



**COMPREHENSIVE LIVESTOCK AND ENVIRONMENTAL
ASSESSMENT AND NUTRIENT MANAGEMENT PLANS
WEST (CLEANmp)**

SERVICE PROVIDER POLICY

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**CLEANmp WEST PROGRAM
SERVICE PROVIDER
POLICY**

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1.0 Objective

This procedure outlines the requirements for individuals to become approved Comprehensive Livestock Environmental Assessment and Nutrient Management Plan West (CLEANmp) Service Providers and how to obtain and maintain their approval. In addition, it details how Service Providers are paid, how a Service Provider's approval can be revoked and how a Service Provider may appeal the early termination of approval.

2.0 References

- *Manual of Operations CLEANmp West Program*
- CLEANmp West Standard Operating Procedure No. 001: *Assessor and Program Implementation Verification*
- CLEANmp West Standard Operating Procedure (SOP) No. 003: *Evaluation and Acceptance of Bids*

3.0 Definitions

Assessor: An individual who has the qualifications to perform an environmental assessment (EA) of a livestock or poultry production operation and to produce an appropriate final report following the guidance of the CLEANmp program.

CLEANmp Service Provider: A professional that meets the approval criteria of the CLEANmp Program. These criteria are specified in the CLEANmp document *CLEANmp Program Service Provider Policy*.

CLEANmp Project: A CLEANmp project will be either an EA of a livestock or poultry operation, the development or review of a NMP for a poultry or livestock operation, or both an EA and NMP development or review. The requesting producer will decide the scope of the CLEANmp project in his or her *CLEANmp Application and Preliminary Information Survey*.

Equivalent Experience: On the job/work experience in the required field. One year of work experience is equivalent to one year of post-secondary education.

Nutrient Management Planner: An individual who has the CLEANmp qualifications to collect farm specific information and develops an appropriate nutrient management plan for the operation, using the tools mandated by the CLEANmp program. These qualifications are specified in the CLEANmp document *CLEANmp Program Service Provider Policy*.

Nutrient Management Tools: The primary nutrient management planning and development tool for the CLEANmp program will be the Purdue University's Manure Management Planner (MMP). This software is the primary software tool CLEANmp Service Providers must use to develop NMPs. In those states not supported by MMP, other software tools such as AFOPro™ and IdahoOnePlan may be used with the prior approval of the CLEANmp Project Manager at SES. If no NMP software tools are available for a state, a CLEANmp nutrient management planner can use SES's in-house Microsoft Word templates, Excel spreadsheet tools, and GIS capabilities for the NMP development and review.

Potential CLEANmp Service Provider: An individual who meets the CLEANmp program pre-requisite qualifications and is in the process of completing the initial approval process.

Producer: The individual or organization requesting a CLEANmp project by submitting an *Application and Preliminary Information Survey*; also referred to as the "applicant."

Production Operation Sizes: The following list presents a general size classification scheme for the CLEANmp Program and do not reflect federal or state size standards:

- a. Large egg production site (>800,000 birds)
- b. Medium egg production site (300,000 to 800,000 birds)
- c. Small egg production site (<300,000 birds)
- d. Large meat bird production site (>100,000 birds)
- e. Medium meat bird production site (50,000 to 100,000 birds)
- f. Small meat bird production site (<50,000 birds)
- g. Hog production site (multi-phase)
- h. Hog production site (single-phase)
- i. Large dairy (> 5,000 cows [dry and milking])
- j. Medium dairy (500 to 5,000 cows [dry and milking])
- k. Small dairy (< 5000 cows [dry and milking])
- l. Large feedlot (>15,000 animals)
- m. Medium feedlot (1,000 to 15,000 animals)
- n. Small feedlot (< 1,000 animals)

Service Provider: An individual who meets the CLEANmp program pre-requisite qualifications and has completed all aspects of the approval process.

