

Chapter 6: Applicator Rules

Revised November 2004

Commercial Manure Applicator Certification

Iowa law requires manure applicators to be certified. Chapter 65 of the Iowa Administrative Code contains regulations governing confined animal feeding operations and manure applicator certification. The Iowa Department of Natural Resources (IDNR) is the agency responsible for enforcing those regulations.

There are two classifications of manure applicators: commercial manure applicators and confinement site manure applicators.

Commercial manure applicators are those who engage in the business of and charge a fee for applying manure on the land of another person. Commercial manure applicators must be certified regardless of the size of operation or type of facility (liquid or dry; confinement or open lot) from which they are hauling and or land-applying manure.

A confinement site manure applicator means “a person, other than a commercial manure service or a commercial manure service representative, who applies manure on land if the manure originates from a manure storage structure. A confinement site contains a manure storage structure which is part of a confinement feeding operation as defined by “an animal feeding operation in which animals are confined to areas which are totally roofed.” Confinement site applicators applying manure from a small animal feeding operation (SAFO) are exempt from being certified. *NOTE: At the time this material was being written, the definition of “totally roofed” was being changed. Please consult the IDNR to determine the new definition.*

In 2003, House File 644 was passed and required commercial manure businesses to have licenses. This law also allows for the substitution of employees and for annual education fees. The new law further defined the business and the employees by breaking the program into the following categories:

Commercial Manure Service: A commercial manure service (CMS) or business is a sole proprietor or business association engaged in the business of transporting, handling, storing or applying manure for a fee. A CMS must be licensed and must pay the annual business license due by March 1. The annual business license includes the certification fee of the business manager.

Commercial Manure Service Representative: A commercial manure service representative or CMSR is a manager, employee, agent or contractor of a CMS, if the person is engaged in transporting, handling, storing or applying manure on behalf of the business. A representative must pay an annual certification fee and an annual education fee.

A manager is a person actively involved in and makes management decisions in the operation of the business. A manager is also a representative. One manager per business must be designated on the application forms. In addition to the certification fees for the manager that are included in the CMS business license fee, the manager must also pay an annual education fee.

Becoming Certified and Maintaining Your Certification

The certification period for both business and the representative expires on March 1 annually regardless of when the business, manager or employee was originally certified. While certificates expire annually on March 1, renewal of the next license must occur prior to March 1 annually to avoid paying a late fee. Representatives and managers can become certified initially or renew their annual certificate in one of three ways:

- Attend the three-hour workshop held annually in early January
- Watch a three-hour video offered by Iowa State University (ISU) Extension county offices
- Take and pass the 50 question, multiple-choice, true-false exam offered at IDNR field offices.

Each of these options requires the appropriate form and fees be submitted to IDNR in order to complete the certification process. To access current information regarding the fees associated with this program please visit Manure Applicator Certification Web page at: <http://extension.agron.iastate.edu/immag/mac.html>

Each representative must be associated with a licensed business.

A new representative who is not yet certified can apply manure for the first 30 days after their initial employment if they are directly supervised by a certified repre-

representative. The certified person must be physically present at the application site and be within sight or hearing communication with the new representative at all times. The new representative must become certified after 30 days.

A new representative who decides to take the video training must schedule an appointment with their ISU Extension county office. A representative who chooses to take the exam to be certified must schedule an appointment with a IDNR field office to take the exam. See Table 4 at the end of this chapter for a list of IDNR field offices and phone numbers. The representative must get 35 out of 50 questions correct to pass the exam. The representative should bring a pencil, calculator and photo id to the exam site.

To license the commercial manure service or business:

- the business must pay the annual business license fee (the business license fee also includes the certification fee for the manager)
- identify and pay the manager's education fee,
- include any certification fees and/or education fees the business is paying for each representative and include training/testing form for each representative

Late Fees

A late fee will be assessed to any business or representative for which applications for certification and the associated fees have not been postmarked by March 1 annually. Late fees do not apply to applicators being certified for the first time. Applications that are received postmarked after March 1 (excluding first time applicants) will not be processed until late fees are mailed to the IDNR.

