



University of Arkansas Division of Agriculture

An Agricultural Law Research Project

Applicator Certification & Education Statutes & Regulations

Vermont

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Applicator Certification & Education

STATE OF VERMONT

1) 6 V.S.A. §§ 4987, 4988; CVR 20-10-008 (2.11, 10)

The statutes and Constitution are current through the 2018 regular and special legislative sessions. The statutes are subject to changes by the Vermont Legislative Council.

1) 6 V.S.A. §§ 4987, 4988; CVR 20-10-008 (2.11, 10)

§ 4987. Definitions

As used in this subchapter, "custom applicator" means a person who is engaged in the business of applying manure or nutrients to land and who charges or collects other consideration for the service. Custom applicator shall include full-time employees of a person engaged in the business of applying manure or nutrients to land, when the employees apply manure or nutrients to land. A certification fee of \$30.00 will be charged annually to all persons meeting this definition.

§ 4988. Certification of custom applicator

(a) On or before July 1, 2016, as part of the revision of the required agricultural practices, the Secretary of Agriculture, Food and Markets shall adopt by rule a process by which a custom applicator shall be certified to operate within the State. The certification process shall require a custom applicator to complete eight hours of training over each five-year period regarding:

(1) application methods or techniques to minimize the runoff of land-applied manure or nutrients to waters of the State; and

(2) identification of weather or soil conditions that increase the risk of runoff of land-applied manure or nutrients to waters of the State.

(b) A custom applicator shall not apply manure or nutrients unless certified by the Secretary of Agriculture, Food and Markets.

(c) A custom applicator certified under this section shall train seasonal employees in methods or techniques to minimize runoff to surface waters and to identify weather or soil conditions that increase the risk of runoff. A custom applicator that trains a seasonal employee under this subsection shall be liable for damages done and liabilities incurred by a seasonal employee who improperly applies manure or nutrients.

(d) The requirements of this section shall not apply to an owner or operator of a farm applying manure or nutrients to a field that he or she owns or controls, provided that the owner or operator has completed the agricultural water quality training required under section 4981 of this title.

201-010-008. Section 2. Definitions.

2.11 Custom Applicator means a person who is engaged in the business of applying manure or other agricultural wastes to land and who charges or collects other consideration for the service including full-time employees of a person engaged in the business of applying manure or agricultural wastes to land.

Section 10. Custom Applicator Certification.

(a) Custom applicators of manure or other agricultural wastes shall be certified by the Secretary in order to operate within the State and shall comply with all applicable requirements of the Required Agricultural Practices Rule, Medium Farm Operations Rule and Permits, and Large Farm Operations Rule and Permits.

(b) Custom applicators shall demonstrate knowledge of Required Agricultural Practices Rule standards, Medium Farm Operation Rule and Permit requirements, Large Farm Operation Rule and Permit requirements, and the USDA NRCS Nutrient Management Practice Code 590, including manure or other wastes application restrictions, buffer zones, setback requirements, and recordkeeping requirements.

(c) Custom applicators shall demonstrate competency in methods and techniques used to minimize runoff from application sites, identification of weather or soil conditions that may increase risk of field runoff, recordkeeping, and other information deemed pertinent by the Secretary.

(d) Certified custom applicators shall train all employees and seasonal workers in methods or techniques to minimize runoff to surface water, identification of weather or soil conditions that may increase the risk of runoff, and the Required Agricultural Practices Rule, Medium Farm Operation Rule and Permit, Large Farm Operation Rule and Permit standards and restrictions for the application of manure or other agricultural wastes. Records of training shall be maintained in a manner prescribed by the Secretary.

(e) Certification shall be valid for five years from the date of issuance and shall be renewable annually on a form and in a manner prescribed by the Secretary.

(f) Certified custom applicators shall complete eight hours of training in each five-year period of certification. Completion of five-year training requirements will serve as meeting the requirements for recertification.

(g) Certified custom applicators shall maintain records of the amount of manure or agricultural waste applied by farm and field for a period of five years and provide those records to the Agency upon reasonable request.