4.0 Service Provider Qualification and Approval

4.1 In order to qualify as a CLEANmp Service Provider, an individual must have the following pre-requisite qualifications:

- a. An individual will be a registered Technical Service Provider (TSP) listed on the Natural Resources Conservation Service's TechReg website (<http://techreg.nrcs.gov>). The individual must be a TSP registered for either CNMP Plan Development in at least one of the following categories: Land Treatment, Manure and Wastewater Handling and Storage, Nutrient Management, or Total Plan; or Nutrient Management - Organic and Inorganic; or Manure and Wastewater Handling and Storage. In order to qualify to develop an NMP for an applicant (producer) that has an Environmental Quality Incentives Program (EQIP) a CLEANmp planner must have TSP registration under the following category: CNMP Plan Development-*Total Plan*.
- b. The individual must be physically capable of walking continuously for several hours and maneuvering in small/tight places (i.e., alley ways in production buildings), under typical weather conditions.
- c. The individual must have at least daily access to the internet, e-mail, and a printer.

4.2 If an individual meets the pre-requisite qualifications, they may start the process of becoming an approved CLEANmp Service Provider. The requirements are the same regardless if an individual is pursuing approval as an assessor, planner or both. This individual will need to complete the following steps:

- a. The potential Service Provider must complete a CLEANmp information form and upload a current resume on the CLEANmp website.
- b. The potential Service Provider must sign a CLEANmp performance agreement.
- c. The potential Service Provider must sign a CLEANmp confidentiality agreement.
- d. The potential Service Provider must agree to abide by and follow the CLEANmp code of ethics. The CLEANmp code of ethics is presented in Section 12 of this document.
- e. The potential Service Provider must provide SES a copy of a valid government issued form of picture identification.
- f. The potential service provider must supply a current W-9 form.

- 4.3 The Program Administrator reserves the right to deny CLEANmp approval to an individual who: 1) exhibits behaviors that do not reflect what is expected of an Service Provider under the CLEANmp Code of Conduct or 2) does not have the technical capability commensurate with their TSP registration. These criteria apply in any venue where a Service Provider (approved or in process) is representing him or herself as a CLEANmp Service Provider or can otherwise be connected with the CLEANmp program.

5.0 Service Provider Responsibilities

- 5.1 Once a potential Service Provider has met or completed all of the requirements listed in Sections 4.1 and 4.2, the individual will be listed as an approved CLEANmp Service Provider in good standing and will be issued a user name and password to access the secure portion of the CLEANmp website. More information regarding the CLEANmp Program bidding process can be found in the document CLEANmp Standard Operating Procedure (SOP) No. 003: *Evaluation and Acceptance of Bids*, and CLEANmp Program Document *Bid Process – CLEANmp Program*.

Service providers are assigned projects after they have submitted a winning bid for a proposed CLEANmp project. Bidding is initiated when an available project is posted on the secure portion of the CLEANmp website. Only approved CLEANmp Service Providers have access to this part of the CLEANmp website. Service providers interested in conducting a posted project will submit a fixed price bid for conducting the project to the Program Administrator, through a secure website application. Service Providers will not be able to view other Service Provider's bids.

After the Program Administrator receives a producer's complete *Application and Preliminary Information Survey*, all necessary information about the facility will be entered into the bidding database. This database will contain general facility information necessary to allow Service Providers to develop project bids. Service providers can review this information and bid to conduct the project. Service providers wanting to bid on a project for a Producer that has or is applying for an Environmental Quality Incentives Program (EQIP) contract must have TSP registration under the following category: CNMP Plan Development-*Total Plan.*)

All CLEANmp project bids will represent the firm fixed-price for conducting and completing the entire project. Soil or manure sampling is outside the scope of the CLEANmp program. These costs cannot be included in a service provider's bid. If this type of sampling is necessary to provide data to support a CLEANmp project, the producer is responsible for obtaining these samples and associated data.

The act of submitting a bid constitutes an agreement between the Service Provider, the Program Administrator and the Environmental Resources Coalition (ERC); committing the Service Provider to complete an EA within 44 days of receiving a

notice-to-proceed from the Program Administrator, or completing an NMP project within 75 days of receiving a notice-to-proceed from the Program Administrator or within 45 days of completing the onsite visit, whichever is less.

