

**The Ohio Department of Agriculture and the National Pollutant Discharge
Elimination System Program – Program Revision under 40 CFR Part 123**

Volume 2
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LIVESTOCK

	<u>FY 2006</u>	<u>FY 2007</u>
FUND: GRF (ALI:700-418)	1,428,496.00	1,428,496.00
DESCRIPTION: LIVESTOCK REG. PROGRAM		
SALARY/FRINGES	1,000,341.00	1,000,341.00
OVERTIME-OBJ 011		
PPS/OTHER 100	30,514.00	30,514.00
TOTAL 100	<u>1,030,855.00</u>	<u>1,030,855.00</u>
OBJ - 20-EDIBLE PRODUCTS & FOOD HANDLING	-	-
OBJ - 21 SUPPLIES, MATERIALS & MINOR EXPEND.	23,325.00	23,325.00
OBJ - 22 MOTOR VEHICLE	10,725.00	10,725.00
OBJ - 23 TRAVEL	23,274.00	23,274.00
OBJ - 24 COMMUNICATIONS & SHIPPING EXPENSES	38,812.00	38,812.00
OBJ - 25 FUELS AND UTILITIES	18,532.00	18,532.00
OBJ - 26 MAINTENANCE & REPAIRS	28,844.00	28,844.00
OBJ - 27 RENTALS	938.00	938.00
OBJ - 28 PRINTING/BINDING/ADVERTISING	2,441.00	2,441.00
OBJ - 29 GENERAL & OTHER EXPENSES	244,925.00	244,925.00
OBJ - 90 REFUNDS	-	-
TOTAL 200	<u>391,816.00</u>	<u>391,816.00</u>
TOTAL 300 EQUIPMENT	5,825.00	5,825.00
TOTAL 500 SUBSIDIES	-	-
TOTAL 900 TRANSFERS	-	-
GRAND TOTAL	<u>1,428,496.00</u>	<u>1,428,496.00</u>
FUND BALANCE	0.00	0.00

