



AGRIBUSINESS ASSOCIATION OF IOWA

TAKE FIVE

A five-minute summary of industry activities for members of the largest state agribusiness association in the nation.

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Mark your Calendars to Tee-off with AAI!

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EPA Draft NPDES Pesticides General Permit

The U.S. Environmental Protection Agency (EPA) has published in the Federal Register the availability of a draft National Pollutant Discharge Elimination System (NPDES) pesticide general permit (PGP) for point source discharges from the application of pesticides to waters of the United States. This action is in response to a decision by the U.S. 6th Circuit Court of Appeals in National Cotton Council, et al. v. EPA that clarified that NPDES permits are required for certain discharges from the application of pesticides.

EPA is seeking comment for 45 days (**through July 19, 2010**) on the draft PGP and plans to issue the final PGP in December 2010. Final rules will go into effect after April 9, 2011 where NPDES permits will

be required for all point source discharges to waters of the United States of biological pesticides, and chemical pesticides that leave a residue.

During the public comment period EPA will hold four public meetings and a webcast to provide an overview of the PGP requirements and the basis for those requirements, and to answer questions about the draft permit and how the public can best assist EPA in the public comment process.

More information on the NPDES requirements for discharges from pesticide applications and information on how to provide public comment is available at www.epa.gov/npdes/pesticides.

OSHA Proposes Major Revisions to Fall Protection Standard, Encompasses Combustible Dust

The Occupational Safety and Health Administration (OSHA) has proposed major revisions to its walking-working surfaces and personal protective equipment (fall protection systems) standard -- also known as Subpart D. The wide-ranging proposal not only addresses falls and other hazards associated with walking-working surfaces, such as rail rolling stock, but also hazards related to combustible dusts.

Concerning fall protection, OSHA is seeking comment on whether specific regulations are needed to address falls from rolling stock and commercial motor vehicles. OSHA defines "rolling stock" as any locomotive, railcar or vehicle operated exclusively on a rail or rails, or a trolley bus operated by electric power supplied from an overhead wire.

But OSHA's proposal also would address potential hazards related to combustible dust, by modifying the general requirements found in Section 1910.22 of its regulations that obligate employers to keep workplaces, passageways, storerooms and service areas clean and orderly, and in a sanitary condition. Specifically, OSHA proposes to require that floors of workrooms be maintained in a clean and, so far as possible, dry condition to prevent slips, trips, falls and other hazards. It also would require that, where wet processes are used, drainage be maintained, and false doors, platforms, mats or other dry-standing places be provided when practicable. Historically, OSHA has interpreted these provisions as applying to combustible-dust accumulations associated with fire and explosion hazards. And the agency maintains this section of its regulations provides the agency with one of its most important enforcement tools for

preventing accumulations of combustible dust. For these reasons, OSHA said it is seeking comment on whether it should include an explicit reference to combustible dust or other hazardous material in the regulatory language of the final rule. The agency maintains that the language would merely clarify OSHA's long-held interpretation that Section 1910.22 is not limited to the hazards of slips, trips and falls, but also addresses any hazard that can be created when floors and work areas are not maintained in an orderly, clean, dry and sanitary condition. Based upon this proposal, grain elevators potentially could be cited for dust accumulation beyond the 35-foot priority housekeeping area near the bucket elevators required under the grain handling safety standard.

Among other topics addressed in OSHA's far-reaching proposal are requirements for guardrail, safety net and personal fall-protection systems (including fall arrest and positioning and travel-restraint systems); requirements for portable and fixed ladders; and requirements for employee training and retraining. The agency also seeks comments, as well as cost-benefit analysis, on whether to require employers to provide waterproof footwear in situations where wet processes are used. The deadline for comments is August 23, and OSHA said it would conduct a public meeting on the proposal thereafter. NGFA Safety, Health and Environmental Quality Committee Chairman Paul Luther of Land O'Lakes Purina Feed LLC intends to appoint a task force to spearhead the organizations' efforts on this rulemaking. For more information, contact NGFA Director of Regulatory Affairs Jess McCluer at jmcccluer@ngfa.org or 202-289-0873, Ext.23.



AAI Membership Value

AAI Foundation Awards 2010-2011 Scholarships

The Agribusiness Association of Iowa (AAI) Foundation awarded the 2010-2011 Winton Etchen Scholarship to Brent Sexton, a senior at Rockwell City-Lytton High School.

The \$1,000 scholarship is awarded annually to a high school senior who has been accepted to Iowa State University and will be pursuing an undergraduate agricultural degree. The student must also exhibit outstanding leadership and academic performance.

