

Understanding the Requirements of the Delaware Nutrient Management Law

The Delaware Nutrient Management Law was passed in 1999 in response to continued water quality issues in Delaware. The purpose of the Delaware Nutrient Management Law is to:

- Establish a certification program that encourages the implementation of best management practices in the generation, handling and land application of nutrients
- Formulate nutrient management program that maintains agricultural profitability and improves water quality
- Establish a nutrient management planning program;
- Regulate those activities involving the generation and application of nutrients.

The Delaware Nutrient Management Law established the Delaware Nutrient Management Commission (DNMC), required individuals to become nutrient management certified, required nutrient management planning, and dictated timelines for implementation of the law. The Delaware Nutrient Management Act was fully implemented as of 2007.

Delaware Nutrient Management Commission

The Delaware Nutrient Management Commission consists of 15 voting members including:

- 1 Administrator of Conservation Districts for the Department of Natural Resources and Environmental Control
- 7 full-time farmers
- 1 commercial/agricultural nutrient applicator
- 1 commercial nursery industry
- 1 golf course/lawn care industry
- 2 environmental group representatives
- 1 nutrient consultant
- 1 public citizen

Specific roles of the DNMC include 1) establishing critical areas for targeting of other voluntary and regulatory programs, 2) establishing best management practices and technical standards to reduce nutrient runoff, 3) developing educational programs, 4) developing a transportation and alternative use program to relocate nutrients 5) developing nutrient management regulations.

The DNMC meetings are held monthly and are open to the public. Attending a DNMC meeting allows farmers and other citizens to be involved with nutrient management policy and issues in Delaware. Please consult the [DNMC meeting schedule](#) if you are interested in attending.

Who is affected by the Nutrient Management Law?

Farmers with an animal feeding operation of eight or more animal units (animal unit [AU]= 1000 pounds lbs. live weight); or anyone who applies nutrients to 10 or more acres of land (including agricultural land, lawns and landscapes, golf courses, athletic fields, etc.), must comply with the

Delaware Nutrient Management Law. Those affected are required to become nutrient management certified at the appropriate level. In addition to the certification requirements, individuals with eight or more animal units who do not apply nutrients to 10 or more acres are required to develop an animal waste management plan. Please note, if your operation is a Concentrated Animal Feeding Operation (CAFO), you are subject to more stringent requirements than those of the Delaware Nutrient Management Act. Please consult the [Delaware Department of Agriculture](#) for more information about regulatory requirements for CAFOs. Individuals with 8 or more animal units and/or who apply nutrients to 10 or more acres of land must develop a nutrient management plan.

Table 1. Animal unit equivalents and number of animals in eight animal units.

Animal Type and Class	Average Weight (lbs per animal)	Animal Unit Equivalent	Number of Animals in 8 AUs
Beef Cattle			
Mature bull	>1700	1.5	6
Mature cow	1000	1	8
Calves	500	0.5	16
Dairy Cattle			
Holstein bull	1900	1.9	5
Holstein cow	1500	1.5	6
Equine			
Work horse (mature)	2000	2	4
Saddle horse (mature)	1250	1.25	7
Colt (<2 yrs)	500	0.5	16
Swine			
Boar	500	0.5	16
Brood sow	250	0.25	32
Feeder pigs	100	0.1	160
Sheep (mature)	200	0.2	40
Goats (mature)	170	0.17	48
Poultry			
Roaster	4	0.004	2000
Broiler	3	0.003	2667
Cornish	1.5	0.0015	5334
Layer	3	0.003	2667

Certification Requirements

One person per operation is required to be nutrient management certified. The certified individual is responsible for the management of fertilizer or manure on that operation. There are four levels of nutrient management certification:

1. Nutrient Generator – Individuals who need to be certified at the Nutrient Generator level have operations that include 8 or more animal units and less than 10 acres of land (e.g., fertilizer or manure) that they own, rent or manage that receive nutrients.
2. Private Nutrient Handler – A private nutrient handler applies nutrients to 10 or more acres of land that is owned, managed, or rented by the individual.
3. Commercial Nutrient Handler – A commercial nutrient handler applies nutrients to 10 or more acres of land as part of a commercial business (i.e., landscape contractor for hire).
4. Nutrient Consultant – A nutrient consultant is certified to write nutrient management plans.

Depending on the level of certification you require, you must attend two or more of the scheduled certification sessions to receive your certification. Certification sessions are conducted twice per year by the University of Delaware Extension Nutrient Management Program. Commercial nutrient handlers and nutrient consultants must also pass an exam and pay a certification fee. Table 2 outlines the certification requirements for each of the certification levels.

Table 2. Certification and continuing education requirements for each level of Delaware nutrient management certification.

Certification Level	Session I & II	Session III	Session IV	Exam	Certification Fees	Continuing Education Requirement
Nutrient Generator	x				No fee	6 CEUs ² every 3 years
Private Nutrient Handler	x	x			No fee	6 CEUs every 3 years
Commercial Nutrient Handler	x	x	x	x	\$150 every 3 years	6 CEUs every 3 years
Nutrient Consultant	x	x	x	x	\$100 every year	5 CEUs every year

²CEU = continuing education credit. One CEU is roughly equivalent to 1 hour of instruction.

Becoming certified is the first step toward compliance with the Delaware Nutrient Management Act. Certification for nutrient generators, private nutrient handlers, and commercial nutrient handlers is valid for a period of three years; nutrient consultant certification is valid for one year. Once certified, individuals must meet continuing education requirements to maintain their certification past the initial certification period.

Reciprocity for Nutrient Consultants Certified by other Programs

The DNMC has adopted a policy accepting certification from certification programs such as Certified Crop Advisor and Maryland Nutrient Consultant. All individuals seeking reciprocity

under another certification program must 1) attend Delaware Nutrient Management Certification Session I, 2) submit a copy of your Certified Crop Advisor or Maryland Nutrient Management Consultant Certification, 3) complete an application for Delaware certification, and 4) pay the nutrient consultant fee.

The DNMC also has a reciprocity agreement with Maryland Department of Agriculture for continuing education credits. If you farm in Delaware and Maryland and are required to have both a Delaware Nutrient Management Certification and a Maryland Nutrient Applicator Voucher, you can attend continuing education programs in Maryland or Delaware. Continuing education credits obtained in either state will be applied toward the CEU requirement for both the Maryland voucher and Delaware certification.

The Delaware Nutrient Consultant exam does not cover the application of bio-solids. Individuals seeking to write nutrient management plans that will include the application of bio-solids in another state should take the nutrient consultant exam in that state and then seek nutrient consultant certification reciprocity in Delaware.

Summary

Educating nutrient applicators in Delaware about the latest advancements in best management practices is one of the primary goals of the Delaware Nutrient Management Law. This law requires operations with 8 or more animal units or individuals who apply nutrients to 10 or more acres to become certified by the Delaware Nutrient Management Program. If you need to become certified by the Delaware Nutrient Management Program please contact the University of Delaware Nutrient Management Program. In addition, operations meeting the criteria must also develop an animal waste management plan or a nutrient management plan and may also need to apply for a Concentrated Animal Feeding Operation Permit. Delaware reciprocates continuing education credits with Maryland for individuals who have Maryland Nutrient Applicator Voucher or are certified as a Nutrient Consultant in Maryland.

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