LIVESTOCK

FY 2006

FY 2007

FUND: 5L8

ALI: 700-604

DESCRIPTION: LIVESTOCK MANAGEMENT

SALARY/FRINGES

OVERTIME-OBJ 011

0.00

0.00

PPS/OTHER 100

0.00

0.00

TOTAL 100

0.00

0.00

OBJ - 20-EDIBLE PRODUCTS & FOOD HANDLING

0.00

0.00

OBJ - 21 SUPPLIES, MATERIALS & MINOR EXPENDITURES

0.00

0.00

OBJ - 22 MOTOR VEHICLE

0.00

0.00

OBJ - 23 TRAVEL

0.00

0.00

OBJ - 24 COMMUNICATIONS & SHIPPING EXPENSES

0.00

0.00

OBJ - 25 FUELS AND UTILITIES

0.00

0.00

OBJ - 26 MAINTENANCE & REPAIRS

0.00

0.00

OBJ - 27 RENTALS

0.00

0.00

OBJ - 28 PRINTING/BINDING/ADVERTISING

0.00

0.00

OBJ - 29 GENERAL & OTHER EXPENSES

250,000.00

250,000.00

OBJ -50 SUBSIDIES

0.00

0.00

OBJ - 90 REFUNDS

0.00

0.00

TOTAL 200

250,000.00

250,000.00

TOTAL 300 EQUIPMENT

TOTAL 500 SUBSIDIES

0.00

0.00

TOTAL 900 TRANSFERS

0.00

0.00

GRAND TOTAL

250,000.00

250,000.00

ALL UNPLANNED

MONTH END CASH BALANCE

250,000.00

250,000.00

\$ 162,261.15 \$

162,261.15

REVENUE YEAR TO DATE

\$ 12,127.55 \$

12,127.55

PROJECTED REVENUE FY 2006

\$ 30,000.00 \$

30,000.00

VARIANCE

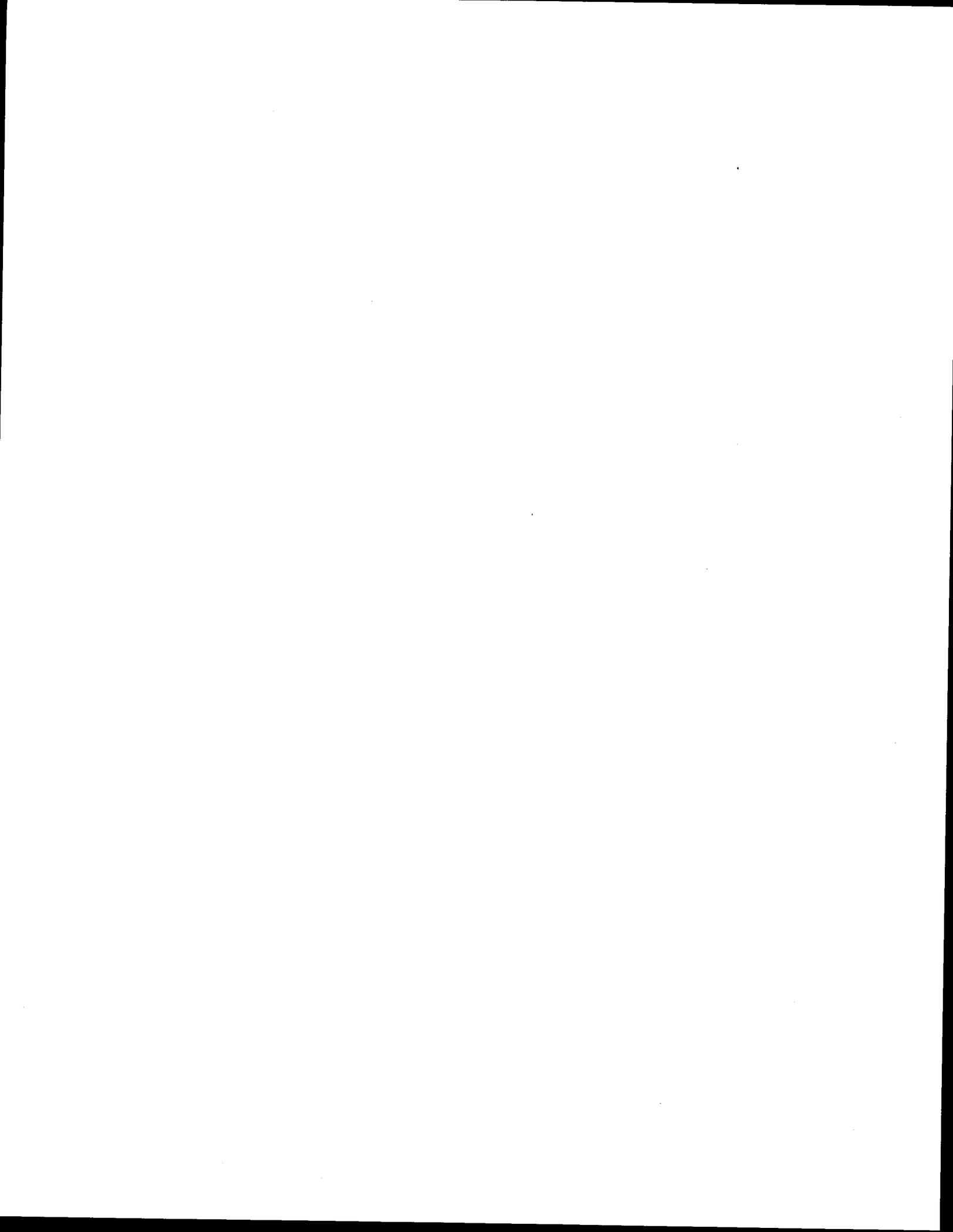
\$ (17,872.45) \$

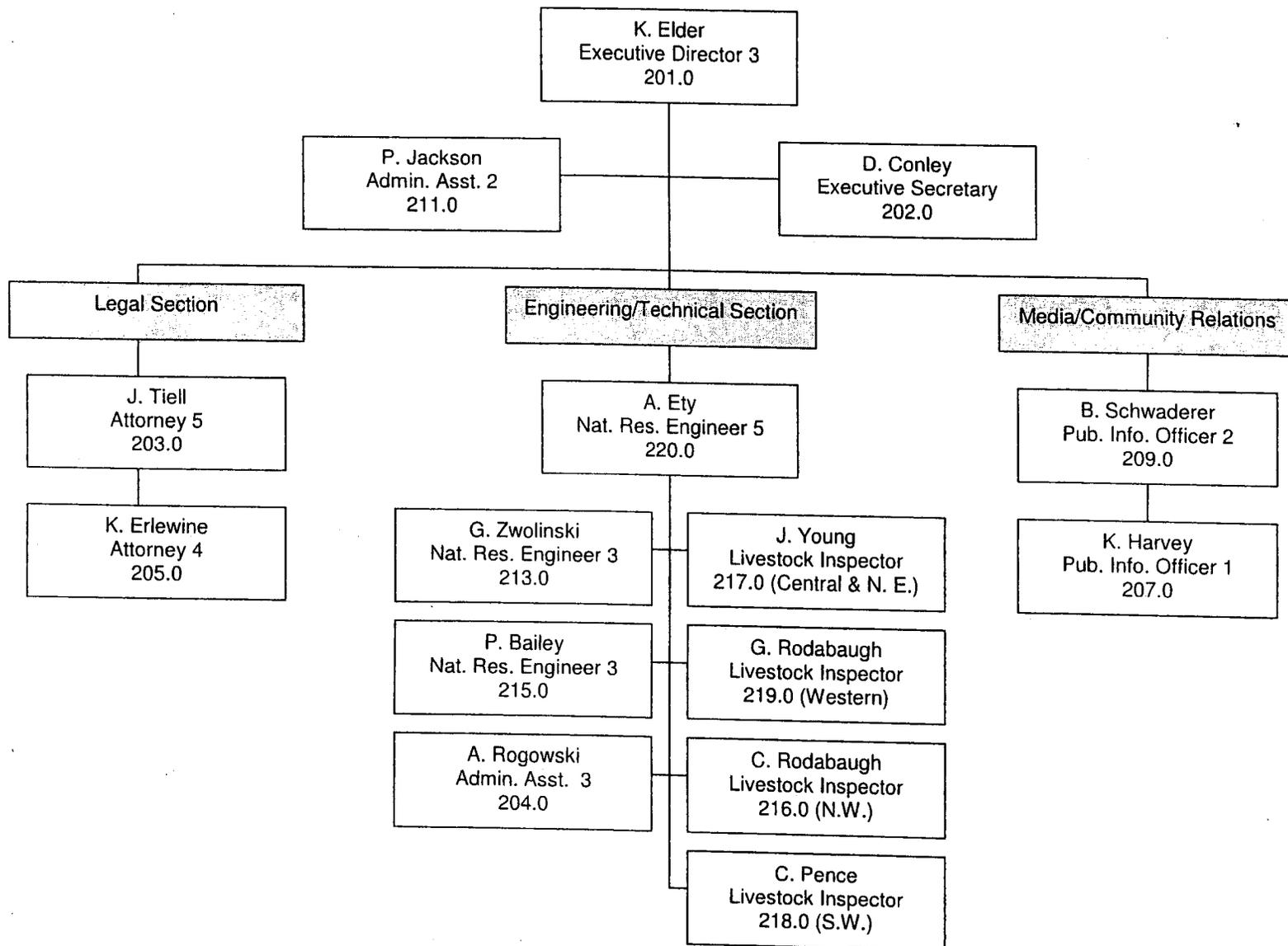
(17,872.45)

