

~~(8) NUTRIENT CONTROLS PROVIDED BY OTHER IMPLEMENTED AGRICULTURAL BEST MANAGEMENT PRACTICES.~~

(2) EACH NUTRIENT MANAGEMENT PLAN SHALL PROVIDE FLEXIBILITY FOR MANAGEMENT DECISIONS THAT MAY BE REQUIRED BY CONDITIONS BEYOND THE CONTROL OF THE FARMER

(B) (1) EACH NUTRIENT MANAGEMENT PLAN SHALL BE FILED WITH THE DEPARTMENT:

(I) WHEN IT IS DEVELOPED; AND

(II) EACH TIME IT IS UPDATED.

~~(2) THE DEPARTMENT SHALL APPROVE EACH NUTRIENT MANAGEMENT PLAN THAT MEETS THE REQUIREMENTS OF THIS SUBTITLE.~~

~~(3) IF THE DEPARTMENT DOES NOT DISAPPROVE A NUTRIENT MANAGEMENT PLAN WITHIN 45 DAYS AFTER THE NUTRIENT MANAGEMENT PLAN IS FILED, IT SHALL BE DEEMED APPROVED.~~

(2) SUBMISSION OF THE PLAN SHALL INCLUDE A GRANT BY THE PROPERTY OWNER OR OPERATOR TO THE DEPARTMENT OF A RIGHT OF ENTRY ON THE PROPERTY TO EVALUATE COMPLIANCE WITH THE PLAN AS LONG AS THE DEPARTMENT:

(I) ENTERS THE PROPERTY IN DAYLIGHT HOURS AT A REASONABLE TIME THAT ALLOWS THE PROPERTY OWNER OR OPERATOR THE OPPORTUNITY TO BE PRESENT; AND

(II) CONDUCTS ITS EVALUATION IN A MANNER THAT MINIMIZES ANY INCONVENIENCE TO THE FARMER

~~(4) (3) THE DEPARTMENT SHALL MAINTAIN A COPY OF EACH NUTRIENT MANAGEMENT PLAN FOR 3 YEARS IN A MANNER THAT PROTECTS THE IDENTITY OF THE INDIVIDUAL FOR WHOM THE NUTRIENT MANAGEMENT PLAN WAS PREPARED.~~

8-802.

(A) A PERSON MAY NOT PREPARE A NUTRIENT MANAGEMENT PLAN, FOR PURPOSES OF MEETING THE REQUIREMENTS OF THIS SUBTITLE, UNLESS THE PERSON IS CERTIFIED OR LICENSED BY THE STATE.

[(a)](B) An individual may apply to the Department for certification as a certified nutrient management consultant.

[(b)](C) A person engaged in the business of providing a nutrient management plan provided under this subtitle shall hold an annual license from the Department.

(D) THE DEPARTMENT MAY IMPOSE A PENALTY NOT EXCEEDING \$250 FOR A VIOLATION OF THE PROVISIONS OF THIS SECTION.