



## Spreader Calibration

Planned manure application rates listed in nutrient or manure management plans should correlate with *actual* application rates. Calibrating the manure spreader:

- is the only way to know actual manure application rates.
- ensures manure application rates are realistic, practical and attainable.

Refer to the “Manure Sampling and Spreader Calibration In Pennsylvania” brochure for additional details.

Contact your local Conservation District, USDA Natural Resources Conservation Service (NRCS), or private consultant for more information or assistance.

## Record Keeping

Having a Nutrient Management or Manure Management Plan written and implemented is the first step. Equally important is keeping the required records. Record all manure applications—when, where spread, how much, what rate, etc. This is information that you can use to improve your operation. It is also a reminder of what was applied. Retaining records provides liability protection. Make sure to record the details before you forget.



# The Time is Now



## Pennsylvania's Agricultural Compliance Action Plan

August 2017



## Background

Water quality in Pennsylvania must be restored and protected. Our local streams, rivers and lakes provide drinking water to Pennsylvanians. They also provide recreation and wildlife and aquatic habitat. Since our local waters flow into larger water bodies, Pennsylvania is partnering with surrounding states to achieve significant, measurable water quality improvements in regional water resources such as the Chesapeake Bay. Since 1985,

Pennsylvania has invested \$4 billion toward local water quality improvements which support Chesapeake Bay restoration efforts. The investment has resulted in improved local water quality as well as in the Bay, but there is much more that must be done in Pennsylvania to provide clean water locally and regionally. Computer models show that Pennsylvania is doing well in addressing phosphorus loadings to the Bay; however, Pennsylvania needs to take additional steps to address local and regional nitrogen and sediment reduction goals.

Pennsylvania's wastewater treatment plants have achieved their required pollutant reduction goals. Agriculture still has a considerable way to go in meeting pollution reduction goals. Agriculture is the main player for reducing nutrients and sediments to streams. Agriculture has contributed to the water improvement efforts, but many of these efforts have not been reported, to give credit towards meeting these agricultural reduction goals. Even with previously uncounted efforts recently being counted, there is still much more that needs to be done by all of agriculture as well as the residential/urban stormwater sector.



## Agricultural Sector

Are you a farmer or do you own farmland in Pennsylvania? Do you own or manage livestock or poultry? Are you a certified Commercial Manure Hauler or Broker in Pennsylvania? If so, there are laws requiring written plans that all farmers must have and must implement. The plans protect water quality and farm productivity and sustainability using agronomically sound practices.

Many farmers have the required plans written AND implemented. Some farmers are currently contracting with a certified planner to get these plans written. Unfortunately, there are farmers who still have not taken any action to develop and implement the required plans. You have probably heard that the federal, state or local government is doing inspections at farms to check for plan compliance. That sounds scary, but it is necessary to ensure proper water quality protection is taking place and to credit the farming industry for the good work it is doing. What level of government performs your inspection(s) depends



on what county you are in. Many will be performed by local County Conservation District employees. Others will be conducted by state or federal government employees. If you have the required plans, if the plans are implemented, and if you are keeping the proper manure application records, the inspections should be very easy and quick. Your good work will

be credited towards the agricultural industry's efforts to improve water quality. If you do not have the required items, the state or federal government will impose a short timeframe for getting the plans written. Plans will be reviewed upon completion to ensure they are administratively complete. The inspector will follow up at the end of that timeframe to see if your plan(s) are written.



***“If you do not have the required items, the state or federal government will impose a short timeframe for getting the plans written.”***

### Topics discussed/observed during an inspection:

- Do you have an up to date manure or nutrient management plan? The inspector will need to see it.
- Do you have an up to date conservation or erosion and sedimentation control plan? The inspector will need to see it.
- Review and verification of implementation status.
- Non-cost shared BMPs being implemented.
- Record any observed pollution incidents into waters of the Commonwealth.



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## What's with all these new regulations?

