

Guidelines for Application of Soil Conditioners, Soil Amendments, Waste Materials or Effluent on Agricultural Land

(Summary of Existing Guidelines)

The Maryland Department of Agriculture (“MDA”) administers programs concerning the registration, labeling and application of commercial fertilizers, organic nutrients, organic wastes, soil conditioners and soil amendments. The Maryland Department of Environment (“MDE”) has developed standards and issues discharge permits for, and oversees the safe permissible uses of, solid and liquid byproducts, including those with heavy metals, trace elements, and other pre-application treatment requirements, for various land treatment and water reuse systems.

The purpose of this summary is to provide guidance to certified consultants, agricultural operators, applicators, and agency staff when planning to use soil conditioners, soil amendments, and waste material or effluent on agricultural land. This document explains the requirements for the planned application of these materials, including the requisite laboratory analysis of, and record keeping and reporting requirements for any soil amendment, conditioner or any waste materials not already regulated under State law. Because MDA’s State Chemist Section regulates the labeling and distribution of fertilizers and liming materials, this document also provides a brief overview of existing laws and regulations governing this program.

STATE CHEMIST PRODUCT REGISTRATION AND LABELING REQUIREMENTS

Before sale or distribution, all commercially available nutrient products, such as fertilizer, intended for land application must be registered with the MDA State Chemist Section and labeled according to Maryland Commercial Fertilizer Law. Agriculture Article, §§6-201 *et seq.*

Fertilizers sold in bags, other containers, or in bulk must be properly labeled with weight, nutrient content, and any other identifying information.

Soil conditioner materials sold in bags, other containers, or in bulk must be properly labeled with weight and content, and any other identifying information.

All soil conditioners or amendments must be registered with MDA’s State Chemist Section.

On a case by case basis, the State Chemist Section may require laboratory tests and other information for evaluation or review to determine the efficacy and safety of the material. Contact the State Chemist Section for more information.

MARYLAND DEPARTMENT OF ENVIRONMENT REQUIREMENTS

Generators, distributors, and applicators shall follow MDE standards and requirements as specified in discharge permits, to ensure the safe permissible uses of solid or liquid byproducts. Distributors and applicators shall keep records of the laboratory analysis and application of the byproducts, and make timely reporting requirements.

NUTRIENT MANAGEMENT REQUIREMENTS

Provider, Distributor, Consultant, and Applicator Responsibilities

A generator or applicator of the byproducts shall provide all labeling information for soil amendments/conditioners and other materials applied to agricultural land, including laboratory test results for plant nutrients (total N, NH₄-N phosphorus and potassium) and organic matter to the farm operator or operator's certified consultant. The materials shall meet the State minimum pre-application treatment requirements. Consultants shall include all nutrient sources and soil conditioners with their respective mineralization rates in the operation's nutrient management plan. Application rates and restrictions must follow the nutrient management plan recommendations. Consultant recommendations shall be consistent with *Maryland Nutrient Management Manual*.

Labeling information for soil amendments/conditioners and other materials applied to agricultural land, including laboratory test results for plant nutrients (total N, NH₄-N phosphorus and potassium) and organic matter, must be provided to the operator as part of the nutrient management plan. All plan information including labeling shall be kept in both the consultant's and operator's records and made available to State agency staff for inspection.

Persons applying the material must be credentialed by MDA as a:

- Certified Nutrient Management Consultant or supervise an employee who does the application;
- Certified Farmer/Operator on one's own land only or supervise an employee's work; or
- Nutrient Applicator Voucher holder (on one's own land only).

Application rates must be in accordance with the nutrient management plan. Applicators shall keep records on applied materials including label information, test results, field application dates, material application rate (in tons per acre, or gallons per acre rates) and application rates of actual nitrogen, phosphate and potash applied (in pounds per acre). A copy of information about the applied materials and other such records, including consultant information (e.g., name, certificate & license number), must be provided to operator.

Farmer/Operator Responsibilities

The agricultural operator is responsible for having a current nutrient management plan that accounts for all nutrient sources, soil conditioners, and any other substances applied to the land. Operators shall:

- Update and adjust the current plan if this material was not included in it.
- Oversee and assure that all materials applied are based on nutrient management plan recommendations.
- Obtain all records from the applicator and keep them with other plan records required by regulations. The records should include:
 - Supplier or source name and address;
 - Material name, origin and composition;
 - Labeling information and laboratory analysis for plant nutrients (total N, NH₄-N phosphorus and potassium - *even if no nutrient claims are made*), organic matter, and pH;
 - Field specific application rates and the amount of material applied for crops specified in the plan for each field;
 - Material application rate (in tons per acre, or gallons per acre);
 - Application rates of actual nitrogen, phosphate and potash (in pounds per acre);
 - Application method and spreader calibration calculations; and,
 - Name, address and nutrient management certification number and license number of applicator.

Operators may contact MDA Nutrient Management Program for assistance with unlisted materials and requirements for application of soil conditioners/amendments.

Farmer/Operator Rights

Bulk fertilizers supplied to a farmer or operator must be accompanied by a statement that includes the appropriate net content declaration, the brand and grade, the guaranteed analysis, and the name and address of the manufacturer or registrant. This information will help the farmer or operator determine whether the material is acceptable for application on the farm in consultation with a certified nutrient management consultant.

Fertilizer sold in bags or other containers must be properly labeled with nutrient values and any other identifying information. These labels are on file and available for review at MDA's State Chemist Section.

Compliance with Maryland's nutrient management regulations regarding use of soil conditioners or amendments is ultimately the responsibility of the farmer or operator.

For more information or to report a possible violation of these regulations contact:

Maryland Department of Agriculture

Nutrient Management Program
50 Harry S Truman Pkwy Room 207
Annapolis, MD 21401
Phone 410-841-5959
Fax 410-841-5950; or

State Chemist Section
50 Harry S Truman Pkwy Room 511
Annapolis, MD 21401
Phone 410-841-2721
Fax 410-841-2740