

# HOUSE BILL 24

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HB 813/10 – ENV

11r0813

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By: **Delegate O'Donnell**

Introduced and read first time: January 13, 2011

Assigned to: Environmental Matters

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 3, 2011

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## 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 2010 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 2010 Supplement)

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

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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 **Article – Agriculture**

2 8–803.1.

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

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

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

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

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

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

20 8–804.

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

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

25 **[(2)] (II)** Establish continuing education requirements for certified  
26 nutrient management consultants and persons receiving vouchers of completion under  
27 § 8–803.3 of this subtitle; and

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

31 **(2) REGULATIONS ADOPTED BY THE DEPARTMENT UNDER THIS**  
32 **SUBSECTION SHALL ESTABLISH CRITERIA FOR THE TIMING OF THE WINTER**  
33 **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 ~~October 1, 2011~~ July 1, 2014.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.