**SAMPLE**

**NMP ACKNOWLEDGEMENT LETTER FOR NMPS SUBMITTED AFTER MANURE IS APPLIED OR EXPORTED IN THE CROP YEAR**

Date \_\_\_\_\_\_\_\_\_\_\_

Operator Name

Farm Name (*if used in NMP*)

Operator address

Operator address

Dear Mr. / Mrs. / Ms. \_\_\_\_\_\_\_ , *[Operator’s Name]*

The *[Name1]* County Conservation District (\_\_CCD, or District *[Name1]*) received the proposed Nutrient Management Plan (NMP) on *[Date2]*, for your animal operation located at *[Address3]*. Your current approved NMP planned for crop year (s) *[Date4]* was approved on *[Date5],* and expired [Datex] without being formally amended or updated*.* This proposed [Date2] NMP submission was acknowledged by [Name1]as temporarily meeting your regulatory compliance under Act 38 of 2005 until September 30, [Year7] the end of the current crop year*.*

*[Name1]* has performed a technical review on this NMP and has determined that it meets program requirements outlined in the Pennsylvania Nutrient Management Technical Manual. ***This letter serves to acknowledge that the NMP*** **cannot be approved, but** ***has been accepted as a temporary measure and will be placed in your Nutrient Management Plan file.***

***Please note that this NMP was submitted after your current NMP [Date4] expired, and after which manure was applied or exported from your operation, both of which are a violations of Act 38. Therefore, this one-year NMP has been reviewed and acknowledged but cannot be officially approved. This acknowledgment of planning proficiency is tied to the approval of your NMP for Crop Years [XXX – XXX].***

Concentrated Animal Feeding Operations (CAFOs) have an additional obligation to make sure DEP has a copy of their most recent NMP (or any Yearly plan submissions or plan updates) on file with their CAFO permit. If you have not already done so, it is your responsibility to make sure a copy of this NMP is provided to the appropriate DEP regional office. ***[Paragraph not necessary for non-CAFO NMPs]***

***To remain in compliance with*** Act 38, you must continue to implement this plan and the crop year [XXX-XXX] NMP that was approved according to the specific **Nutrient Management Act Obligations** outlined in the approval letter dated (*Date11*). Please note that you will also need to ensure that a certified NMS completes a triennial plan review by (*Date9*). The limited liability provision of the Act is afforded only to those operators that are implementing their approved plan according to schedule and maintaining the required records.

In conclusion, you are legally obligated to follow all provisions of your approved Nutrient Management Plan. You cannot deviate from the practices outlined in the NMP without formally revising your approved Nutrient Management Plan though a Pennsylvania Certified Nutrient Management Specialist.

If you have any questions about this letter or your requirements under the Nutrient Management Program, please feel free to call me *[Name10]*, at (\_\_\_) \_\_\_-\_\_\_\_\_ and I will be glad to provide any additional assistance.

Sincerely,

*[Name10]*,

Title

Enclosures:

 Original plan approval letter

Sample record keeping forms

 Exported Manure Information Packet

cc: Author of plan

 Michael Aucoin, SCC *(if author is provisionally certified)*

DEP if Operation is a CAFO

*Name1 = Your conservation district name, first written out, then abbreviated thereafter (ex. Adams County Conservation District (ACCD))*

*Date2= Date this NMP was received by CD*

*Address3 = Site address (minus the state and zip code)*

*Date4= Crop year for which current NMP was planned (October, 20\_\_\_\_\_\_ - September, 20\_\_\_\_\_)*

*Date5= Date your BOD took action on the current approved NMP*

*Date6= Crop year planned under this NMP*

*Date7 = Date this acknowledged NMP will expire, which would be September 30th of the crop year the plans was submitted late.*

*Date9=Date will be the same as Date7*

*Name10= Preferably this would be the reviewer of record. However, it could also be a district manager, or board chairman.*

*Date11= Date of original plan approval letter*

*\*Make sure to include enclosures*