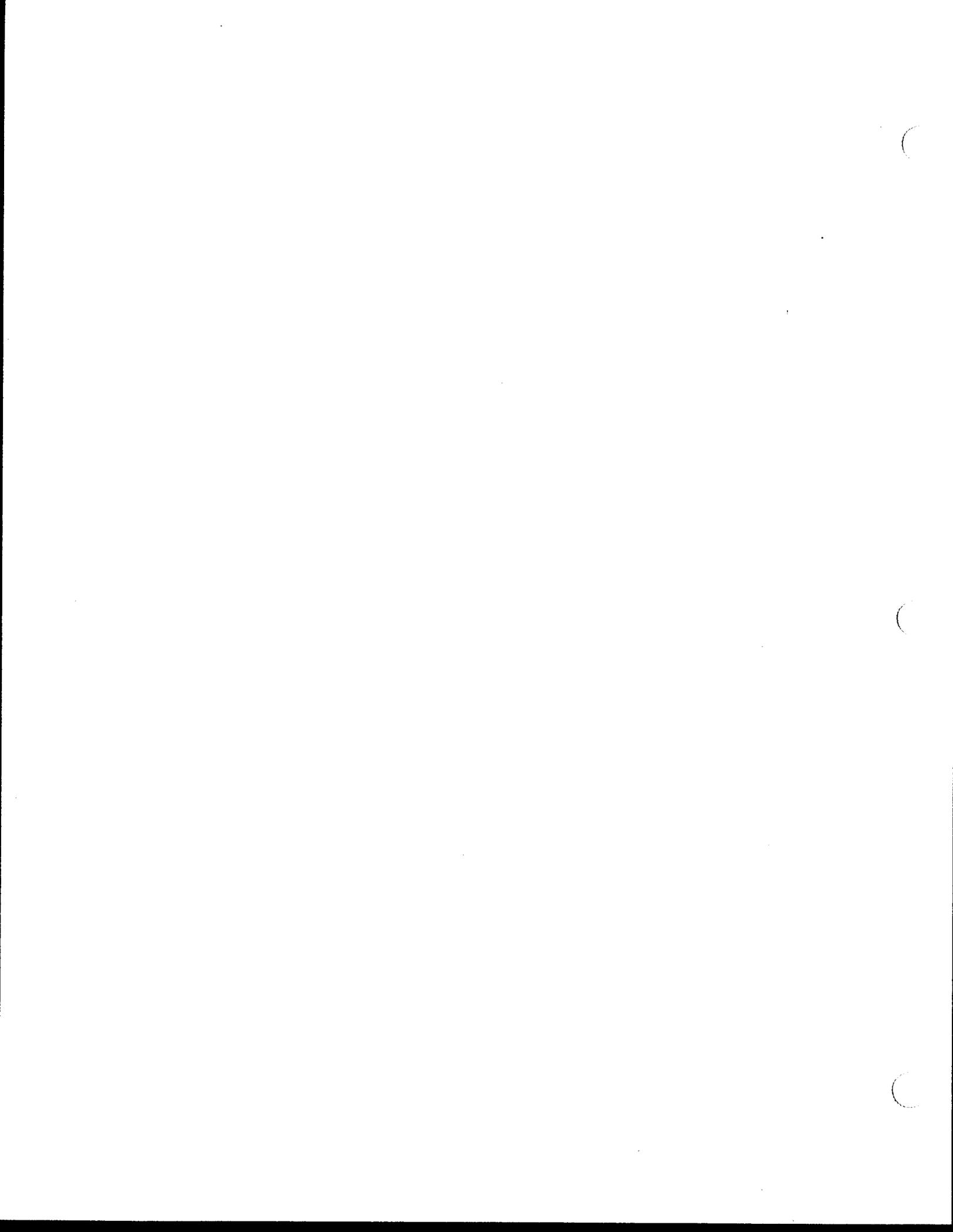
% RECEIVED

40%

40%







Position Descriptions

Position Descriptions

POSITION DESCRIPTION

OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES

PERSONNEL DIVISION

AGENCY Ohio Department of Agriculture
DIVISION OR INSTITUTION Administration
UNIT OR OFFICE Livestock Permit Program

<input checked="" type="checkbox"/> State Agency <input type="checkbox"/> County Agency <input type="checkbox"/> New Position <input type="checkbox"/> Change	COUNTY OF EMPLOYMENT LICKING
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USUAL WORKING TITLE OF POSITION	POSITION NO. AND TITLE OF IMMEDIATE SUPERVISOR 201.0 Executive Director 3
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NORMAL WORKING HOURS (Explain unusual or rotating shift)
 FROM: 8:00 AM TO: 5:00 PM

JOB DESCRIPTION AND WORKER CHARACTERISTICS

%	Job Duties in order of Importance	Minimum Acceptable Characteristics
60	Plans, directs & coordinates legal program of livestock permit program (i.e., cases have legal impact on other state agencies, governmental jurisdictions &/or private sector) &/or supervises legal staff & develops & implements policies relating to legal functions	K-13a,13b (ODA Rules), ORC 14 (ODA Rules & Laws) 23 (Laws as they pertain to livestock program & EPA); 30m;32a,b,c,d,e,f,g,h,i,l,o,p,q,r,s,t,v,w,y;33d,e;34b,c,d,e,f,g,h,i
20	Provides full range of legal advice & services to state &/or county agencies; delegate authority with Ohio EPA; conducts legal research & prepares briefs, contracts, leases, orders & other legal documents; conducts hearings & renders decisions; reviews &/or oversees reviews of complaints for potential legal violations; oversees preparation & review of all division's legal documents; assigns cases & trains staff; drafts &/or interprets legislation &/or rules for the livestock division.	K-13a,13b (ODA & EPA Rules), ORC 14 (ODA Rules & Laws) 30o;32a,b,c,d,e,f,g,h,i,l,o,p,q,r,s,t,v,w,y; 34b,c,d,e,f,g,h,i
20	Answers legal inquires from government officials &/or public; assists staff in resolving complex questions of law; prepares & delivers speeches; represents livestock division in meetings; cooperates with office of Attorney General on legal issues as required.	K-13a,13b (ODA Rules), ORC 14 (ODA Rules & Laws) 30m; 32a,b,c,d,e,f,g,h,i,l,o,p,q,r,s,t,v,w,y; 33d,e; 34b, c,d,e,f,g,h,i

List Position Numbers and Class Titles of positions directly supervised 23 Legal Secretary	SIGNATURE OF AGENCY  REPRESENTATIVE	DATE 1/2001
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POSITION CONTROL NUMBER
 203.0(22) EXEMPT-UNCLASS
 CLASS TITLE
 ATTORNEY 5
 NUMBER
 46

JAC 12/14/06
205.0 (22) Except - Incl

POSITION DESCRIPTION

OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES

AGENCY
Ohio Department of Agriculture

DIVISION OR INSTITUTION
Large Livestock

UNIT OR OFFICE

State Agency County Agency New Change

County of Employment
Licking

USUAL WORKING TITLE OF POSITION
Attorney

POSITION NO. AND TITLE OF IMMEDIATE SUPERVISOR
201.0 - Executive Director 3

NORMAL WORKING HOURS (Explain unusual or rotating shift)
8 a.m. - 5 p.m.

