



1785 N. Fine Avenue  
Fresno, CA 93727  
Telephone: 559 / 252-0684  
Fax: 559 / 252-0551

May 4, 2015

Mr. Ken Decio  
Waste Permitting, Compliance Mitigation Division  
California Department of Resource Recycling and Recovery  
P.O. Box 4025  
Sacramento, CA 95812-4025

**RE: Proposed Draft Changes to Compostable Materials Regulations**

Dear Mr. Decio:

The California Cotton Ginners and Growers Associations have reviewed the revised changes to the Compostable Materials Handling Operation and Facilities section of the newly amended composting regulation text. We would like to express our appreciation for considerations made to our industry after the initial round of comments were submitted. We would like to provide further comments to the revised draft, specifically on the issues of allowed time of storage for agricultural by-product material, the opportunity to sell agricultural by-product material to dairies for feed and bedding, as well as the potentially overlapping regulations that will be imposed by the State Water Board.

The inclusion of cotton plants and seed as "Agricultural By-Product Material" is an important step in utilizing natural soil amendments that can be used in place of concentrated chemicals. The practice of discing the cotton plants post-harvest is a management practice required by the California Department of Food and Agriculture. The cotton industry is required to follow Food and Agriculture Code Section 5784, part (a).<sup>1</sup>, which requires cotton producers to disc their fields in order to eliminate the potential for pest overwintering and further infestation. This rule is considered a best management practice to reduce the threat for pest infestation, while also providing a soil amendment to help growth in future plantings. The cotton fields that are disced after the cotton has been picked, are far below the contaminants and depth threshold stated, and are applied only once during a growing year.

On the processing side, CCGGA still has concerns about the sale of cotton seed and gin by-products (leaves, stems, and leftover fiber) to dairies. Cotton seeds have become a staple of dairy cows diets due to the nutrient amount provided by the seeds, and by products are used primarily as natural bedding

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<sup>1</sup> California Department of Food and Agriculture, Chapter 8, Article 5

material for the cattle. After cotton has been ginned, seeds are collected in piles and distributed following confirmed purchases. The nutrient value for seeds begins to drop the longer it remains in the piles. Static piles can also greatly increase the chance of combustion and the dried material can easily catch fire.

In Section 17852.21, CalRecycle utilizes State Water Board/Regional Water Board provisions and regulations pursuant to Waste Discharge Requirements as the allowable guideline in land application. We see this as an opportunity to be regulated by two separate state agencies for the exact same practice. Pursuant to future Waste Discharge Requirements, and the implementation of Nitrogen Management Plans, which aim to reduce the application of fertilizers and other soil amendments during a growing season, we ask that you leave the regulation of agricultural practices under the State Water Board's focus.

The California Cotton Ginners and Growers Association respectfully seek a full exemption from being included in future composting regulation. In summary, we respectfully seek inclusion and exemption from the sale of agricultural by-product material to dairies, an extension to the time frame for the stockpiling of agricultural by-product material, as well as the need to consolidate regulations regarding composting to one single agency. Thank you again for giving us the opportunity to provide our comments, we look forward to reviewing the next draft.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris McGlothlin". The signature is fluid and cursive, with a long horizontal stroke at the end.

Chris McGlothlin

Director of Technical Services