**INSERT COUNTY LETTERHEAD**

***Letter 2.A***

*Date*

*Animal operator Name (husband and wife)*

*Address*

**Re: Requirement to Obtain an Approved Nutrient Management Plan**

Dear Mr. and Mrs. *Animal operator Name,*

According to our best information, your animal operation is defined as a Concentrated Animal Operation (CAO) under Act 38 of 2005, commonly referred to as Pennsylvania’s Nutrient and Odor Management Act. Since you fall under the CAO designation, you are obligated to follow the Act 38 regulations which require you to obtain and implement an approved Nutrient Management Plan (NMP). The Pennsylvania State Conservation Commission (Commission) administers this law; however, the Commission delegates certain authority and responsibility to the conservation district to help animal operators understand and comply with their legal obligations under this law.

Attached you will find a list of certified nutrient management planners to assist you in developing a NMP under this program. Please contact multiple planners to find the specialist that will best meet your needs in the timeframe provided. Once the specialist completes your plan, it must be submitted to the conservation district for review to ensure it meets all program criteria. Once the NMP is approved, you will be obligated to implement the provisions of that NMP.

In order to meet the State Conservation Commission’s compliance timeline you will need to submit a NMP to our office for review (within 60 days) by *[Date1]*. We recommend that you contact a planner within the next 5 days in order to start the process recognizing the time it can take to develop a NMP. Please have your planner contact our office, within 30 days, so we can indicate to the Commission that you are proceeding with complying with the law.

In closing, please be aware that any violation of Act 38 subjects you to possible enforcement actions, such as fines and/or orders, as provided by the law. The *[District2]* wants to help you understand and meet the requirements under this law and we hope that our direction provided in this letter will assist you in complying so that you will not be subject to enforcement actions. If you have any questions relating to this obligation, please contact me at the conservation district office at *[Phone Number3]* so that I can provide whatever additional direction you may need. I look forward to working with you as you proceed to meet your obligations under this law.

Sincerely,

*NM Staff Person*

Enclosure: Commercial Nutrient Management Specialist list

cc: File

*Date1 = This date should be about 60 days from the date the letter is expected to reach the farmer*

*District2 = the name of your conservation district such as “Lebanon County Conservation District”*

*Phone Number3 = Your office phone number*