JOB DESCRIPTION AND WORKER CHARACTERISTICS

%	Job Duties in Order of Importance	Minimum Acceptable Characteristics
60	Under direction of the Executive Director 3, serves as management level employee providing legal advice (i.e. acts as lead attorney for the Ohio Department of Agriculture (ODA) on all matters pertaining to the Livestock Environmental Permitting Program; assumes primary responsibility over other staff attorneys assigned to ODA on advising the Director and the Executive Director 3 on policy development & implementation requiring legal research &/or litigation; participates in development & statewide enforcement of the ODA Livestock Environmental Program by ensuring agency compliance with State & Federal laws (e.g. Senate Bill 141 - 123 rd General Assembly, Ohio Administrative Code - Chapter 901, House Bill 152 - 125 th General Assembly, Ohio Revised Code 3767 & 903) & program requirements for large livestock farms in Ohio).	Knowledge of 5; 13b (ODA Work Rules & Procedures; 14 (OAC, ORC); 15; 17. Ability to 23 (understand law in livestock permitting). Skilled in 30q; 31e; 32x; 34f.
15	Assist in resolution, negotiation, settlement &/or litigation of legal matters (i.e. advocates legislation having impact on livestock production practices, soil & water conservation &/or odor control to include but not limited to the Clean Water Act & the National Pollutant Discharge Elimination System [NPDES], represents ODA at enforcement proceedings, originates, reviews, edits legal documents to aide Executive Director 3 in decision-making &/or in preparation to submit evidence during hearings, represents ODA by making legal arguments as directed); researches & drafts legal opinions, orders, memoranda & other legal documents.	Knowledge of 5; 13b (ODA Work Rules & Procedures; 14 (OAC, ORC); 15; 17. Ability to 23 (understand law in livestock permitting). Skilled in 30q; 31e; 32x; 34f.
15	Conduct legal research of case & statutory law, constitutions, state &/or federal rules, opinions &/or orders (i.e., performs legal research on rules governing new & existing large livestock & poultry farms, finds supporting &/or interprets case law relative to issuance of permits, identification of violations &/or assessment of penalties &/or fines).	Knowledge of 5; 13b (ODA Work Rules & Procedures; 14 (OAC, ORC); 15; 17. Ability to 23 (understand law in livestock permitting). Skilled in 30q; 31e; 32x; 34f.
10	Provides legal advice to & responds to inquiries from state &/or county administrators, general public, legislators &/or government officials (i.e., establishes professional working relationship with the Office of the attorney General, maintains effective verbal &/or written communication with other state & federal government agencies &/or other public & private sector organizations (i.e., Ohio EPA, ODNR, OSU, USDA, Ohio Livestock Coalition), writes legal opinions, prepares orders, memoranda & other legal documents as required by courts &/or as directed).	Knowledge of 5; 13b (ODA Work Rules & Procedures; 14 (OAC, ORC); 15; 17. Ability to 23 (understand law in livestock permitting). Skilled in 30q; 31e; 32x; 34f.

List Position Numbers and Class Titles of Positions Directly Supervised:

SIGNATURE OF AGENCY REPRESENTATIVE

DATE

Fred A. Doney

12/14/06

POSITION CONTROL NUMBER
205.0 (22) Except - Incl

CLASS TITLE
Attorney 4

CLASS TITLE

JOB NUMBER
63845

POSITION DESCRIPTION

OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES

PERSONNEL DIVISION

AGENCY

DEPARTMENT OF AGRICULTURE

DIVISION OR INSTITUTION

LIVESTOCK ENVIRONMENTAL PERMITTING

UNIT OR OFFICE

State Agency County Agency New Position Change

COUNTY OF EMPLOYMENT

Licking

USUAL WORKING TITLE OF POSITION

LIVESTOCK ENVIRONMENTAL ENGINEER 3

POSITION NO. AND TITLE OF IMMEDIATE SUPERVISOR

LIVESTOCK ENVIRONMENTAL ENGINEER 4

NORMAL WORKING HOURS (Explain unusual or rotating shift.)

FROM: 8:00 AM

TO: 5:00 PM

JOB DESCRIPTION AND WORKER CHARACTERISTICS

POSITION CONTROL NUMBER 213.0 (22) Exempt-Classified

CLASS TITLE Natural Resource Engineer 3

%	Job Duties in order of Importance	Minimum Acceptable Characteristics
50%	Reviews permit to install applications, permit to operate applications, review compliance certificates and NPDES permit applications for Concentrated Animal Feeding Facilities to ensure that they meet technical requirements for issuance. Engineering duties will include livestock and manure facility design, hydro-geological, geological, and soils designs involving manure holding ponds and manure treatment lagoons. Manure facilities involving fabricated structural designs of concrete, steel, wood and masonry. Also the design, review, installation and inspection of storm water, sediment and erosion control practices adjacent to these facilities. Additionally develops and reviews plans for the utilization, treatment, and distribution of manure for reuse as crop nutrient or other processed product.	1,5,7,8a, 9a, 9b, 11a, 12,13b, 14(state and federal engineering laws rules and guidelines), 16, 18 (environmental, civil agricultural, hydrologic, hydraulic), 20(environmental, water quality, ecological, agronomy, animal science), 25b (CAD, Arc View), 29 (Dell PC) 30n 31g, 32q, 34e, 35a
30%	Conducts inspections of facilities, to ensure the proper operation and maintenance. Duties include inspection of structural integrity; proper management of facility, records properly kept of required system maintenance and operation. Complete inspection reports and prepare technical compliance and enforcement documents.	5,7,8,9b, 11a, 14(state and federal engineering laws rules and guidelines), 1 (environmental, civil, agricultural, hydrologic, hydraulic), 20(environmental water quality, ecological, agronomy, animal science), 25b (CAD), 29 (Dell PC 30k (engineering- ability to review, prepare & edit specifications, construction plans, permits, and related documents), 31i, 32x, 34a
10%	Maintains database of information on permits, inspections, reports, compliance and enforcement. Responds to requests for information from the public, permit holders and applicants. Completes required reports and transmit to supervisor.	5,7,8,9b, 11a, 14(state and federal engineering laws rules and guidelines), 1 (environmental, civil, agricultural, hydrologic, hydraulic), 20(environmental water quality, ecological, agronomy, animal science), 25b (CAD), 29 (Dell PC 30m, 31g, 32q, 34e, 35a
10%	Provides training to program staff, consultants, producers, agency staff on technical requirements regarding the Livestock Environmental Permitting Program Rules, technical standards, applications, inspections, operational records and reporting requirements.	5,7,8,9b, 11a, 14(state and federal engineering laws rules and guidelines), 1 (environmental, civil, agricultural, hydrologic, hydraulic), 20(environmental, water quality, ecological, agronomy, animal science), 25b (CAD), 29 (Dell PC) 30m, 31g, 32q, 34e, 35a

List Position Numbers and Class Titles of positions directly supervised

SIGNATURE OF AGENCY REPRESENTATIVE

DATE

And L. Daily

7/11/02

POSITION DESCRIPTION

OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES

PERSONNEL DIVISION

AGENCY

DEPARTMENT OF AGRICULTURE

DIVISION OR INSTITUTION

LIVESTOCK ENVIRONMENTAL PERMITTING

UNIT OR OFFICE

POSITION CONTROL NUMBER 214.0 (22) Exempt-Classified

Natural Resource Engineer 3

State Agency County Agency New Position Change

COUNTY OF EMPLOYMENT

Licking

USUAL WORKING TITLE OF POSITION

LIVESTOCK ENVIRONMENTAL ENGINEER 3

POSITION NO. AND TITLE OF IMMEDIATE SUPERVISOR

LIVESTOCK ENVIRONMENTAL ENGINEER 4

NORMAL WORKING HOURS (Explain unusual or rotating shift.)

