



THE APPLICATOR

A PUBLICATION OF THE
NC WATER POLLUTION CONTROL SYSTEM OPERATORS CERTIFICATION COMMISSION

OCTOBER 2007

THE APPLICATOR is a newsletter for certified animal waste operators.

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THE TECHNICAL ASSISTANCE AND CERTIFICATION UNIT (TACU) is the administrative arm of North Carolina's Water Pollution Control System Operators Certification Commission. The unit manages operator certification programs for a variety of waste treatment systems.

OPERATOR CERTIFICATION

PIECE OF PAPER OR PROFESSION?

North Carolina's mandatory certification program for animal waste operators began eleven years ago. Many of you were among the first certified animal waste operators in the state, and in the nation.

At the time, certification probably felt more like a burden than a benefit. Most likely, you were a farmer or producer who had managed your animal operation for many years. You probably weren't looking for a career in waste management and weren't too happy about having to take a training class and a test.

Mandatory certification programs are rarely popular, regardless of the industry or area of certification. However, benefits come with any certification program, including the animal waste operator program.

By setting standards for competency and accountability, the certification program acknowledges the importance of the work you do. It establishes the operation of animal waste management systems as a profession, and promotes its recognition as such among the public, regulators, and peers. It also helps generate employment opportunities for a new generation of operators.

Whether you've been certified for two months or ten years, you belong to a profession that plays a critical role in protecting and preserving the state's water and land resources.

By managing animal waste responsibly and conscientiously, you advance the occupational and professional status of animal waste operators and contribute to the economic sustainability of the animal industry. More importantly, you directly impact the health and welfare of your community! ☼

A FEW DEFINITIONS

"Certified operator" means a person who holds a valid certification as an animal waste management system operator.

"Operator in Charge (OIC)" means a certified operator who has primary responsibility for the operation of an animal waste management system.

"Person under the supervision of an Operator in Charge" means a person who takes directions from the Operator in Charge and who may only land apply animal waste when the Operator in Charge is available for consultation and advice at any time during the application of animal waste.

OWNER AND OPERATOR RESPONSIBILITIES

WHERE DOES ONE END AND THE OTHER BEGIN?

Who doesn't want a clean water supply and healthy environment?! Owners and operators both play key roles in animal waste management, but they have different responsibilities and face different consequences for mismanagement.

Owners

The owner of an animal operation must obtain and maintain a permit from the Division of Water Quality (DWQ) for the treatment and disposal of animal waste.

The permit is a legal, binding agreement between the owner and DWQ. It sets the terms and conditions for operation of the animal waste management system, and includes the Certificate of Coverage (COC) and Certified Animal Waste Management Plan (CAWMP).

The permit requires the owner to designate a certified operator to be the Operator in Charge (OIC) of the waste management system. The owner may voluntarily designate a Back-up OIC.

Even when someone else is the OIC, the owner is still responsible for operation and maintenance of the system and compliance with the permit. Ultimately, the owner is accountable for all violations.

Permit noncompliance is a violation of state law. Possible enforcement actions range from a Notice of Violation (NOV), to civil penalties (fines), to criminal penalties. Other possible consequences include modi-

fying the CAWMP, ceasing land application of waste, or removing animals from the farm.

Certified Operators

Certified operators must abide by NCAC 15A 8F, Certification of Operators of Animal Waste Management Systems.

According to these rules, certified operators must possess the knowledge, skills, ability, and judgment to properly operate and maintain the systems entrusted to their care.



By anticipating likely problems, you are in a better position to correct them before they become serious.

They must perform their duties in a manner that meets the legal requirements of the permit and does
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not endanger the public health, the environment, or the owner's investment in the system. Certified operators must not engage in fraud or deception in the operation of the system.

Substandard operator conduct is usually discovered by DWQ staff during compliance inspections or complaint investigations. When operator conduct appears to have contributed to noncompliance, DWQ may request an informal "show cause" meeting with the operator at the DWQ regional office.

During this fact-finding meeting, DWQ staff present the operator with the observed or perceived problems. The operator has an opportunity to answer or explain the allegations.

If DWQ staff remains concerned about the operator's conduct, they may refer the matter to the Water Pollution Control System Operators Certification Commission (WPCSOCC) with a recommendation for disciplinary action.

WPCSOCC and Operator Discipline

The WPCSOCC is a group of eleven wastewater treatment and animal industry professionals appointed by either the Secretary of the Department of Environment and Natural Resources (DENR) or the Commissioner of Agriculture.

The WPCSOCC is responsible for certifying the competency of persons who operate or supervise the operation of animal waste management systems.

Unfortunately, certification does not guarantee operator performance or behavior. When presented with a

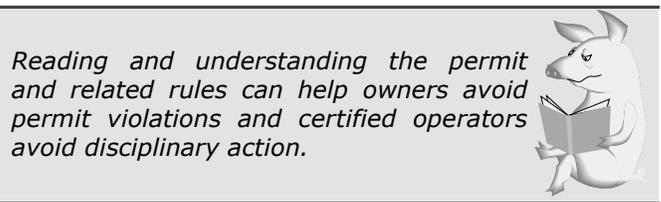
case of alleged operator negligence, incompetence, or deceit, the WPCSOCC must determine if disciplinary action is warranted.

The WPCSOCC can issue a letter of reprimand to an operator, suspend an operator's certificate, or permanently revoke an operator's certificate. It can also decide that disciplinary action is not appropriate or that the evidence presented is insufficient.



WPCSOCC members swear a solemn oath before undertaking their duties.