AAI member, Dave Nelson, President of Brokaw Supply Company in Fort Dodge nominated Sexton for the scholarship saying, "Brent is an outstanding leader and has a very successful career and life awaiting him."

Sexton has demonstrated his leadership abilities through several elected offices, including President of the Rockwell City-Lytton Family, Career and Community Leaders of America; President of his senior class; and President of the Rockwell City-Lytton FFA Chapter. He is also his class valedictorian.

Sexton will enter ISU's College of Agriculture and Life Sciences in

the fall majoring in Animal Science with an emphasis in nutrition. He eventually wants to become a food animal veterinarian and agribusiness owner so he can help Iowa livestock producers provide healthy food for their consumers.

The AAI Foundation also recently awarded two \$750 Robert F. Skinner Endowed Scholarships for the 2010-2011 academic year. The scholarships were awarded to Claire Steinweg and Emily Steinweg from Plymouth, Minnesota. Both will be juniors next year and are studying Environmental Science. The Robert F. Skinner scholarship is available to freshmen, sophomores, juniors, or seniors who are enrolled in the College of Agriculture and Life Sciences at Iowa State University. This scholarship is administered by the ISU Foundation.

The Agribusiness Association of Iowa Foundation promotes research projects, member education, stewardship, and scholarships that benefit AAI members and their families. The charitable goals of the Foundation reflect the interests of the agribusiness industry and benefit AAI members by promoting research projects, member education, stewardship, and higher education scholarships. For more information, go to <http://foundation.agribiz.org/>.

Ethanol DOT Meeting Scheduled for June 29, 2010

Are you an ethanol producer? Ethanol terminal? Ethanol transporter? If you answered yes to any of these questions, then mark your calendars for the Ethanol DOT workshop. The U.S. Department of Transportation (DOT) will soon begin audits at your facility, and regulators have the authority to fine you up to \$50,000 per violation. The Agribusiness Association of Iowa will be hosting an Ethanol DOT workshop on Tuesday, June 29, 2010 at the Ag Information Center (23842 590th Ave.) in Nevada where speakers will cover Federal and state requirements for offering and

transporting hazardous materials.

Speakers from the U.S. DOT and Iowa DOT will also cover federal and state requirements for rail and highway transportation, security plans, placarding, shipping papers, and tank testing.

The workshop will begin at 8:30 am and conclude at 4:30 pm. Tuition for the Ethanol DOT workshop is \$80 per person, this fee covers all lunch and educational materials including a 49CFR Parts 100-182 Hazardous Material Book.

A registration form is attached and can be downloaded at www.agribiz.org. Please call the AAI office at 515.262.8323 or 800.383.1682 with any questions you may have.

Mark your Calendars to Tee-off with AAI!

Each year AAI members gather on the green to network and entertain customers and guests. These golf outings are a great opportunity for you to meet new and longtime members and expand your business. AAI golf outings are throughout the summer all over the state, and we want you to be part of the fun!

AAI will be at Fox Ridge Golf Course in Dike on July 7, Emerald Hills Golf Course in Okoboji on July 8, Legacy in Norwalk on July 14, Lake Panorama National Golf Course in Panora on July 29, and Riverside Casino & Golf Course in Riverside on September 16. Lunch for all of the golf outings will be served at 11:00 am and tee off will be at 12:00 pm.

Agribusiness Association of Iowa has a block of rooms reserved at the Ramada Inn in Okoboji for members interested in staying overnight during the AAI golf outing at Emerald Hills. The room rates are \$121.90/night during the week and \$149.90/night for the weekends (does not include tax). To reserve a room, call the Ramada Inn at 712-336-3984 and ask for the block under Agribusiness. Limited rooms are reserved.

A registration form is attached and can be downloaded at www.agribiz.org. Please call the AAI office at 515.262.8323 or 800.383.1682 if you have any questions. Mark Your Calendars!

Upcoming AAI Committee Meetings & Events

- Membership Committee Meeting: June 9, 2010, 10:00 am - 2:00 pm, AAI Office, Des Moines, IA
- Ethanol DOT Workshop: June 29, 2010, 8:30 am - 4:00 pm, Ag Information Center, Nevada, IA
- AAI Golf Outing: July 7, 2010, 11:00 am lunch, 12:00 pm tee-off, Fox Ridge Golf Course, Dike, IA

For additional information and to view more upcoming events, go to the AAI website at www.agribiz.org for.