

HOUSE BILL 395

M3, M4

9lr1415

By: **Delegates Hubbard, Frush, and Ross**
Introduced and read first time: February 2, 2009
Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Environment – Ammonia Emissions from Animal Waste on Poultry Farms –**
3 **Reporting**

4 FOR the purpose of requiring certain facilities to submit certain reports that include
5 certain information; requiring certain reports to be made to the Department of
6 the Environment at certain intervals; requiring certain reports submitted to the
7 Department be made available to the public; providing for alternative methods
8 of submitting certain reports; defining certain terms; and generally relating to
9 reporting of ammonia emissions from animal waste on poultry farms.

10 BY adding to

11 Article – Environment

12 Section 2–10A–01 and 2–10A–02 to be under the new subtitle “Subtitle 10A.
13 Ammonia Emission Reporting”

14 Annotated Code of Maryland

15 (2007 Replacement Volume and 2008 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article – Environment**

19 **SUBTITLE 10A. AMMONIA EMISSION REPORTING.**

20 **2–10A–01.**

21 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
22 INDICATED.

23 (B) “ANIMAL WASTE” INCLUDES:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (1) **MANURE;**
2 (2) **FECES;**
3 (3) **URINE;**
4 (4) **DIGESTIVE EMISSIONS; AND**
5 (5) **UREA.**

6 (C) **“POULTRY” INCLUDES:**

- 7 (1) **LAYING HENS;**
8 (2) **BROILERS;**
9 (3) **CHICKENS;**
10 (4) **TURKEYS; AND**
11 (5) **DUCKS.**

12 (D) **“POULTRY FARM” MEANS A FACILITY THAT PRODUCES AND SELLS**
13 **\$1,000 OR MORE OF POULTRY PRODUCTS OR SHELL EGGS DURING A YEAR.**

14 **2-10A-02.**

15 (A) (1) **A POULTRY FARM SHALL REPORT AMMONIA EMISSIONS FROM**
16 **ANIMAL WASTE TO THE DEPARTMENT EVERY 6 MONTHS.**

17 (2) **A POULTRY FARM SHALL COMPLY WITH THE REPORTING**
18 **REQUIREMENT IN PARAGRAPH (1) OF THIS SUBSECTION BY SUBMITTING A**
19 **REPORT THAT INCLUDES:**

20 (I) **1. THE DAILY AVERAGE AMMONIA EMISSIONS FROM**
21 **ANIMAL WASTE FOR THE PRECEDING 6 MONTHS; OR**

22 **2. THE DAILY AVERAGE NUMBER OF POULTRY AT**
23 **THE POULTRY FARM FOR THE PRECEDING 6 MONTHS;**

24 **(II) THE ADDRESS OF THE POULTRY FARM; AND**

1 **(III) ANY OTHER INFORMATION RELATING TO AMMONIA**
2 **EMISSIONS FROM POULTRY ANIMAL WASTE THAT THE SECRETARY REQUIRES.**

3 **(B) THE REPORTING REQUIREMENT SET FORTH IN SUBSECTION (A) OF**
4 **THIS SECTION MAY BE SATISFIED BY PROVIDING THE DEPARTMENT WITH A**
5 **COPY OF ANY REPORT SUBMITTED TO A FEDERAL OR LOCAL INSTRUMENTALITY**
6 **THAT PROVIDES THE INFORMATION REQUIRED UNDER SUBSECTION (A) OF THIS**
7 **SECTION.**

8 **(C) THE DEPARTMENT SHALL MAKE REPORTS SUBMITTED UNDER**
9 **SUBSECTION (A) OF THIS SECTION AVAILABLE TO THE PUBLIC.**

10 **(D) THIS SECTION DOES NOT RELIEVE ANY POULTRY FACILITY FROM**
11 **ANY REQUIREMENT UNDER THE FEDERAL EMERGENCY PLANNING AND**
12 **COMMUNITY RIGHT-TO-KNOW ACT, OR UNDER ANY LOCAL ORDINANCE TO**
13 **REPORT TO INSTRUMENTALITIES OF FEDERAL OR LOCAL GOVERNMENT.**

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2009.