





ANRC

*Nutrient
Management*

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In 2003 the Arkansas 84th General Assembly passed 3 laws effecting the way Arkansas manages and applies nutrients

ACT 1059: Soil Nutrient Management Planner and Applicator Certification Act.

ACT 1060: Registry of Poultry Feeding Operations.

ACT 1061: Requires Proper Application of Nutrients and Utilization of Poultry Litter in Nutrient Surplus Areas.



Rules and Regulations

- Arkansas Natural Resources Commission (ANRC) was delegated the authority to implement the program and develop rules and regulations that would carry out these laws.

- From these 3 laws ANRC developed 4 Titles:

— Title 19

— Title 20

— Title 21

— Title 22



TITLES

- TITLE 19: Poultry Feeding Operations Registration.
- TITLE 20: Nutrient Management Planner Certification Program.
- TITLE 21: Nutrient Management Applicator Certification Program.
- TITLE 22: Soil Nutrient and Poultry Litter Application and Management Program.



Title 19

Poultry Registration

- ☀ Poultry Feeding Operations with 2500 or more birds must register annually with their local conservation district.
- ☀ Registration period will be January 1 to March 31.
- ☀ \$10.00 Annual fee.



Poultry Producers Will Report

- ✦ # Of birds
 - ✦ Location
 - ✦ Address
 - ✦ Waste system
 - ✦ Litter management
 - ✦ Carcass disposal
 - ✦ Acres owned or leased
 - ✦ Litter produced
 - ✦ Litter removed
 - ✦ Litter transferred
 - ✦ Application practice
 - ✦ Integrator
- ✦ If the producer exceeds the threshold for CAFO; he will fill out the NOI and the district will forward it to ADEQ



Title 20

Certification of Nutrient Planners

- ± Planners develop plans for the application of commercial fertilizers and poultry litter.
- ± Must be Certified to write a Plan.
- ± Potential Planners must attend a training course and pass a written exam.
- ± Keep Records
- ± Fees: \$100.00 for Certification and Recertification (Good for 5 years).
- ± \$25.00 for exam.



Title 21

Certification of Nutrient Applicators

- E Any Person applying Nutrients within the Nutrient Surplus Area (NSA) to the soil must be Certified.
- E Commercial Applicators (contracts). \$60 Certification, Recertification fee and a \$25 exam fee.
- E Private Applicators (more than 2.5 acres) \$30 Certification and Recertification fee.
- E All applicators must keep records.
- E Permits are good for 5 years.



