

Legislative Analysis



APPLICATION OF NATURAL ORGANIC FERTILIZER

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Senate Bill 332 (Substitute H-2)

Sponsor: Sen. John Moolenaar

House Committee: Agriculture

Senate Committee: Agriculture

Complete to 10-16-13

A SUMMARY OF SENATE BILL 332 (H-2) AS REPORTED FROM HOUSE COMMITTEE

The bill would amend Part 85 (Fertilizers) of the Natural Resources and Environmental Protection Act to allow the application of a natural organic fertilizer to turf in specified amounts.

Currently, under Part 85, individuals are permitted to apply a finished sewage sludge product, organic manure, or manipulated manure to turf at a rate of not more than 0.25 pounds of phosphorus per 1,000 square feet at any one time. The bill would reclassify the materials currently considered "finished sewage sludge products" as "biosolids" and continue to allow for their application; eliminate references to organic manure; and allow the application of natural organic fertilizer.

"*Natural organic fertilizer*" would mean materials derived from either plant or animal products containing one or more elements other than carbon, hydrogen, or oxygen that are essential for plant growth. These materials may be subject to biological degradation processes under normal conditions of aging, rainfall, sun-curing, air drying, composting, rotting, enzymatic, or anaerobic or aerobic bacterial action, or any combination of these. These materials shall not be mixed with synthetic materials or changed in any physical or chemical manner from their initial state except by manipulations such as drying, cooking, chopping, grinding, shredding, hydrolysis, or pelleting.

"*Biosolids*" would mean a product consisting in whole or in part of sewage sludge that is distributed to the public and that is disinfected by means of composting, pasteurization, wet air oxidation, heat treatment, or other means. These products are currently classified as "finished sewage sludge products" under Part 85 and would be reclassified as "biosolids" under the bill.

The bill would take effect 90 days after being signed into law.

MCL 324.8501 and MCL 324.8512b

FISCAL IMPACT:

The bill would have no fiscal impact on the state or local units of government.

BACKGROUND INFORMATION AND DISCUSSION:

Enacted as Public Act 299 of 2010, Part 85 contains a general prohibition against the application of any fertilizer that is labeled as containing available phosphate to turf, unless one of the following exceptions applies:

- A test has shown a need for it;
- The turf is in its first growing season; or
- The fertilizer is finished sewage sludge, organic manure, or manipulated manure and is applied at an allowed rate of 0.25 pounds of phosphorus per 1,000 square feet of turf.

Part 85 also allows the application of phosphorus fertilizers on golf courses under certain conditions, and restricts fertilizer application within 15 feet of surface water

The bill intends to allow for the application of certain natural organic fertilizers on residential lawns at the same low-application levels as is currently allowed for biosolids and organic manure. The bill would not alter the current general prohibition against the turf application of phosphorus fertilizer but would expand the current exemption that exists for low-level biosolid applications so as to include natural organic fertilizers.

According to the Department of Agriculture and Rural Development, Michigan is one of 17 states that restricts the turf application of phosphorus fertilizers.

POSITIONS:

The Michigan Department of Agriculture and Rural Development supports the bill. (10-2-13)

Gantec Inc. supports the bill. (10-2-13)

Michigan Environmental Council supports the bill as amended (10-9-13)

Service Master/Tru Green supports the bill. (10-9-13)

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