Seven days after the project is posted for bidding the bidding is closed. The Program Administrator will review all bids and select the bid that provides the best value and quality for the subject project. The Program Administrator reserves the right to exclude bids that are unrealistic, based on its knowledge of the market.

5.2 A CLEANmp Service Provider has the following responsibilities:

- a. They will be required to meet all biosecurity requirements listed by the producer and have the appropriate equipment and clothing (i.e., disposable coveralls, plastic disposable boots, etc.)
- b. When a Service Provider chooses to bid on an audit, they are certifying that there is no conflict of interest between the auditor and the producer/applicant. A conflict of interest is defined as a direct or indirect personal, business or financial connection or interest in the producer/applicant. Example of a conflict of interest relative to a Service Provider would include, but is not limited to, having worked for the producer/applicant (i.e., provided consulting services for the producer/applicant within two years of the submittal of a CLEANmp bid relative to the producer/applicant), have a social or familial relationship with the operator or an employee of the producer/applicant, or have a known financial interest in the producer/applicant or facility. A Service Provider that is unsure if they have a conflict of interest should contact the Program Administrator prior to bidding on a project.
- c. Once a bid has been selected by the Program Administrator and a written notice-to-proceed has been issued, the Service Provider can contact the producer to schedule the field portion of the project and to collect additional data. An EA project must be conducted within 44 days of receiving a notice-to-proceed and an NMP project must be completed within 75 days of receiving a notice-to-proceed or within 45 days of completing the onsite visit, whichever is less. In instances where it is not possible to schedule the project within this timeframe, the Service Provider must contact the Program Administrator and request a time extension. **The Service Provider must notify the Program Administrator at least 14 days prior to conducting any on-site work for a project.**
- d. For EAs and NMP projects, the Service Provider will use only the applicable CLEANmp data collection tools or software provided by the Program Administrator or downloaded from the secure portion of the CLEANmp website. All notes taken regarding an EA must be taken on the EA data collection form, *Environmental Assessment Form*.

- e. For NMP projects, the Service Provider must use the Purdue University's MMP as the software tool to develop the NMP. In those states not supported by MMP, other software tools such as AFOPro and IdahoOnePlan may be used with the prior approval of the CLEANmp Program Administrator. If no NMP software tools are available for a state, a CLEANmp Service Provider can use SES's in-house Microsoft Word templates, Excel spreadsheet tools, and GIS capabilities for the NMP development and review.
- f. During the on-farm portion of a NMP project for this program, it is mandatory that the Service Provider personally examine critical aspects of the farm's operation that could impact the resulting NMP. These critical areas include, but are not limited to the following: livestock production areas, land application fields, manure storages, land application equipment (if available), pesticide and petroleum storages, and any other aspects of the operation that could impact the content of a representative and useful nutrient management plan. Simply interviewing a producer regarding these features is not consistent with the core values of this program and is unacceptable. CLEANmp is designed to provide a producer an independent and fresh view of his or her operation, not just a documentation of what may be the status quo.
- g. During the on-farm portion of an EA project, it is mandatory that the Service Provider follow the protocols outlined in the CLEANmp Program Documents: *Conducting Environmental Assessments* and the *CLEANmp Like-Structures Rule*.
- h. Service providers that are not registered TSPs for the CNMP Plan Development-*Total Plan* category may **not** bid on or prepare a NMP for a producer that has an EQIP contract or is applying for an EQIP contract.
- i. The Service Provider must present a valid photo-identification, issued by a government entity, to facility representatives prior to the start of any CLEANmp on-site data collection activity.
- j. After a project has been completed, the Service Provider will make a copy of the completed data collection forms, electronic files and the associated report and mail the original documents to the Program Administrator. The original documents and any electronic files must arrive at the Program Administrator's office within 14 days of the field portion of an EA or within 45 days of the field portion of an NMP project.
- k. The Service Provider will destroy all producer-specific notes, data sheets or other records within 30 days from the day the EA or NMP documents are

submitted to the Program Administrator, unless notified otherwise by the Program Administrator.

