

**Fertilizer Advisory Board  
Daniel's Turf Center  
1340 Cherry Lane  
West Lafayette, IN 47907  
December 15, 2009**

Board Members Present: Doug Anderson, Bob Avenius, Sam Fry, Joe Miller, Joe Russell, Amy Gregg and John Freeland

Unable to attend: Dr. Robert Waltz, John Baugh, Dan Ess, Brian Spencer and John McDill

Ex Officio: Mike Hancock, Cress Hizer, Matt Pearson, Sarah Simpson and Andy Tauer,

Guests: Joe Hiscox, Chuck Brinkman, Dan Schecky, Dave Geswein, Barbara Sha Cox, Cale Bigelow, Drew Martin, Leo Reed, Dave Scott, William Schmidt, Rae Schnapp, Justin Schneider and Marjorie Hefner.

Chairman Joe Russell called the meeting to order at 9:05AM and all, in attendance, introduced themselves.

The agenda was approved by the board with no additions and notes from the July 23, 2009 meeting were reviewed and approved without change.

Mr. Cress Hizer, IPFAC, shared information concerning his association's plans to conduct three (3) anhydrous ammonia safety training programs, at specified locations throughout the state and will be focused at the user (grower) level. Cress indicated that some members of the advisory board would be participating in a panel discussion at the January Mid Am Ag show. He further shared a carrying box, designed by the TFI Nutrients for Life program and to be used by ASMARK to promote agriculture at the training programs being conducted throughout the country.

Mike Hancock provided a summary review of specific rule promulgation progress for Rules 2 (LSA# 09-0683), 9(LSA# 09-797 and 7(LSA# 09-812) respectively, indicating status relevant to public hearings and stages of progress. Rule 2, amendment and addition to the fertilizer rule, held public hearing on November 15, 2009, receiving no comments and awaits approval from OMB before being forwarded to the Attorney General. The rule 9, civil penalty schedule, is scheduled for public hearing on January 20, 2010 and Rule 7, Fertilizer Material Distribution and Use Certification, public hearing scheduled for March 4, 2010.

Leo Reed provided a power point presentation on the Certification Rule, 355 IAC 7, explaining who is included, what will be required and related costs impacting those required to be certified. It was stressed that the process is modeled after established pesticide certification program and affords implementation with minimal changes in administration or requirements to those already in the program.

Mike Hancock briefly mentioned that the office participated in a waiver hearing, held on November 5, 2009, requesting authorization to implement an ordinance restricting phosphate use for turf management, and extended thanks to Mr. William Schmidt and the participants from Steuben County and the Clear Lake community for time taken to assemble data and present their views and request to the State Chemist. Dr Waltz is in the process of reviewing this information and, as indicated at the conclusion of the hearing, intends to have a response issued by the second week of January 2010. It was indicated in general discussion that the state has experienced algal blooms and that the Environmental Quality Service Council (EQSC), chaired by Senator Beverly Gard, discussed the matter this past summer.

The EQSC recommended that several state agencies work together to address this issue. It was suggested that this office be involved on this.

Matt Pearson reviewed and led discussion concerning the proposed Rule 8, fertilizer material use, distribution and records keeping. He provided a brief overview of the current draft and solicited participation from all interested. No definite meeting date for review of this rule has been set but will be as we get into 2010. Matt asked that if any in the audience had comments to please put them in writing so that they could be reviewed and included in the discussions.

Justin Schneider asked for an explanation of the rule adoption process used by the State Chemist Office, as it differs from what was required of IDEM. The process was explained and questions answered, relevant to timeframe for the comment period, location on the OISC website and implementation time for the certification rule. Initially it was to be a three year timeframe but that has been reduced to two years.

Mike Hancock provided a brief update on the impending Ammonium Nitrate Rules, soon to be finalized by the Department of Homeland Security, and potential impact on Indiana. At present, nothing is final but more will be known at the end of February, when a DHS representative will speak at the midyear meeting of the Association of American Plant Food Control Officials (AAPFCO). It should be clarified as to the states' role in regulating ammonium nitrate and specific requirements to be implemented. Some of the specific requirements discussed at previous meetings were shared and consensus seemed to be that, while Indiana does not use large quantities of the material, it would result in a substantial reduction.

General discussion, looking out at issues two (2) to five (5) years, was conducted with specifics such as, anhydrous ammonia availability and rail transport addressed, EPA passage of containment rules was referenced and that the Indiana regulations were viewed as meeting the EPA standards. Issues such as USGS study of nutrient loads in Gulf of Mexico, water quality concerns extend throughout the state and with more land being taken out of CRP could create more issues. Looking at other sources, such as combined sewer overflows and septic failures, should also be addressed when discussing water quality issues.

Board chair Joe Russell called for a motion to adjourn. Bob Avenius made the motion, with a second by John Freeland. Meeting adjourned at 11:20 AM

Michael Hancock  
Board Secretary

The minutes and adopted notes for this meeting are maintained and made available for one year on the OISC web site [www.isco.purdue.edu](http://www.isco.purdue.edu) under the fertilizer advisory board.