

Nutrient Management Advisory Board

**Minutes of the
April 13, 2006 meeting**

Doug Goodlander called the April 13, 2006 meeting of the Nutrient Management Advisory Board to order at 1:05 PM in room 202 at the Pa Department of Agriculture Building in Harrisburg. Chairman Fiddler was running late, and called to ask Doug to start the meeting without him. Besides several staff and interested parties, the following Board members and Advisors were present:

Members:

Dr. John Fidler, Feed Industry Representative
William Achor, Egg Poultry Producer Representative
James Brubaker, Meat Poultry Producer Representative
Dr. Steve DeBroux, Academia Member
Gary Heim, Public Representative
Dr. Ken Kephart, Penn State University Representative
Bruce Lindsey, Hydrologist
Bernard Nissley, livestock Producer Representative
Joseph Middour, Dairy Producer Representative
Kelly O'Neill, Environmental Representative
Jon Stutzman, Fertilizer Industry Representative

Advisors:

Dr. Doug Beegle, Penn State University Agronomy Department
Dave Bingaman, PDA / BPI
Mike Lovegreen, Conservation District Representative, Bradford County
Tim Murphy, USDA / NRCS
Joel Myers, USDA / NRCS
Dr. Ann Swinker, Penn State University Dairy & Animal Science

1.) Welcome and Introductions:

Board members, followed by the audience, introduced themselves and stated who they were representing.

2.) Status Report and Board Discussion on Act-38 (Revised Nutrient Management Regulations: – Doug Goodlander (SCC))

Doug Shared that the Act-38 regulations are at step 9 of 10 on the regulation approval timeline. They are currently at the Attorney General's office. Doug asked the group for suggestions on how to get word out to farmers and the general public about the new regulations. Doug's thoughts are as follows:

- Use Public Meetings
- Suggested media coverage (publications, radio spots, display at Ag Progress Days)
- Suggested meetings with other ag organizations (NM Specialists, Manure Haulers, Conservation Districts, CAO and CAFO meetings)
- Update handout Fact Sheets, publications, PowerPoint presentations, NM web site

Much discussion followed regarding outreach efforts, including the following:

- Should consider media sources that farmers are likely to see such as: Lancaster Farming, American Agriculturalist, Country Folks, and other ag related publications;
- The general public should also be targeted. It is good to show the public that agriculture *is* regulated and cannot just do as they please;
- It was suggested that Act 38 could be the topic of Ag Progress Days' Legislative Informational Session this year.
- Good to have a "standard" power point presentation for districts to present at their local meetings.
- There will be a presentation at PSATS Spring meeting. The group also thought an article in PSATS magazine would be a good idea.
- Could include information in PSU "Ag Information Services".
- The standard presentation should address the difference between a CAO and CAFO right up front to help avoid confusion.
- It was suggested that we keep the focus on the "bigger picture, and not the details".

Doug Goodlander stated that the SCC is willing to go anywhere, anytime to do a presentation. Doug said the SCC will develop a standard power point presentation for CDs and others to use. It was suggested that it may be good to have a brief presentation, as well as another presentation that is a much more in depth, so as to tailor the presentation to the audience.

3.) Status Report on Act-49 (Manure Hauler and Broker Regulations)

– Johan Berger (PDA)

Johan Berger gave a brief update on the Manure Hauler and Broker Regulations (Act-49). PDA has received numerous comments and is currently evaluating them. Once all comments are evaluated, a regulation package will be developed and brought to the full NMAB (and SCC) for review.

So far, over 600 individuals have gotten provisionally certified. Approximately 200 (of the 600) are listed as hauler 1, and were not at the training sessions. Two training opportunities remain, and are scheduled for May 9th in Dauphin County, and May 11th in Centre County.

4.) Status Report on Alternative Manure Utilization and Treatment, and Request for Technical Staff – Bill Achor (NMAB)

Bill Achor updated the Board on the work of the Alternative Manure Utilization Committee. The Committee has met twice; once in person and once with a conference call. They are trying to focus on more than just energy (which is handed by others anyway). This group is currently in an “exploration” mode and has developed a draft concept and plan of action:

- Plan to meet Bi-monthly.
- Hoping nutrient trading will help their efforts
- One of the big questions for the committee is how to move manure from areas with a concentration of animals, to areas that are nutrient deficient.
- Committee recommends that the SCC hire/contract a full time technical staff person to assist this committee.