FROM: 8:00 AM

TO: 5:00 PM

JOB DESCRIPTION AND WORKER CHARACTERISTICS

%	Job Duties in order of Importance	Minimum Acceptable Characteristics
50%	Reviews permit to install applications, permit to operate applications, review compliance certificates and NPDES permit applications for Concentrated Animal Feeding Facilities to ensure that they meet technical requirements for issuance. Engineering duties will include livestock and manure facility design, hydro-geological, geological, and soils designs involving manure holding ponds and manure treatment lagoons. Manure facilities involving fabricated structural designs of concrete, steel, wood and masonry. Also the design, review, installation and inspection of storm water, sediment and erosion control practices adjacent to these facilities. Additionally develops and reviews plans for the utilization, treatment, and distribution of manure for reuse as crop nutrient or other processed product.	1,5,7,8a, 9a, 9b, 11a, 12,13b, 14(state and federal engineering laws rules and guidelines), 16, 18 (environmental, civil, agricultural, hydrologic, hydraulic), 20(environmental, water quality, ecological, agronomy, animal science), 25b (CAD, Arc View), 29 (Dell PC) 30m, 31g, 32q, 34e, 35a
30%	Conducts inspections of facilities, to ensure the proper operation and maintenance. Duties include inspection of structural integrity; proper management of facility, records properly kept of required system maintenance and operation. Complete inspection reports and prepare technical compliance and enforcement documents.	5,7,8,9b, 11a, 14(state and federal engineering laws rules and guidelines), 18 (environmental, civil, agricultural, hydrologic, hydraulic), 20(environmental, water quality, ecological, agronomy, animal science), 25b (CAD), 29 (Dell PC) 30k (engineering- ability to review, prepare & edit specifications, construction plans, permits, and related documents), 31i, 32x, 34a
10%	Maintains database of information on permits, inspections, reports, compliance and enforcement. Responds to requests for information from the public, permit holders and applicants. Completes required reports and transmit to supervisor.	5,7,8,9b, 11a, 14(state and federal engineering laws rules and guidelines), 18 (environmental, civil, agricultural, hydrologic, hydraulic), 20(environmental, water quality, ecological, agronomy, animal science), 25b (CAD), 29 (Dell PC) 30m, 31g, 32q, 34e, 35a
10%	Provides training to program staff, consultants, producers, agency staff on technical requirements regarding the Livestock Environmental Permitting Program Rules, technical standards, applications, inspections, operational records and reporting requirements.	5,7,8,9b, 11a, 14(state and federal engineering laws rules and guidelines), 18 (environmental, civil, agricultural, hydrologic, hydraulic), 20(environmental, water quality, ecological, agronomy, animal science), 25b (CAD), 29 (Dell PC) 30m, 31g, 32q, 34e, 35a

List Position Numbers and Class Titles of positions directly supervised

SIGNATURE OF AGENCY REPRESENTATIVE

DATE

And L. Daily

7/11/02

POSITION DESCRIPTION

OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES
PERSONNEL DIVISION

AGENCY
DEPARTMENT OF AGRICULTURE
DIVISION OR INSTITUTION
LIVESTOCK ENVIRONMENTAL PERMITTING
UNIT OR OFFICE

X State Agency ___ County Agency X New Position Change

COUNTY OF EMPLOYMENT
Licking

USUAL WORKING TITLE OF POSITION

POSITION NO. AND TITLE OF IMMEDIATE SUPERVISOR

LIVESTOCK ENVIRONMENTAL ENGINEER 2

LIVESTOCK ENVIRONMENTAL ENGINEER 3

NORMAL WORKING HOURS (Explain unusual or rotating shift.)

FROM: 8:00 AM

TO: 5:00 PM

JOB DESCRIPTION AND WORKER CHARACTERISTICS

POSITION CONTROL NUMBER
212.0 (13) Barg Unit

r 2

Natural Resource En

%	Job Duties in order of Importance	Minimum Acceptable Characteristics
50%	<p>Under direction of supervising engineer, reviews permit to install applications, permit to operate applications, review compliance certificates and NPDES permit applications for Concentrated Animal Feeding Facilities to ensure that they meet technical requirements for issuance. Engineering duties will include livestock and manure facility design, hydro-geological, geological, and soils designs involving manure holding ponds and manure treatment lagoons. Manure facilities involving fabricated structural designs of concrete, steel, wood and masonry. Also the design, review, installation and inspection of storm water, sediment and erosion control practices adjacent to these facilities. Additionally develops and reviews plans for the utilization, treatment, and distribution of manure for reuse as crop nutrient or other processed product.</p>	<p>13b, 14(state and federal engineering laws rules and guidelines), 16, 18 (environmental, civil, agricultural, hydrologic, hydraulic), 20(environmental, water quality, ecological, agronomy, animal science), 25b (CAD, Arc View), 29 (Dell PC) 30m, 31g, 32x, 34d, 35a</p>
40%	<p>Under direction of supervising engineer, conducts inspections of facilities, to ensure the proper operation and maintenance. Duties include inspection of structural integrity; proper management of facility, records properly kept of required system maintenance and operation. Complete inspection reports and prepare technical compliance and enforcement documents. Completes required reports and transmit to supervisor.</p>	<p>13b, 14(state and federal engineering laws rules and guidelines), 16, 18 (environmental, civil, agricultural, hydrologic, hydraulic), 20(environmental, water quality, ecological, agronomy, animal science), 25b (CAD, Arc View), 29 (Dell PC) 30m, 31g, 32x, 34d, 35a</p>
10%	<p>Participates in development of personal training plan and works to accomplish goals in that plan and to become registered professional engineer.</p>	<p>13b, 14(state and federal engineering laws rules and guidelines), 16, 18 (environmental, civil, agricultural, hydrologic, hydraulic), 20(environmental, water quality, ecological, agronomy, animal science), 25b (CAD, Arc View), 29 (Dell PC) 30m, 31g, 32x, 34d, 35a</p>

