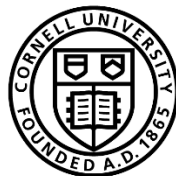


## **CAFOs and Custom Manure Applicators Here's what you need to know**

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The CAFO permits that were issued in July of 2017 have several new and updated requirements. Farm managers should read the permit so they understand their obligations, can identify questions and so they can best work with farm staff, vendors and advisors to meet the permit terms. To ensure good communication between farm managers and contractors that apply manure, the current [CWA](#) and [ECL](#) Permits require:

- 1) When a contractor is applying manure to CAFO farm fields, a contractor certification statement must be signed BEFORE manure spreading begins. Custom haulers that are simply transporting manure and not involved in field application do not need to sign a certification statement.
- 2) The specific language for the certification statement is shown below and can be used to create a form if you do not already have one. Signed forms need to be kept with other CNMP records so that they are available when inspectors visit.
- 3) The applicator or crew supervisor who signs the document certifies that they understand and agree to follow the CNMP. This means that the CAFO manager will have to provide, at a minimum, information for individual fields that the applicator needs in order to follow the CNMP: for example, spreading rate and method, setbacks from streams and wells, etc.
- 4) Since weather and soil conditions can change rapidly, the certification is required for EACH DAY that the custom applicator is operating on the farm.



ECL and CWA Permit language from page 16 of both permits:

**9. Contractor Certification Statement:** The owner or operator shall have each contracted professional applying any manure, process wastewater, and/or digestate, sign a copy of the following certification statement prior to the initial application of nutrients on the date of service:

"I hereby certify under penalty of law that I understand and agree to comply with the terms and conditions of the Comprehensive Nutrient Management Plan (CNMP) for the particular area of contracted work as communicated to me by the owner/operator or their designated representative. I also understand that the owner/operator must comply with the terms and conditions of this general permit and that it is unlawful for any person to cause or contribute to a violation of water quality standards. Furthermore, I am aware that there are significant penalties for submitting false information that I do not believe to be true, including the possibility of fines and imprisonment for knowing violations. "

From the [DEC Frequently Asked Questions](#) link:

***Contractor Certification***

85) How often does the contractor certification need to be signed?

A. Everyday that the contractor is performing work.

86) Under the new CAFO permits, does a custom applicator have to sign a contractor certification if they are just transporting the manure from the farm to the field where it is unloaded to a tanker spreader operated by the farmer? The custom operator is only transporting it; the farmer (permittee) is applying it to the fields.

A. No. A contractor solely transporting manure from farmstead to field (and not applying) would not need to sign the contractor certification.

87) Who signs the contractor certification for the custom applicator, all personnel or the management person?

A. A manager, job supervisor, or most senior person who is responsible for the crew, may sign the contractor certification for the custom applicator. It would be the responsibility of the manager/supervisor to then pass the information provided by the farmer along to their crew.

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