Actually, the regulations are NOT new. The Pennsylvania Clean Streams Law which requires written Conservation Plans is almost 45 years old! Some farmers have been in compliance with this regulation for decades. The Manure Management Plan requirements have been in place since 1985. Pennsylvania's Commercial Manure Hauler and Broker Certification Program took effect in 2006 and regulates commercial spreading and transporting of manure. The enforcement of these longstanding agricultural regulations is designed to protect water quality, ensure continued farm productivity, and minimize the need for additional laws and regulations being enacted.



## I'm a Manure Broker or a Manure Hauler. I'm not a farmer.



*Why does this apply to me?*

Custom manure brokers, haulers and applicators are hired by many farmers throughout the state. As their service providers, you are on the "front lines" with farmers, and you need to be providing them with the correct information about requirements and supporting their efforts to comply. Glossing over regulatory requirements does not help a farmer. Farmers need to trust that their service providers are telling them the whole story. Information relating to these requirements was provided in your Commercial Manure Hauler and Broker Certification training materials. For more information on what farmers need to know, contact your local County Conservation District or DEP regional office. Additional information can be found in the "PA's Manure Haulers and Brokers are Key" brochure.



## Why is EPA taking actions?

Failure by the PA ag industry to meet established water quality improvement goals may trigger further "backstop" actions by the federal Environmental Protection Agency (EPA) for Pennsylvania's agricultural and urban runoff sector. EPA's backstop measures could include, but are not limited to:

- requiring federal EPA permits on additional farms
- disapproval of future ag CAFO permit applications
- reduction of federal grant funds provided to farmers
- increased EPA enforcement



### "Backstop" definition:

- an emergency precaution or last resort (oxforddictionaries.com)

**i.e.:** EPA increasing regulatory requirements and oversight on CAFO's and other permitted facilities



Are you a Concentrated Animal Operation (CAO) or a Concentrated Animal Feeding Operation (CAFO)? Are you exporting manure? Is someone transporting the manure for you? If you answered yes to the previous questions, you must use a commercial certified manure hauler or broker.

Are you a non-CAO or non-CAFO and you hire someone to transport your manure? If yes, then it is in your best interest to use a certified hauler or broker. Certified professionals should know how to handle the manure to protect the exporter and importer from possible environmental and liability issues.



## What Are the Current Compliance Requirements?

**Step 1:** Have an up-to-date written Conservation Plan or Ag Erosion & Sedimentation Control Plan.\*

### AND

If you produce or use manure, have an up-to-date written Manure Management Plan or Nutrient Management Plan, depending on your animal density.

**Step 2:** Take action and make sure that what is written in your plans is on the ground, in place and in working order on your farm according to the schedule included in your plans.

**Step 3:** Keep accurate written records of all manure application, soil tests and manure test results.

*\* Required when plowing/tilling land, including no-till. Also required for bare Animal Heavy Use Areas (AHUA) ≥ 5,000 sq. ft.*



### "Implemented" definition:

- to put into effect according to or by means of a definite plan or procedure (dictionary.com)
- to fulfill; perform; carry out (dictionary.com)



*Technical assistance for BMP design and installation may be available through your local County Conservation District, NRCS office or private consultants.*

### Best Management Practices (BMPs) definition:

- Activities, facilities, measures, planning or procedures used to minimize accelerated erosion and sedimentation and manage stormwater (Ch. 102 Pennsylvania Code)
- Structural or non-structural
- Conservation practices to protect water quality and provide for long term farm sustainability.

#### Non-structural



#### Structural



## Questions to ask yourself:



- Do I have a Conservation Plan (or an Ag Erosion and Sedimentation (E&S) plan)? Is it up to date and available for review?
  - If not, who can help me develop the plan?
- Do I have a Manure Management Plan? Is it up to date and available for review?
  - If not, do I want to write this myself, or contact a professional?
- In my plans, are there any scheduled Best Management Practices (BMPs)? Have I implemented all of them?
  - If the BMPs are not all implemented, how quickly am I planning to construct or install the BMPs?
- If I don't have any plans, what should I do?

**To help answer any of these questions, call (without delay) a private consultant, your County Conservation District, DEP regional office, or local NRCS office. These professionals can help you decide how to proceed with developing or updating your plan(s).**