List Position Numbers and Class Titles of positions directly supervised

SIGNATURE OF AGENCY REPRESENTATIVE

DATE

Paul J. Daily

7/11/02

POSITION DESCRIPTION

OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES

PERSONNEL DIVISION

AGENCY

DEPT OF AGRICULTURE

DIVISION OR INSTITUTION

DIVISION OF LIVESTOCK PERMITTING

UNIT OR OFFICE

ADMINISTRATION

State Agency County Agency New Position Change

COUNTY OF EMPLOYMENT
Hardin

USUAL WORKING TITLE OF POSITION

LIVESTOCK INSPECTOR

POSITION NO. AND TITLE OF IMMEDIATE SUPERVISOR

215.0 NATURAL RESOURCES ENGINEER 4

NORMAL WORKING HOURS (Explain unusual or rotating shift.)

FROM: 8:00 AM

TO: 5:00 PM

JOB DESCRIPTION AND WORKER CHARACTERISTICS

%	Job Duties in order of Importance	Minimum Acceptable Characteristics
70	<p>Inspects livestock & poultry locations where they are housed, exhibited, sold &/or slaughtered (e.g. farms, fairs, dealers, poultry & livestock markets, swine garbage feeding operations, farmers, slaughter establishments, concentration points & rendering plants) & animal damage situations for compliance with state livestock laws & administrative rules & USDA APHIS & USFDA rules & regulations (e.g., tests, inspects, appraises & depopulates livestock & poultry, collects health data), issues & releases quarantines, oversees cleaning & disinfecting of areas where animals are housed, oversees shipment of animals & issues permits for movement of animals.</p>	<p>11b. Human Resources, 20. Natural Sciences (biological sciences -zoology, botany) agronomy: animal science, environmental science; 30i; 31e; 32r; 34i.</p>
30	<p>Examines & audits records of livestock dealers & livestock markets (e.g., dollar volume for bonding, headage for licensing, compliance with animal health or animal identification requirements & epidemiological records to trace animals for compliance with state federal laws & regulations); prepares reports on inspections, testing &/or violation notices, attends meetings, training sessions & Working conferences; operates personal computer to generate written materials (e.g., correspondence; reports; memorandums) &/or to enter, edit, verify or retrieve data.</p>	<p>11b. Human Resources, 20. Natural Sciences (biological sciences -zoology, botany) agronomy: animal science, environmental science; 30i; 31e; 32r; 34i</p>

CLASS TITLE: Livestock Inspector
 POSITION CONTROL NUMBER: 216.0
 21111

List Position Numbers and Class Titles of positions directly supervised

SIGNATURE OF AGENCY REPRESENTATIVE

Ined J Daily

DATE

7/11/03

POSITION DESCRIPTION

OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES
PERSONNEL DIVISION

AGENCY
DEPT OF AGRICULTURE
DIVISION OR INSTITUTION
DIVISION OF LIVESTOCK PERMITTING
UNIT OR OFFICE
ADMINISTRATION

X State Agency ___ County Agency New Position Change

COUNTY OF EMPLOYMENT
Perry

USUAL WORKING TITLE OF POSITION

LIVESTOCK INSPECTOR

POSITION NO. AND TITLE OF IMMEDIATE SUPERVISOR

215.0 NATURAL RESOURCES ENGINEER 4

NORMAL WORKING HOURS (Explain unusual or rotating shift.)

FROM: 8:00 AM

TO: 5:00 PM

JOB DESCRIPTION AND WORKER CHARACTERISTICS

%	Job Duties in order of Importance	Minimum Acceptable Characteristics
70	<p>Inspects livestock & poultry locations where they are housed, exhibited, sold &/or slaughtered (e.g. farms, fairs, dealers, poultry & livestock markets, swine garbage feeding operations, farmers, slaughter establishments, concentration points & rendering plants) & animal damage situations for compliance with state livestock laws & administrative rules & USDA APHIS & USFDA rules & regulations (e.g., tests, inspects, appraises & depopulates livestock & poultry, collects health data), issues & releases quarantines, oversees cleaning & disinfecting of areas where animals are housed, oversees shipment of animals & issues permits for movement of animals.</p>	<p>11b. Human Resources, 20. Natural Sciences (biological sciences -zoology, botany) agronomy: animal science, environmental science; 30i; 31e; 32r; 34i.</p>
30	<p>Examines & audits records of livestock dealers & livestock markets (e.g., dollar volume for bonding, headage for licensing, compliance with animal health or animal identification requirements & epidemiological records to trace animals for compliance with state federal laws & regulations); prepares reports on inspections, testing &/or violation notices, attends meetings, training sessions & Working conferences; operates personal computer to generate written materials (e.g., correspondence; reports; memorandums) &/or to enter, edit, verify or retrieve data.</p>	<p>11b. Human Resources, 20. Natural Sciences (biological sciences -zoology, botany) agronomy: animal science, environmental science; 30i; 31e; 32r; 34i</p>

POSITION CONTROL NUMBER 217.0 (03) BK
 CLASS TITLE Livestock
 21111

List Position Numbers and Class Titles of positions directly supervised

SIGNATURE OF AGENCY REPRESENTATIVE

DATE

Fred J. Daily

7/1/02

POSITION DESCRIPTION

OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES
PERSONNEL DIVISION

AGENCY
DEPT OF AGRICULTURE
DIVISION OR INSTITUTION
DIVISION OF LIVESTOCK PERMITTING
UNIT OR OFFICE
ADMINISTRATION

State Agency County Agency New Position Change

COUNTY OF EMPLOYMENT
Champaign

USUAL WORKING TITLE OF POSITION

LIVESTOCK INSPECTOR

POSITION NO. AND TITLE OF IMMEDIATE SUPERVISOR

215.0 NATURAL RESOURCES ENGINEER 4

NORMAL WORKING HOURS (Explain unusual or rotating shift.)

