

# Support the Fertilizer SUSTAIN Act



## Action:

Support the Fertilizer Stewardship, Utilization, Sustainability, Technology, Access, Innovation, and Nourishment (SUSTAIN) Act, by signing on as a co-sponsor and voting YES on the legislation.

## Background:

The United States has one of the strongest and most competitive fertilizer industries in the world. In fact, the U.S. is one of only 3 nations that has at least 20 unique companies producing fertilizer products. Many countries have a single domestic fertilizer producer. But while the U.S. has an incredibly robust fertilizer industry, recent events have exposed vulnerabilities within our supply chain, as well as highlighted the global nature of fertilizer markets and the interconnectivity of prices. The Fertilizer SUSTAIN Act, introduced by Senator Roger Marshall (R-KS), would enact a number of policies to strengthen our domestic fertilizer industry and ensure that our nation's growers have access to the crop nutrients they need to grow the food on which our country depends.

## What Does the Fertilizer SUSTAIN Act Do?:

**Critical Minerals Designation:** Designates potash and phosphate as critical minerals, helping to ensure a more streamlined and reliable permitting process and access to these necessary resources, as well as requiring a study to evaluate other minerals necessary for fertilizer production or other agricultural products for designation as critical minerals. Read more [here](#).

**NEPA Permitting Improvements:** Permitting reform will allow domestic fertilizer production to grow and ensure that the industry and farmers can benefit from sourcing the raw materials needed for the final product domestically. Additionally, recent revisions to the National Environmental Policy Act (NEPA) only increase uncertainty and cause significant delays in the federal permitting process and only serve to decrease domestic fertilizer production. Read more [here](#).

**Improves Access to Conservation Programs:** Currently a limited number of individuals designated as Technical Service Providers (TSPs) are permitted to write nutrient management plans, and a limited number of groups are permitted to apply for Natural Resources Conservation Service (NRCS) funds. The Fertilizer SUSTAIN Act would recognize Certified Crop Advisors (CCAs) as TSPs, increase cost-share payments under the Environmental Quality Incentives Program (EQIP) and allow agricultural retailers to be eligible for the Regional Conservation Partnership Program (RCPP). Read more [here](#).

**Strengthens Biostimulant Adoption:** Requires the United States Department of Agriculture (USDA) to conduct a review of nutrient management practices to determine if plant biostimulants are an eligible conservation practice standard utilizing the definition of "plant biostimulants" contained in the 2019 USDA report to Congress. Read more [here](#).

**Allows for Sustainable Reuse of Phosphogypsum:** Reinstates the EPA petition for the use of Phosphogypsum (PG) in government road projects. PG is a byproduct of phosphate fertilizer production and is currently required to be stored in aboveground stacks at a cost of hundreds of millions of dollars. PG is increasingly being safely recycled for a variety of uses in Europe, South America, Asia, Africa, as well as in Canada, and according to the International Atomic Energy Agency should not be restricted in such uses as agriculture, road construction or marine environments. Read more [here](#).

## Contact:

Ed Thomas  
Vice President, Government Affairs  
The Fertilizer Institute  
[ethomas@tfi.org](mailto:ethomas@tfi.org)