



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

BILL



ANALYSIS

Telephone: (517) 373-5383
Fax: (517) 373-1986

House Bill 4438 (as reported without amendment)
Sponsor: Representative Tom Barrett
House Committee: Agriculture
Senate Committee: Natural Resources

CONTENT

The bill would amend Part 117 (Septage Waste Servicers) of the Natural Resources and Environmental Protection Act to exempt a farm operation from requirements related to cleaning, removing, transporting, or disposing of septage waste.

Part 117 prohibits a person from servicing or contracting to engage in servicing except as authorized by a septage waste servicing license and a septage waste vehicle license issued by the Department of Environmental Quality (DEQ). "Servicing" means cleaning, removing, transporting, or disposing, by application to land or otherwise, of septage waste.

The bill would exempt a farm operation from Part 117 if it met all of the following:

- The farm operation used the portable toilets to comply with requirements listed in a publication of the Michigan Department of Agriculture and Rural Development (MDARD).
- The management, pumping, and temporary storage of the domestic septage from the portable toilets did not result in a release of domestic septage into the environment.
- The portable toilets and associated septage management equipment were secured in a manner that prevented a release while being moved by the farm operation on or across a public street, road, or highway.
- The farm operation did not store domestic septage for more than 60 days.
- The farm operation used the services of a person with a septage waste servicing license and septage waste vehicle license to dispose of the domestic septage from the portable toilets in a receiving facility.

The bill would require MDARD to publish a list of field sanitation, worker protection, spill response, and food safety requirements applicable to this exemption. The bill also would require the DEQ and MDARD to jointly promulgate rules establishing field sanitation and food safety standards for these purposes.

Under the bill, "farm operation" would mean that term as defined in the Michigan Right to Farm Act.

MCL 324.11701 et al.

Legislative Analyst: Nathan Leaman

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 5-16-18

Fiscal Analyst: Bruce Baker Josh Sefton

floor\hb4438

Bill Analysis @ www.senate.michigan.gov/sfa

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.