ANHYDROUS AMMONIA SECURITY ACT

Act 417 of 2006

AN ACT to establish safety and security practices for certain persons involved in the retail or wholesale sale or use of certain fertilizers; and to provide certain powers and duties for certain state agencies.

History: 2006, Act 417, Imd. Eff. Sept. 29, 2006

The People of the State of Michigan enact:

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286.771 Short title.

Sec. 1.

This act shall be known and may be cited as the "anhydrous ammonia security act".

History: 2006, Act 417, Imd. Eff. Sept. 29, 2006

286.773 Definitions.

Sec. 3.

As used in this act:

(a) "AASSPs" means anhydrous ammonia safety and security practices established by the commission under section 5.

(b) "Anhydrous ammonia" means an inorganic compound that consists of 1 nitrogen atom and 3 hydrogen atoms and has a chemical formula of NH_3. Anhydrous ammonia is ammonia gas in a compressed or liquefied form but is not aqueous ammonia, which is a solution of ammonia gas in water.

(c) "Commission" means the commission of agriculture.

(d) "End user" means the person actually using anhydrous ammonia for a legal purpose.

(e) "Seller" means a person selling anhydrous ammonia at wholesale or retail to an end user for a legal purpose.

History: 2006, Act 417, Imd. Eff. Sept. 29, 2006

286.775 AASSPs; issuance by commission; safe and secure storage practices; consideration to information and recommendations.

Sec. 5.

(1) Within 6 months after the effective date of this act, the commission shall issue AASSPs regarding the security of anhydrous ammonia in the possession of sellers and end users in this state. In addition to any other practices included, the AASSPs shall provide that both of the following, either separately or in combination as the commission determines advisable, constitute safe and secure storage practices for anhydrous ammonia:

(a) Storage in a tank that is properly equipped with a functioning tank or valve lock that is used at all times except when the seller or end user is taking anhydrous ammonia from the tank or filling the tank.

(b) Storage with a substance added to the anhydrous ammonia that is or that contains a dye that will, on release from the container that holds the anhydrous ammonia, stain objects that it comes in contact with, including skin and clothing, in a highly visible manner.

(2) In establishing the AASSPs, the commission shall give due consideration to available department of agriculture information and written recommendations from the Michigan state university college of agriculture and natural resources extension, the department of state police, local law enforcement agencies, anhydrous ammonia manufacturers, retailers, and end users, and other professional and industry organizations.

History: 2006, Act 417, Imd. Eff. Sept. 29, 2006

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