**Section 900.609 Odor Control**

a) *Operators of livestock waste handling facilities shall practice odor control methods during the course of manure removal and field application. Odor control methods shall be those methods identified in the rules adopted pursuant to the Illinois Environmental Protection Act concerning agriculture related pollution* as set forth in 35 Ill. Adm. Code 501.405(b). [510 ILCS 77/25(a)]

b) *Every single-stage livestock waste lagoon constructed after June 1, 1998 shall comply with the following operational guidelines:*

1) *In operation, the lagoon must be maintained at not less than the minimum design volume.*

2) *The livestock waste supply to the lagoon must be below the minimum design volume level.* [510 ILCS 77/25(b)]

c) Every livestock waste lagoon constructed or modified after June 1, 1998 shall be initially charged with water to at least 60% of the minimum design volume prior to the initial addition of waste.

d) Upon the occurrence of a violation of this Section, the following procedures shall be followed:

1) *For a first violation of this Section by the owner or operator of a livestock management facility or livestock waste handling facility, the Department shall send the owner or operator a written notice of the violation by certified mail, return receipt requested.*

2) *If after an administrative hearing the Department finds that the owner or operator of a livestock management facility or livestock waste handling facility has committed a second violation of this Section, the Department shall impose on the owner or operator a civil administrative penalty in an amount not exceeding $1,000. The Attorney General may bring an action in the circuit court to enforce the collection of a penalty imposed under this Section.*

3) *If after an administrative hearing the Department finds that the owner or operator of a livestock management facility or livestock waste handling facility has committed a third violation of this Section, the Department shall enter an administrative order directing that the owner or operator cease operation of the facility until the violation is corrected.*

4) *If a livestock management facility or livestock waste handling facility has not committed a violation of this Section within the 5 years immediately preceding a violation, the violation shall be construed and treated as a first violation.* [510 ILCS 77/25(d)]