



BILL NO.: Senate Bill 594

TITLE: Agriculture – Nutrient Management – Application of Nutrients

POSITION: **OPPOSE**

DATE: February 21, 2012

COMMITTEE: Education, Health, and Environmental Affairs

CONTACT: Leslie Knapp Jr.

The Maryland Association of Counties (MACo) **OPPOSES** Senate Bill 594. The bill is unnecessary and would impose significant costs for certain counties. SB 594 would require the Department of Agriculture (MDA) to adopt regulations that limit or prohibit the application of manure or biosolids (sewage sludge) during certain months. The bill would also prohibit the use of high-phosphorous fertilizer.

MACo's primary concern is with the restrictions on sewage sludge applications. The Department of the Environment already has regulations governing the application of sewage sludge, including a prohibition against spreading sludge on frozen ground. Additionally, MDA currently possesses the authority to adopt its own regulations relating to the timing and application of sewage sludge on agricultural land and in fact has been working with various stakeholder groups to promulgate such regulations. Thus, the bill is unneeded.

The bill's timing requirements are also unnecessarily prescriptive and would impose significant cost burdens for some counties, who would be forced to construct expensive storage facilities to store sewage sludge during certain time periods, even if application could be safely accomplished. As noted in the bill's fiscal note, the Washington Suburban Sanitary Commission advises it may be required to build storage facilities that cost several million dollars. The total cost to wastewater treatment plants is estimated at about \$72 million if the plants lack capacity to build onsite.

SB 594 is unnecessary as MDE already has regulations relating to the application of sewage sludge in place and MDA is drafting such regulations. Additionally, the bill's timing restrictions would require some counties to construct expensive storage facilities. Accordingly, MACo recommends the Committee issue an **UNFAVORABLE** report on SB 594.