

## Commercial Vehicle Compliance

Whether you were or were not at the 2019 Michigan Septic Tank Association (MSTA) Spring Meeting, graciously hosted by National Vacuum Equipment (NVE) in Traverse City on 4/13/19, if you have a commercial vehicle (like a vacuum truck), this article is for you.

credential requirements necessary to legally take your truck out on the road. Several times he emphasized the liability aspect and that owner operators were not exempt from the law. In querying the crowd, it appeared that everyone was in compliance. However, many of the questions subsequently posed regarding driver qualification files and drug & alcohol testing program compliance left a somewhat quiet air of non-compliance in the room. Charlie mentioned several times how an accident will usually bring out the non-compliant operators and how attorneys really recognize these shortcomings. The remedy is usually very costly.

I always learn new ideas, or at least opinions, from my peers at these types of training sessions. I would like to share the agencies my firm currently uses to help keep us in compliance (see below). I learned of these agencies from folks like you and how they help make the demands of compliance easier.

As I listened to the speakers during the education part of the program, I realized how vulnerable the truck-dependent members of our association would be without their trucks, or without their trucks being in good mechanical shape. I also realized how important periodic maintenance of not only the equipment, but the qualified driver of that equipment (i.e. paperwork), can be.

Ken Hall (General Manager of National Vacuum Equipment/email: [kenhall@natvac.com](mailto:kenhall@natvac.com) / web: [www.natvac.com](http://www.natvac.com)) did an excellent presentation on vacuum & pressure relief valves. His words of wisdom inspired me to remind my maintenance staff/driver to check our truck out. Even though the vacuum and pressure relief valves are a relatively inexpensive parts, a whole lot of damage can be avoided by periodically inspecting these.

Charles (Charlie) Culton (Safety Specialist for Michigan Truck Safety / email: [cculton@truckingsafety.org](mailto:cculton@truckingsafety.org) / web: [www.truckingsafety.org/](http://www.truckingsafety.org/)) spoke on a number of commercial vehicle

My firm has belonged to a drug & alcohol testing consortium (Drug Screens Plus - Att. Jim Carlyle - Vice President/phone: 616-532-9299 ext. 787 web: <http://dsplus.com/>) since the early 1990s when the Federal Motor Safety Act started to require DOT driver monitoring. We actually went a step further and set up

*(continued on page 4)*





## SAVE THE DATE

MSTA Fall Meeting  
Saturday, October 19, 2019  
Mount Pleasant, MI

Mark your calendars for the Fall Meeting in  
Mt Pleasant. Further details will be posted  
on the MSTa Website at [www.msta.biz](http://www.msta.biz)  
and in the Fall Newsletter.  
Hope to see everyone there!



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## **FROM THE PRESIDENT:**



Summer edition of the MSTA newsletter. Sounds good doesn't it? Summer that is. My summer camping reservations are made and grandkids soccer and baseball schedules are out. It's a good time to live in Michigan.

We have a new governor in our state and we are all hoping she fixes the damn roads among other issues. Don't hold your breath. She wants to do this but with more cost to the tax payers of Michigan and or the businesses that run commercial trucks down the roads like all of us. Where is the tax money that has been designated for the roads now? I have many questions and I'm sure you do too.

The legislative committee of MSTA along with our legislative consultant, Judy Augenstein, will continue to monitor the state government and voice our concerns when it is fit. I encourage all of you to feel free to notify the association when something within the business structure is going to be effected by a state decision. We have a lot of work to get to know some of the "newbies" in the Lansing legislation. We do still have friends in office that we have worked with before on previous issues and will lean on them when needed. We have the advantage to put out an email to our members to be able to get their vote on issues that we should support or not. Or just to send you an update on what is being done in our state capital. Please return your vote when asked so we know what the majority wants MSTA to do.

MSTA will be selling raffle tickets again this year and Chris Sloan is in the works of getting another great list of prizes to raffle off. So if you want to sell tickets for the association just contact Chris Sloan and he will see that you get some to buy and sell. The prizes are all raffled at our banquet at the Michigan Onsite Wastewater Conference in January at the Kellogg Conference and Hotel on the campus grounds of MSU.

Mark your calendars for the Septic Smart week scheduled for September 16-20 2019. Good time to advertise for the septic businesses. I hope you all have a great summer and are able to enjoy some of the great sights, sounds and smells this state has to offer in the summertime.

*Submitted by:*

*Dave W. Snyder (MSTA President)*





(continued from page 1)

## Commercial Vehicle Compliance

a Non-DOT monitoring program for our non-driving employees, which enveloped our entire staff. The discount I receive from my insurance company helps pay for this service.

In 2013 we added a driver qualification monitoring agency to help us keep our DOT (DQF) driver qualification files up-to-date (Concorde, Inc. Att. Tony Cardamone /phone: 610-999-5555 email: tony@concorde2000.com). Currently, for \$2.55/month/driver, this agency sends a daily email indicating what documents need to be updated soon, or have expired. Even though we have to provide the information, they oversee the accurate compliance of these documents. To date, my firm has not been drawn for a DOT audit, but are to contact them if we are selected. I guess you can say I sleep better at night.



