



Georgia Department of Agriculture

Capitol Square • Atlanta, Georgia 30334-4201

Gary W. Black
Commissioner

Date: July 24, 2014

Action: Notice of Intent to Consider the Adoption of Amendments to the Rules of the Georgia Department of Agriculture relating to Animal Manure Handlers

To All Interested Persons and Parties:

Pursuant to the Official Code of Georgia Annotated, O.C.G.A. §§ 4-4-2 and 4-4-83, notice is hereby given that the Georgia Department of Agriculture Animal Industry Division will be considering the adoption of amendments to Chapter 40-13-8 relating to Animal Manure Handlers. The Department will be accepting written comments from July 24, 2014, to close of business (4:30 p.m. EDT) on August 25, 2014.

Synopsis, Main Features and Differences:

The Animal Industry Division of the Georgia Department of Agriculture will be considering the adoption of rule amendments to clarify the rules relating to animal manure. First, the Department is refining the definition for “animal manure” in Rule 40-13-8-.01(1) to include ‘feces.’

Additionally, the Department is proposing to transfer the ‘exemptions’ listed in Rule 40-13-8-.01(2)(a) to new Rule 40-13-8-.04 entitled “Animal Manure Handlers Permit Exemptions.” The Department feels that this will provide clarity since the exemptions listed do not fit within the rule relating to “Definitions.”

The Department is proposing to modify the title of current Rule 40-13-8-.04, which will be renumbered to Rule 40-13-8-.05, to “Animal Manure Handler Transportation and Equipment.” Additionally, the rule relating to record keeping will be titled “Record Keeping Requirements for Animal Manure Handlers” and will be renumbered to Rule 40-13-8-.06. These proposed changes will denote that the requirements for transport, equipment, and record keeping apply specifically to animal manure handlers. Proposed Rule 40-13-8-.06 will also remove the requirement that Animal Manure Handlers keep records of animal manure analyses provided by the livestock/poultry producer.

The Department is further proposing to change the title of old rule 40-13-8-.05 to “Storage of Animal Manure by All Persons;” this rule will be renumbered to Rule 40-13-8-.07. Proposed Rule 40-13-8-.07 will also add a requirement that “animal manure in solid or semi-solid form shall, at all times, be stored in such a way as to prevent the direct discharge into a waterway or water source” to paragraph (1). The numbering of paragraphs (2) and (3) will be switched.

Furthermore, current rule 40-13-8-.06 will be titled “Land Application of Animal Manure by All Persons Applying Animal Manure” and will be renumbered to Rule 40-13-8-.08. Proposed Rule 40-13-8-.08 will also remove the requirement that a representative analysis of the animal manure

be provided by a livestock/poultry producer before transfer of animal manure to an Animal Manure Handler. The remainder of the rule would be renumbered according to this deletion.

Finally, the proposed rule change will replace the term “Broker” with “Handler” in the rule entitled “Penalties,” which will be renumbered to Rule 40-13-8-.09. This change is being proposed to ensure that the terminology is consistent throughout the chapter.

Comment Period and Additional Information:

The Department will be accepting written comments from July 24, 2014, to close of business (4:30 p.m. EDT) on August 25, 2014. Comments will be considered on August 26, 2014. Please submit written comments to:

Dr. Robert Cobb, State Veterinarian
Animal Health Division Director
Georgia Department of Agriculture
19 Martin Luther King, Jr. Drive, S.W., Room 106
Atlanta, Georgia 30334
Telephone Number: (404) 656-3671
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Interested persons may call or submit a written request to obtain a copy of the proposed rule(s). A copy of the synopsis and the proposed rule(s) may be downloaded from the Georgia Department of Agriculture website at www.agr.georgia.gov.

This notice is given in compliance with the Georgia Administrative Procedure Act, O.C.G.A. § 50-13-4.