



March 9, 2016

House Agriculture Committee

Re: HB 5058

Dear Committee members,

The Michigan Environmental Council (MEC) is a coalition of more than 70 member organizations across the state. Though we support cleaning duplicative and unnecessary laws from the books, we have concerns with HB 5058.

HB 5058 repeals 1955 PA 162 regarding field liming materials. Though the administration of this program has shifted to the Department of Environmental Quality under their administration of Part 115's beneficial re-use provisions, that law contains a cross-reference back to 1955 PA 162.

"For beneficial use 3, the material that is offered for sale or use shall be annually registered or licensed under part 85 or 1955 PA 162, MCL 290.531 to 290.538. In addition to the information required under part 85 or 1955 PA 162, MCL 290.531 to 290.538, the following information shall be submitted to the department of agriculture and rural development with the license or registration application" – MCL 324.11551(7)

Lime, limestone, and liming materials are specifically exempted from being a fertilizer or a soil conditioner under Part 85 of NREPA, see MCL 324.8501-8502. Since these materials cannot be registered under Part 85, they cannot be legally used under the conditions of beneficial use 3.

We would support the shift of administration of this part to DEQ under beneficial re-use, however at this time HB 5058 would bar any use of liming materials under that provision. We hope that the other sections could be amended to reflect this repeal.

Thank you,

A handwritten signature in black ink that reads "Sean Hammond". The signature is written in a cursive, flowing style.

Sean Hammond  
Deputy Policy Director