FROM: 8:00 AM

TO: 5:00 PM

JOB DESCRIPTION AND WORKER CHARACTERISTICS

%	Job Duties in order of Importance	Minimum Acceptable Characteristics
70	<p>Inspects livestock & poultry locations where they are housed, exhibited, sold &/or slaughtered (e.g. farms, fairs, dealers, poultry & livestock markets, swine garbage feeding operations, farmers, slaughter establishments, concentration points & rendering plants) & animal damage situations for compliance with state livestock laws & administrative rules & USDA APHIS & USFDA rules & regulations (e.g., tests, inspects, appraises & depopulates livestock & poultry, collects health data), issues & releases quarantines, oversees cleaning & disinfecting of areas where animals are housed, oversees shipment of animals & issues permits for movement of animals.</p>	<p>11b. Human Resources, 20. Natural Sciences (biological sciences -zoology, botany) agronomy: animal science, environmental science; 30i; 31e; 32r; 34i.</p>
30	<p>Examines & audits records of livestock dealers & livestock markets (e.g., dollar volume for bonding, headage for licensing, compliance with animal health or animal identification requirements & epidemiological records to trace animals for compliance with state federal laws & regulations); prepares reports on inspections, testing &/or violation notices, attends meetings, training sessions & Working conferences; operates personal computer to generate written materials (e.g., correspondence; reports; memorandums) &/or to enter, edit, verify or retrieve data.</p>	<p>11b. Human Resources, 20. Natural Sciences (biological sciences -zoology, botany) agronomy: animal science, environmental science; 30i; 31e; 32r; 34i</p>

List Position Numbers and Class Titles of positions directly supervised

SIGNATURE OF AGENCY REPRESENTATIVE

DATE

Ined J Daily

7/1/02

FA 111102
 POSITION CONTROL NUMBER 07131
 218.0
 CLASS TITLE Livestock Inspector
 21111

POSITION DESCRIPTION

OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES
PERSONNEL DIVISION

AGENCY
DEPT OF AGRICULTURE
DIVISION OR INSTITUTION
DIVISION OF LIVESTOCK PERMITTING
UNIT OR OFFICE
ADMINISTRATION

FAH 1111105
 POSITION CONTROL NUMBER 219.0
 CLASS TITLE Livestock I
 21111

X State Agency ___ County Agency New Position Change

COUNTY OF EMPLOYMENT
Champaign

USUAL WORKING TITLE OF POSITION: LIVESTOCK INSPECTOR
POSITION NO. AND TITLE OF IMMEDIATE SUPERVISOR: 215.0 NATURAL RESOURCES ENGINEER 4

NORMAL WORKING HOURS (Explain unusual or rotating shift.)
FROM: 8:00 AM TO: 5:00 PM

JOB DESCRIPTION AND WORKER CHARACTERISTICS

%	Job Duties in order of Importance	Minimum Acceptable Characteristics
70	<p>Inspects livestock & poultry locations where they are housed, exhibited, sold &/or slaughtered (e.g. farms, fairs, dealers, poultry & livestock markets, swine garbage feeding operations, farmers, slaughter establishments, concentration points & rendering plants) & animal damage situations for compliance with state livestock laws & administrative rules & USDA APHIS & USFDA rules & regulations (e.g., tests, inspects, appraises & depopulates livestock & poultry, collects health data), issues & releases quarantines, oversees cleaning & disinfecting of areas where animals are housed, oversees shipment of animals & issues permits for movement of animals.</p>	<p>11b. Human Resources, 20. Natural Sciences (biological sciences -zoology, botany) agronomy: animal science, environmental science; 30i; 31e; 32r; 34i.</p>
30	<p>Examines & audits records of livestock dealers & livestock markets (e.g., dollar volume for bonding, headage for licensing, compliance with animal health or animal identification requirements & epidemiological records to trace animals for compliance with state federal laws & regulations); prepares reports on inspections, testing &/or violation notices, attends meetings, training sessions & Working conferences; operates personal computer to generate written materials (e.g., correspondence; reports; memorandums) &/or to enter, edit, verify or retrieve data.</p>	<p>11b. Human Resources, 20. Natural Sciences (biological sciences -zoology, botany) agronomy: animal science, environmental science; 30i; 31e; 32r; 34i</p>

List Position Numbers and Class Titles of positions directly supervised

SIGNATURE OF AGENCY REPRESENTATIVE: *Ined J Daily*

DATE: 7/11/03

POSITION DESCRIPTION

OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES
PERSONNEL DIVISION

AGENCY	Agriculture AGRICULTURE
DIVISION	ADMINISTRATION
UNIT OR OFFICE	Large-Livestock

POSITION CONTROL NUMBER 209.0 22 Exempt-Unclassified
 CLASS TITLE Public Information Officer
 64422

<input type="checkbox"/> State Agency <input type="checkbox"/> County Agency <input type="checkbox"/> New Position <input type="checkbox"/> Change		COUNTY OF EMPLOYMENT Licking
USUAL WORKING TITLE OF POSITION Public Information Officer 2	POSITION NO. AND TITLE OF IMMEDIATE SUPERVISOR 201.0 Executive Director 3	
NORMAL WORKING HOURS (Explain unusual or rotating shift) FROM: 8:00 am TO: 5:00 pm (may be required to work weeknights &/or weekends, possible overnight travel)		

JOB DESCRIPTION AND WORKER CHARACTERISTICS		
%	Job Duties in order of Importance	Minimum Acceptable Characteristics
70	<p>Advises, consults with and assists Program Chief, Agency Communications Director, Agency Director, and other key staff regarding public relations issues and strategies; plans and directs program's public information policies and procedures, including coordinating with other agencies and organizations, monitoring media and public inquiries, and assisting with public information and media relations activities as directed; responds verbally or in writing or consults with other appropriate parties within the department for response to public and media inquiries received by telephone, internet, mail, fax, or in-person visit about the program's services, facilities, or sensitive policy issues; researches, writes, types, proofs, and distributes informational materials about program's goals and activities, including announcements, news releases, feature articles, speeches, and other communications such as program's reports, weekly activity reports, and daily inquiry summaries.</p>	<p>K: 11a, b, 13b, 14 S: 25a, 25b, 29 (Macintosh or PC) A: 30k (agriculture), 30o (journalism), 30r 31a, b, c, d, 32a, b, c, d, e, f, g, h i, j, k, l, m, n, o, p, q, r, s, t, u, v, y 33 a, b, c, d, e 34 a, b, c, d, e, f, i</p>
30	<p>Plans and carries out special events including press conferences; assists Program Chief and other program staff in planning, publicizing, and carrying out public information meetings such as public hearings; serves as a resource person for information on positive public presentation of program's activities; responds to written and/or telephone requests for speeches and/or presentations; delivers speeches and gives presentations; and other duties as assigned; supervises assigned personnel (e.g. administrative assistant 3 and executive secretary.)</p>	<p>K: 11a, b, 13b, 14 S: 25a, 25b, 29 A: 30k (agriculture), 30o (journalism), 30r 31a, b, c, d, 32a, b, c, d, e, f, g, h i, j, k, l, m, n, o, p, q, r, s, t, u, v, y 33 a, b, c, d, e 34 a, b, c, d, e, f, i</p>

