

FINAL BILL REPORT

SSB 5701

C 427 L 97

Synopsis as Enacted

Brief Description: Licensing distributors of commercial soil.

Sponsors: Senate Committee on Agriculture & Environment (originally sponsored by Senators Morton, Rasmussen and Swecker).

Senate Committee on Agriculture & Environment

House Committee on Agriculture & Ecology

Background: The handling of solid wastes, including garbage, industrial wastes, construction wastes, and recyclable materials, requires a permit issued by the local health department. A permit is required for each location where solid waste is deposited onto the surface of the ground.

The Department of Agriculture licenses the distribution of fertilizers in the state. Commercial fertilizer may include any substance containing one or more recognized plant nutrients, that is claimed to have value in promoting plant growth. Other products used to improve the physical characteristics of soil that do not make any nutrient claims are not licensed by the department.

It has been suggested that wood byproducts that are used as a soil amendment should not be regulated as a solid waste.

Summary: A person may seek the approval of the Department of Ecology to distribute a wood byproduct as a commercial fertilizer. The written approval must certify that the use of the material as a commercial fertilizer does not pose risks to human health or the environment. The decision of the Department of Ecology may be appealed to the Pollution Control Hearings Board.

A wood byproduct that is approved by the Department of Ecology for use as a commercial fertilizer is not regulated as a solid waste, and may be registered by the Department of Agriculture as a commercial fertilizer. However, the Department of Agriculture may refuse to register a material or cancel registration of a material if the department finds evidence that use of the material as a commercial fertilizer poses unacceptable hazards to human health or the environment that were not known during the Department of Ecology's approval process.

The guaranteed analysis of any wood byproduct that is to be used as a commercial fertilizer must include the name and percentage of each soil amendment ingredient, and the total percentage of all other ingredients.

Votes on Final Passage:

Senate	43	2	
House	96	0	(House amended)
Senate	37	10	(Senate concurred)

Effective: July 27, 1997