After March 1 of each year, a representative can't apply manure unless the certification requirement of training or testing has been met and the appropriate fees and forms have been submitted to the IDNR.

Substitution of Commercial Manure Service Representatives or Employees

House File 644, passed in 2003, allows a commercial manure service or business to substitute a new employee for an existing certified employee if that employee leaves or is terminated from employment and the business pays the original certification fee. The business would not be required to pay for a new certification fee provided the business paid the original employee's fee.

Because the new employee must complete the certification requirements of training or testing, the business may choose to pay the educational fee of the new employee. A business must notify the IDNR within 30 days of terminating or hiring a representative. A business may request a copy of the Employee Substitution and Termination Form, 542-4023, to facilitate notifying the IDNR.

If the CMS or business pays the certification fee for the employee they can substitute a new employee, but only if an existing employee leaves or is terminated. If a CMSR or employee pays their own certification fee and they leave a business, their current certification number will be voided and they will be assigned a new certification number associated with the new business of employment, they will not be required to pay a second certification fee.

Requirements for Commercial Manure Services and Representatives

All businesses and representatives must comply with state regulations for land application of manure. These regulations include: following the requirements of the manure management plan if required of the facility which they are hauling from, maintaining application records, observing and implementing separation distances for land application of manure and reporting releases to the IDNR. Commercial manure services are required to display the certification number of the business in three-inch or larger letters and numbers on the side of the tank or vehicle and they must include the name and address of the business manager on the side of the tank or vehicle as well.

Manure Management Plans

A manure management plan is a document developed by a livestock producer or by a consultant hired by the producer. There are legal consequences for not following a required manure management plan. If a manure management plan is required, you must follow all provisions of the manure management plan, including the land application rates, separation distances and applying manure only to the fields identified in the plan for the current year. The plan must outline how manure from the operation will be applied so it does not cause pollution. Manure management plans are required for all confinement feeding operations with more than 500 animal units. If you are hauling or land applying manure from a confinement feeding operation you believe is large enough to require a manure management plan, you should ask the owner or manager for a copy of the plan or specific written instructions for land application.

Record-keeping Requirements

A CMS or business must keep the following records for three years (the confinement site owner must keep records for five years):

- a copy of the animal feeding operation owner's instructions for manure application
- date the manure was applied or sold
- the manure application rate
- location of fields where the manure was applied.

Separation Distances for Land Application of Manure

Separation distances for land application of manure are defined by type of manure, type of operation, the method of application that is used and the defined protected area. Please see Tables 1, 2, and 3 at the end of this chapter for a list of separation distances. In addition to the state regulations for separation distances for land application of manure, a recommended, but not required practice is to avoid application within 200 feet of (and draining into) a surface intake for a tile line.

Please see the following list of recommended application practices:

- Avoid manure application on frozen or snow-covered ground, if possible. If manure is applied on frozen or snow-covered ground, it should be restricted to slopes of 4 percent or less where adequate erosion control practices exist.
- Manure application on cropland subject to flooding more than one year in 10 should be incorporated or injected within 24 hours.
- On cropland with a slope of more than 10 percent, manure should be applied only where adequate erosion control measures exist.

Reporting Spills and Releases

Iowa law requires that manure spills and releases be reported to the IDNR as soon as possible but not more than 6 hours after the onset or discovery of the spill or release. Releases must be reported by anyone who stores, handles, transports or land applies manure. A release is defined as "an actual, imminent or probable discharge of manure from an animal feeding operation

structure to surface water, groundwater, drainage tile line or intake, or to a designated area resulting from storing, handling, transporting or land-applying manure." See Table 2 for a list of designated areas. During normal business hours spills and releases should be reported to your local IDNR field office. See Table 4 for contact information. Spills and releases that occur after normal business hours, or on weekends or holidays should be reported to (515) 281-8694 and to the local sheriff's office or police department.

If you are not sure who to call or how to contact somebody, please call your local sheriff's department or call 911 and ask them to report the spill to the appropriate agencies.

