board of ACP, "the ponds that we were required to build to catch rainfall runoff from this site are much larger than are actually needed". We learned at the Water Board hearing that, "Facilities that currently have WDR's will continue with be reviewed and folded in to the Statewide Waiver, over time; not specified at this time".

Also, we were given the explicit indications that, in the case of existing compost facility WRD's, we can come up with less stringent, less expensive measures, owing to the beneficial use of compost at compost sites. Water Board representative stated that, "We should use the experience (positive and negative) of the composters with existing WDR's as a basis for setting new (not landfill based...like in the current draft Order) to create new, compost specific WQPMs (Water Quality Protection Measures)." That's our goal over the next month or two of this process.

Finally, just as visual, here's an example of what a compost blanket (compost used as a cut-slope mulch),

seeded with native seeds, can do to protect sub-soils, by turning them into healthy soils capable of supporting new native plant growth. Can your landfill leachate do this!?



Picture: Engle and Grey Compost facility in Santa Maria



Picture: Erosion control measures





# USCC Annual Conference & Trade Show

The largest composting conference and exhibition for the composting, wood waste and organics recycling industry in North America.

The only national composting conference and exhibition run by and for composting and organics recycling professionals, it is the premier event of the Composting and Organics Recycling industries, providing industry professionals with educational, networking, and career advancement opportunities.



## WHEN

January 17-20, 2012

## WHERE

Renaissance Hotel, Austin, Texas

## WHAT

From January 17 to 20, 2012, the US Composting Council will be hosting the 20th Annual National Composting Conference and Exposition. During this time the Renaissance Hotel in Austin will attract the largest group of composting and organics professionals in the country to participate in a comprehensive program of workshops, training courses and educational and technical sessions designed specifically to provide you with the information you need to solve your composting challenges.

## WHY

posting, odor control, marketing, research and evaluation? In need of the latest composting equipment and

technologies? The USCC Annual Conference and Trade Show has all the answers you are looking for and much, a i W' a cfY' H\fcI [ \ ' hY' I G77 Nj' gll' ' dfY-conference workshops & training seminars and educational sessions presented under six conference tracks you will have the opportunity to attend the most comprehensive composting seminar program available.

## WHO

Join hundreds of fellow compost managers, operators, regulators, researchers, government officials, engineers and consultants from throughout the country at the USCC Annual Conference, to engage in a focused, three-day series of workshops, training courses, educational and technical sessions and seminars covering composting and compost marketing practices, new technologies and compost applications, policies, public outreach, program financing, and regulations. An outstanding program is planned with a diversity of sessions offered. Critical issues to be addressed at the conference affect all composters and those affiliated with the industry.

<http://compostingcouncil.org/conference-info/>

## BIOCYCLE GLOBAL 2012

- BioCycle 2012 International Conference on Composting, Renewable Energy & Organics Recycling
- 26th Annual BioCycle West Coast Conference
- April 16-19, 2012
- Portland, OR
- Red Lion Hotel on the River



## COMPOST OVERS | Misc Tidbits and Cool News



ICAW 2012!  
Time to Start Taking Part

The US Composting Council Board of Directors, the organizational group behind International Compost Awareness Week (ICAW) in the United States, is proud to announce a call for entries for its 2012 ICAW Poster Contest. The contest will run from September 15 until November 30, 2011 and is open to anyone who wants to help celebrate composting and promote the benefits of composting and composting. The winning poster will serve as the 2012 International Compost Awareness Week promotional media piece.

### OFAC <sup>3</sup> Etiwanda Organic Seminar

The Organics Fertilizer Association of California held a special seminar at Etiwanda Gardens, Rancho Cucamonga, on September 8, 2011. Kellogg Garden Products representative, Gisele Schoniger, gave a presentation on behalf of ACP on organic compost certification and organic materials input. Gisele felt that she "had very good responses from the OFAC/CAPCA attendees."

