



Indiana Fertilizer Advisory Board

IC 15-16-2-25

Meeting Minutes



Location of meeting:

Daniels Turf Research & Diagnostic Center
Purdue University, West Lafayette IN 47907

Date and Time:

December 20, 2016; 9:30 am

Board Members Present:

Dr. Amy Gregg
John Freeland
Sam Fry
Joe Russell (chair)
Dr. Jim Camberato
Bob Avenius
David Bausman*
Mark Shublak*
Matt Pearson*
Brian Rockensuess*

* indicates nonvoting member

Others in attendance:

Dr. Robert Waltz
Danny Starke
Trish Waller
John Baugh
Barbra Sha Cox
Justin Schneider
Don Robison

With 6 of the 9 voting board members in attendance a quorum, IC 15-16-2-29, was present and an official meeting was held.

- 1) Meeting called to order by chairman Russell at 9:35 am
 - a) All present board members and members of the audience introduced themselves
- 2) Motion to approve the agenda for this meeting made by Shublak, seconded by Freeland; Motion passes
- 3) Motion to approve the minutes from the 12/22/15 meeting made by Fry, seconded by Gregg; Motion passes
- 4) Pearson provides update of the fertilizer section:
 - a) 2,385 fertilizer samples were taken
 - b) 250 samples were deficient; 10.5%
 - c) The Urban and Agricultural Product Inspector collected 237 samples from retail outlets
 - d) 50 small package samples failed; 21.1%
 - e) Approximately 9,000 fertilizer products are registered by 700 different companies doing business in Indiana
 - f) Field staff visited each of the 360+ dealers multiple times and conducted:
 - i) 146 Ag Chemical Facility Inspections

- ii) 103 NH₃ site inspections
- 5) Starke provided an update of his ammonia inspection
 - a) Reports from field staff focus on empty water containers and decal problems on ammonia nurse tanks
 - b) Major items discovered by Starke's inspections are out of date pressure relief devices
 - i) Has personally inspected every retail ammonia facility in the state (263 active)
 - ii) Has inspected all but 4 of the farmer ammonia storage sites (71 active) as of December 20, 2016
- 6) Starke then provided status report for NH₃ rules update to include November 2014 ANSI updates
 - a) One final meeting of the review committee to finalize the draft.
 - b) OISC estimates that the new requirements will approximately \$8,500 in materials for the upgrades to be compliant.
 - i) Implementation is planned to be 4 years to become effective.
 - ii) Shublak commented that he was glad to see the time allowed to time to budget the improvements.
- 7) Waller provided an update on fertilizer complaints
 - a) 2016 Case Qualifiers:
 - i) Licensing: Total = 90 (Trish = 70; CFO Referrals = 18)
 - ii) Use: Total = 75 (Trish = 57; Staging = 22; Application = 32; Application Plan = 5)
 - iii) Containment: Total = 6 (Trish = 2)
 - b) Comparing 2015 & 2016: (Trish's cases)
 - i) 2015 – 81; Staging – 44; Application – 24; Licensing – 13; Application Plan – 7; Containment – 2
 - ii) 2016 – 77; Staging – 22; Application – 32; Licensing – 18; Application Plan – 5; Containment – 2
 - c) Civil Penalties assessed: (All civil penalty monies by rule go to Purdue Pesticide Programs for support of fertilizer education)
 - i) 2012 – \$4,800
 - ii) 2013 - \$3,725
 - iii) 2014 - \$6,237.50
 - iv) 2015 - \$36,493
 - v) 2016 - \$15,587.50 (as of October 1, 2016); Many cases still pending/being processed
- 8) Various members of the board provided a fertilizer industry update
 - a) Shublak explained some confusion with sales tax exemptions on agricultural equipment.
 - b) Avenius discussed how the labeling requirements in the Indiana Commercial Lawn Care Service Law, IC 15-16-2-3, and the Indiana Commercial Fertilizer Law, IC 15-16-2, cause issues with leaving information with their clients.

- c) Bausman reported that ISDA director McKinney was reappointed and that Indiana is leading the charge in the federal nutrient reduction strategy.
 - d) Camberato explains some nutrient reduction activities going on in Ohio and some of their industry driven programs
 - e) Rockensuess informed all that the commissioner of IDEM was not reappointed.
 - f) Waltz explained that we see more and more microbials in all of agriculture and that OISC is expanding our laboratory interest in these products.
 - g) Robison explains what OISC sees with fertilizer and microbial coated seeds and other seed issues.
- 9) Pearson explains that OISC will have 2 bills introduced in the 2017 general session. One to clarify OISC authority over ag ammonia facilities and the other to handle processed manure as commercial fertilizers.
- 10) Barbra discusses that things around her area seem to be going well but she continues to get phone calls concerning manure and the confusion there is not knowing if someone should call IDEM or OISC.
- 11) With nothing further to discuss the meeting was adjourned at 12:07 pm

Next meeting will be planned for July 2017.

Respectfully submitted

Matthew E. Pearson
Fertilizer Administrator
FAB secretary