



## REQUIREMENTS OF AN OPERATION EXEMPTED FROM OBTAINING A DISCHARGE PERMIT FOR LAND APPLYING FOOD PROCESSING WASTEWATER. \*

An 'Exemption' from a Maryland Department of Environment Groundwater Discharge Permit is conditional with managing and land applying wastewater in compliance with Maryland Department of Agriculture's Nutrient Management Regulations (Code of Maryland Regulations 'COMAR' 15.20.04 to 15.20.08). The following is not inclusive, but is a list of some key requirements.

- Food processing wastewater shall be land applied in compliance with a current Nutrient Management Plan (NMP). The plan shall be written by a Maryland certified nutrient management planner.
- Wastewater shall not be land applied onto bare ground, saturated or snow covered soil, or frozen ground.
- There shall be no ponding or surface runoff of wastewater.
- A minimum setback distance of 35 feet must be maintained between the edge of land applied wastewater and any surface water body.
- Storage must be provided for periods when wastewater cannot be land applied due to winter prohibition - and local soil and weather conditions. Wastewater can't be land applied when the soil is bare, saturated, snow covered or frozen. MDA regulations (COMAR 15.20.07) also *prohibit land application of wastewater during winter*. *Winter* is defined statewide in Maryland as December 16 through February 28 of the following year. Wastewater storage is therefore required.
- Soil conditioners of animal origin must be applied in a manner that does not contaminate the food processing area with pathogens or attract pests to the food processing area.
- Soil conditioners of animal origin must be treated to reduce pathogens prior to application (composting/heat treated) or applied at least 120 days prior to harvest of edible crops and the application must be made in a way to prevent contact with the edible portion of the crop.
- A Nutrient Management Annual Implementation Report (NMAIR) shall be submitted to MDA by March 1 following each year of operation.
- This Discharge Permit Exemption includes your responsibility to allow at reasonable times Department representatives, upon presentation of credentials, to enter premises to inspect any wastewater collection, treatment, land application records and practices, and food processing operation records.

Discharge Permit Exemption Renewal: An exemption is valid for 5 years. An application for renewal of an exemption must be submitted to MDA's State Chemist Office within 6 months of the exemption's expiration date.

FAILURE TO COMPLY WITH THESE TERMS MAY RESULT IN TERMINATION OF AN APPROVED EXEMPTION AND A REQUIREMENT TO OBTAIN A STATE DISCHARGE PERMIT FOR LAND APPLYING WASTEWATER.

You will be notified in writing of MDE's decision on your discharge permit exemption application.

For further information, please contact: Tracy Rocca-Weikart (410) 537-3659 or [tracy.rocce-weikart@maryland.gov](mailto:tracy.rocce-weikart@maryland.gov)  
Maryland Department of Environment  
Water Management Administration  
Wastewater Permits Program

\* If authorized via COMAR 26.08.02.09.A(5)

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