5.) Status Report on the Odor Management Regulations, and Recommendation of the Odor Management Committee to the Board – Karl Dymond (SCC)

Karl Dymond gave a power point presentation on the status of odor management regulations. His presentation explained who will be affected by the Odor Management Regulations, when an Odor Management Plan (OMP) would be needed, and what all would be in an OMP. Karl explained that the Odor Management regulations are currently at the stage of discussing draft concepts. At this point in time, possible completion date for these regulations will be late 2007.

Karl is looking to utilize the experience of others, such as the *Penn State Technical Group*, and the *Interagency Workgroup*. Karl is also looking for volunteers to serve on an *Odor Management Committee*.

Doug Goodlander asks Chairman Fiddler if he thinks the NMAB would like to form its own committee. Following some discussion, it was determined that Board members thought this was a good idea. Chairman Fiddler asks for volunteers to serve on this new committee. The following board members volunteered to serve on the NMAB’s Odor Management Committee:

- Joe Middour, Jim Brubaker, Ken Kephart, Bill Achor.
- Mark Bricker was suggested for this by Doug Goodlander. [Mark was not present for this meeting]

Johan Berger asked if these Odor Program *related* committees will all work together or will they work independently. Doug Goodlander responded by saying that the committees will

gather information, and use the NMAB as a filter to sort out the useful and pertinent information. The NMAB will then present the appropriate information to the SCC for their consideration in regulation development.

The question of setbacks for odor control was discussed. Will setbacks be based on something such as “no odors detected at specific distance from the operation, or property lines”? Karl responded by saying that he has no specific answers at this time but is researching how other states address setback regulations. Some go by distances, and some go by emissions. Karl also said that he does not envision an “odor detection or measurement regulation”, but instead possibly using a site index for assessing, sighting the facility, and BMPs to minimize odors. Bill Achor commented that the state of Iowa had been looking into odor setbacks and regulations, but saw no real benefit so they “backed off” on the issue.

Various questions and comments followed on the topic, including:

- Will OM be for housing only, or also for land application?
[Answer: housing and manure storages *only*]
- Who will handle the certification process for Odor Management Specialists?
[Answer: PDA (Johan Berger and Mike Aucoin)]
- Is a separate “plan” needed for OM, or could it be part of a NMP?
[Answer: not sure at this point]
- Karl took the time to announce, and invite all to the Odor Management Field Day, scheduled for May 10, 2006. Karl thought that many questions being asked would be addressed at that Field Day.

At this point in the meeting, Jim Brubaker put forth a proposal that the NMAB nominate Bill Achor to the federal Air Quality Task Force. This is a committee sponsored by the NRCS and EPA that is looking into agricultural air quality issues. Bill said he is interested in serving on the Task Force, and would glean information from this task force to be brought back to Pennsylvania, and the NMAB. The proposal to nominate Bill Achor to the Federal Air Quality Task Force was put in the form of a motion, seconded, and voted upon. The Board unanimously approved this motion.

6.) Approval of Last Meeting’s Minutes: - Chairman Fidler

The Board reviewed minutes from the previous meeting, held February 10, 2006. Chairman Fidler asked for a motion to accept the meeting minutes. After a motion was properly made and seconded, the Board unanimously approved the minutes from the February 10, 2006 NMAB meeting.

7.) Election of New Chairman and Vice Chairman – Nominating Committee

The board began discussing election of officers. Doug Goodlander commended Chairman Fidler for his six years of service on the board. Kelly O’Neill, Steve DeBroux, and Bobby

Jones comprised the nominating committee for officer elections. Kelly started by thanking John for his service as Chairman for the past three years.

Kelly then stated that the nominating committee would like to nominate Mark Bricker as Chairman and Bill Achor as Vice Chair. Kelly said that Mark Bricker has agreed to accept the nomination (*Mark was not present at this meeting*). The Board unanimously approved these nominations for the one-year term.

8.) Presentation of Award for Service to the Board: - Doug Goodlander

For the last item of business, John Fiddler stood in front of the group and thanked them for all of their patience and service during his six years on this board. Next, Doug Goodlander expressed *his* gratitude for John Fiddler serving on the board for six years, and his three years as chairman. Doug said that John led the board through some very tough times including dealing with Phosphorous regulations, how to deal with exported manure and how best to address horse operations. Doug then presented John with a token gift of the Board's appreciation for John's years of service.

9.) Adjournment:

The April 13, 2006 NMAB meeting was formally adjourned at 2:51 PM.