Title 22

Soil Nutrient and Poultry Litter Application and Management Program

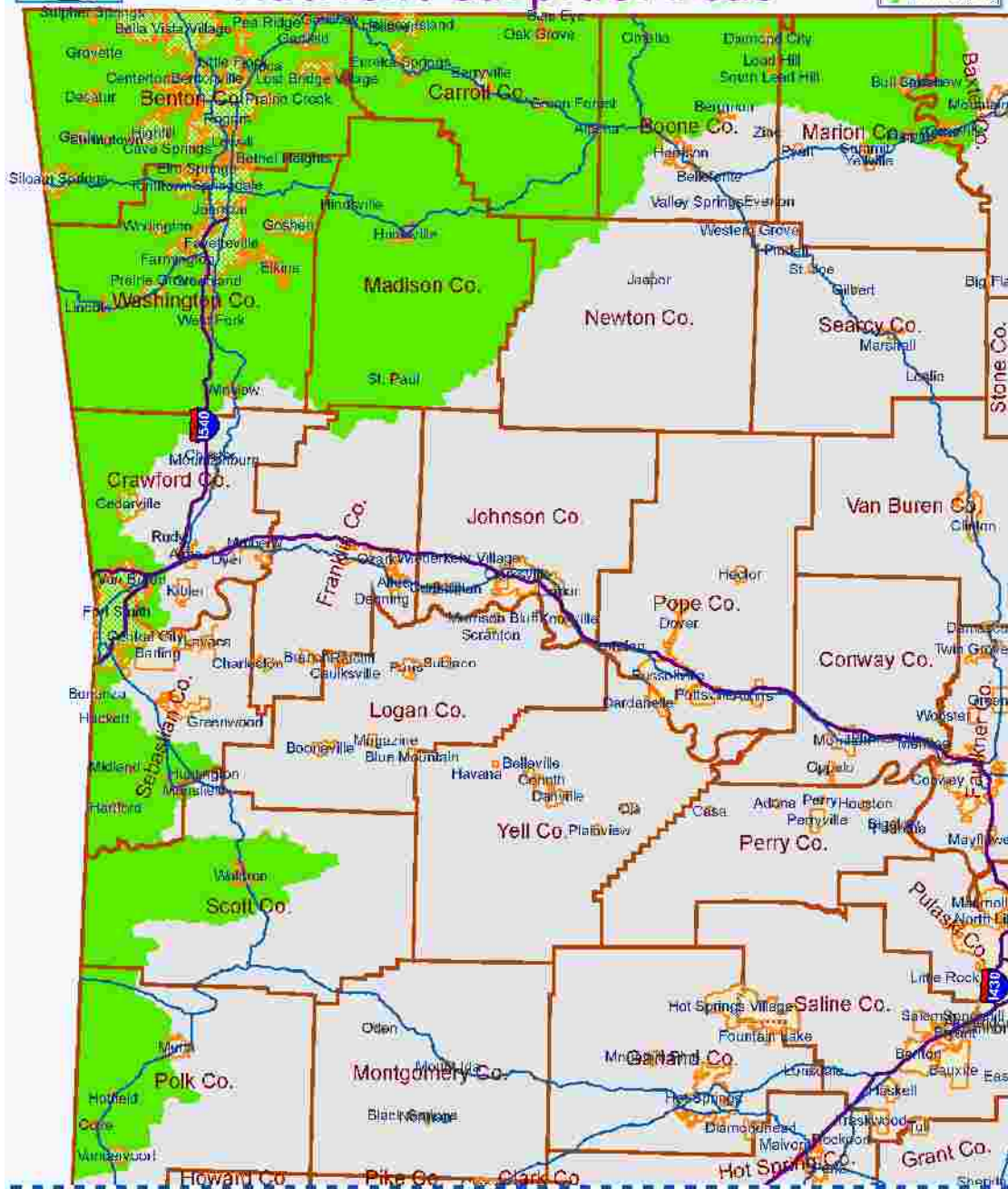
__ 22 Declares the NSA.

The Nutrient Surplus Area or NSA is defined as a geographic area which has been determined to be an area in which the soil concentration of one or more Nutrients is so high or the physical characteristics of the soil area is such that continued application of the Nutrients to the soil could negatively impact soil fertility and the Waters Within the State.





ASWCC Nutrient Surplus Areas



New NSA

1. Polk
2. Scott
3. Sebastian
4. Crawford
5. Franklin
6. Washington
7. Benton
8. Madison
9. Newton
10. Carroll
11. Boone
12. Marion
13. Baxter



Factors For Determining the NSA

- Level of Nutrients in the soil
- Potential impacts
- Litter produced and applied in the area
- Commercial fertilizer, compost and other Nutrients applied
- Nutrient needs
- Soil type, geology and hydrology
- Types of water bodies



Title 22 (CONTINUED)

- 22 Declares the NSA.
- Sets requirements for application:
Time, Place and Manner Restrictions
Protective Rate of application (and contains a set of protective rate tables)
- Sets requirements for nutrient management plans:
NMP
PLMP
- Gives the Commission the right to inspect.
- Administrative penalties.



Protective Rate

- Ê “Protective rate” refers to the maximum amount of a nutrient that may be applied and is determined by balancing proper crop nutrient usage against impact to state waters.
- Ê The Commission has developed a set of tables based on the phosphorus index of a soil sample that specify the protective rate for the nutrient surplus areas by using the agronomic rate or other rate.
- Ê The protective rate is a more restrictive rate than what is recommended in a nutrient management plan.



Requirements For The NSA

- ¶ Registration of all Poultry Feeding Operations with 2500 or more birds.
- ¶ Land owners with 2.5 or more acres must have a Nutrient Management Plan Developed by a Certified Nutrient Management Planner or apply at a protective rate.
- ¶ Nutrient Applications must be made by a Certified Nutrient Applicator or under the direction or control of a Certified Nutrient Applicator.
- ¶ Follow Practices in Title 22.



Enforcement

- Ê ANRC agents may enter private property to determine compliance (ANRC will notify landowner 72 hours prior to entry).
- Ê ANRC agents will document bio-security measures in a log book and will carry proof of bio-security certification.
- Ê Upon notice of disease outbreak from the Arkansas Livestock and Poultry Commission, inspections will be suspended.