As a presenter her focus is to engage her audience with great enthusiasm, passion & share with them how she sees our industry as coming full circle back to the basics in using compost. She expresses that Kellogg Garden Products and composters are on the front end of this movement. Gisele has worked for 16 years re-educating the nursery & garden industry, for the past 7 or 8 years doing the PAPA programs (<http://www.papaseminars.com>, e.g. one on 9/20/11 in Escondido, [http://www.papaseminars.com/pdf/file/2011/09\\_20\\_11\\_escondido.pdf](http://www.papaseminars.com/pdf/file/2011/09_20_11_escondido.pdf)) working on the professional side of the business and works with homeowners in an effort to shift our focus from the world of synthetics over to a more integrated, sustainable natural and organic approach.

Gisele meets people where they are in their practices and often with the landscape industry to encourage a "bridge approach" or a "hybrid approach" as a way into this shift, or return. Using compost and organic fertility when planting things in the ground to get the microbial inoculants right at the root zone where they can do their best work and help to get the plant established, to get the roots deep within the soil. Then as I know will happen they will bring in their big guns so to speak and use their synthetics. Gisele's approach with PAPA was about how to grow plants in a far more healthy way so that we are "pre-pesticide" in our approach. While Gisele (and composters in general) has no intention of minimizing anyone's livelihood or the importance of a spray program, rather she sees these folks spraying seaweed extract as an example. Seaweed extract contains natural plant growth regulators, which control the growth and structural developments of plants. The major plant growth regulators are Gibberellins, Cytokinins and Auxins. There are also over 60 trace elements, vitamins and hormones, Gisele calls it "a wonder drug for plants." Seaweed extract will thicken the cell walls of plants, which will minimize aphid attack, minimize peach leaf curl

on fruit trees and minimize powdery mildew on roses and other plants. Seaweed extract is also excellent in promoting root growth, helps with cold and heat tolerance all due to the thickening of the cell wall of the plant. This is what she would like to see our industry folks spraying, while also using compost.

Gisele's approach with Kellogg Garden Products is not to make someone feel negative about what they are doing or have been doing as we are all constantly learning. Now we are learning some new ways of doing things; actually cycling back to how we used to do things. We now more clearly know that synthetic pesticides to cause the entire growing system to work. Because Gisele has background in the use of synthetics, though, she does not talk down to her audience and she understands their current experience. For example, maybe they think organics are too expensive, synthetics are far more expensive in the long run. Plant performance is outstanding when we use an approach of building up our soils with the use of compost and organic fertility.

To see the conventional & organic farmers, educators, and end users come together to learn is what these programs like the OFAC/CAPCA seminars and workshops are all about. We need "Planet Husbandry" (Gisele's term) to describe that we need to create a more dynamic approach to how we work with our soils, our food, the water we drink and the air we breathe. Our resources are limited contrary to what we might think, we need to be smarter, we need to listen to others and this is not about being right, it is about making this shift possible. For me a strictly conventional way of farming is like the fast food of America, it fattens up the crop just like our American diet is doing to us but at what cost. Gisele has so much respect for our farmers & how they are viewed is changing. Food has taken center stage in our lives, our farmers are finally getting the respect they deserve.

Over the years Gisele has done hundreds of radio shows, hundreds of seminars all reaching out to our community. Gisele concluded, "Kellogg Garden Products puts education front and center and always has. I have been with Kellogg for 11 years and we are working to create change amongst our fellow gardeners & our industry professionals. We started out in AG and our roots run deep. It was a privilege to be a presenter for OFAC/CAPCA."

# USCC Compostable Bioplastics Task Force



Michele Young, CRRA/CORC President (<http://www.crra.com/>), and who works for the City of San Jose, along with other USCC members and leaders, especially Matt Cotton, collaborating with industry representative, Deb Darby, of Mirel Plastics ([www.mirelplastics.com](http://www.mirelplastics.com)), are inviting all available composters to join a task force. They are preparing actions for the January USCC in Austin Texas (see announcement for the annual USCC conference above), and it will be great to have CORC and USCC members on all of the different committees so that we have a well rounded picture going on in the conversation in general.

