

Florida Department of  
**Environmental Protection**

**Memorandum**

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To: District Waste Program Administrators  
District Solid Waste Staff

From: Richard B. Tedder, Program Administrator  
Solid Waste Section

Chris McGuire, Senior Assistant General Counsel  
Office of General Counsel

Date: September 20, 2002

SUBJECT: Compost Testing and Quality Assurance Plans  
Memo # SWM-01.7

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Chapter 62-160, Florida Administrative Code (F.A.C.), entitled "Quality Assurance, was substantially amended as of April 9, 2002. While Chapter 62-709, F.A.C., does not specifically reference Chapter 62-160, Rule 62-709.530(1)(e), does state: "Sample collection, preservation, and analysis shall assure valid and representative results pursuant to a Department-approved quality assurance plan." However, the recent revisions to Chapter 62-160 removed all requirements for Department approval of Comprehensive Quality Assurance Plans. Note that there is transition language to address existing and approved quality assurance plans in Rule 62-160.110(8), F.A.C.:

All requirements specified in this chapter shall take effect on the date this chapter is effective, except as related to laboratory certification requirements provided in Rule 62-160.300(2), F.A.C. Organizations that provide field services (such as sample collection) will have six months from the effective date of the rule to complete a quality manual as required by DEP-SOP-001/01, FA 3000, which is incorporated by reference in Rule 62-160.800, F.A.C. Quality assurance requirements in Department contracts, orders or permits issued or entered into prior to the effective date of this chapter shall remain in effect until such contracts, orders or permits are modified or renewed.

Rule 62-709.530(1)(e), F.A.C., must be read in conjunction with the current requirements in Chapter 62-160, F.A.C., to mean that sample collection, preservation, and analysis must be conducted in accordance with the applicable provisions of Chapter 62-160, F.A.C. Any other reading would lead to an impossible situation for new facilities and would also make it impossible for existing facilities to come into compliance with Chapter 62-160 at the time of permit renewal or modification. Existing compost facilities should continue to operate in accordance with their permit conditions until the permit is renewed or modified.