Summary of Key Points

- Chapter 65 of the Iowa Administrative Code contains regulations governing animal feeding operations and manure applicator certification. The IDNR is the agency responsible for enforcing these regulations.
- Iowa law requires both commercial manure applicators and confinement site manure applicators to be certified to handle manure.
- Iowa law requires commercial manure services (businesses) to be licensed; and their employees (commercial manure service representatives) to be certified annually.
- A small animal feeding operation (SAFO) is defined as an animal feeding operation with 500 or less animal units.
- Commercial manure service representatives (employees) and managers can become initially certified by: taking and passing the exam, attending a 3 hour workshop, or by watching a 3-hour video, and submitting the appropriate forms and fees to the IDNR.
- To renew their certificates, commercial manure service representatives must take and pass the exam every year or attend 3-hours of training each year.
- Application records must include: method of application, date(s) when manure was applied or sold, location of field and number of acres where the manure was applied, and the manure application rate.
- Separation distances for land application of manure

are required by law and must be maintained between the protected area and the area where manure is applied. See tables 1, 2, and 3 for details.

- Iowa law requires that manure spills or releases be reported to the IDNR as soon as possible but not more than 6 hours after the onset or discovery of the spill or release.
- A release is defined as “an actual, imminent or probable discharge of manure from an animal feeding operation structure to surface water, groundwater, drainage tile line or intake, or to a designated area resulting from storing, handling, transporting or land-applying manure.”
- Commercial manure services are required to display the certification number of the business and the name and address of the business manager on the side of the tank or vehicle in three-inch or larger lettering.

Resources

Additional information can be found on the ISU Manure Applicator Certification Web page at: <http://extension.agron.iastate.edu/immag/mac.html> or the Iowa Department of Natural Resources Animal Feeding Operations Web page at: <http://www.state.ia.us/epd/wastewtr/feedlot/feedlt.htm>

These materials were adapted from DNR 115, Commercial Manure Applicator Certification and IDNR 113, Separation Distances for Land Application of Manure from Open Feedlots and Confinement Feeding Operations Including SAFOs, all of which are available as publications on the Animal Feeding Operations Web page of the IDNR.

Table 1: Required separation distances (in feet) to buildings or public use areas by type of manure and method of manure application

Buildings or Public Use Areas	Dry Manure		Liquid Manure (Except Irrigated)		
	Surface Application		Direct Injection	Surface Application	
	Incorporated within 24 hours	Incorporated after 24 hrs. or not incorporated		Incorporated within 24 hrs.	Incorporated after 24 hrs. or not incorporated
<ul style="list-style-type: none"> • residence • church • public use area • business • school 	0	0	0	0	750 ft. ¹

1. a) This separation distance applies only to liquid manure from confinement feeding operations. It does not apply to manure from open feed lots or dry manure. The required 750-foot separation distance also **does not apply** if any of the following exist:
 - 1) manure is injected or incorporated **within 24 hours**,
 - 2) a written waiver is issued by owner of the building or public use area benefiting from the required separation distance,
 - 3) manure comes from a small animal feeding operation (SAFO), or
 - 4) manure is applied by low pressure spray irrigation equipment (a 250-foot separation distance applies—see Table 3).
- b) **Measure** the separation distance **from the applied manure** to the **closest point of buildings**; and to the **facilities where people congregate** (for public use areas).

Table 2: Required separation distances (in feet) to designated areas by type of manure and method of manure application

Designated Areas	Dry Manure		Liquid Manure (Except Irrigated)		
	Surface Application		Direct Injec- tion	Surface Application	
	Incorporat- ed on same date	Not incorpo- rated		Incorporated on same date	Not incorporated
<ul style="list-style-type: none"> • sinkhole • abandoned well • cistern • drinking water well • designated wetland • water source 	0	200 ft. ² (50 ft. with buffer ⁴)	0	0	200 ft. ² (50 ft. with buffer ⁴)
<ul style="list-style-type: none"> • high quality water resource 	0	800 ft. ^{2,3} (50 ft. with buffer ⁴)	0	0	800 ft. ^{2,3} (50 ft. with buffer ⁴)
<ul style="list-style-type: none"> • unplugged ag drainage well • ag drainage well surface inlet 	0	200 ft. ⁵	0	0	200 ft. ⁵