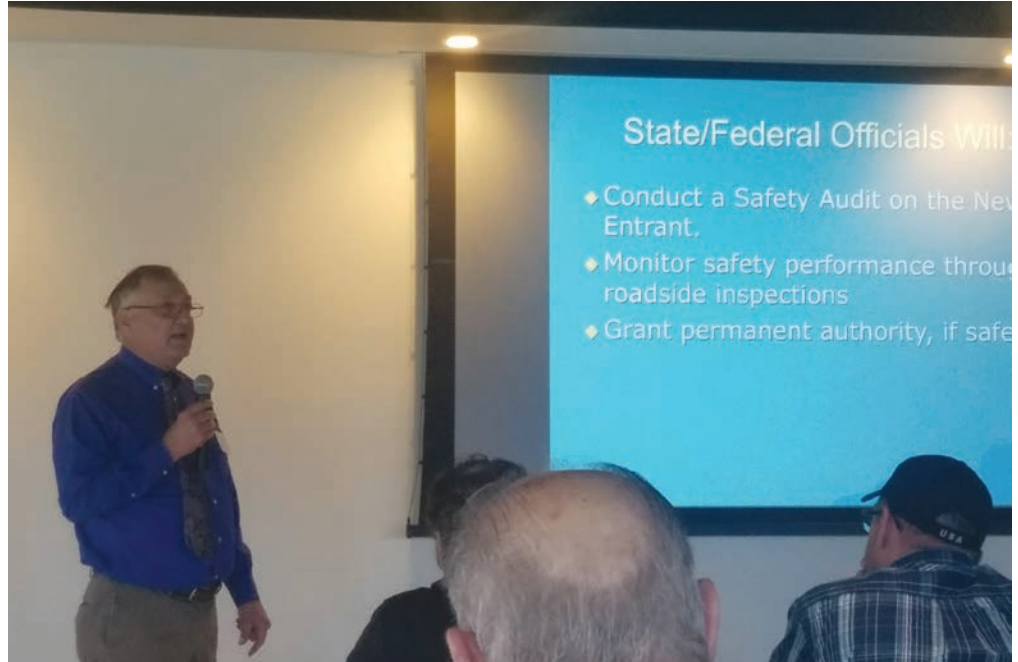
In closing, I would just like to throw one more positive aspect of having everyone in compliance, other than the liability. In a world of ever more competition, competing against a firm (even if they are owner/operator) who does not comply with the commercial vehicle credential requirements puts them at an unfair financial advantage over those who do comply.

*Submitted by:*  
*Mark N. Scott (Director)*  
*(MSTA) Michigan Septic Tank Association*

MSTA members please know that our center would be happy to meet with each company that is interested and do a “New entrant” safety review at no charge to them to make sure they are in compliance with the regulations. All they have to do is call us and we can schedule it with them.

Again thanks for having me at your meeting.

*Charlie Culton*  
*Safety Specialist*  
*Michigan Center for Truck Safety*





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## The Spring MSTA Meeting was a great success

The weather in Traverse City in April is often a hit or miss, but this year was much nicer than last year's 8 inches of snow. Once again, the Spring Meeting was held at National Vacuum Equipment (NVE) Headquarters and Ken Hall (General Manager of NVE) and the other folks at NVE outdid themselves once again. Their meeting facilities are top notch and they always provide the best food in Traverse City. We can't say enough about the hospitality they provide to our members each year!

We had 85 people in attendance who were eager to network with other MSTA Members and to hear from our two outstanding speakers. Our first presenter, Ken Hall, spoke to the audience about the importance of vacuum & pressure relief valves. Charlie Culton from Michigan Truck Safety educated our members on the requirements necessary to take your truck out on the road. Charlie was full of very valuable and important information necessary for our members to do their job and is a great resource for additional trucking information in the future. See Mark Scott's article in this newsletter for more information about these two great speakers.

We are already making plans for the Fall MSTA Meeting, which will be held in Mt. Pleasant on Saturday, October 19th. Check the MSTA Website ([www.msta.biz](http://www.msta.biz)) at the end of the summer for the Fall Meeting Agenda and registration information.



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Have a safe and successful summer!



*Karlyn Wickham  
MSTA Executive  
Officer*





## Education Begins At Home



Recently at the 2019 Michigan Onsite Wastewater Conference in Lansing, there were sessions held on being “Septic Smart”. The U.S. Environmental Protection Agency (EPA) put together information for everyone to share nationwide. Our Michigan DEQ jumped on board last year and they created a one minute video and placed it on you tube. They shared all of the EPA information on the Michigan DEQ web page. Michigan Septic Tank Association also shared all of this material on our web page. The sessions were to encourage all septic haulers to help educate the population. These materials are not copy righted and were for everyone to reproduce and use as education tools.