WPCSOCC members consider each disciplinary case seriously, thoroughly, and fairly. They know what it takes to get certified, and understand that an operator's livelihood often depends on staying certified. However, their primary duty is to prevent harm to human health and the environment. ☞



Reading and understanding the permit and related rules can help owners avoid permit violations and certified operators avoid disciplinary action.

The Bottom Line

The owner must provide the resources necessary for the operator to do his or her job, and must allow the operator to do that job as required by the rules that govern certified operators.

The operator must make reasonable efforts to secure the resources needed to properly operate and maintain the system, and must attempt ensure compliance with the owner's permit.

3200 COPIES OF THIS DOCUMENT WERE PRINTED AT A COST OF \$334.64 OR \$0.10 PER COPY
DWQ TECHNICAL ASSISTANCE & CERTIFICATION UNIT, 1618 MAIL SERVICE CENTER, RALEIGH, NC, 27699-1618
PHONE: (919) 733-0026 FAX: (919) 733-1338

WPCSOCC TOURS BEAUFORT COUNTY SWINE FARM

Tom Lanier, owner of Vanguard Farms, graciously allowed WPCSOCC members and staff to tour his Beaufort County swine operation on July 13, 2007.

Jose Valdez conducted the tour and answered questions, giving WPCSOCC members a better understanding of the operator's role in the daily management of an animal waste management system.

The WPCSOCC thanks Mr. Lanier and Mr. Valdez for a valuable education experience!



DUTIES OF AN OPERATOR IN CHARGE

The Operator in Charge of an animal waste management system must:

- possess a valid certificate of the appropriate type;
- visit and inspect the system as often as needed to ensure its proper operation;
- ensure that animal waste is applied as required by the CAWMP and other parts of the permit;
- properly manage, supervise and document daily operation and maintenance; and
- certify monitoring and reporting information.

The permit specifies that the land application site must be inspected at least every 120 minutes during the application of waste. The inspection must be conducted by either:

- the OIC; or
- the designated Back-up OIC; or
- a person under the supervision of the OIC or designated Back-up OIC.

If the OIC is not present during the application of waste, NCAC 15A 8F requires the OIC or designated Back-up OIC to inspect the land application site:

- within 24 hours of application for a Type A system (swine and liquid poultry); and
- within 48 hours of application for a Type B system (cattle, horses, or sheep). ☞



RENEW YOUR OPERATOR CERTIFICATE

It's that time of year again—time to renew your operator certificate. Renewal invoices are mailed in late October. If you don't receive your renewal by November 30, contact TACU.

The good news is that the renewal fee for animal waste management system operators is still only \$10.00. The bad news is that if you don't renew your certificate before it expires. . . you can't renew it. You have to take the exam again and pass it to get recertified.

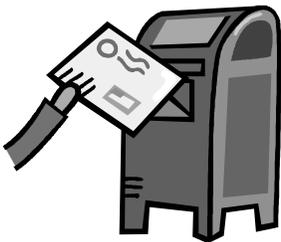
Some of you may need to get continuing education hours before you can renew. You can check on your hours or check to see if your payment has been processed by going to the TACU Webpage (<http://h2o.enr.state.nc.us/tacu/index.html>) and clicking on Renewal Info.

The due date for certificate renewal is Dec. 31. Animal waste operators have a 30-day grace period during which they can renew their certificates. If your invoice and renewal fee are not postmarked on or before Jan. 31, your certificate becomes invalid.

Remember, maintaining an active certificate allows you to act as Operator in Charge for your own, or someone else's, farm. ☞

CERTIFICATE RENEWAL CHECKLIST

- ✓ Read your invoice and follow instructions.
- ✓ Correct your contact information on the invoice if it is incorrect or out of date.
- ✓ Attach certificates of completion *if required*.
- ✓ Pay the correct amount.
- ✓ Sign your check.
- ✓ Mail your invoice and payment *together*.
- ✓ Use TACU's physical address (below) when sending overnight mail.
- ✓ Use *your* invoice that you received *this* year—each invoice has a unique number that matches the payment to the operator's certificate when scanned.



Mail it early...

...then you won't have to worry!



TACU Contact Information

WPCSOCC
DWQ Technical Assistance & Certification Unit
1618 Mail Service Center, Raleigh, NC, 27699-1618
or 219 East North St, Raleigh, NC, 27601 (*physical address*)
Phone: (919)733-0026 Fax: (919)733-1338
Website: <http://h2o.enr.state.nc.us/tacu/index.html>

2008 EXAMINATION INFORMATION

<u>Examination Date</u>	<u>Application Deadline</u>
March 13	February 12
June 12	May 13
September 11	August 12
November 13 *	October 14 *

Examination Locations

Kenansville
Williamston
Raleigh
Salisbury
Morganton



* Beginning in 2008, the last exam date of the year will most likely change from the 2nd Thursday in December to the 2nd Thursday in November, pending approval by the WPCSOCC.

Applications must be accompanied by a certificate of completion and the appropriate fee, and must be postmarked at least 30 days prior to the date of the examination.
The approved training school must be completed *before* applying for an examination.



Calling All Operators!

Please...check it out...
don't throw it out!



INSIDE THE APPLICATOR:

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- Renewal Reminders

TACU'S WEBSITE



<http://h2o.enr.state.nc.us/tacu/index.html>

- » Renewal Info (Cont ed hours & payment status)
- » OIC Designation Form (*Revised August 2007*)
- » Upcoming Training (Initial 10-hour & Cont Ed)
- » Examination Info and Applications
- » And more...

The Applicator
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DWQ Technical Assistance and Certification Unit
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