2. The separation distance applies to both open feedlots and confinement feeding operations, regardless of size. The 200-foot or 800-foot separation distance does not apply if either of the following exist:
 - a) if manure is injected or incorporated on **the same date as the manure was land applied**, it can be applied up to the edge of the designated area, or
 - b) if a 50-foot buffer is established around a designated area, manure can be applied up to the edge of the buffer
3. **Check with the IDNR** to see if you are adjacent to a **high quality water resource**, because an 800-foot separation distance will apply.
4. Do not apply manure in the vegetative buffer.
5. Manure shall not be applied within 200 feet of an unplugged ag drainage well or unplugged ag drainage well surface inlet, unless injected or incorporated on the same date.

Table 3: Required separation distances (in feet) for land application of irrigated liquid manure

Protected Areas	Irrigated Liquid Manure	
	Low Pressure (≤25 psi)	High Pressure (> 25 psi)
Property Boundary Line	100 ft. ¹	100 ft. ¹
Buildings or Public Use Areas <ul style="list-style-type: none"> • residence • business • church • school • public use area 	250 ft. ²	750 ft. ³
Designated Areas <ul style="list-style-type: none"> • sinkhole • abandoned well • designated wetlands • cistern • drinking water well • water source 	200 ft. (50 ft. with buffer ⁴)	200 ft. (50 ft. with buffer ⁴)
• high quality water resource	800 ft. ⁵	800 ft. ⁵
• unplugged ag drainage well • ag drainage well surface inlet • agricultural drainage well area (watershed)	No Irrigation Allowed ⁶	No Irrigation Allowed ⁶

1. a) **Maintain at least 100 feet** between the wetted perimeter (per **manufacturer’s specifications**) and the property boundary line where irrigation is being used, and the actual wetted perimeter shall not exceed the property boundary line.
- b) **If property includes** a road **right-of-way (ROW)**, a railroad ROW or an access easement, use the boundary of the ROW or easement as the property boundary line.
2. a) This separation distance applies to liquid manure applied by low pressure spray irrigation equipment as defined below.
- b) **Measure** the separation distance **from the actual wetted perimeter of the manure** to the **closest point of buildings**; and to the **facilities where people congregate** (for public use areas).
3. a) This separation distance applies to liquid manure from a confinement feeding operation. It does not apply to manure from open feed lots or dry manure. The required 750-foot separation distance **does not apply** if any of the following exist:
 - 1) manure is incorporated within 24 hours,
 - 2) a written waiver is issued by the owner of the building or public use area benefiting from the required separation distance,
 - 3) manure comes from a small animal feeding operation (SAFO), or
 - 4) manure is applied by low pressure spray irrigation (a 250-foot separation distance applies).
- b) **Measure** the separation distance **from the actual wetted perimeter of the manure** to the **closest point of buildings**; and to the **facilities where people congregate** (for public use areas).
4. Do not apply manure in the vegetative buffer.
5. **Check with the IDNR to see** if you are adjacent to a high quality water resource, because an 800-foot separation distance will apply.
6. No manure can be applied by spray irrigation equipment within an ag drainage well area. An **ag drainage well area includes all land** where surface or subsurface water drain to the well directly or through a drainage system connected to the well.

Table 4: Iowa Department of Natural Resources field office contact information

IDNR Field Office	Location	Phone	Fax
Field Office 1	909 West Main, Suite 4 Manchester, IA 52057	(563) 927-2640	(563) 927-2075
Field Office 2	2300 15 th St. S.W. Mason City, IA 50401	(641) 424-4073	(641) 424-9342
Field Office 3	1900 N. Grand Ave. Spencer, IA 51301	(712) 262-4177	(712) 262-2901
Field Office 4	1401 Sunnyside Lane Atlantic, IA 50022	(712) 243-1934	(712) 243-6251
Field Office 5	401 SW 7 th St. Suite I Des Moines, IA 50309	(515) 725-0268	(515) 725-0218
Field Office 6	1023 W. Madison Washington, IA 52353	(319) 653-2135	(319) 653-2856