

CHAPTER 91**ANIMAL WASTE MANAGEMENT****Authority**

N.J.S.A. 2A:58-10 et seq., 4:9-38 and 4:27-19.

Source and Effective Date

R.2009 d.88, effective March 16, 2009.
See: 40 N.J.R. 917(a), 41 N.J.R. 1171(a).

Chapter Expiration Date

Chapter 91, Animal Waste Management, expires on March 16, 2014.

Chapter Historical Note

Chapter 91, Animal Waste Management, was adopted as new rules by R.2009 d.88, effective March 16, 2009. See: Source and Effective Date.

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(a) These rules set forth the requirements for the development and implementation of self-certified Animal Waste Management Plans (AWMPs), high-density AWMPs and Comprehensive Nutrient Management Plans (CNMPs) for farms that generate, handle or receive animal waste. The rules in this chapter require the use of best management practices to protect water quality and public health by:

1. Controlling animal access to the waters of the State;
2. Storing manure at least 100 linear feet from surface waters of the State;
3. Applying manure using proper nutrient management practices;
4. Minimizing odors from manure storage and application areas;
5. Controlling vectors and fomites; and
6. Optimizing the beneficial use of nutrients from manure and bedding materials.

(b) These rules only apply to farms with animals identified in the definition of “livestock” at N.J.A.C. 2:91-2.1 and to farms receiving or applying animal waste. These rules do not apply to facilities regulated by the New Jersey Department of Environmental Protection under N.J.A.C. 7:26 (solid waste management rules), 7:26A (solid waste recycling rules) and 7:14A (CAFO General Permit #NJ0138631).

(c) Aquatic farms that comply with the provisions of the Aquaculture Management Practices at N.J.A.C. 2:76-2A.11 and who possess an aquatic farmer license pursuant to N.J.A.C. 2:89 shall be deemed in compliance with the requirements of this chapter.

(d) Nothing in this chapter shall be construed to alter or compromise the goals, purposes, and provisions of, or lessen the protections afforded to farmers by, the Right to Farm Act, P.L. 1983, c. 31 (N.J.S.A. 4:1C-1 et seq.), and any rules adopted pursuant thereto.

SUBCHAPTER 2. DEFINITIONS**2:91-2.1 Definitions**

For the purpose of this chapter, the following words and terms shall have the meanings described below, unless the context clearly indicates otherwise.

“Agricultural management practices (AMP)” means practices which have been recommended by the State Agriculture Development Committee, and adopted pursuant to the provisions of the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq.

“Animal density (AD)” means the number of animal units per acre of available farmland for pasturing animals and other land available for application of animal waste. For purposes of determining available farmland, only farmland actually used for pasturing or in which animal waste is actually applied can be counted, and specifically excludes land containing structures, woodlands and waters of the State.

“Animal unit (AU)” means 1,000 pounds of live body weight calculated on an annual average basis. In lieu of calculating the actual weight of each animal, the following

conversion chart may be used for determining the animal units on farm:

Animal Unit Equivalents and Manure Production

All Values Calculated from Midwest Plan Service - MWPS-18, 2000 (by the American Society of Agricultural Engineers)

Note: Animals not identified in the list shall be calculated based on species, production goals, breed or accepted species weights as determined by RCE.

Animal	Weight Pounds	Number of Animals / 1000 Pounds	Number of Animals to Equal			Manure	Pounds/ Year	Pounds/ Year/ Unit	Manure Tons/Year		
			8 AU	10 AU	12 AU				8 AU	10 AU	12 AU
Dairy											
Dairy	150	6.7	53.3	66.7	80.0						
	250	4.0	32.0	40.0	48.0						
Heifer	750	1.3	10.7	13.3	16.0	Solid	13000	17333.3	69.3	86.7	104.0
Lactating	1000	1.0	8.0	10.0	12.0	Solid	19992	19992.0	80.0	100.0	120.0
	1400	0.7	5.7	7.1	8.6	Solid	28000	20000.0	80.0	100.0	120.0
	1000	1.0	8.0	10.0	12.0	Liquid	38856	38856.0	155.4	194.3	233.1
	1400	0.7	5.7	7.1	8.6	Liquid	54000	38571.4	154.3	192.9	231.4
Dry Cow	1000	1.0	8.0	10.0	12.0						
	1400	0.7	5.7	7.1	8.6						
Veal	250	4.0	32.0	40.0	48.0	Solid	2200	8800.0	35.2	44.0	52.8
Veal	250	4.0	32.0	40.0	48.0	Liquid	3500	14000.0	56.0	70.0	84.0
Beef											
Calf	500	2.0	16.0	20.0	24	Solid	7000	14000.0	56.0	70.0	84.0
Finishing	750	1.3	10.7	13.3	16	Solid	11800	15733.3	62.9	78.7	94.4
Cow	1000	1.0	8.0	10.0	12	Solid	13400	13400.0	53.6	67.0	80.4
Swine											
Nursery	25	40.0	320.0	400.0	480.0	Solid	480	19200.0	76.8	96.0	115.2
Grow/ Finish	150	6.7	53.3	66.7	80.0	Solid	2100	14000.0	56.0	70.0	84.0
Gestation	275	3.6	29.1	36.4	43.6	Solid	2000	7272.7	29.1	36.4	43.6
Lactating	375	2.7	21.3	26.7	32.0	Solid	4540	12106.7	48.4	60.5	72.6
Boar	350	2.9	22.9	28.6	34.3						
Sheep											
	100	10.0	80.0	100.0	120	Solid	1460	14600.0	58.4	73.0	87.6
	200	5.0	40.0	50.0	60	Solid					
Poultry											
Layer	4	250.0	2000.0	2500.0	3000	Solid	39	9750.0	39.0	48.8	58.5
Broiler	2	500.0	4000.0	5000.0	6000	Solid	18	9000.0	36.0	45.0	54.0
Turkey	20	50.0	400.0	500.0	600	Solid	46	2300.0	9.2	11.5	13.8
Duck	6	166.7	1333.3	1666.7	2000	Solid	60	10000.0	40.0	50.0	60.0
Horse											
	1000	1.0	8.0	10.0	12.0	Solid	18250	18250.0	73.0	91.3	109.5

“Animal waste” means livestock manure, unconsumed feed and associated bedding materials and animal carcasses from normal mortalities of livestock on a farm. For the purpose of these rules, animal waste shall be free of plastic, metal, glass or other non-biodegradable materials with the exception of de minimis quantities which result from agricultural activities. This definition specifically excludes Waste Class 5: Regulated Medical Waste, as found in N.J.A.C. 7:26-3A.6, which includes contaminated animal carcasses, body parts and associated animal bedding materials that were known to have been exposed to infectious agents during research, including research at veterinary hospitals, production of biologicals, or testing of pharmaceuticals.

“Appropriate agent” means a person outside of the U.S. Department of Agriculture (USDA) who is authorized by NRCS to provide technical assistance in the delivery of technical services to implement agricultural programs in the United States Department of Agriculture authorized by Federal farm legislation.

“Aquaculture” means a form of agriculture involving the propagation, rearing and subsequent harvesting of aquatic organisms in controlled or selected environments, and the subsequent processing, packaging and marketing, and shall include, but is not limited to, activities to intervene in the rearing process to increase production such as stocking, feeding, transplanting and providing for protection from predators. Aquaculture is a water dependent activity but shall