



To: Members of the Senate Natural Resources, Environment and Great Lakes Committee

From: Andrew J. Such, MMA Director of Regulatory and Environmental Policy

Date: May 20, 2014

Re: **SUPPORT for HB 5400 (H-3), HB 5401 and HB 5402 (H-1)** Beneficial Use

On behalf of the over 2,500 employers represented by the Michigan Manufacturers Association we urge a **YES VOTE** on HB 5400 (H-3), HB 5401 and HB 5402 (H-1).

This legislation will bring Michigan in line with other Midwest states, make us more competitive, open market opportunities and let these beneficial use materials stand or fall on their own economic and engineering merits.

This is a high priority issue with MMA members and, as a key vote, will be a part of our compiled vote record. We respectfully ask for your support of this important environmental and economic legislation.

House Bill 5400 (H-3) sponsored by Rep. Schmidt, House Bill 5401 sponsored by Rep. McBroom and House Bill 5402 (H-1) sponsored by Rep. Potvin had over twenty five bi-partisan co-sponsors when they were introduced. The House Natural Resources Committee held three hearings on these bills and voted them out with bi-partisan support and no opposition.

These reforms will permit the increased use of several by-products, including coal or wood ash, foundry sand, cement kiln dust and lime kiln dust, pulp and paper mill material, pulp and paper mill ash, mixed wood ash, copper stamp sands, coal bottom ash, spent media from sand blasting, lime softening residuals, soil from washed sugar beets, and flue gas desulfurization material.

HB 5400 (H-3), HB 5401 and HB 5402 (H-1) follow the recommendation of the Office of Regulatory Reinvention, Environmental Advisory Rules Committee (RM-2) to adopt a comprehensive beneficial use statute for the state of Michigan. These bills will:

- Reform Michigan's current regulatory scheme that relies on outdated rules based on abolished criteria and eliminate time-consuming and costly procedures for gaining approval for reuse of materials.
- Impose reasonable, realistic and safe standards for the use and reuse of industrial materials, including reasonable testing and notice requirements.
- Enlist the Michigan Department of Agricultural and Rural Development to play a role in the licensing and registration of materials to be beneficially land applied.
- Provide environmental liability protection against certain claims for persons that use inert and beneficial use materials in accordance with the use and storage requirements of the statute.

HB 5400 (H-3), HB 5401 and HB 5402 (H-1) are very important to the member companies of the Michigan Manufacturers Association. It is a key vote for our members and we respectfully ask for your support of this important environmental and economic legislation.