



**Tennessee County
Highway Officials
Association**

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Working to make county roads better and safer

December 6, 2011

Mr. Tom Myers
MSMA Product Manager
Pesticide Re-Evaluation Division (7508P)
U.S. Environmental Protection Division
1200 Pennsylvania Avenue, NW
Washington, DC 20460

RE: Re-registration of MSMA Herbicide for Uses on County Highway Rights-of-Way

Dear Mr. Meyers:

The Tennessee County Highway Officials Association is a statewide organization representing the transportation interests and concerns of the 95 elected and appointed chief administrative officers of Tennessee county highway departments. The chief administrative officer of the county highway department includes public works directors, administrators of highway and bridges, highway or road superintendents, highway commissioners, highway supervisors and highway engineers. Of the 89,000 mile of highways in Tennessee, county highway officials are responsible for managing and maintaining 64% or 57,000 miles. Tennessee county highway officials own and are responsible for the construction and maintenance of 9,345 bridges. Rights-of-way vegetation control is a major part of our highway maintenance program. With the ever increasing cost of road maintenance products coupled with declining highway revenues the loss of just one cost saving product is of major concern to Tennessee county highway officials.

If the U.S. Environmental Protection Agency prohibits the use of MSMA herbicides for roadside vegetation control that action will eliminate one of our roadside maintenance cost cutting programs. Just another federal unfunded mandate on local governments! Several county highway departments in Tennessee are currently making application of MSMA or procure these services through private contractors who have been using MSMA safely and effectively for many years. Without question, the loss of MSMA for use on county rights-of-way will increase our operating cost! Sight distance on Tennessee county rural roads is a major safety issue. If MSMA herbicides are removed from service then we must revert back to mowing county rights-of-way which is extremely expensive and a dangerous operation for both the operators of the equipment and the motoring public. The slow moving mowers often cause vehicles to stack up behind the mowers creating an unsafe environment for motorists to improperly pass which creates an additional safety concern plus potential county liability.

As a real world example I contacted Mr. Greg McCarley who has served for 12 years as the Haywood County Highway Superintendent to determine how the loss of MSMA in his vegetation control program would financially affect his operation. Haywood County, Tennessee is a typical rural county in West

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Tennessee with a population of approximately 20,000; 542 miles of county rural roads; and 109 bridges owned and maintained by Haywood County. Superintendent McCarley provided this description of his operation; "For many years our department depended totally on mowing our rights-of-way for vegetation control. A few years ago we began using an integrated system of reduced mowing by adding herbicide applications utilizing two summer applications of MSMA. Our costs for applying two MSMA herbicide application is \$155,000 per year. Reverting back to a mowing only program could increase our overall program costs by \$400,000 per year. Simply put, our expenses would more than double. Loss of appropriate herbicide application for highway vegetation management will increase costs for budget-strapped highway departments in several ways, such as increased labor costs, wear and tear on mowing equipment, and increasing fuel costs. In addition, it will result in additional greenhouse gas emissions since it will necessitate more frequent mowing."

The Tennessee County Highway Officials Association strongly urges EPA to continue allowing MSMA to be used for rights-of-way vegetation control. Tennessee county highway officials are charged with providing a properly maintained safe road system for our citizens and limiting product options like MSMA reduces our financial ability to achieve that goal.

Sincerely,

A handwritten signature in cursive script that reads "J. Rodney Carmical". The signature is written in black ink and is positioned above the typed name.

J. Rodney Carmical, Executive Director
TN County Highway Officials Association