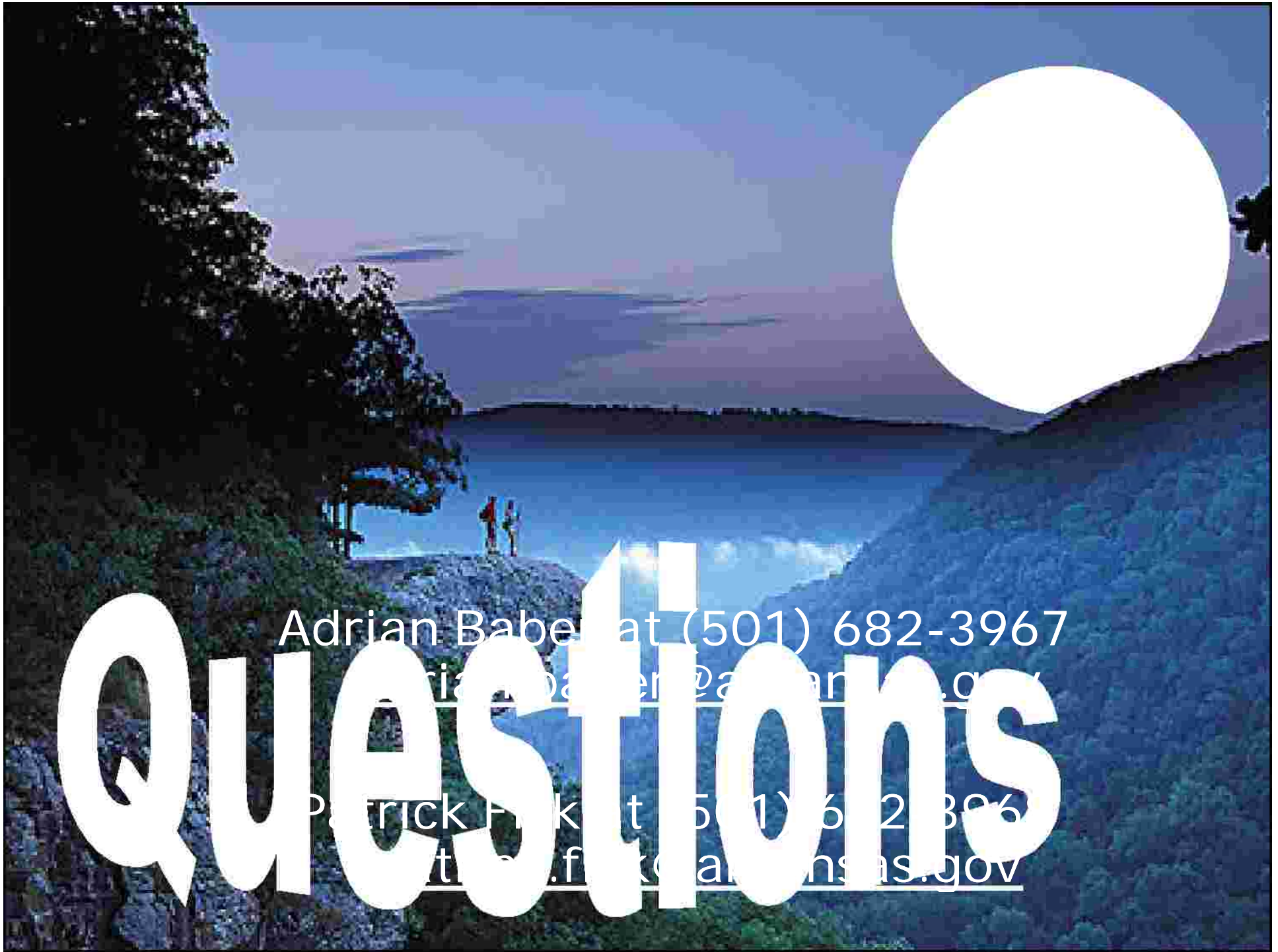


Not Public Information

Information about a specific poultry feeding operation, nutrient management plans or nutrient applicator will not be public record but . . .

summary information that prevents identification of individual poultry feeding operations, nutrient management plans or nutrient applications shall be public record.





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