



**MINNESOTA POLLUTION CONTROL AGENCY
PROGRAM MANAGEMENT DECISION MEMO**

ISSUE: Blending Class II Compost to Achieve Class I Standards and Produce Marketable Products

EFFECTIVE DATE: 4/15/2004

DECISION

The MPCA will allow the blending of Class II compost with other finished compost feedstocks (most likely yard waste or manure compost) for the purpose of creating a blended consumer soil/compost products meeting Class I standards so long as certain precautions, detailed below, are taken.

RELEVANT STATUTES AND RULES

- 7035.2836 Compost Rules

RATIONALE

Current rules and statutes would allow the mixing and blending of MSW and other feedstock at the beginning of the compost process. While the current rules do not envision or mention the possibility of mixing or blending at the end of the process, some staff are apprehensive to allow this activity because it goes against the long standing notion in environmental regulation that you cannot allow "dilution as the solution to pollution". This notion is in contrast to the new concept of "waste as a resource". In cases where the goal is the utilization of waste products as a raw material in making new materials it is necessary to reexamine old ideas.

After careful evaluation of the risks involved in this type of operation it became clear that if properly operated a permitted compost facility could create a marketable compost product from Class II compost that has been blended to meet Class I standards. Most risks can be averted if the end product will meet or exceed the Minnesota Department of Health's recommendation that any soil product contain 100ppm or less of lead.

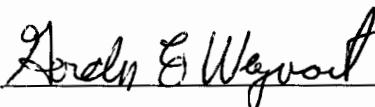
IMPLEMENTATION

- The compost sampling plan must be reevaluated and staff should have an opportunity to recommend a method that most consistently achieves a sample nearest to a representative sample. The plan should also consider sampling at various stages of the process (raw MSW compost, blended compost, and final product).

- The plan must also include a ceiling limit for lead, and a plan to remove from blending operations any compost that exceeds the ceiling limit.
- The sampling plan must also review technical information from composting industry organizations, compost facility permittees and compost experts on the existence of potential contaminants not now required for testing that should be considered for testing at various stages in the process. The plan should present a proposed testing plan including ceiling levels for any contaminants of concern.
- The compost distribution plan must reflect current practices.
- A facility proposing to blend Class II MSW compost as part of a blended product must submit an end product labeling strategy that is consistent with labeling guidance to be created by OEA staff for the purpose of better informing the public on the proper use and safe handling, of the blended compost products.
- The Solid Waste Program Lead should oversee the implementation of this decision.
- The Solid Waste Media Lead should develop a control plan for the implementation of the decision. This plan should include a reporting mechanism.

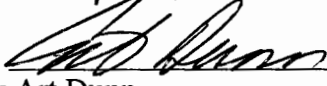
APPROVAL

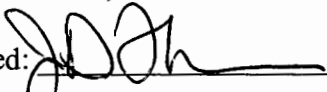
I have reviewed this management decision and I concur.

Signed: 

Date: 3/26/04
 Name Gordon Wegwart
 Title Assistant Commissioner

Signed: 3/30/04

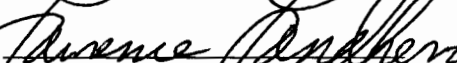
Date: 
 Name Art Dunn
 Title Director, OEA

Signed: 

Date: 3/31/04
 Name David Thornton
 Title Section Manager

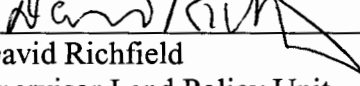
Signed: 

Date: 3/31/04
 Name Leo Raudys
 Title REM Division Director

Signed: 

Date: 4/15/04
 Name Larry Landherr
 Title Solid Waste Program Lead, MPCA

Signed: 3/24/04

Date: 
 Name David Richfield
 Title Supervisor Land Policy Unit