

Ag Nutrient Management Laws in CBC States

	Statute	Regulations	Administrative Agency	Operations Included	Compliance Process
PA	Act 38 of 2005 Amended Act 6 of 1993	25 PA. Code Chapter 83	State Conservation Commission or Delegated Conservation District	“Concentrated Animal Operations” (CAOs) (2 animal units/acre available for manure application; 1 animal unit = 1,000 lbs live weight)	- Nutrient Management Plan (NMP) written by certified planner - Approval by SCC or delegated conservation district at public meeting - Annual inspection - Review every 3 years or before if “significant change” in operation.
	Clean Streams Law 35 P.S. §691 et seq. (Act 394 of 1937 amended)	25 Pa. Code Chapter 92a	DEP	“Concentrated Animal Feeding Operations” (CAFOs) (CAO with greater than 300 animal units, any ag operation with greater than 1,000 animal units, or any “large CAFO” under 40 CFR 122.23(b)(4))	- NPDES permit including an Act 38 NMP - Annual NMP inspection
		25 Pa. Code Chapter 91		Any farm that land applies manure and is not otherwise a CAO or CAFO	Written Manure Management Plan (MMP) per Manure Management Manual; reviewed annually
	Act 49 of 2004 3 P.S. §2010.1 et seq.	7 Pa. Code Chapter 130e	State Conservation Commission	Commercial Manure Haulers & Brokers	- Initial certification plus continuing ed - Apply per NMP, MMP or balance sheet - Recordkeeping requirements
MD	Agriculture Code §8-801 (program enacted 1998)	Md. Code of Regulations §§15.20.04-08	MDA	- All farmers grossing \$2,500 a year or more - livestock producers with 8,000 pounds or more of live animal weight	- NMP written by certified consultant or certified farmer - Initial plan submitted to MDA - Recordkeeping subject to audit; annual report - Update as needed every 3 years or before if “significant change” in operation.
				Any farmer applying nutrients to more than 10 acres	Must be certified or have continuing ed every 3 years.
VA	Code of Virginia §§ 10.1-104.2 and 104.2:1 (program enacted 1994)	4VAC50-85	DCR – training & certification, basic plan content DEQ – when incorporated into regulatory programs	“Voluntary” for all farms, except when required by a regulatory or financial assistance program, including: Va. Pollution Abatement Permits (300+ animal units) Poultry Waste Mgt. Permits (200+ animal units) VPDES Permits (“CAFOs” >1000 animal units) Land Application of Sewage Sludge Nutrient Application to State-Owned Land Chesapeake Bay Preservation Act (“Resource Protection Areas” in 31 tidewater counties) - Ag BMP Cost-Share and Tax Credit Programs - When required for a Resource Management Plan	- Planner certification - Recordkeeping requirements - Inspection authority - Additional requirements specific to regulatory programs, such as: - Farmer recordkeeping - Manure storage standards - Submission of updates within two weeks