Now being from Michigan and Michigan having the largest fresh water body’s right here, Our Company wanted to do our part and help to preserve our resources and water ways. So looking at the available materials, I came up with a few ways to do this. There are new releases that we can send out to our local newspapers, radio stations and cable tv companies to promote Septic Smart Week, which by the way is September 16 – 20, 2019. All of these materials are available on the EPA web site, the MDEQ web site and the MSTA web site. They are there for us to use and reproduce.

We decided to attend a local Health Fair. We wanted to help educate people about the proper use of their septic systems. Most of this information also applies to a person that has city sewer. We had handouts printed, stickers with Septic Sam printed, our business card and we were ready. We decided to use two kitchen aid mixers to demonstrate how toilet paper breaks down in water and how flushable wipes do not. This allowed us to discuss with them the do’s and don’ts of a Septic System.

At the health fair we played the Michigan DEQ minute video on a lap top on a loop. We passed out the Septic Sam stickers, Poop emoji stickers and candy.

The health fairs were such a success that we plan on doing more in the near future. I have a radio talk show scheduled for a free session. I am now working with realtors in three counties to encourage the pumping of a septic system before the sale of any home. Like I said, education starts at home.

All of these things have proved to be educational, business promotional and even fun. I challenge all Michigan Septic haulers to do their part and if you are not already actively educating your customer, then please start doing it.

*Submitted by:*  
*Julie Kreh*  
*DJ's Toilets &*  
*Septic Service, LLC,*  
*Owendale, Michigan*



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## Legislative Report for MSTA

Judy Augenstein, Legislative Consultant



### January 2019 Report

Dozen of legislators celebrated the 2018 Lame Duck session by hanging their own ornament on a \$379.5 million General Fund Christmas Tree spending bill. The bill retained most of Governor Rick Snyder's original requests, but legislators added some \$200 million in special legislative projects for their districts. The Christmas Tree bill did NOT include an additional \$10 million for legislative operations and \$18 million for a parking ramp for lawmakers and their staff since their parking spaces behind the Capitol have been turned into a construction mess for the time being and will remain that way for another year before the outside Capitol construction is completed.

Money was dedicated to get a better handle on the growing PFAS contamination issue which will receive a combined \$20 million, roads got \$115 million more, \$15 million was put into hiring 175 more child protective services with another \$5 million going to

CPS technology. Legislators put \$100 million into the rainy day fund, \$52 million into the Soo Locks and \$4.5 million for the Mackinaw Straits tunnel and \$200 million was freed up for legislators special in district requests and the list goes on.

In November 2018, Democrats obtained control of the state's top four elected officials by electing Gretchen Whitmer as Governor, Jacelyn Benson as Secretary of State and Dana Nessel was elected Attorney General. The Senate and House maintained a Republican advantage, but both lost seats to Democrats. Republicans in the Senate will maintain control with a 22-16 majority and the House Republicans will reign with a 58-52 majority.

Senator Mike Shirkey, R-Clarklake was elected to serve as Senate Majority Leader. Senator Jim Stamas, R-Midland serves as the Chair of the powerful Senate Appropriations Committee. Senator Peter MacGregor, R-Rockford serves as Senate Floor Leader. Rep. Lee Chatfield, R-Levering was elected to be the Speaker of the House and Rep. Triston Cole, R-Mancelona was elected to serve as House Majority Floor Leader. Rep. Jason Wentworth, R-Farwell was elected to serve as the House Speaker Pro-Tempore.

Senator Jim Ananich, D-Flint, remained the Senate Minority Leader and incoming Senator Stephanie Chang, D-Detroit now serves as the Senate Minority Leader. Rep. Christine Greig, D-Farmington Hills was elected to be the House Minority Leader and Rep. Yousef Rabhi, D-Ann Arbor was elected to serve as Minority Floor Leader. Committee assignments expect to be named in early February. Legislative directories are expected to be available in February.

Beginning the second Wednesday in January we have some 72 "newbie" legislators to meet and greet and to introduce to our issues.

### February 2019 Report

Governor Gretchen Whitmer has announced that she will present a road funding plan during her March budget presentation. Governor Whitmer has stated she will set out a "real plan" to fund the state's roads and infrastructure at that time. She has not specified if a tax increase would be included to pay for the improvements. She did comment that the plan she will propose will make a real difference and will be a long term project and will involve "doing it smarter." During the campaign Governor Whitmer's slogan to "fix the damn roads" became a key tenet of her campaign. She said during her campaign she would write a budget with \$2 billion in state money to go toward infrastructure and would draw down \$1 billion in federal funds.

Governor Whitmer held her first quadrant meeting in her office being the first face to face session with the two

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Republican and two Democratic leaders. As part of the relationship building process they talked about how to handle their differences without allowing them to poison whatever kind of cooperation they foster.

House Speaker Lee CHATFIELD (R-Levering) appears to be following the congressional model for the House's new Ways and Means Committee, making it a work-horse committee and very influential. When the Speaker released his list of committee assignments, just as in the U.S. House, those appointed to Ways and Means were appointed to that committee only. Chair Brandt IDEN (R-Oshtemo Twp.) as well as Reps. Beth GRIFFIN (R-Mattawan), Roger HAUCK (R-Union Twp.), Bronna KAHLE (R-Adrian) and Eric LEUTHEUSER (R-Hillsdale) received no other committee assignments. Rep. Jason WENTWORTH (R-Farwell) and Rep. Jim LILLY (R-Holland) were named to Ways and Means and got other committee assignments too.

