

Appendix D

AEUs

(c) To the extent delegated by the agreement, the delegations may include the authority to enforce the act and this subchapter and to exercise other powers and duties otherwise vested in the Commission to implement the act.

(d) A delegation agreement shall:

(1) Specify the powers and duties to be performed by the delegated district.

(2) Provide for the commitment of sufficient trained staff and resources to perform the powers and duties to be delegated.

(3) Require the delegated conservation district to maintain records of activities performed under the delegation.

(4) Provide for the monitoring and supervision by the Commission of performance by the delegated conservation district of the functions delegated under the agreement.

(e) When the Commission delegates one or more of its powers and duties to a delegated conservation district, the Commission will retain the concurrent power to administer and enforce the act and this subchapter.

Cross References

This section cited in 25 Pa. Code § 83.207 (relating to compliance assistance and enforcement); 25 Pa. Code § 83.212 (relating to application procedure); 25 Pa. Code § 83.361 (relating to initial plan review and approval); and 25 Pa. Code § 83.471 (relating to initial plan review and approval).

COMPLIANCE PLANS

§ 83.251. Compliance plans.

An agricultural operation found to be in violation of The Clean Streams Law (35 P. S. §§ 691.1—691.1001) may be required to submit a plan that meets the requirements of the act and §§ 83.261—83.381 within 3 months or notification thereof and shall be implemented in accordance with the schedule as approved.

NUTRIENT MANAGEMENT PLANS

§ 83.261. General.

(a) A CAO in existence on October 1, 1997, shall submit to the Commission or a delegated conservation district, a plan by October 1, 1998.

(b) A CAO which comes into existence after October 1, 1997, shall submit to the Commission or a delegated conservation district a plan by January 1, 1998, or prior to the commencement of manure operations, whichever is later. It is recommended that the CAO submit the plan for review and approval prior to construction.

(c) An agricultural operation which, because of expansion of animal units or loss of land suitable for manure application, meets the criteria for a CAO shall submit to the Commission or a delegated conservation district a plan within 3 months after the date of completion of the expansion or the loss of land. It is rec-

ommended that an operator who intends to expand an existing agricultural operation submit the plan for review and approval prior to expansion.

(d) An agricultural operation other than a CAO may voluntarily submit a plan at any time after October 1, 1997. It is recommended that the operator of an agricultural operation voluntarily submitting a plan under the act, submit the plan for review and approval prior to construction, if construction activities are called for in the plan.

(e) Plans and plan amendments shall be developed by nutrient management specialists certified in accordance with the Department of Agriculture's Nutrient Management Specialist Certification requirements in 7 Pa. Code §§ 130b.1—130b.51 (relating to nutrient management certification). The specialists shall certify that the plans are in accordance with the act and this subchapter.

Cross References

This section cited in 25 Pa. Code § 83.204 (relating to applicability of requirements); 25 Pa. Code § 83.251 (relating to compliance plans); and 25 Pa. Code § 83.272 (relating to content of plans).

§ 83.262. Identification of CAOs.

(a) *Procedure.* To determine if a particular agricultural operation is a CAO which is required to develop a plan, the number of AEU's per acre on the agricultural operation shall be calculated using the following procedure:

(1) The number of AEU's on the agricultural operation shall be calculated by using the following steps:

(i) Multiply the average number of animals on the agricultural operation on a typical production day by the standard animal weight contained in Table A to equal a total weight. Nonstandard weights may be used in place of those in Table A, if there is sufficient documentation to support the use of the nonstandard weights. For those animal types not included in Table A, the average animal weight for the operation shall be used for this calculation, taking into account, if applicable, the range of animal weights throughout the production cycle of the animal.

(ii) Multiply the total weight reached in subparagraph (i) by the number of production days per year, then divide by 365 days.

(iii) Divide the number reached in subparagraph (ii) by 1,000 to equal the number of AEU's for each type of animal.

(iv) Total the number of AEU's for each type of animal to equal the total number of AEU's on the agricultural operation.

Table A

Type of Animal	Standard Weight in Pounds During Production (Range)
<i>Pine</i>	
Nursery Pig	30 (15—45)
Finishing Pig	145 (45—245)
Gestating Sow	400
Sow and Litter	470
Boar	450
<i>Deer</i>	
Calf 0—8 Mo.	300 (100—500)
Finishing 8—24 Mo.	850 (500—1,200)
Cow	1,150
<i>Deer</i>	
Calf 0—16 Wk.	250 (100—400)
<i>Poultry</i>	
Layer 18—65 Wk.	3.25 (2.75—3.76)
Layer 18—105 Wk.	3.48 weighted avg.
Layer Brown Egg 20—65 Wk.	4.3 (3.6—5)
Layer Brown Egg 20—105 Wk.	4.63 weighted avg.
Pullets 0—18 Wk.	1.42 (0.08—2.75)
Broiler, Lg. 0—57 Days	3.0 (0.09—5.9)
Broiler, Med. 0—43 Days	2.3 (0.09—4.5)
<i>Rabbit</i>	
Male 0—8 Wk.	3.54 (0.09—7)
Female 0—10 Wk.	3.54 (0.09—7)
Turkey, Tom 0—18 Wk.	14.1 (0.12—28)
Turkey, Hen 0—14 Wk.	7.1 (0.12—14)
Duck 0—43 Days	3.56 (0.11—7)
Guinea 0—14 to 24 Wk.	1.9 (0.06—3.75)
<i>Pheasant</i>	
0—13 to 43 Wk.	1.53 (0.05—3)
<i>Chukar</i>	
0—13 to 43 Wk.	0.52 (0.04—1)
<i>Quail</i>	
0—13 to 43 Wk.	0.26 (0.02—0.5)
<i>Dairy</i>	
Holstein/Brown Swiss Cow	1,300
Heifer 1—2 Yr.	900 (650—1,150)

Type of Animal	Standard Weight in Pounds During Production (Range)
Calf 0—1 Yr.	375 (100—650)
Bull	1,500
Ayrshire/Guernsey Cow	1,100
Heifer 1—2 Yr.	800 (575—1,025)
Calf 0—1 Yr.	338 (100—575)
Bull	1,250
<i>Jersey</i>	
Cow	900
Heifer 1—2 Yr.	600 (400—800)
Calf 0—1 Yr.	225 (50—400)
Bull	1,000
<i>Sheep</i>	
Lamb 0—26 Wk.	50 (10—90)
Ewe	150
Ram	185
<i>Goat</i>	
Kid 0—10 Mo.	45 (5—85)
Doe	125
Buck	170
<i>Horse</i>	
Foal 0—6 Mo.	325 (125—625)
Yearling	750 (625—875)
Nondraft Breeds, Mature	1,000
Draft Breeds, Mature	1,700

(2) The number of AEU's per acre shall be calculated by dividing the total number of AEU's by the total number of acres of land suitable for the application of manure to equal the number of AEU's per acre.

(i) Land suitable, for the sole purpose of determining whether an agricultural operation is a CAO, is land in the management control of the operator, that meets the following criteria:

(A) The land is cropland, hayland or pastureland that is an integral part of the agricultural operation, as demonstrated by title, rental agreements, crop records or form provided by the Commission.

(B) The land is or will be used for the application of manure generated by the agricultural operation.

(ii) The term "land suitable" does not include farmstead areas or forest land.