One of the key needs is to get composters to join the sub committees so that their perspective is the key balance to the producers and users. Thanks for helping to invite composters who work and receive value from these teams.

At the US Composting Council's Annual Conference in January USCC convened the first Compostable Plastics Symposium, in Santa Clara, CA, to examine the issues around the growth of compostable plastics from a composter's perspective. In order to create opportunities for composters to provide insights and experience in collaboration with key stakeholders including manufacturers, consumers, compost users, and regulators we have formed the Compostable Plastics Task Force. The mission of the Task Force is to influence the ongoing development of compostable plastics destined for composting so that materials benefit the composting industry through increased organic waste management that do not add undue burdens, including compostability of materials and added residue disposal. Five Working Groups within the Task Force have been formed. Thanks to the discussions and feedback gathered from attendees at the conference and at the subsequent roundtable meeting at the international BioCycle Conference in April 2011, the Task Force is ready to move forward with work on these five main areas:

- Labeling and Identification Working Group, facilitated by Jack Macy from the City of San Francisco, CA
- Legislation and Enforcement Working Group, facilitated by Brenda Platt of the Institute for Local Self Reliance, Washington, DC
- ASTM Standards Working Group, facilitated by Michele Riggs from Cedar Grove Composting, Seattle WA
- Consumer Education Working Group, facilitated by Janice Sitton of Good Green Group, Asheville, NC
- Operation Impacts Working Group, facilitated by Richard Gertman from Cascadia Compost, San Jose, CA (mostly focused on impacts to the certified organic market)



Each group will start with the brainstormed action items from the Symposium and work to implement specific action items they will undertake. Each group has a facilitator, who will encourage discussion and maintain a dedicated mailing list and convene at least one meeting via conference call. As a working group member, your job will be to participate in the discussion and help advance work on specific tasks that the group agrees to undertake.

To sign up for any of the workgroups, please contact chairs of the Task Force on the bottom of this article.

We expect to meet again at the 2012 USCC Annual Conference in Austin, Texas. Our hope is that then each of the working groups will be able to report on progress towards their specific action items. By maintaining communication and an overall view of the efforts this Task Force can help move the compostable plastics industry forward in a way that serves all parts of the "value chain" from manufacturers through composters and compost users.

We look forward to working with you on this important effort. Please contact chairs if you have questions or comments. Compostable Plastics Task Force Co-Chairs:

Deb Darby, (978) 511-8511 [DDarby@mirelplastics.com](mailto:DDarby@mirelplastics.com)

Michele Young, (408) 975-1975 [Michele.Young@sanjoseca.gov](mailto:Michele.Young@sanjoseca.gov)



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## ASSOCIATION OF COMPOST PRODUCERS

### ***OUR MISSION***

*The Association of Compost Producers (ACP) is a non-profit association of public and private organizations dedicated to increasing the quality, value and amount of compost being used in California. We do this by promoting activities and regulations that build healthy soil, benefiting people and the environment.*

*ACP members work and invest together to increase compost markets and improve compost product and manufacturing standards. The association provides education and communication on compost benefits and proper use through support of scientific research and legislation aligned with developing and expanding quality compost markets.*

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*<http://www.healthysoil.org/>*

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As always, we look forward to seeing and hearing many of you at the next ACP Member Meeting, September 28, 2011! Please strongly consider being directly involved in one of the above Task Forces and/or Working Groups that were discussed and very active this month and through the rest of the years. We look forward to seeing and working with you all at future meetings, workgroups and workshops to further expand the quantity and quality of compost use in California!

Jeff Ziegenbein, ACP President  
Dan Noble, Executive Director



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