

Michigan Department of Agriculture and Rural Development (MDARD) Spill Response Program

Michigan Safety Conference

Jack Knorek, MDARD Regional Coordinator,
Southwest Michigan

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MDARD Spill Response Program

- Began in 1995
- Voluntary program for responsible parties to request assistance in the safe and legal use or disposal of spilled fertilizers, manure, and pesticides.



MDARD Spill Response Program (continued)

- Bodies of dead animals, odors, fuels, and drifts are not covered.
- Framework for the rapid deployment of field staff to provide technical guidance.
- 100% success rate.



MDARD's Spill Response Role

- Technical assistance and guidance
- Leveraging available resources
- Relationship with the Michigan Department of Environment, Great Lakes, and Energy
- Environmental Protection Agency reporting requirements
- Completing operational reporting requirements

MDARD Spill Response Program

MDARD is Not Responsible For:

- Contacting cleanup companies
- **ACTUAL** cleanup
- Establishing hot zones
- Contacting insurance, local authorities, and utilities
- Determination of the final disposition of the product
- Reporting



MDARD Spill Response Process

Calls are received:

- Directly from the responsible party
- Concerned citizens
- Pollution Emergency Alert System (PEAS) Hotline (800-292-4706)
- Agriculture Pollution/Spills Hotline (800-405-0101)
- MDA-info@Michigan.gov

MDARD – Operational Procedures

Once a call is received and deemed appropriate, MDARD staff are identified to respond.

They will:

- Follow up with the caller
- Arrive at the site and gain situational awareness
- Ascertain the responsible party's cleanup progress
- Provide technical assistance, as requested, regarding the next steps

MDARD Priorities

- **First Priority - Health and Safety**
 - Responding staff
 - Community (see something, say something)
 - Safety Data Sheet
- **Second Priority - Containment**
 - This should already be completed by the time MDARD staff arrives



MDARD Priorities Cont'd

- **Third Priority - Recovery**
- **Final Priority – Disposal and Federal Reporting**
 - The responsible party is required to report under federal requirements. It is not MDARD's duty to ensure the reporting was completed. However, MDARD can identify **IF** it's needed.





Is Spill Response a Requirement, or is it Voluntary?

- For pesticides, Natural Resources and Environmental Protection Act, Regulation 637 (Pesticide Use) states “prompt” action is required.
- No such requirement exists for fertilizer/manure except under bulk containment requirements.



Part 201, Environmental Remediation, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA) may consider a pesticide release or a fertilizer release to be an environmental contaminant. The law requires the responsible party to “diligently pursue response activities necessary to achieve the cleanup criteria established under this part.”

In addition to any NREPA guidelines or requirements, those farms which operate under a Michigan Department of Environment, Great Lakes, and Energy's concentrated animal feeding operation National Pollutant Discharge Elimination System permit, and those farms verified by MDARD's Michigan Environmental Assurance Program are expected to control, contain, and clean up any spills.

What is a Prompt Response from the Responsible Party?

- Situational
- NREPA Regulation 637 (Pesticide Use) - Pesticides must be cleaned promptly



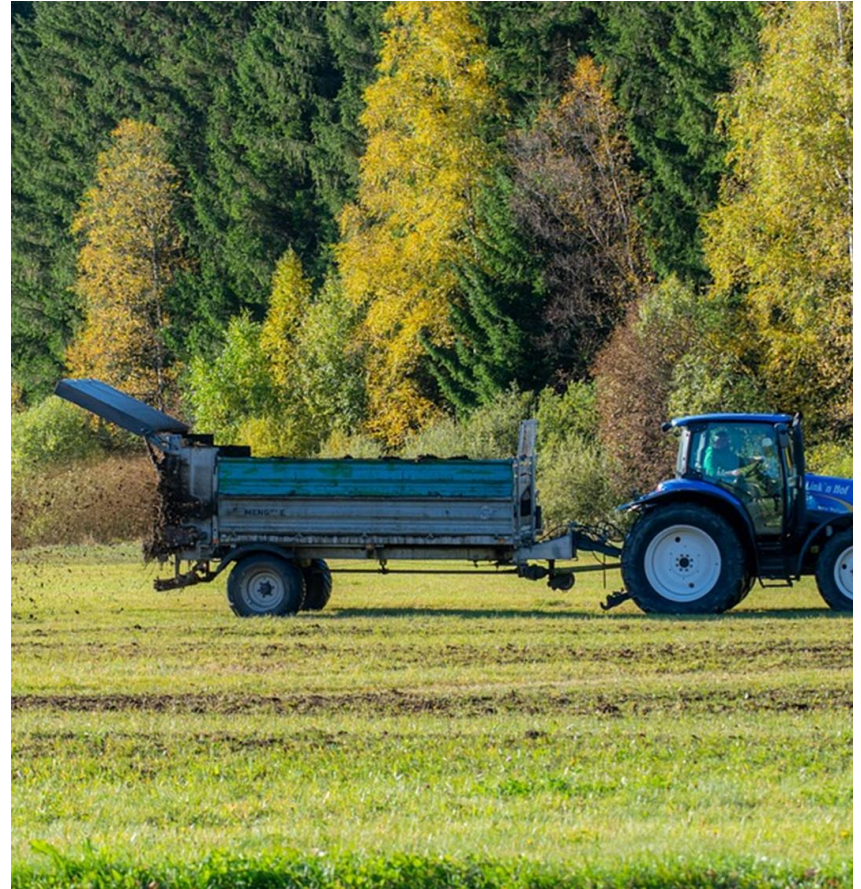
Administrative Expectations

- Staff are expected to respond, even during irregular hours



Example - MDARD Spill Response

1. MDARD receives a call.
2. MDARD Spill Response Coordinator contacts appropriate inspector



Example - MDARD Spill Response (continued)

3. Inspector follows up with the responsible party
4. Inspector arrives on site
 - Diagnoses extent of spill, containment,
 - Reviews label, Safety Data Sheets, Environmental Protection Agency List of Lists, Emergency Response Guidebook



Example Response

Inspector on site:

- Recommends collection method
- Discusses disposal
- Inspector completes reporting



Actual MDARD Response

- No person was injured
- Cherry pesticide air-blast sprayer
- Missed a house and daycare
- Destroyed Airstream
- Excavated/replaced drain field



Questions?

MDARD Contact Information

Mike Wozniak

Right to Farm Manager/MDARD Spill
Response Coordinator

WozniakM1@Michigan.gov

517-285-1752

Jack Knorek

MDARD Regional Coordinator

KnorekJ@Michigan.gov

517-243-0072

MDARD Agriculture Pollution/Spills Hotline

800-405-0101



Thank you!



@MichDeptofAg