Several freshmen scored chairmanships when the committee assignments came out. Representative Graham FILLER (R-Ovid) will chair the Judiciary Committee. Representative Matt HALL (R-Emmett Twp.) is the chair of Oversight. Representative Lynn AFENDOULIS (R-Grand Rapids) will head up Tax Policy. Representative Jack O'MALLEY (R-Lake Ann) is the chair of Transportation & Infrastructure.

Chatfield appointed the Committee on Committees in mid-November to begin working with both returning and incoming legislators on their top priorities and issue areas. Lilly chaired the committee and led the team that has now finalized the roster and schedule for the 100th Legislature.

**House committee members are listed below:**

*Agriculture* -- Alexander (Chair), Meerman (Vice Chair), LaFave, Eisen, Mueller, Wendzel, Elder (Minority Vice Chair), Coleman, Garza, C. Johnson, Witwer.

*Appropriations* -- Hernandez (C), Miller (VC), Inman, Albert, Allor, Brann, VanSingel, Whiteford, Yaroch, Bollin, Glenn, Green, Huizenga, Lightner, Maddock, Slagh, VanWoerkom, Hoadley (MVC), Love, Pagan, Hammoud, Peterson, Sabo, Anthony, Brixie, Cherry, Hood, Kennedy, Tate.

*Commerce & Tourism* -- Marino (C), Wendzel (VC) Reilly, Meerman, Schroeder, Wakeman, Cambensy (MVC), Camilleri, Hope, Manoogian, Robinson.

*Communications & Technology* -- Hoitenga (C), S. Johnson (VC), Wozniak, Coleman (MVC), Chirkun.

*Education* -- Hornberger (C), Paquette (VC), Crawford, Vaupel, Reilly, Hall, Markkanen, O'Malley, Wakeman, Camilleri (MVC), Sowerby, B. Carter, T. Carter, Koleszar, Stone.

*Elections & Ethics* -- Calley (C), Sheppard (VC), Hornberger, Marino, Paquette, Guerra (MVC), Hope.

*Energy* -- Bellino (C), Wendzel (VC) Alexander, Frederick, Lower, Filler, Markkanen, Mueller, O'Malley, Schroeder, Lasinski (MVC), Sneller, T. Carter, Haadsma, Kupp, Manoogian, Shannon.

*Families, Children & Seniors* -- Crawford (C), Rendon (VC), Hoitenga, Meerman, Wozniak, Garrett (MVC), Liberati, B. Carter, C. Johnson

*Financial Services* -- Farrington (C), Schroeder (VC), Sheppard, Bellino, Berman, Wakeman, Gay-Dagnogo (MVC), Clemente, Stone, Whitsett.

*Government Operations* -- Sheppard (C), Cole (VC), Lilly, Greig (VC), Rabhi,

*Health Policy* -- Vaupel (C), Frederick (VC), Alexander, Calley, Hornberger, Lower, Whiteford, Afendoulis, Filler, Mueller, Wozniak, Liberati (MVC), Garrett, Clemente, Ellison, Koleszar, Pohutsky, Stone, Witwer.

*Insurance* -- Rendon (C), Markkanen (VC), Webber, Vaupel, Bellino, Frederick, Hoitenga, LaFave, Berman, Paquette, Wittenberg (MVC), Gay-Dagnogo, Lasinski, Sneller, Bolden, B. Carter, Coleman.

*Judiciary* -- Filler (C), LaFave (VC), Farrington, Howell, S. Johnson, Rendon, Berman, Wozniak, LaGrand (MVC), Guerra, Elder, Yancey, Bolden.

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**House committee members continued:**

*Local Government & Local Municipal Finance* -- Lower (C), Marino (VC), Crawford, Calley, Howell, Eisen, Meerman, Paquette, Ellison (MVC), Sowerby, Garza, Hope, Kuppa.

*Military, Veterans & Homeland Security* -- LaFave (C), Mueller (VC), Marino, Afendoulis, Markkanen, Jones (MVC), Chirkun, T. Carter, Manoogian.

*Natural Resources & Outdoor Recreation* -- Howell (C), Wakeman (VC), Calley, Reilly, Rendon, Eisen, Sowerby (MVC), Cambensy, Pohutsky.

*Oversight* -- Hall (C), Reilly (VC), Webber, S. Johnson, LaFave, Schroeder, C. Johnson (MVC), Camilleri, LaGrand.

*Regulatory Reform* -- Webber (C), Berman (VC), Crawford, Farrington, Frederick, Hoitenga, Filler, Hall, Wendzel, Chirkun (MVC), Liberati, Cambensy, Jones, Garza, Robinson.

*Selected Committee On Reducing Car Insurance Rates* -- Wentworth (C), Rendon (VC), Frederick, LaFave, Afendoulis, Lasinski (MVC), Sabo, Bolden, Whitsett.

