

On July 11, 2022, Governor Wolf signed Senate Bill 251, now known as Act 83 of 2022. It is the first legislation in Pennsylvania that regulates commercial fertilizer, specifically nitrogen and phosphorus fertilizer. This bill is a result of water quality concerns associated with local stream impairments - as well as the Chesapeake Bay impairments for which the state is required to reduce the phosphorus and nitrogen loads to the Chesapeake Bay.

Fertilizer Regulations

- ▶ No person shall apply fertilizer to an impervious surface.
- ▶ No person may apply fertilizer with a device that is not intended for fertilizer application or has not been properly calibrated, operate fertilizer devices in a negligent manner, or dispose of a fertilizer product inconsistent with the label that would cause overapplication or result in a direct discharge to the Commonwealth's storm drains or waters.
- ▶ No person may apply nonaquatic fertilizer within 15 feet of the top of a bank of a lake, pond, wetland, or flowing body of water (stream, river, or creek).
Note: Fertilizer may be applied to the top of a waterway bank if using a drop spreader, rotary spreader with deflector, targeted spray liquid, or other targeted application technology when establishing and maintaining a stream buffer zone.
- ▶ Maximum application rates for nitrogen:
 - » Readily available nitrogen – 0.7 pounds/1,000 SF per application
 - » Total nitrogen – 0.9 pounds/1,000 SF per application
- ▶ Phosphorus fertilizer is only allowed when establishing turfgrass for the first time; reestablishing or repairing a turf area; or as an enhanced-efficiency, natural organic, or organic-based fertilizer if the application rate does not exceed 0.25 pounds/1,000 SF per application and a maximum annual application of 0.5 pounds/1,000 SF.
- ▶ No person may apply fertilizer containing nitrogen or phosphorus to turf at any time when the ground is frozen to a depth of at least 2 inches or snow covered. In addition, no fertilizer applications are permitted between December 15 and March 1.



EXCEPTIONS

Turfgrass fertilizer applicators are not required to follow these regulations if a site-specific plan, based on all of the following, is used:

- ▶ A soil test is conducted within the previous three years
- ▶ Soil, plant species, climate, turf use, topography, or other appropriate management factors are accounted for in the plan
- ▶ Rates recommended by The Pennsylvania State University or another institution of higher education in the commonwealth are approved by the Pennsylvania Department of Agriculture.

QUESTIONS?

We can help!

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