

POULTRY LITTER/ANIMAL MANURE BY-PRODUCT Responsibility/Liability TRANSFER FORM

I, _____ have received approximately _____ tons of poultry litter/animal manure by-product from _____, who is (CHECK ONE)

- the original poultry litter/animal manure by-product producer; OR
- a third party who obtained the poultry litter/animal manure by-product from the producer; OR
- an Alabama Certified Animal Waste Vendor (CAWV).

The poultry litter/animal manure by-product came from _____ farm located near _____, in _____ County, Alabama.

I am accepting this poultry litter/animal manure by-product with the understanding that I am responsible for making sure that the litter/animal manure by-product is utilized in accordance with all regulations pertinent to ADEM Animal Feeding Operation/Concentrated Animal Feeding Operation Rules. *If I have a current Alabama CAWV #, I am also accepting liability for this poultry litter/animal manure by-product under these same ADEM Rules (see Rule 335-6-7 excerpt page 2, R-9).*

These rules state, among other things, that:

- 1) the litter/animal manure by-product must remain covered and positioned to ensure no contact with stormwater until it is spread,
- 2) a soil sample of the planned application field for the intended crop, following Auburn University Soil Testing Lab recommended procedures, will be taken no earlier than 3 years prior to planned litter application, and submitted to AU Soils Testing Lab (or an AU-approved soils testing lab),
- 3) a Phosphorus Index for Alabama (NRCS Agronomy Tech Note AL-72 Jan 2001) will be calculated for each planned application field prior to land application,
- 4) AU Soils Testing Lab (or AU-approved soils testing lab) recommendations based on the soil sample test in 2) above will be used, along with the application field Phosphorus Index (PI), to determine litter application rates and timing that will be in accordance with NRCS Conservation Practice Standard "Nutrient Management Code 590",
- 5) other NRCS590-required land application procedures, including buffer/set-back distances from surface water, water wells, public roads, property lines etc., appropriate vegetation type and height at application, and at-least-annual spreader truck calibration, will be followed.

I also understand that:

- 1) field conditions and land application activities must be recorded to show compliance with ADEM rules.
- 2) litter/animal manure by-products can only be spread when weather conditions are appropriate and this must be validated by the spreader truck operator having a printout of the current National Weather Service forecast showing the chance of rain for the planned application field being less than 50% for the next three days or a copy of the Alabama Animal Waste/Nutrient Land Application "farmers_map" for the day(s) that the litter/animal manure by-product is applied.

Date: ____/____/____

Signature of individual receiving litter

Address of individual receiving litter _____

Phone number of individual receiving litter _____

FOR CAWVs ONLY: CAWV Name: _____ CAWV #: _____ CAWV Expiration Date ____/____/____
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**ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
FIELD OPERATIONS DIVISION - WATER QUALITY PROGRAM
CHAPTER 335-6-7
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)**

335-6-7-.02 Definitions

(o) "Certified Animal Waste Vendor" (CAWV) means any person certified by the Department, or certified by another agency in cooperation with the Department, to accept liability and responsibility for AFO waste, obtain required continuing education, keep required records, and effectively manage, handle, transport, store, and properly land apply AFO waste in a manner that meets or exceeds NRCS technical standards and guidelines, manage animal mortality in a manner that meets or exceeds ADAI requirements, prevents discharges, and ensures protection of groundwater and surface water quality in accordance with the requirements of this Chapter, and the requirements of the AWPCA, CWA, and regulations promulgated pursuant thereto. The CAWV is responsible, in cooperation with the AFO owner/operator generating the waste/wastewater or land owner(s) receiving the waste/wastewater, for ensuring the suitability of each site prior to applying waste/wastewater, including but not limited to, proper timing of waste/wastewater application, proper calibration of equipment, ensuring that required waste/wastewater characterization and soil testing have been properly performed, ensuring that required inspections are properly performed, ensuring that required sampling of any discharges are properly performed, and ensuring that the land owner(s) or others receiving the waste/wastewater are informed of the requirements of this Chapter.

335-6-7-.26 Land Application And Manure Management Requirements

(2) (d) Unless responsibility for wastes are properly assumed by a CAWV, the owner/operator shall ensure that the land owner of any offsite land application site not owned or controlled by the registrant, abides by the applicable requirements of this Chapter.

(3) Unless responsibility for wastes is properly assumed by a CAWV in writing, or the owner/operator properly sells or gives away in good faith the waste to another person, AFO owners/operators shall keep complete records of all surface and subsurface application of waste and wastewater. A detailed log shall be kept of all surface and subsurface applied waste/wastewater, which will include the date, weight and/or volume, and destination and acreage over which the load was spread. All records and logs shall be kept at the facility and provided to the Department upon request. These records shall be kept in sufficient detail to determine application rates. If the waste is sold or given away in good faith, the owner/operator shall retain detailed, complete records of the transaction and provide the receiver of the waste information explaining the requirements of this Chapter. Unless responsibility for wastes is properly assumed by a CAWV in writing, to the extent allowed by law, the owner/operator shall remain responsible for the proper disposition of the waste.