*Tax Policy* -- Afendoulis (C), Lower (VC), Vaupel, Webber, Farrington, S. Johnson, Hall, O'Malley, Schroeder, Yancy (MVC), Wittenberg, Ellison, Lasinski, Robinson, Whitsett.

*Transportation & Infrastructure* -- O'Malley (C), Eisen (VC), Cole, Sheppard, Alexander, Bellino, Howell, Afendoulis, Sneller (MVC), Clemente, Yancey, Haadsma, Shannon.

*Ways & Means* -- Iden (C), Lilly (VC), Leutheuser, Griffin, Hauck, Kahle, Wentworth, Warren (MVC), Byrd, Neeley, Hertel.

*Joint Committee On Administrative Rules* -- Maddock (C), Wozniak (VC), S. Johnson, Bolden (MVC), Garrett.

*House Fiscal Governing Committee* -- Hernandez (C), Chatfield (VC), Cole, Hoadley (MVC), Greig, Rabhi.

*Legislative Council* -- Chatfield (C), Hernandez, Lilly, Wentworth, Cole\*, Whiteford\*, Clemente, Rabhi, Garrett\*.

**Senate Committee assignments are listed below:**

*Advice and Consent* -- Lucido (Chair), LaSata (Vice Chair), Nesbitt, McBroom, Hertel

*Agriculture* -- Daley (Chair), Victory (Vice Chair), Lauwers, Ananich (Minority Vice Chair), Polehanki

*Economic and Small Business Development* -- Horn (Chair), VanderWall (Vice Chair), MacGregor, Theis, Lauwers, Schmidt, McMorro (Minority Vice Chair), Geiss, Moss

*Education and Career Readiness* -- Theis (Chair), Horn (Vice Chair), Bumstead, Runestad, Daley, Polehanki (Minority Vice Chair), Geiss

*Elections* -- Johnson (Chair), McBroom (Vice Chair), Lucido, VanderWall, Wojno

*Energy and Technology* -- Lauwers (Chair), Horn (Vice Chair), LaSata, Nesbitt, Barrett, Bumstead, Outman, McCann (Minority Vice Chair), Brinks, McMorro

*Environmental Quality* -- Outman (Chair), Daley (Vice Chair), Johnson, VanderWall, McBroom, Bayer (Minority Vice Chair), Brinks

*Families, Seniors, and Veterans* -- Bizon (Chair), Barrett (Vice Chair), Runestad, Johnson, Zorn, Bullock (Minority Vice Chair), Alexander

*Finance* -- Runestad (Chair), Nesbitt (Vice Chair), Daley, Bumstead, VanderWall, Chang (Minority Vice Chair), Alexander

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**Senate Committee assignments continued:**

*Government Operations* -- Shirkey (Chair), Lauwers, Nesbitt, Ananich (Minority Vice Chair), Chang

*Health Policy and Human Services* -- VanderWall (Chair), Bizon (Vice Chair), Johnson, LaSata, MacDonald, Theis, Brinks (Minority Vice Chair), Hertel, Santana, Wojno

*Insurance and Banking* -- Theis (Chair), Lauwers (Vice Chair), LaSata, Nesbitt, Daley, Barrett, Horn, Geiss (Minority Vice Chair), Bullock, McMorrow

*JCAR* -- Lucido (Chair), McBroom (Vice Chair), Theis, Hollier (Minority Vice Chair), Irwin

*Judiciary and Public Safety* -- Lucido (Chair), VanderWall (Vice Chair), Barrett, Johnson, Runestad, Chang (Minority Vice Chair), Irwin

*Local Government* -- Zorn (Chair), Johnson (Vice Chair), Daley, Alexander (Minority Vice Chair), Moss

*Natural Resources* -- McBroom (Chair), Bumstead (Vice Chair), Outman, Schmidt, McCann

*Oversight* -- McBroom (Chair), Lucido (Vice Chair), Theis, MacDonald, Irwin

*Regulatory Reform* -- Nesbitt (Chair), Theis (Vice Chair), Johnson, Lauwers, VanderWall, Zorn, Moss (Minority Vice Chair), Polehanki, Wojno

*Transportation and Infrastructure* -- Barrett (Chair), LaSata (Vice Chair), McBroom, Victory, Outman, Lauwers, Geiss (Minority Vice Chair), Bullock, Hollier

*Appropriations* -- Stamas (Chair), Bumstead (Vice Chair), Barrett, Bizon, LaSata, MacDonald, MacGregor, Nesbitt, Outman, Runestad, Schmidt, Victory, Hertel (Minority Vice Chair), Bayer, Hollier, Irwin, McCann, Santana

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[www.legislature.mi.gov](http://www.legislature.mi.gov)

**March 2019 Report**

During Governor Gretchen Whitmer's state of the state address she asked if the Legislature would put partisanship aside and work with her to get the job done for Michigan. The Governor outlined issues the state must address, including fixing the state's roads and improving its educational results, but did not provide actual details on how she would deal with the issues. In her address, Governor Whitmer said details of how she would handle those issues would be addressed on March 6 when she delivers her 2019-20 budget request.

