Vegetarian Newsletter

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Eat your Veggies!!!!!

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Polyethylene Disposal Update

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The use of plasticulture in Florida Agriculture has resulted in increased efficiency in the production of many crops. The ability to utilize less land to produce the same yield that used to require 3 or 4 times the crop area also aids in reducing pressure on dwindling water resources, along with less potential of nutrients and agrichemicals migrating to ground water. Many of Florida's leading vegetable crops are now produced in this production system.

One of the challenges that growers were faced with from the onset of the adoption of plasticulture in crop production was the proper disposal of plastic materials after the crop cycle was finished. Since these materials rarely break down to the point where residues could be incorporated into the soil, some other means of disposal was necessary. Burning was one option but regulations at the time prohibited this activity in many production areas. The only other alternative was to take the materials to the landfill. This was a tedious and expensive way to dispose of plastic waste. It soon became evident that in some areas, old plastic from farming operations was going to take up significant space in many waste facilities. It was time to find an alternative means to legally dispose of plasticulture waste.

Through the action of grower groups, such as Florida Fruit and Vegetable Association (FFVA) and others, legislation at the state level that would allow open burning of materials associated with plasticulture was passed on a statewide basis, and many counties went along with these statutes. Unless
prohibited by local ordinances, if the proper permitting and procedures spelled out by the Division of Forestry were followed with no impact on surrounding properties, burning of polyethylene products related to agricultural operations was permitted. Or so we thought.

Following the spring season 2007, a Sumter County farmer was issued a warning citation for burning polyethylene drip tape. Thinking this warning citation sounded contrary to what this agent thought the law allowed, I contacted Mr. Ben Parks at Florida Farm Bureau, who in turn contacted FFVA – Tallahassee. As it turned out, Mr. Butch Calhoun with FFVA was very instrumental in presenting legislation to allow growers to have the option of burning polyethylene products related to agricultural production as a viable disposal option. Legislation passed and everyone went about their business. As it turned out, the Florida Department of Agriculture and Consumer Services (DOACS) wrote administrative code related to this legislation that ran somewhat contrary to the bill that passed. Their code stated that the burning of black polyethylene mulch was allowable, thus eliminating the burning of materials such as white or silver polyethylene mulch, drip tape and some packing supplies. Since that was the code, that is what the Ag Law Enforcement Officer was citing when he wrote the Sumter County warning.

I was contacted by Mr. Calhoun while this situation was in progress. He assured me that the Administrative Code was written wrong and that he had already started procedures to correct the situation through activities of the Joint Administrative Procedures Committee (JAPC) in Tallahassee. I have had numerous conversations with Mr. Calhoun over the past few months, including a recent one concerning good news I read in a memo from JAPC. This memo, dated January 8, 2008, stated that “rules to eliminate the confusion regarding burning of polyethylene mulch will be initiated late February 2008“. Mr. Calhoun told me that if a pending bill passes in the form it is now in, this issue should be cleared up possibly by the end of this spring crop. DOACS told Mr. Calhoun that they would not be enforcing this code until amended but it is probably the best plan to wait until legislation is final to make recommendations to growers. I will update when this process is finalized.