

# HOUSE BILL 412

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HB 24/11 – ENV

2lr2300

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By: **Delegate O'Donnell**

Introduced and read first time: February 1, 2012

Assigned to: Environmental Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Agriculture – Sewage Sludge – Timing of Winter Application**

3 FOR the purpose of requiring the Department of Agriculture to adopt regulations  
4 establishing criteria for the timing of the winter application of sewage sludge  
5 that are the same as or substantially similar to the criteria adopted for the  
6 timing of the winter application of animal manure; providing for a delayed  
7 effective date; and generally relating to the timing of the winter application of  
8 sewage sludge.

9 BY repealing and reenacting, without amendments,  
10 Article – Agriculture  
11 Section 8–803.1(e) and (f)  
12 Annotated Code of Maryland  
13 (2007 Replacement Volume and 2011 Supplement)

14 BY repealing and reenacting, with amendments,  
15 Article – Agriculture  
16 Section 8–804(b)  
17 Annotated Code of Maryland  
18 (2007 Replacement Volume and 2011 Supplement)

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

21 **Article – Agriculture**

22 8–803.1.

23 (e) (1) By December 31, 2001, a person who, in operating a farm, uses  
24 chemical fertilizer, shall have a nutrient management plan for nitrogen and  
25 phosphorus that meets the requirements of this subtitle.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (2) (i) By December 31, 2001, a person who, in operating a farm,  
2 uses sludge or animal manure, shall have a nutrient management plan for nitrogen.

3                   (ii) By July 1, 2004, a person who, in operating a farm, uses  
4 sludge or animal manure, shall have a nutrient management plan for nitrogen and  
5 phosphorus.

6           (f) (1) By December 31, 2002, a person who, in operating a farm, uses  
7 chemical fertilizer, shall comply with a nutrient management plan for nitrogen and  
8 phosphorus that meets the requirements of this subtitle.

9           (2) (i) By December 31, 2002, a person who, in operating a farm,  
10 uses sludge or animal manure, shall comply with a nutrient management plan for  
11 nitrogen that meets the requirements of this subtitle.

12                   (ii) By July 1, 2005, a person who, in operating a farm, uses  
13 sludge or animal manure, shall comply with a nutrient management plan for nitrogen  
14 and phosphorus that meets the requirements of this subtitle.

15 8-804.

16           (b) (1) In consultation with the Nutrient Management Advisory  
17 Committee, the Department shall by regulation:

18                   [(1)] (I) Prescribe the criteria, form, and content for certified  
19 nutrient management plans applicable to licensees and certificate holders;

20                   [(2)] (II) Establish continuing education requirements for certified  
21 nutrient management consultants and persons receiving vouchers of completion under  
22 § 8-803.3 of this subtitle; and

23                   [(3)] (III) Adopt guidelines and requirements for licensees and  
24 certified nutrient management consultants on record keeping and on reporting  
25 requirements to the Department on nutrient management plans.

26           (2) **REGULATIONS ADOPTED BY THE DEPARTMENT UNDER THIS**  
27 **SUBSECTION SHALL ESTABLISH CRITERIA FOR THE TIMING OF THE WINTER**  
28 **APPLICATION OF SEWAGE SLUDGE THAT ARE THE SAME AS OR SUBSTANTIALLY**  
29 **SIMILAR TO THE CRITERIA ADOPTED FOR THE TIMING OF THE WINTER**  
30 **APPLICATION OF ANIMAL MANURE.**

31           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
32 July 1, 2015.