Governor Whitmer called for new scholarship programs that would make specialized training and higher education more affordable. She intends to set a policy to ensure that at least 60 percent of all adults have some sort of post-secondary certificate by 2030.

Governor Whitmer wants to require all state contractors treat LGBTQ people fairly without discrimination and called for expansion of the Elliott-Larsen Civil Rights Act to include state protections for the LGBTQ community. House Speaker Lee Chatfield (R-Levering) stated recently that he would not allow a bill that expanded Elliott-Larsen on the House floor. Senate Majority Leader Mike Shirkey, (R-Clarklake) has also expressed opposition to the proposal as potentially discriminating against religious views.

The Governor received praise by Republicans and Democrats when she said she was willing to engage with all people of good faith about ideas and priorities, including bringing down car insurance rates.

As far as transportation and road repair, which she referred to as a "major crisis", Ms. Whitmer said the state's infrastructure has been graded as the worst in the nation. Roads are crumbling, she said, bridges are standing

(continued on page 16)





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*(continued from page 14)*

with temporary supports. “We are paying a road tax that does not even fix the damn roads,” she said. She did not offer a specific solution to the problem, but said it would not be an easy fix since the problem took years to create.

The second crisis she outlined was in education and skills. “Since 2014, Michigan has experienced the worst decline in childhood literacy; and the decline has been consistent across every racial and economic group in our state,” stated Whitmer.

To help working and displaced adults, she announced the “Michigan Reconnect Program” which will help train adults in in-demand industries. Ms. Whitmer called it a way to “up-skill” and help connect those workers with state businesses with unfilled jobs.

The new “MI Opportunity Scholarship” will assure that every graduating high school senior can get two-years free tuition at a community college if they are looking for skills-based work. The same scholarship will offer two years of tuition assistance at a four-year, “not for profit college or university.” Eligible students will have to have graduated high school with at least a B-average.

In terms of her upcoming budget, Governor Whitmer said it will “offer a real solution to fixing our roads and rebuilding our infrastructure. It will give our front line educators the tools they need to address our literacy crisis. House and Senate Republican reactions to Governor Whitmer’s first State of the State was basically “show us the money”.

Environmental Quality Director Lisel Clark addressed the House Natural Resources /Outdoor Recreation Committee and earlier in the day the Senate Environmental Quality Committee to share her plans for the DEQ. She indicated she does not have a strategic plan, but she will engage in a strategic process when addressing issues. Clark indicated she will be asking for more funding for some DEQ programs. She indicated the department must protect the health of our citizens and our environment. She indicated that the DEQ budget has fallen over the years which has restricted some of the department’s activities, but that she needs additional resources because inspectors and testing costs money.

In February the new MDOT Director, Paul Ajegba addressed the House Transportation Committee and the Senate Transportation Committee to provide his thoughts as to how he plans to run the department. He insisted that new revenue for Michigan’s roads is a must. He gave a basic overview in the basics of transportation funding and MDOT. In 2010, 91 % of the state’s roads were in good condition and by 2018 that had fallen to 79 % and it will continue to fall absent new revenue. Director Ajegba said that the longer we wait for proper funding for roads the more expensive it will get. Ajegba said “it’s all about funding, funding, funding.”

Governor Gretchen Whitmer has made the decision to halt the sale of the Deerfield Correctional Facility in Ionia to a private firm planning a privately operated federal immigration detention center. Republicans are livid, especially Rep. Thomas Albert, R-Lowell, who represents the district where the facility is located and wants to know why the Governor would turn away 250 good paying jobs for the area. The facility has been closed since 2009 and the sale to Immigration Centers of America would have brought the facility back onto the property tax rolls. The Governor believes that building more detention facilities will not solve immigration problems and she believes that separating families does not reflect Michigan values.

Rep. Albert commented that “She torpedoed the deal by demanding the detention center for illegal immigrants be turned into a hotel where anyone can leave at any time. Obviously, Immigration Centers of America cannot agree to a policy of catch and release. We just lost out on millions of dollars in economic investment and hundreds of good paying jobs.

No fault auto Insurance legislation was the first bill introduced in the Senate, SB 1. Senate Majority Leader Mike Shirkey, R-Jackson declared no-fault auto insurance reform as the top priority of the Senate Republican Caucus for this session. Speaker of the House Lee Chatfield, R-Levering has created a special committee on auto insurance which is chaired by Rep. Jason Wentworth, R-Clare. Both leaders have expressed that the Legislature has tried and failed in the past on auto insurance reform, but this session will be different.

*(continued on page 18)*

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(continued from page 16)

Governor Gretchen Whitmer has issued an amended Executive Order to reorganize the DEQ and elimination of one of the three oversight panels created by legislation sponsored by Senator Tom Casperson, R-Escanaba. The original E.O. was rejected by the House and the Senate through adopting HCR 1. This time she is only attempting to eliminate the Environmental Science Advisory Board and re-name the DEQ the Department of Environment, Great Lakes and Energy. Both the Speaker of the House and the Senate Majority Leader have agreed they will not attempt to reject her second effort and appreciate her willingness to re-draft her Executive Order and work with the Legislature.

