

The Honorable George V. Voinovich  
United States Senate  
Washington, D.C. 20510-3504

Dear Senator Voinovich:

Thank you for your letter of May 7, 2003, regarding the concerns of your constituent Ms. Barbara Stump, about the toxic waste in fertilizer. I assure you that the Environmental Protection Agency (EPA) has taken a careful look at contaminants in fertilizers, particularly fertilizers made from recycled hazardous wastes.

EPA has been working closely with the States and other Federal agencies to review data on fertilizer contaminants (such as lead, cadmium, arsenic, dioxins and others). The data indicate that while small amounts of such contaminants can be found in a wide variety of fertilizer products, the risks they pose to people and the environment are generally very low. Furthermore, EPA and State investigations have not found any evidence that the addition of hazardous waste to fertilizer, which is illegal under federal law, is a widespread practice.

In some cases, fertilizer products can be made with ingredients extracted from certain types of hazardous waste materials. Most of these products are zinc “micro-nutrient” fertilizers, which are applied in small amounts by farmers to grow crops such as corn, potatoes, rice and fruit trees. To make these fertilizers, modern technologies are used to process zinc-bearing waste materials, filtering out the hazardous contaminants and recovering the valuable zinc content. Fertilizers that are made in this way are of the same purity and quality as fertilizers that are made from “virgin” sources of zinc. EPA supports and encourages this type of legitimate, environmentally beneficial recycling practice as a means of conserving valuable resources (e.g., zinc) that would otherwise be disposed of in landfills.

Since 1985, the practice of using hazardous wastes to make fertilizers has been regulated by EPA and state environmental agencies. The regulations that apply specifically to this form of recycling, as well as the studies that EPA has completed to date on fertilizer contaminants and the risks they may pose, may be accessed through the Agency’s website, at <http://www.epa.gov/epaoswer/hazwaste/recycle/fertiliz/index.htm>.

While EPA's regulations ensure that fertilizers made from recycled hazardous wastes are high-quality fertilizers that meet stringent limits on heavy metals and dioxins, it is important to note that these products represent only about one-tenth of one percent of all fertilizers used in this country. The Agency does not have the authority under RCRA to regulate non-waste derived fertilizers. State agriculture agencies, however, typically have much broader authority to regulate fertilizers, and many states now have programs in place to control contaminants in all types of fertilizer products. EPA supports these broader state initiatives to comprehensively control contaminants in fertilizers.

Again, thank you for sharing your concerns. If you have further questions or concerns, please contact me, or your staff may contact Ms. Veronica Shivers in the Office of Congressional and Intergovernmental Relations at (202) 564-3105.

Sincerely,

Edward D. Krenik  
Associate Administrator  
for Congressional and Intergovernmental Relations

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