
Rules of
Department of Natural Resources
Division 20—Clean Water Commission
Chapter 14—Concentrated Animal Feeding Operation
Waste Management System Operations

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**Title 10 DEPARTMENT OF
NATURAL RESOURCES**

**Division 20—Clean Water Commission
Chapter 14—Concentrated Animal Feed-
ing Operation Waste Management
System Operations**

**10 CSR 20-14.010 Classification of Con-
centrated Animal Feeding Operation Waste
Management Systems**

*PURPOSE: This rule outlines concen-
trated animal feeding operation waste
management systems personnel certifi-
cation requirements.*

(1) Definitions. Definitions as set forth in the Missouri Clean Water Law, 10 CSR 20-2.010 and 10 CSR 20-6.300 shall apply to those terms when used in this rule, unless the context clearly requires otherwise or as noted in the subsections of this rule.

(A) Concentrated animal feeding operations (CAFO) waste management system. Including but not limited to flush, recycle, storage, digestion, pumping, irrigation, waste spreading, and solids handling facilities, equipment, machinery, sewers, piping, valves, land, tanks, basins, lagoons and any other device, method and process for beneficial use of process waste.

(B) CAFO supervisor. A certified CAFO waste management system operator on the site of and directly in charge for the operating location of a CAFO waste management system who directs or who has the authority to direct other individuals and includes a manager, superintendent, foreman, crew chief and shift supervisor.

(C) CAFO assistant supervisor. A certified CAFO waste management system operator holding at least a "C" certificate, but who is not certified to the level required by subsection (2)(D) of this rule. A CAFO assistant supervisor directs or has the authority to direct only one (1) CAFO operator trainee at any time.

(D) CAFO operator. Any individual who operates or determines the method of operating a CAFO waste management system, either personally or by assignment. This includes waste spreading and waste brokerage operations for dry handling systems except for materials registered as a fertilizer under Chapter 266, RSMo.

(E) CAFO operator trainee. Any individual who has applied for CAFO waste management system operator certification as set out in 10 CSR 20-14.020(3)(C), but lacks the entry level training and/or a passing grade on the examination for a Certification of Competency and/or the required experience in

CAFO waste management system operation. A CAFO operator trainee shall complete department-approved entry level training and pass the examination within twelve (12) months of initial employment at a CAFO waste management system that is required to be operated by certified personnel in subsection (2)(A) of this rule. If the trainee fails to successfully complete the required training and pass the examination within twelve (12) months, the owner must notify the department as required in subsection (2)(F) of this rule. At Class IA wet handling CAFO waste management systems, this individual must perform all CAFO waste management duties in the presence of and under the direct supervision of a "C," "B," or "A" certified CAFO supervisor or assistant supervisor.

(F) Department. The Missouri Department of Natural Resources.

(2) CAFO Waste Management Systems Requirements.

(A) Requirements for operation by certified personnel shall apply to Class IA wet handling CAFO waste management systems. All other CAFO waste management systems are exempt from this rule unless the department determines that certified personnel are necessary to protect the waters of the state from pollution or the placement of a contaminant in a location where it is reasonably certain to cause pollution of any waters of the state. Voluntary certification is available for CAFO operators and supervisors at facilities that are exempt.

(B) Owners or other persons legally responsible for the operation of CAFO waste management systems subject to this rule shall be responsible for assuring that CAFO operators and CAFO supervisors of CAFO waste management systems comply with the certification requirements as set forth in this rule.

(C) All persons performing the duties of a CAFO operator at systems included in subsection (2)(A) of this rule shall apply to the department for CAFO waste management system operator certification within thirty (30) days of initial employment. In cases of change of CAFO employers, "employment" is the total of all CAFO waste management system employment.

(D) Minimum certification of competency classification requirements for CAFO supervisors (excluding assistant supervisors) of CAFO waste management systems shall be determined by the department using the following point system as a guide:

**CLASSIFICATION OF CAFO WASTE
MANAGEMENT SYSTEMS**

Certification Level	C	B	A
Range of Points	55 and fewer	56—75	76 and greater

Assign points for every item that applies:

Item	Points
Design animal unit equivalent (A.U.E.)	5 pt. per 1,000 A.U.E. or any fraction thereof
Automatic flush and recycle	15
Pull plug flush and/or recycle	10
Mechanical irrigation	25
Gravity irrigation	15
Subsurface injection	5
Tank wagon irrigation	5
Lagoon storage, first unit	10
Lagoon storage, each additional unit	2
Pit or basin storage	10
Anaerobic digester	20
Solids thickening, and/or storage	10
Land application, solids	10

(E) The owners of CAFO waste management systems shall furnish the department, upon request, the names, addresses and positions of all employees who are CAFO operators or CAFO supervisors of CAFO waste management systems.