Daily, I monitor legislation being introduced which could impact our members. I have been attending fundraiser events and using the opportunities to introduce our issues and goals to “newbie” legislators. Weekly, I attend various meetings in an effort to inform legislators of our legislative goals and to get a “fix” on “newbie” members.

## April 2019 Report

The shock of Governor Gretchen Whitmer’s proposal to nearly triple Michigan’s fuel taxes and levy the Corporate Income Tax on 150,000 largely small businesses has already worn off in Lansing. The budget blueprint Whitmer presented to the Republican controlled legislature is likely to look very different by the time legislators send a fiscal year 2020 spending plan to the new Democratic governor’s desk.

Legislative leaders quickly shot down Whitmer’s long shot proposal to tax business profits of S-corporations, limited liability corporations and partnerships through the 6 percent Corporate Income Tax, instead of the lower 4.25 percent individual income tax. Whitmer proposed expanding the CIT as a means of generating \$280 million of the \$355 million needed to reinstate an income tax exemption on public sector pensions.

“Those kinds of actions would be doubling down on stupid,” said Senate Majority Leader Mike

Shirkey, R-Clarklake, a Jackson tool and die maker that would be subject to higher taxes under Whitmer’s proposal. House Speaker Lee Chatfield, R-Levering, called Whitmer’s proposed 45 cent fuel tax hike a “nonstarter”, while Majority Leader Shirkey said it is simply too high of a burden for motorists and businesses to shoulder. “The citizens of Michigan that actually work for a living cannot absorb a 45 cent increase in the gas tax, they simply cannot do it”, said Shirkey.

Though Whitmer’s tax hikes as proposed are seen in Lansing as dead on arrival, Shirkey and other Republican legislators have left open the door for some form of tax increase to roads. “I probably will look at some type of revenue as we move forward,” Senate Appropriations Committee Chairman Jim Stamas, R-Midland commented.

After years of debating road funding, Shirkey said there is consensus that the state needs to be spending \$2.5 billion more annually on roads. Both Shirkey and Stamas said they count the Legislature’s 2015 road funding plan that is supposed to generate \$1.2 billion more annually for roads by 2021 to the \$2.5 billion goal. Whitmer’s \$2.5 billion fuel tax hike would generate a net road funding increase of \$1.9 billion by the 2021 fiscal year because she plans to remove an earmark of \$600 million of income tax that was part of the 2015 funding plan for other projects, according to the analysis by the nonpartisan House Fiscal Agency.

The Legislature will return to Lansing to work on their spring agenda the week of April 9.

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## Winter of 2019



**These pictures were submitted by Brenda from Tri-County Septic of their place this winter in Munising, Michigan. Please email your pictures of your place of business, your trucks, equipment or a special event. We would like to post them in our next newsletter.**





## SepticSmart Week is September 16-20, 2019

EPA's SepticSmart Program educates homeowners about proper septic system care and maintenance all year long. In addition, it serves as an online resource for industry practitioners, local governments, and community organizations, providing access to tools to educate clients and residents. Did you know that SepticSmart Week takes place September 16-20, 2019? You can do your part to help educate the public on proper septic care with door hangers, mail inserts, postcards and more.



A large graphic for SepticSmart Week 2019. On the left, a cartoon character named SAM, wearing a green shirt, blue pants, yellow gloves, and a blue cap with the SepticSmart logo, points towards the center. The background features a white picket fence and a green lawn. In the center, a large white speech bubble contains the text: **SAVE THE DATE!**  
**SepticSmart Week 2019**  
**September 16-20, 2019**

To the right of the speech bubble, the text reads: **Start early!**  
SepticSmart Week is an annual event focused on educating homeowners and communities on the proper care and maintenance of their septic systems.

Below this, it says: Visit [www.epa.gov/septic](http://www.epa.gov/septic) for more resources and information about SepticSmart Week 2019.

On the far right, there is a circular inset showing a smaller version of SAM holding a clipboard. The text around the circle reads: **SepticSmart Week • September 16-20, 2019**

At the bottom left, there is a logo for **septicSMART** with the text "U.S. Environmental Protection Agency" below it. At the bottom right is the **EPA** logo.

To get mail inserts and postcards to hand out to your customers, go to the MSTA website at [www.msta.biz](http://www.msta.biz) and click on RESOURCES at the top and then click on PROMOTE A CLEAN SEPTIC SYSTEM.

Thank you in advance for promoting SepticSmart Week 2019 by educating the public about the importance of our industry!

