

Dr. Loraine Kohorn  
344 Casco Road  
Brunswick, Maine 04011

Dear Dr. Kohorn:

Thank you for your March 3, 2004 email to Senator Collins concerning the Environmental Protection Agency's (EPA's) proposed designation of biosolids compost in the Comprehensive Procurement Guidelines V (CPG V). Senator Collins forwarded your letter to my office for a direct response.

Since we proposed to designate biosolids compost in CPG V, we have had a number of commenters confused over the intent of the proposed designation. The proposed designation of compost in CPG V does not, in any way, rename Class A biosolids or sewage sludge as compost, nor does it revise in any way the 40 CFR Part 503 Biosolids Rule, "The Standards for the Use or Disposal of Sewage Sludge." The products designated (i.e., listed) in the CPG are items that federal and other agencies using appropriated federal funds must buy containing recycled content. These guidelines do not pose any requirements on any private entities, including organic farmers.

As background, EPA promotes government procurement of recycled products through the CPG program. Under section 6002 of the Resource Conservation and Recovery Act (RCRA) and the President's Executive Order (E.O.) 13101, "Greening the Government Through Waste Prevention, Recycling, and Federal Acquisition," EPA issues guidelines for government procurement of products containing recovered materials. These guidelines identify and designate recycled products and provide recommendations to procuring agencies for purchasing these items. Once designated, procuring agencies are required to buy the items with the highest percentage of recovered materials practicable.

To date, EPA has designated 61 items, including compost made from yard trimmings, leaves, grass clippings, and/or food wastes. EPA recommends that procuring agencies purchase or use such compost in applications such as landscaping,

seeding of grass or other plants on roadsides and embankments, nutritious mulch under trees and shrubs, and erosion control and soil reclamation. EPA also recommends that procuring agencies refer to certain testing and quality standards and other applicable regulations. In short, the CPG requires agencies to buy compost, identifies the composted materials they should consider, and recommends specific applications for its use.

If finalized, CPG V would add compost made from biosolids and manure to the existing compost designation for yard and food wastes and would consolidate all compost designations under one item called "compost made from recovered organic materials." CPG V would also revise the previous CPG definition of compost so that it reads "Compost is a thermophilic converted product with high humus content. Compost can be used as a soil amendment and can also be used to prevent or remediate pollutants in soil, air, and storm water run-off." This compost definition would have meaning only in the context of 40 CFR Part 247.3 and the CPG program. More information on EPA's procurement guidelines program, the previous compost designation, and the proposed CPG V can be found on our website at <http://www.epa.gov/cpg>. EPA will include your comment in the docket for the proposed CPG V. The docket can be viewed at [www.epa.gov/edocket](http://www.epa.gov/edocket) by searching for docket number RCRA-2003-0005.

I appreciate your concerns over this matter and I hope this response clears up any misunderstandings about the proposed designation of biosolids compost in the CPG. If you have further questions or concerns, please contact Sue Nogas of my staff at (703) 308-0199.

Sincerely yours,

Thomas P. Dunne  
Acting Assistant Administrator

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