

DRAFT LANGUAGE FOR DISCUSSION – Amend maximum allowable metal concentrations in compost to match federal regulations for biosolids applied to land.

The US Environmental Protection Agency (EPA) regulates the application of sewage sludge (biosolids) to land through its implementation of the federal Resource Conservation and Recovery Act of 1976, as amended (RCRA). When it adopted regulations governing compost and compost handling in 1993 (Register 93, No. 29), CalRecycle's predecessor California Integrated Waste Management Board adopted certain of the federal standards applicable to biosolids and applied them to compost. Some years ago, EPA revised the maximum concentrations of certain metals allowed in biosolids that are land-applied (60 FR 54769, Oct. 25, 1995, codified at 40 CFR, Part 503, § 503.13(b)(3)(Table 3)). At that time, EPA eliminated chromium from the list of regulated metals and increased the amount of selenium allowed in biosolids applied to land. CalRecycle proposes to revise its regulations limiting the maximum concentrations of metals allowed in compost to reflect the changes adopted by EPA.

Proposed language:

Chapter 3.1. Compostable Materials Handling Operations and Facilities Regulatory Requirements

Article 7. Environmental Health Standards

§ 17868.2. Maximum Metal Concentrations.

(a) Compost products derived from compostable materials that contain any metal in amounts that exceed the maximum acceptable metal concentrations shown in Table 2 shall be designated for disposal, additional processing, or other use as approved by state or federal agencies having appropriate jurisdiction.

Table 2 -Maximum Acceptable Metal Concentrations

Constituent	Concentration (mg/kg) on dry weight basis
Arsenic (As)	41
Cadmium (Cd)	39
Chromium (Cr)	1200
Copper (Cu)	1500
Lead (Pb)	300
Mercury (Hg)	17
Nickel (Ni)	420
Selenium (Se)	36 <u>100</u>
Zinc (Zn)	2800

(b) Alternative methods of compliance to meet the requirements of Subdivision (a) of this section, including but not limited to sampling frequencies, may be approved by the EA for green and food materials composting operations and facilities if the EA determines that the alternative method will ensure that the maximum acceptable metal concentrations shown in Table 2 are not exceeded.