



University of Arkansas Division of Agriculture

An Agricultural Law Research Project

Applicator Certification & Education Statutes & Regulations

Illinois

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Applicator Certification & Education

STATE OF Illinois

1) 510 ILCS § 77/30; 8 Ill. Adm. Code § 8.900.901

The statutes and Constitution are current through the 2018 regular and special legislative sessions. The statutes are subject to changes by the Illinois Reference Bureau.

1) 510 ILCS § 77/30; 8 Ill. Adm. Code § 8.900.901

§ 77/30. Certified Livestock Manager.

The Department shall establish a Certified Livestock Manager program in conjunction with the livestock industry that will enhance management skills in critical areas, such as environmental awareness, safety concerns, odor control techniques and technology, neighbor awareness, current best management practices, and the developing and implementing of manure management plans.

(a) Applicability. A livestock waste handling facility serving 300 or greater animal units shall be operated only under the supervision of a certified livestock manager. Notwithstanding the before-stated provision, a livestock waste handling facility may be operated on an interim basis, but not to exceed 6 months, to allow for the owner or operator of the facility to become certified.

(b) A certification program shall include the following:

(1) A general working knowledge of best management practices.

(2) A general working knowledge of livestock waste handling practices and procedures.

(3) A general working knowledge of livestock management operations and related safety issues.

(4) An awareness and understanding of the responsibility of the owner or operator for all employees who may be involved with waste handling.

(c) Any certification issued shall be valid for 3 years and thereafter be subject to renewal. A renewal shall be valid for a 3 year period and the procedures set forth in this Section shall be followed. The Department may require anyone who is certified to be recertified in less than 3 years for just cause including but not limited to repeated complaints where investigations reveal the need to improve management practices.

(d) Methods for obtaining certified livestock manager status.

(1) The owner or operator of a livestock waste handling facility serving 300 or greater animal units but less than 1,000 animal units shall become a certified livestock manager by:

(A) attending a training session conducted by the Department of Agriculture, Cooperative Extension Service, or any agriculture association, which has been approved by or is in cooperation with the Department; or

(B) in lieu of attendance at a training session, successfully completing a written competency examination.

(2) The owner or operator of a livestock waste handling facility serving 1,000 or greater animal units shall become a certified livestock manager by attending a training session conducted by the Department of Agriculture, Cooperative Extension Service, or any agriculture association, which has been approved by or is in cooperation with the Department and successfully completing a written competency examination.

(e) The certified livestock manager certificate shall be issued by the Department and shall indicate that the person named on the certificate is certified as a livestock management facility manager, the dates of certification, and when renewal is due.

(f) For the years prior to 2011, the Department shall charge \$10 for the issuance or renewal of a certified livestock manager certificate. For the years 2011 and thereafter, the Department shall charge \$30 for the issuance or renewal of a certified livestock manager certificate. The Department may, by rule, establish fees to cover the costs of materials and training for training sessions given by the Department.

(g) The owner or operator of a livestock waste handling facility operating in violation of the provisions of subsection (a) of this Section shall be issued a warning letter for the first violation and shall be required to have a certified manager for the livestock waste handling facility within 30 working days. For failure to comply with the warning letter within the 30 day period, the person shall be fined an administrative penalty of up to \$1,000 by the Department and shall be required to enter into an agreement to have a certified manager for the livestock waste handling facility within 30 working days. For continued failure to comply, the Department may issue an operational cease and desist order until compliance is attained.

§ 900.901. Applicability.

- a) A livestock waste handling facility serving 300 or greater animal units shall be operated only under the supervision of a certified livestock manager. Notwithstanding this requirement, a livestock waste handling facility may be operated on an interim basis, but not to exceed 6 months, to allow for the owner or operator of the facility to become certified. [510 ILCS 77/30(a)] For the purposes of this Subpart, being operated under the supervision of a certified livestock manager shall mean that the certified livestock manager shall be immediately available to the workers at a livestock waste handling facility either in person or via telecommunications and shall have the ability to be physically present at the livestock waste handling facility within one hour after notification.
- b) Persons may become certified livestock managers by demonstrating an understanding of and competence for the operation of livestock waste handling facilities as established in Section 30 of the Livestock Management Facilities Act [510 ILCS 77/30] and further described in this Subpart. Livestock managers shall establish or re-establish certification when required to do so in accordance with Section 30 of the Livestock Management Facilities Act.
- c) A livestock manager certified pursuant to the emergency amendment adopted in R97-14 at 20 Ill. Reg. 14903, effective October 31, 1996 and the emergency rules adopted in R97-14 at 21 Ill. Reg. 4313, effective March 31, 1997, shall be considered as certified pursuant to this Subpart.
- d) For the purposes of this Subpart, the number of animal units served by a livestock waste handling facility is the maximum design capacity of the livestock management facility which is being served by the livestock waste handling facility.
- e) Any certification shall be valid for 3 years and thereafter subject to renewal. A renewal shall be valid for a 3 year period and the procedures set forth in Section 30 of the Livestock Management Facilities Act shall be followed. The Department may require anyone who is certified to be recertified in less than 3 years for just cause including but not limited to repeated complaints where investigations reveal the need to improve management practices. [510 ILCS 77/30(c)] Examples include, but are not limited to, lagoon maintenance violations, improper waste handling practices, waste management plan violations, other violations of the Livestock Management Facilities Act or rules promulgated thereunder, or violations of other Acts related to livestock management practices including the Dead Animal Disposal Act [225 ILCS 610].
- f) The following methods shall be utilized by an owner or operator to become certified:
 - 1) The owner or operator of a livestock waste handling facility serving 300 or greater animal units but less than 1,000 animal units shall become a certified livestock manager by:

A) Attending a training session conducted by the Department, Cooperative Extension Service, or any agriculture association that has been approved by or is in cooperation with the Department; or

B) In lieu of attendance at a training session, successfully completing a written competency examination.

2) The owner or operator of a livestock waste handling facility serving 1,000 or greater animal units shall become a certified livestock manager by attending a training session conducted by the Department, Cooperative Extension Service, or any agriculture association that has been approved by or is in cooperation with the Department; and successfully completing a written competency examination. [30 ILCS 77/30(d)]

g) The Department shall charge \$ 10 for the issuance or renewal of a certified livestock manager certificate. [510 ILCS 77/30(f)]

h) For violations pertaining to the certified livestock manager requirements, the owner or operator shall be issued a warning letter for the first violation and shall be required to have a certified manager for the livestock waste handling facility within 30 working days. For failure to comply with the warning letter within the 30 day period, the person shall be fined an administrative penalty of up to \$ 1,000 by the Department and shall be required to enter into an agreement to have a certified manager for the livestock waste handling facility within 30 working days. For continued failure to comply, the Department may issue an operational cease and desist order until compliance is attained. [510 ILCS 77/30(g)] The cease and desist order shall be canceled by the Department upon presentation to the Department of a valid certified livestock manager certificate issued in the name of the owner, operator, or current employee of the livestock facility.