- l. The Service Provider must keep up-to-date regarding changes in CLEANmp policy or procedures by reading notices and program documents posted on the CLEANmp website.
- m. The Service Provider cannot conduct projects at the same facility (site) twice in a row, within a one year period.

6.0 Program Administrator Responsibilities

The Program Administrator coordinates all CLEANmp Service Provider activities. The Program Administrator will be responsible for approving all CLEANmp Service Providers. The Program Administrator will maintain all records regarding Service Provider qualifications, approval status and performance. The information will be considered confidential.

The Program Administrator will manage the CLEANmp bidding system described above. The Program Administrator will notify the Service Provider when a bid is selected. The Program Administrator will issue a notice-to-proceed to the winning bidder.

The Program Administrator will conduct Service Provider oversight/verification reviews. These reviews will be used to verify the Service Provider understands the program and to assure consistent application of the program and interpretation of the standards. The oversight will be conducted in accordance to the CLEANmp SOP No. 001: *Service Provider and Program Implementation Verification*.

The Program Administrator will provide prompt feedback to Service Providers regarding any concerns discovered during the oversight review. The feedback will be in accordance with the CLEANmp SOP No. 001: *Service Provider and Program Implementation Verification*.

The Program Administrator will review all completed CLEANmp data collection forms, reports and NMPs for completeness and accuracy (see CLEANmp SOP No. 002 *Evaluation and Entry of Data Collection Forms*). The Program Administrator will provide prompt feedback to Service Providers regarding any concerns discovered while reviewing documents submitted by the Service Provider. Once these documents are considered acceptable, the Environmental Resources Coalition (ERC) will issue payment to the Service Provider for conducting the project.

The Program Administrator will keep CLEANmp Service Providers informed of program changes, program clarifications/interpretations, or other relevant information through postings on the CLEANmp website.

7.0 Maintenance of Service Provider Approval

In order for a CLEANmp Service Provider to maintain active approval, they must meet the following requirements:

- a. They must maintain the appropriate TSP registrations and notify the Program Administrator of any registration changes.
- b. They must participate in the program oversight and verification activities and abide by all applicable CLEANmp Service Provider and program requirements.
- c. Service providers must hold a valid social security number.

If the Service Provider is unable to maintain their approval status for a one-year period due to legitimate reasons, the Service Provider must contact the Program Administrator prior to the suspension of their approved status.

8.0 Criteria for Removing CLEANmp Service Provider Approval

- 8.1 For the CLEANmp program to be successful, it is critical that all information collected be accurate and timely. In addition, the creditability of the program is based on the professional actions of its Service Providers. To maintain the integrity of the program, it may be necessary to withdraw a Service Provider's approved status.
- 8.2 Under the following conditions a Service Provider's approval may be revoked:
 - a. Receiving an unacceptable score (as defined in CLEANmp SOP No. 001: *Service Provider and Program Implementation Verification*) on an assessment or planning oversight review.
 - b. Failing to submit completed project documents, for two projects, to the Program Administrator within program-stipulated delivery windows, over a 365 day period. These delivery windows are as follows: within 44 days and 60 days of receiving a notice-to-proceed for an EA and NMP, respectively. These windows can be increased upon approval by the CLEANmp Program Administrator.
 - c. Consistently submitting incomplete data collection forms, reports or plans. Consistently is defined as submitting two consecutive incomplete sets of documents after receiving feedback from the Program Administrator regarding similar areas of concern on past projects. An incomplete set of documents is a set missing data on two or more applicable questions on an EA data collection form or a missing or incomplete section of an NMP.

