

HOUSE BILL 412

M4
HB 24/11 – ENV

2lr2300

By: **Delegate O'Donnell**

Introduced and read first time: February 1, 2012

Assigned to: Environmental Matters

Committee Report: Favorable

House action: Adopted

Read second time: February 28, 2012

CHAPTER _____

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**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 8-803.1.

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

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

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

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

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

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

19 8-804.

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

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

24 [(2)] (II) Establish continuing education requirements for certified
25 nutrient management consultants and persons receiving vouchers of completion under
26 § 8-803.3 of this subtitle; and

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

30 (2) REGULATIONS ADOPTED BY THE DEPARTMENT UNDER THIS
31 SUBSECTION SHALL ESTABLISH CRITERIA FOR THE TIMING OF THE WINTER
32 APPLICATION OF SEWAGE SLUDGE THAT ARE THE SAME AS OR SUBSTANTIALLY

1 SIMILAR TO THE CRITERIA ADOPTED FOR THE TIMING OF THE WINTER
2 APPLICATION OF ANIMAL MANURE.

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.