(F) In the event a facility's staff does not meet the certification requirements of this rule, the facility owner shall notify the department in writing within ten (10) days of failure to meet requirements. Following consultation with the facility owner, the department shall establish a schedule of activities, including the date by which compliance with this rule shall be obtained.

(3) Penalties. Penalties for violation of this rule shall be as provided in the Missouri Clean Water Law.

(4) Severance. If a section, subsection, paragraph, subparagraph, part, subpart, item or subitem of this rule or any part of it be declared unconstitutional or invalid for any reason, the remainder of this rule shall not be affected and shall remain in full force and effect.

(5) Effective Date. This rule becomes effective January 1, 1997, or ninety (90) days after adoption and compliance with the requirements of section 644.036.3 of the Missouri

Clean Water Law and Chapter 536, RSMo (1994), whichever is later.

*AUTHORITY: section 644.026, RSMo (Supp. 1995). * Original rule filed March 1, 1996, effective Nov. 30, 1996.*

**Original authority 1972, 1973, 1987, 1993, 1995.*

10 CSR 20-14.020 Certification of Concentrated Animal Feeding Operation Waste Management Operators

PURPOSE: This rule sets out the requirements that a person must meet to obtain a concentrated animal feeding operations waste management operator certificate.

(1) Definitions. Definitions as set forth in the Missouri Clean Water Law and 10 CSR 20-2.010 shall apply to those terms when used in this rule, unless the context clearly requires otherwise or as noted in the subsections of this rule.

(A) Certificate of competency. A document issued by the department stating that the recipient named on the certificate has satisfied the requirements for the certification level specified pursuant to this rule.

(2) Administration.

(A) The department shall serve as the certifying agency for concentrated animal feeding operations (CAFO) waste management system personnel.

(B) Any conflict arising from departmental actions or decisions made in the execution of this rule and not satisfactorily resolved through the Missouri Clean Water Commission's director of staff may be appealed to the commission. The appeal shall be made in writing to the Missouri Clean Water Commission, Attention: Commission Secretary, within thirty (30) days of the contested action or decision. The appeal shall indicate the interest of the party filing the action. The commission shall set the appeal for hearing no sooner than thirty (30) days after receipt of a proper appeal. Appeals may be heard by a hearing officer appointed by the commission chair. Hearings shall be conducted in accordance with section 644.066, RSMo.

(3) Certification of Competency.

(A) Certifications at the appropriate level shall be issued to individuals successfully passing the certification examination, completing entry level training, and fulfilling the experience requirements of subsection (3)(G)

of this rule. The expiration date of the certifications shall coincide with renewal requirements as provided in subsection (4)(A) of this rule. An examination score of seventy percent (70%) or more correct shall be considered a passing grade.

(B) All certification examinations pursuant to this rule shall be administered through the department. An examination will be available at a frequency of not less than four (4) times annually. Examination application forms and information, including examination dates and locations, will be available through the department.

(C) A completed application form for examination must be submitted to the department no later than thirty (30) days before the scheduled examination session. A nonrefundable application fee of forty-five dollars (\$45) shall accompany each application.

(D) Examinations shall contain, but not necessarily be limited to, questions pertaining to the Missouri CAFO regulations, general CAFO waste management systems knowledge, water quality, agronomy, general agriculture, soil science, applied mathematics, chemistry, hydraulics, pumps and operation of irrigation and land application equipment, as applied to CAFO waste management systems.

(E) Any examinee who fails to receive a passing grade may not repeat that level examination for a period of not less than sixty (60) days. The applicant must submit a new application for each repeat examination.

(F) An individual applying to take the examination will be allowed to reschedule once within twelve (12) months of the application date. After that, the applicant must reapply as required in subsection (3)(C) of this rule.

(G) Approval of applicant eligibility for certification of competency shall be the responsibility of the department. Assessment of applicant qualifications shall include the following criteria:

1. Successful completion of a department approved entry level CAFO waste management system course of the following minimum length:

A. Wet handling CAFO waste management systems—thirty (30) hours; and

B. Dry handling CAFO waste management systems—eighteen (18) hours; and

2. Actual CAFO waste management system operating experience required for classification level:

A	6 years (2 years of which may be equivalent)
B	4 years (1 year of which may be equivalent)
C	1 year (All of which shall be actual experience)
CAFO Operator Trainee	No experience requirement

(H) Years of equivalent experience shall be computed from the following criteria:

1. General vocational training or work experience in related areas will be considered by the department on a case-by-case basis and shall be limited to a maximum of six (6) months' equivalent experience.