- d. Consistently receiving marginal scores on their Service Provider oversight/verification reviews. Consistently is defined as receiving two consecutive marginal scores after receiving feedback from the Program Administrator regarding similar areas of concern on past oversight reviews.
- e. Failing to assess a critical assessment point or high risk condition at a production facility, as defined by the program.
- f. Failing to personally inspect or examine critical areas of a farm's operation that could impact a CLEANmp NMP. These critical areas include, but are not limited to the following: livestock production areas, land application fields, manure storages, land application equipment (if available), pesticide and petroleum storages, and any other aspects of the operation that could impact the content of a representative and useful nutrient management plan.
- g. Being denied access to conduct a CLEANmp project due to his or her actions (i.e., not meeting facility biosecurity, arriving more than one hour late for an appointment, etc.).
- h. Failure to hold a valid social security number.
- i. Not adhering to and practicing the CLEANmp Code of Conduct (see Section 12.0).
- j. Making "off the record" observations.

A Service Provider who fails to meet the requirements for maintaining his or her CLEANmp approved status or has that status revoked because of non-conformance with Section 8.2(a) may be reinstated by completing the requirements for auditor approval, listed previously. In the case of status loss due to Section 8.2(a) the Service Provider must also submit a written appeal justifying why reinstatement should be granted. This appeal must be submitted to the Program Administrator for review. Assessors or planners who have their status revoked for non-conformance with Section 8.2(b) through 8.2(i) have no avenue for status reinstatement.

9.0 Anticipated Assessment Times

Estimates of the possible length of the on-farm portion for either an EA or an NMP are presented below. Due to the overlap of information collected, conducting both projects at a single operation would only add a few hours to these on-farm time estimates. These times can be used to assist a Service Provider in estimating the time required to complete the on-site portion of a project.

- | | |
|-----------------------------------------------|------------------------------------------------|
| a. Large egg production site (8 hours) | h. Hog production site (single-phase, 4 hours) |
| b. Medium egg production site (6 hours) | i. Large dairy (8 hours) |
| c. Small egg production site (4 hours) | j. Medium dairy (6 hours) |
| d. Large meat bird production site (8 hours) | k. Small dairy (4 hours) |
| e. Medium meat bird production site (6 hours) | l. Large feedlot (8 hours) |
| f. Small meat bird production site (4 hours) | m. Medium feedlot (6 hours) |
| g. Hog production site (multiphase, 6 hours) | n. Small feedlot (4 hours) |

10.0 Service Provider Payment

Service providers will be paid their firm fixed-price bid amount for completed projects only. Completed projects are projects that have been reviewed by the CLEANmp Program Administrator and deemed complete and entered into the CLEANmp database. Projects where data is incomplete or unable to be interpreted by the CLEANmp Program Administrator are not considered to be complete. Service provider payments will be made by ERC. Payments will only include charges for complete projects.

11.0 Appeals

If a Service Provider has his or her approved status revoked, they may appeal the termination of approval by writing a letter explaining their rationale why their approved status should not be terminated. References and testimonials can be included in this appeal letter. The appeal letter must be sent to the Program Administrator. The Program Administrator will review the letter with all appropriate parties and with the Service Provider filing the appeal. The CLEANmp Program Manager and Quality Control/Quality Assurance Manager will render a decision on the appeal that is binding. A split decision by these two individuals will result in a ruling in favor of the appellant.

12.0 CLEANmp Code of Conduct

Any CLEANmp Service Provider, through obtaining and maintaining a valid approved status agrees to abide by and follow the CLEANmp Code of Conduct presented as follows:

1. CLEANmp Service Providers will conduct all projects in a courteous and professional manner.
2. CLEANmp Service Providers will comply with all biosecurity requirements of producers and inform facilities of any potential biosecurity issues related to conducting the project not specifically included in the Producer's completed *Application and Preliminary Information Survey*.
3. CLEANmp Service Providers will be punctual.
4. CLEANmp Service Providers will complete projects in an efficient manner.
5. CLEANmp Service Providers will avoid all professional and fiduciary conflicts of interest.
6. CLEANmp Service Providers will objectively collect and report all applicable information obtained during a project.
7. CLEANmp Service Providers will accept no gratuities from any interested party related to any CLEANmp project.
8. CLEANmp Service Providers will represent their credentials (expertise, experience, educational background, etc.) accurately to the CLEANmp Program Administrator and to a participating producer.