

# The Cotton Chronicle

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## Industry Calendar

Jan 5-7  
Beltwide  
-San Antonio, TX

Feb 6-8  
NCC Annual Mtg  
-Memphis, TN

(Visit web calendar  
for details)

## CCGGA Staff

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## CalRecycle Considers Changes to Composting Standard that Could Affect Cotton Gins

The California Department of Resources Recycling and Recovery (CalRecycle) proposes to amend the states composting regulations with



intentions protect public health, safety, and the environment by more effectively regulating solid waste facilities that handle compostable materials. CalRecycle

claims the proposed rulemaking revises existing regulations and develops new regulations to ensure that solid waste facilities handle compostable materials in a manner that protects public health, safety, and the environment. The proposed regulations:

- Clarify several compostable material feedstock definitions and the types of operations and facilities that can accept these feedstock's.
- Revise the maximum concentrations of metals allowed in compost to reflect changes adopted by US EPA.
- Provide Enforcement Agencies with discretion to authorize temporary storage of additional material at compostable materials handling operations.
- Revise Enforcement Agency inspection frequency requirements for solid waste operations to ensure consistency throughout Title 14.

- Provide operators and Enforcement Agencies with additional mechanisms to address chronic odor at compostable materials handling facilities and operations.
- Establish criteria for land application of compostable materials and add pathogen and metal limits for compostable materials when applied to land.
- Require compost products to meet a 0.1% physical contaminant limit by weight and set the same standard for compostable materials when applied to land.
- Develop regulations for compostable materials at in-vessel digestion operations and facilities.
- Clarify the term "permitted maximum tonnage" on the solid waste facility permit application.
- Clarify requirements for composting at non-commercial sites, such as community gardens and schools.

There are concerns with the proposed regulations for their potential to apply to such items as cotton gin trash, even if they are not being composted. The California Cotton Ginners and Growers Associations (CCGGA) are actively working this issue, having met with CalRecycle officials on the matter this past month. CCGGA will also be developing and submitting comments on the issue.

## CCGGA & WAPA Reaction to the Withdrawal of Negotiations on Critical Water Legislation

CCGGA/WAPA President/CEO Roger Isom reacted to the withdrawal of negotiations on federal drought legislation by stating "It is unconscionable to walk away from talks at this point in time. In a year where hundreds of thousands of acres of productive farmland received zero surface water, this delay is unacceptable. Thousands of acres lay fal-



**Tomato Growers Association, California Fresh Fruit Association and California Citrus Mutual.** Several issues were discussed, but the priority was the State's position on Federal water legislation, and the implementation of the Water Bond. Here is a recap of the issues discussed:

Overall, Governor is committed to water as his #1 issue. The California Water Action Plan will provide the guiding principles.

#### Water Bond Implementation –

- Implementation is already underway. Some provisions of the bond will be in the Governor's budget to be released in January.
- A "bond accountability website" will be established, which will track expenditures and will be housed within the Resources Agency website.
- The \$2.7 billion storage component is continuously appropriated and will be guided by the California Water Commission
- The commission is already meeting on the issues as they are required to have draft regulations circulated by August, 2015.
- The critical discussion will focus on "public benefits". This is critical as opponents will try to derail storage projects (dams) like Sites and Temperance Flat
- We were encouraged to get engaged in the process and help guide the discussion. Karla said the Governor wants storage!
- To this end, we will be convening a meeting with some of the more ag friendly members (Orth, Del Bosque) of the Commission in December to begin the dialogue
- Cross Valley canal remains crucial, but the administration has been receiving several mixed messages. She asked ag to come up with one consistent plan.

#### Federal Water Legislation –

- When asked about the State's involvement in the "closed door discussions", Karla indicated that the "state" is not part of the negotiations. However, they have expressed their concerns with potential conflicts between Federal ESA and California ESA.
- They are very concerned with how this legislation may affect the biological opinions and the State Water Project.
- We stressed the importance of this legislation to help provide water in the short term.

#### BDCP and Delta Conveyance –

- The Governor is absolutely committed to fixing the Delta, including a conveyance project. In her words, "none of this works without fixing the delta".
- That being said, there is significant opposition to a conveyance system. We will have to ramp up our efforts for this to be successful.

This was a good meeting that reaffirmed the state's commitment to the water bond and fixing the delta. It is obvious that the opposition is as strong as ever, and we will have to ramp up our efforts and advocacy across the board on all fronts. Stay tuned!

#### CCGGA Leads Opposition to State Fire Marshall Ban on USTs vs. ASTs

The Office of the State Fire Marshall (OSFM) has issued an Information Bulletin (14-005) that prohibits the use of underground fuel storage tanks (USTs) as aboveground fuel storage tanks (ASTs). Issued on July 25<sup>th</sup>, 2014, the bulletin specifically cites the National Fire Protection Association (NFPA) 30, section 21.3.4, which says "Tanks designed and intended for underground use shall not be used as aboveground tanks". The OSFM is concerned that these former USTs are not of the same construction as ASTs and pose a significant risk to firefighters. The use of former underground storage tanks as aboveground storage tanks was common practice for many years, and can be found on many farms and agricultural processing operations. OSFM claims in the bulletin that "the design, construction, and installation standards of USTs are different than ASTs, and therefore, a problem. The **Western Agricultural Processors Association (WAPA)** has expressed concerns with this information bulletin, which was issued without notifying tank owners of this issue, and without widespread public input. This concern was outlined in a February 5, 2014 letter to OSFM signed by **California Citrus Mutual, California Cotton Growers Association, California Cotton Ginners Association, California Grape and Tree Fruit League, Merced County Farm Bureau, Nisei Farmers League, Tulare County Farm Bureau, Western Agricultural Processors Association, and Western Growers Association**. In this letter, the organizations expressed concerns with the cost of immediately eliminating these tanks and the lack of data supporting the prohibition. This was most recently made clear again in a meeting with the OSFM and CalFire on November 14<sup>th</sup> when **CCGGA/WAPA President/CEO Roger Isom** reaffirmed the position that it is inappropriate to require farmers to replace these tanks when it was legal to do so at the time the tanks were installed. WAPA also expressed concern with

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overlapping regulations with other State and Local agencies. One of which could triple the cost of replacing the tank. If the tank in question is used for the storage of “gasoline”, then air pollution control regulations are applicable. In a recent example, a grower replaced some old tanks with a new double walled tank to avoid having to build a costly containment basin. However, in doing so, the tanks were no longer “grandfathered” under the applicable air pollution control laws, and the tank was required to install Phase II vapor recovery and to conduct annual leak decay tests. OSFM has agreed to continue to discussions with WAPA and other agricultural industry organizations and will meet again in January. In the meantime, the Information Bulletin is posted and is left up to local fire jurisdictions to enforce. Moving forward, growers, hullers and processors need to ensure the tank they are purchasing was built and designed to be an aboveground tank, and that the tank carries the UL 142. As for existing tanks, the Association will continue to investigate the issue and push for a phased in implementation instead of immediate replacement.

### **California Cotton Growers Association Announces Election Results**

Elections for the California Cotton Growers Association Board of Directors was held this past month for Madera, Kern and Riverside Counties. Earning re-election were Di-



rectors **Jim Neufeld** and **Bryan Bone** from Kern County, and Director **Tim Cox** from Riverside County. Stepping down after several years of valued service is Director **Catherine Fanucchi** from Kern County. Fanucchi was recognized for her years of service and contributions to the Association, including comments from President/CEO Roger Isom; “Catherine has been a valuable asset to the Association and to me personally with her frequent contact on the critical issues facing our industry. Her input will be sorely missed.”