Graduation from approved one (1)-year certificate program in water/waste-water technology	1 year
College level courses in agricultural, biological, environmental or soil sciences (grade C or better required)—maximum credit of six (6) months	1 month per every 3 semester hours
Two (2)-year associate degree in allied field (for example, environmental health/science, biology, chemistry, agriculture)	1 1/2 years
Four (4)-year college degree in allied fields (for example animal science, environmental sciences, biology, chemistry and engineering)	2 years
Department-approved CAFO waste management system correspondence course or department approved advanced course in CAFO waste management (minimum of 30 contact hours in length)	1/2 year per course with a maximum of 1 year credit

(I) Any person having completed a department-approved entry level CAFO waste management course as required in subsection (3)(G)1. of this rule, but not possessing the necessary operational experience, may take the certification examination.

1. Upon passing the examination, the individual will have fifteen (15) months to obtain the necessary operational experience. If the necessary experience is not obtained within the fifteen (15)- month limit, the individual must retake the examination to be certified at that level of competency.

2. Application for a certificate must be made on the proper form as described in subsection (9)(A).

(J) An individual is not certified until the certificate has been issued.

(K) The minimum age for certification shall be eighteen (18) years.

(L) A valid wet handling CAFO waste management system certificate shall be considered equal to a dry handling certificate of the same level and is approved for use at a dry handling system.

(M) A valid dry handling CAFO waste management system certificate shall not be considered equal to a wet handling certificate of any level and is not approved for use at a wet handling system.

(N) An operator possessing a valid Missouri dry handling CAFO waste management system certificate desiring to obtain a wet handling certificate will be given fifty percent (50%) equivalent credit for actual calendar years' experience at a dry handling CAFO waste management system.

(4) Certificate Renewal.

(A) All Class A, B and C Certificates issued by the department shall be renewed at least every three (3) years. All applicants for renewal shall meet the training requirements set forth in subsection (4)(B) prior to the expiration date stated on each individual's certificate.

(B) Before a certificate will be renewed, the applicant must submit suitable documentation that not less than—

1. Twenty-four (24) hours of department-approved renewal training has been obtained for individuals who are certified for wet handling CAFO waste management systems. Each certified CAFO operator is responsible for documenting such training; and

2. Twelve (12) hours of department-approved renewal training for individuals who are certified for dry handling CAFO waste management systems. Each certified CAFO operator is responsible for documenting such training.

(C) The department shall send notification of certification expiration to the certificate holder at the last known address at least sixty (60) days prior to the certificate's expiration date. Failure of the department to notify the certificate holder of certification expiration does not relieve the certificate holder of the responsibility for renewal.

(D) Any certificate not renewed within sixty (60) days of the expiration date will lapse. Any person with a lapsed certification shall retake the examination as provided in section (3) of this rule.

(E) Provided the certificate holder has submitted a timely and complete application for certification renewal, possesses sufficient renewal training and through no fault of the certificate holder, the department is unable to issue a new certificate before the expiration date of the previous certificate, the validity of the expired certificate shall continue until the department acts on the renewal application.

(F) A nonrefundable application fee of forty-five dollars (\$45) shall accompany each renewal application. Application for renewal

must be made on the form provided by the department as described in subsection (9)(B).

(G) A late fee of ten dollars (\$10) per month, or fraction thereof, up to a total of twenty dollars (\$20) shall be assessed for any certificate renewed after the expiration date.

(5) Revocation.

(A) The department may revoke any certification for any of the following reasons: fraud or deceit in obtaining certification; negligence, incompetence, misconduct, dishonesty, misrepresentation or malfeasance in the holder's action in operating a CAFO waste management system or appurtenances; falsification of facility operating records or reports required by 10 CSR 20; or any violation of 10 CSR 20 or the Missouri Clean Water Law, Chapter 644, RSMo.

(B) Notice of a revocation action will be issued by the commission's director of staff with service by hand delivery or through certified mail to the certificate holder at that individual's last known address. That notice shall state the reason(s) for revocation, the effective date of the revocation and the action(s) the certificate holder may take to contest the revocation.

(C) A written request for a hearing may be made by the certificate holder no more than thirty (30) days following receipt of notification from the commission's director of staff that revocation proceedings have been initiated. A hearing will be conducted as outlined in subsection (2)(B) of this rule.

