

# **Act 38 Nutrient Management Program and Chapter 91 Manure Management Manual**

---

## **Administrative Manual Proposed Version 5.0**

NM/MM Administrative Trainings  
Fall 2019

# History – Administrative Manual

---

- The current version (Version 4.0) of the Adm Manual was released in October 2017.
- In August 2018, SCC staff held an open comment period for users of the Adm Manual to submit comments and suggestions for revisions to the Tech Manual.
- SCC staff received a total of 53 comments / suggestions.
- SCC staff reviewed the comments / suggestions and deemed that 24 comments / suggestions had merit.



# Proposed Changes Manual Cover Page

---

- Updated Version #

# Proposed Changes

## Preface

---

- No Change



# Proposed Changes Introduction

---

- No Change

# Proposed Changes Table of Contents

---

- Updated with changes discussed later



# **Proposed Changes**

## **Chapter 1 – General Act 38 and Manure Management Manual Program Information**

---

- No Changes

# Proposed Changes

## Chapter 2 – General Program Duties

---

- Updated guidance on record keeping for CAO calculations performed by a CD
  - District staff will maintain documentation of their assistance in the operations file in the event that issues of concern arise. This could include Con-6 notes or preliminary CAO calculations completed on Penn State Extension's Ag Facts 54.
- Updated Pa Bulletin NMP submission guidance
  - Primarily re-advertising NMPs that have had significant changes due to technical review comments
- Updated guidance that if the NMP is deemed administratively incomplete, the entire NMP should be returned
- Updated record retention to add manure storage certifications
- Added PracticeKeeper as the repository for quarterly reporting



# Proposed Changes

## Chapter 3 – Program Operations

---

- Added guidance on plan review and version stamps
  - When a nutrient management plan (NMP) is submitted to the district, the plan must be date stamped upon receipt using the stamp provided by the SCC.
  - Each version of the plan should have an additional stamp placed on the cover page showing the date it was received.
  - The reviewing entity shall use the final form stamp, that is provided by the SCC, on the cover page.
- Clarified language that if a NMP is withdrawn from review, there is a 30 day period to resubmit but if close to the expiration date for CAO and CAFOs they could be subject to enforcement by the SCC and/or DEP for noncompliance.
- Added PracticeKeeper as the repository for quarterly reporting



# Proposed Changes

## Chapter 3 – Program Operations

---

- Updated the days for conducting on-site evaluations of waivers. It was always 20 days, but was listed as 30 days inadvertently in the current version
- Updated guidance that the facility loading and unloading area is designed to retain or divert from off-site migration of any spills of 3,000 gallons or less. It has always been 3,000 gallon was inadvertently listed as 6,000 gallons in the current version
- Added guidance that anytime a CD does a status review or inspection of a CAFO, the DEP regional office should be invited and copied on all correspondence



# Proposed Changes

## Chapter 3 – Program Operations

---

- Added that when CDs provide a list of NMS that they also provide the factsheet “Choosing a Nutrient Management Planner”

**Proposed Changes**  
**Chapter 4 – Act 38 Compliance Strategy and DEP**  
**County Conservation District Agricultural**  
**Compliant Response Policy**

---

- Updated language in several form letters
- Updated DEP Ag Inspection Form to current version



# Proposed Changes

## Chapter 5 - Appendices

---

- Updated Pa Bulletin Notification contact
- Updated program contacts

# **Proposed Changes**

## **Chapter 6 – Blank Forms / Sample Letters / Review Guidelines**

---

- New:
  - VAO Withdraw Acknowledgement Letter
  - Procedures for Changing Status Under Act 38 Letter
  - Letter Acknowledging NMPs Submitted After Manure Applied or Exported



# **Proposed Changes**

## **Chapter 6 – Blank Forms / Sample Letters / Review Guidelines**

---

- Updated:
  - Nutrient Management Act Program Withdrawal – CAO
  - Waiver Acknowledgment Letter
  - Plan Review Guidance
  - Nutrient Balance Sheet Receipt Acknowledgment letter
  - Plan Review Timeframe Extension Request
  - Sample Administrative Incomplete Review Letter
  - Plan approval Letter for CAOs
  - Record Keeping Forms
  - Quarterly Report Guidance

# Proposed Changes

## Chapter 7 – Record of Changes

---

- Incorporated previous record of change into the updated version



# Moving Forward

---

- Manual became effective October 2019 and was posted to the program website in September 2019

Questions ?

---