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## Environment Committee

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### HB 2488

**Brief Description:** Concerning municipally produced class A biosolids.

**Sponsors:** Representatives Green, Ladenburg, Kelley, Dammeier and Upthegrove.

#### Brief Summary of Bill

- Adds a new definition of "turf fertilizer" as not including commercial fertilizers derived solely from organic materials, organic-based products where the phosphorus component is derived solely from Class A, exceptional quality biosolids or biosolid products.
- Adds an effective date of January 31, 2013.

**Hearing Date:** 1/27/12

**Staff:** Anna Jackson (786-7194).

#### **Background:**

##### Fertilizers.

Under state law, only commercial fertilizer that has been registered with the Washington Department of Agriculture (WSDA) may be distributed. Registering with the WSDA includes the creation of a label for each product. Most packaged commercial fertilizers must have a conspicuous label, placed on or affixed to the package, stating in clear, legible form the product name, net weight, brand, and grade. Both the registration form submitted to the WSDA and label must identify if the products are waste-derived fertilizers, micronutrient fertilizers, or fertilizer materials containing phosphate. It is unlawful to distribute misbranded commercial fertilizer.

In 2011 the Legislature passed a law that prohibits, with some exceptions, the use and retail sale of turf fertilizers that contain phosphorus, as well as the application of turf fertilizer that contains phosphorus to turf. The prohibition goes into effect on January 1, 2013. The prohibition does not apply in the following situations: (1) if the fertilizer is being used to establish or repair grass

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during a growing season; (2) for adding phosphorus to soils with deficient plant-available phosphorus levels; (3) or for application to pasture lands, houseplants, flower or vegetable gardens, or agricultural or silvicultural lands.

### Biosolids.

Biosolids are nutrient-rich organic materials resulting from the treatment of domestic sewage in a treatment facility. When treated and processed, these residuals can be recycled and applied as fertilizer to improve and maintain productive soils and stimulate plant growth.

Under federal law, there are different rules for different classes of biosolids. Class A biosolids contain no detectable levels of pathogens.

### **Summary of Bill:**

A new definition is added for "turf fertilizer," which does not include commercial fertilizers derived solely from organic materials, organic-based products where the phosphorus component is derived solely from Class A, exceptional quality biosolids or biosolid products.

The section of law containing the definitions for the chapter on fertilizers, minerals, and limes takes effect on January 31, 2013.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.