(D) Application for certification examination by an individual whose certificate is revoked may not be made sooner than one (1) year from the effective date of revocation. Acceptance of any such application shall be at the discretion of the department.

(E) Any revoked certificate shall be returned to the department.

(6) The certificate holder shall notify the department of any change in status including, but not limited to, change of name, change of address and change of employer.

(7) All application fees are nonrefundable and nontransferable.

(8) Penalties. Penalties for violation of this rule shall be as provided in the Missouri Clean Water Law.

(9) Forms.

(A) Examination Application.

(B) Renewal Application.

(C) *Reserved.*

*AUTHORITY: section 644.026, RSMo (Supp. 1995). * Original rule filed*

March 1, 1996, effective Nov. 30, 1996.

**Original authority 1972, 1973, 1987, 1993, 1995.*

10 CSR 20-14.030 Renewal Training

PURPOSE: This rule establishes criteria for approval of renewal training courses.

(1) Only training approved by the department will be credited toward meeting the renewal training requirements. Renewal training content shall be related to Missouri Concentrated Animal Feeding Operation (CAFO) regulations, general CAFO waste management systems knowledge, water quality, agronomy, general agriculture, soil science, applied mathematics, chemistry, hydraulics, pumps and operation of irrigation and land application equipment, as applied to CAFO waste management systems.

(2) All organizations sponsoring renewal training for CAFO waste management system operators shall submit the following to the department for approval. This information should be submitted to the department at least thirty (30) days prior to the training:

(A) Date and location of the training;

(B) Name, address and telephone number of person to contact regarding the training;

(C) Course outline, showing the topic(s) to be presented and time allotted for each (including beginning and ending times);

(D) Name(s) of instructor(s) and qualifications (not just title or company name);

(E) List of any audiovisual materials to be used, such as videotapes, slides, slide/tape presentations, films and overheads; and

(F) Handouts.

(3) Renewal credit is based upon actual in-class contact time in the training. All breaks and meal times must be noted on the agenda and will not count toward in-class contact time. Excessive time allotted for introductions or welcomes and business meetings will not count toward contact time.

(4) No credit will be given until a training course is completed. The completion date of a multi-day course is the last day of the course.

(5) Renewal credit will be issued in increments of one-half (0.5) hour. The minimum course length will be three (3.0) hours in length. Any training or portion of training approved by the Department of Natural



Resources and issued continuing education units (CEUs) by an organization meeting the criteria of the Council on the Continuing Education Unit will be given credit at the rate of ten (10.0) hours per one (1.0) CEU.

(6) Once the information for a course required in section (2) has been approved, it need not be resubmitted for subsequent sessions of that course. However, any change in the course content, time allotted, instructor or material used must be submitted to the department for approval. The department must be notified thirty (30) days in advance of any subsequent session(s) of an approved course.

(7) Training in fields related to CAFO waste management or by out-of-state entities will be reviewed for renewal credit on an individual basis. The operator must provide the information specified in subsections (2)(A)–(F) of this rule.

(8) All department approvals will be in writing. The approval will include a course attendance roster form that will show the course name, coordinator, date, location, course identification number and amount of renewal credit.

(9) Advertisement of any training shall not state that the program has been approved for renewal credit until the department has issued its formal approval and assigned a course identification number and determined the amount of renewal credit. Any advertisement that states that the training is approved must include the course identification number and amount of renewal credit.

(10) Each organization providing training must provide certificates of completion to the attendees. The certificate must include the following:

- (A) Attendee’s name;
- (B) Name of the course;
- (C) Renewal credit;
- (D) Course identification number;
- (E) Date that the course was held;
- (F) Location of the course; and
- (G) Name of the course coordinator or instructor.

(11) Training providers shall submit the course attendance roster to the department within fifteen (15) working days of the completion of the course. Information on the roster shall include:

- (A) Name of the course;
- (B) Renewal credit;
- (C) Course identification number;
- (D) Date that the course was held;

- (E) Location of the course;
- (F) Name of the course coordinator or instructor;
- (G) Names of all attendees; and
- (H) Certificate number of all attendees, if applicable.

(12) The department shall make information available upon request as to which courses, seminars, etc., will be approved for CAFO waste management operator renewal purposes.

(13) Renewal credit shall be valid only for the renewal period in which it was earned. Renewal credit in excess of the required hours for the renewal period may not be carried over into any subsequent renewal training period.

AUTHORITY: section 644.026, RSMo (Supp. 1995). Original rule filed March 1, 1996, effective Nov. 30, 1996.*

**Original authority 1972, 1973, 1987, 1993, 1995.*



