



Michigan Agri-Business Association

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Michigan Department of Environmental Quality
Water Bureau
Mr. Mike Bitondo
Constitution Hall
525 West Allegan St.
P.O. Box 30273
Lansing, MI 48909-7773

Mr. Bitondo,

I have recently reviewed the proposed changes in the DEQ General Permit MIG019000. As the President of the Michigan Agri-Business Association there are several areas of great concern to me.

1. Phosphorus Land Application Rate tables:

I believe the current permit adequately addresses manure application rates. There are several concerns with the proposed tables:

- P restrictions are not reasonable as the rest of the state operates under GAAMPs / NRCS standards.
- Soil P Ranges – simply not appropriate. Any field below 15 PPM (30 lb. /ac) is deficient in soil P and needs buildup of soil P to grow crops. Please keep current soil P ranges; 0 – 149 lb, 150 – 299 lb, 300+ lb.
- Nitrogen rates omitted (0 – 149 lb. range) – N application rates allow producers to utilize valuable organic fertilizer and minimize fertilizer costs that keep farms economically viable. This would require producers to obtain significantly more land for application.
- Phosphorus tables should be deleted from permit
- Keep current provision for no-till/alfalfa acres that does not require incorporation of manure.

2. Manifesting / Groundwater Discharge Permit:

- Would severely limit the willingness of non-CAFOs to work with large CAFOs in the exchange of manure nutrients.
- Manifesting alone already exceeds federal rule.
- The groundwater discharge permit, under Michigan law, only applies to a discharge from an operation that has 5,000 animal units or more.

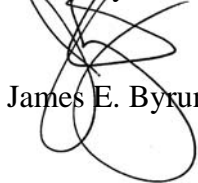
3. New Fields / Permit Modification Request:

- This requirement is not required by federal regulation and impractical for permittees.
 - The DEQ cannot assure timely review of a permit modification request
 - All information that is being asked to be submitted is available for the Departments review at any time on the farm.
 - In essence this time restriction could lead to a higher potential of overflow/discharge because producers weren't able to get the manure out at the optimum time.
4. Stockpiled Manure:
- Temporary stockpiling should be considered an acceptable practice that assists with time-appropriate application.
5. Water Quality Impaired Waters:
- Law does not require TMDL language in an NPDES permit.
 - Language creates the presumption that a farm that is within an impaired watershed bears some responsibility for the exceedances.
 - Inappropriate to create an automatic duty to implement additional controls when a farm has no discharge.
 - The CAFO NPDES permit is designed to not allow a farm to discharge, therefore the language is contradictory to the permit.
 - Water Quality Impaired Waters language should be removed from the permit.
6. Anaerobic Digesters:
- Land application of "outside materials" should not be included in this permit.
 - Farms should be encouraged to use anaerobic digesters, not made subject to additional regulatory requirements.
 - Digester language should be removed from permit

Lastly, I recommend retaining the word "large" wherever CAFO is used in the permit.

By removing flexibility in these areas the DEQ will be generating a greater likelihood of discharge to occur across the state. These changes would create an undue burden on Michigan farms. I feel the current general permit is adequate as is. Please take full consideration of these comments and the effect they will have not just on CAFOs but the entire agricultural industry in Michigan.

Sincerely,



James E. Byrum, President