# TECH SHEET

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## Commercial Motor Vehicle

### Safety Overview

*Employees and owner/operators of commercial trucking operations have a direct impact on auto, workers' compensation, and liability losses of those organizations. According to the Bureau of Labor Statistics, highway traffic accidents are the leading cause of occupational fatalities. They are also the most costly workers' compensation claims, with the average cost of an injury exceeding \$22,000. Although most accidents do not result in fatalities or serious injuries, it is still important for all trucking operations to take several important measures to reduce the risk of accidents in their fleets. By reducing the number and severity of accidents, commercial carriers could not only reduce insurance costs, but also improve driver safety and morale, increase compliance with federal regulations, reduce driver downtime and turnover and enhance their organization's image.*

#### Driver Hiring and Selection

- Perhaps the most important measure motor carriers can take toward reducing accidents is to make sure their drivers are qualified to drive their vehicles. Personnel hiring requirements can be found in Department of Transportation (DOT) regulations 49 CFR 383 and 391. The requirements in these regulations are extensive and involve verifying the applicant's age, physical condition, previous experience, previous traffic violations and/or accidents and several other criteria. The regulations also specify the requirements for road tests, written examinations and motor vehicle record (MVR) checks. MVR's should be obtained for all drivers prior to employment, and at least annually thereafter. The Federal Motor Carrier Safety Administration (FMCSA) is mandated by the U.S. Congress to provide safety information on all commercial motor vehicle drivers. The Pre-Employment Screening Program (PSP) can be accessed at [www.psp.fmcsa.dot.gov/Pages/Enroll.aspx](http://www.psp.fmcsa.dot.gov/Pages/Enroll.aspx) (there is a small fee for this service).

Although driver selection is a one-time process, assuring that a driver remains qualified should be continuous.

#### Vehicle Inspection

Improperly maintained

equipment is another cause of commercial vehicle accidents. For this reason, the DOT mandates that every motor carrier require its drivers to inspect and report in writing the condition of the vehicle at the completion of each day's work. The requirements of the daily inspection are outlined in 49 CFR 396. If deficiencies are noted which are likely to affect the safety of the vehicle, they should be repaired before the vehicle can be put back in service. The DOT requires that vehicle inspection reports be retained for three months from the date of the written report.

In addition to the daily inspection, a more thorough annual inspection is also required. This can be performed by many different entities, including the motor carrier organization itself. The requirements of a qualified inspector are extensive and are outlined in 49 CFR 396.19. The inspector's reports should be maintained for 14 months after the date of the written report.



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# TECH SHEET

## Commercial Motor Vehicle Safety Overview

### Accident Response

Despite the best efforts of the motor carrier and driver, accidents may still occur. When an accident occurs, it is important that the driver takes specific precautions at the scene and makes documentation in the accident register. The DOT defines an “accident” as an occurrence involving a commercial motor vehicle while it is operating on a public road for the purpose of interstate or intrastate commerce, which results in one or more of the following:

- Death of an individual (driver, passenger, pedestrian)
- Injury to a person requiring immediate medical care away from the accident scene
- One or more motor vehicles incurring damage and being towed or transported away from the scene

The DOT definition does not include injuries sustained when entering or exiting from the truck, or when loading or unloading cargo.

A post-accident alcohol test is required no later than two hours after an accident, and a drug test is required no later than 32 hours after the accident. There are a few exceptions to this requirement, which are discussed in 49 CFR 382.303. If the driver tests positive for a controlled substance, or refuses to provide a urine sample, the driver is disqualified from operating a commercial vehicle for one year.

In addition to complying with the DOT accident response requirements, the motor carrier should conduct an internal accident investigation to determine what caused the accident and what can be done to prevent a similar accident in the future. The goal of the investigation should be to recommend the appropriate corrective actions (e.g., modifications to the truck, additional training) to prevent recurrence. If the motor carrier determines that a problem is more widespread than just one vehicle or driver, blanket corrective action should be implemented for all drivers and all vehicles.

### Training

Every motor carrier is required to provide the training outlined in 49 CFR 392 to employees responsible for the management, maintenance, operation or driving of commercial motor vehicles, or the hiring, supervising, training, assigning or dispatching of drivers. The requirements of this training are extensive and include driving of vehicles, stopped vehicle safety, fueling precautions, prohibited practices and many other topics.

In addition to DOT-required training, it is good practice to provide ongoing training to all drivers. Training materials are available from a variety of different sources, including EMC Insurance Companies. EMC provides the following value-added resources to all commercial policyholders:

- Fleet Safety section of the Loss Prevention Information Manual describes how to implement a fleet safety policy
- Transportation Safety Talks and Brochures have been developed by EMC, Parlay Intl., and the National Safety Council
- Safety Video Lending Library includes videos on all types of vehicles, from small vehicles to school buses to semitrucks
- Loss Analysis can be completed detailing accident losses over a specified period of time

### For Additional Information

**U.S. Dept. of Transportation—Federal Motor Carrier Safety Administration:**

[www.fmcsa.dot.gov](http://www.fmcsa.dot.gov)

**EMC Insurance Companies:** [www.emcins.com](http://www.emcins.com)

- Loss Prevention Information Manual – Fleet Safety
- Tech Sheets



## MSTA PAC Update

We are continuing to fight for legislative issues that benefit MSTA members. Your donation to the PAC Fund will help tremendously in these efforts! If you would like to donate, a “personal check” (not a company check) should be made out to: MSTA PAC Fund.

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