List Position Numbers and Class Titles of positions directly supervised.	SIGNATURE OF AGENCY REPRESENTATIVE 	DATE 5/8/2001
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POSITION DESCRIPTION

OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES
PERSONNEL DIVISION

AGENCY
Agriculture
DIVISION OR INSTITUTION
Livestock Environmental Permitting Program
UNIT OR OFFICE

700-000 Update

POSITION CONTROL NUMBER 207.0 (22) Exempt-Unclass

CLASS TITLE Administrative Assistant 3

X State Agency ___ County Agency New Position Change

COUNTY OF EMPLOYMENT
Licking

USUAL WORKING TITLE OF POSITION: Administrative Assistant 3
POSITION NO. AND TITLE OF IMMEDIATE SUPERVISOR: Public Information Officer 2

NORMAL WORKING HOURS (Explain unusual or rotating shift.)
FROM: 8:00 AM TO: 5:00 PM

JOB DESCRIPTION AND WORKER CHARACTERISTICS

%	Job Duties in order of Importance	Minimum Acceptable Characteristics
30	Acts for the administrator by planning, developing and implementing public involvement strategies and activities for Livestock Environmental Permitting Program, including community relations plans, public information sessions, public meetings and informal meetings with citizens. Serves as a liaison between the administrator and the public by acting as the initial contact and spokesperson with various publics. Serves as a liaison between the administrator and the staff by preparing them for public meetings. Represents the administrator at public meetings and public education events, and arranges for participation by appropriate technical staff at them.	Knowledge of 1, 8, 11a, 11b, 13b, 14, 19 (communications, speech, or related field), 21 (social sciences). Skill in 25b, 29 (motor vehicle, personal computer). Ability to 30a, b, c, d, e, f, h, I, j, k, l, n, r, 32a, c, d, e, f, g, h, I, j, k, o, r, s, u, v, 34a, b, c, d, f, i
30	Analyzes and evaluate public involvement and public education programs and policies by tracking commitments made at meetings and to the Department, including responses to questions and requests submitted by elected officials and/or citizens, as a part of the permitting process. Provides technical advice to staff on public education.	Knowledge of 1, 8, 11a, 11b, 13b, 14, 19, 21. Skill in 25b, 29. Ability to 30a, b, c, d, e, f, h, I, j, k, l, n, r, 32a, c, d, e, f, g, h, I, j, k, o, r, s, u, v, 34a, b, c, d, f, i
30	Develops and coordinates public meetings. Furnishes information and explains program to the public, other agency personnel, and the legislature. Responds to complaints and inquiries by letter or phone from the public. Prepares letters and reports for own signature, or signature by agency management or governor. Gives speeches/presentations on issues to general audiences and organizations (i.e. trade associations, civic groups). Assists public information officer 2 with media as required.	Knowledge of 1, 8, 11a, 11b, 13b, 14, 19, 21. Skill in 25b, 29. Ability to 30a, b, c, d, e, f, h, I, j, k, l, n, r, 32a, c, d, e, f, g, h, I, j, k, o, r, s, u, v, 34a, b, c, d, f, i
10	Plans and executes displays and special events (i.e. workshops, conferences) by arranging facility location and rental. Develops informational materials and publications (brochures, scripts, etc.) and writes articles for agency publications. Develops public education sessions to train producers and agency personnel.	Knowledge of 1, 8, 11a, 11b, 13b, 14, 19, 21. Skill in 25b, 29. Ability to 30a, b, c, d, e, f, h, I, j, k, l, n, r, 32a, c, d, e, f, g, h, I, j, k, o, r, s, u, v, 34a, b, c, d, f, i

List Position Numbers and Class Titles of positions directly supervised

SIGNATURE OF AGENCY REPRESENTATIVE: *Fred L. Daily*

DATE: 2/14/03

POSITION DESCRIPTION

OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES
PERSONNEL DIVISION

AGENCY Agriculture
DIVISION OR INSTITUTION Administration
UNIT OR OFFICE Livestock Permitting Program

State Agency County Agency New Position Change

COUNTY OF EMPLOYMENT
Licking

USUAL WORKING TITLE OF POSITION
Executive Secretary

POSITION NO. AND TITLE OF IMMEDIATE SUPERVISOR
201.0 Executive Director 3

NORMAL WORKING HOURS (Explain unusual or rotating shift.)
FROM: TO:

JOB DESCRIPTION AND WORKER CHARACTERISTICS

%	Job Duties in order of Importance	Minimum Acceptable Characteristics
50%	Performs non-routine administrative tasks (i.e., independently formulates decisions &/or judgements involving non-legal interpretation of policies as they would apply to given situations to resolve problems, prepare correspondence &/or reports or to carry out other assignments); (e.g.. prepares program summaries and reports, responds to correspondence; reviews and summarizes fiscal, &/or operational and/or personnel reports; represents Executive Director at meetings and conferences with other agencies; researches and prepares data for budget inclusion; assists in writing budget justification) coordinates the acquisition and maintenance of office machines such as telephones, copiers, computers and/or typing equipment.	K-3,4,11a,11b,12,13a S-25, 29 (Word Perfect, electronic typewriter, copier, fax, calculator) A-30a,c,e,f,h,j,l,n 31a,b,c,d,e 32a,b,c,d,e,f,g,h,i,j k,l,m,n,o,q,r,s,t,v 33a,b,c,d,e 34b,c,d,f,i 35a,b
30%	Performs secretarial tasks (e.g., prepares confidential correspondence &/or reports at the request of the Executive Director) maintains confidential files (e.g., personnel evaluation forms, personnel leave forms) maintains calendar &/or makes travel arrangements for staff; takes &/or transcribes dictation &/or minutes of advisory board or other meetings; prepares payroll reports and/or timesheets; handles sensitive telephone calls; channels calls to appropriate staff.	K-3,4,11a,11b,12,13a S-25, 29 (Word Perfect, electronic typewriter, copier, fax, calculator) A-30a,c,e,f,h,j,l,n 31a,b,c,d,e 32a,b,c,d,e,f,g,h,i,j k,l,m,n,o,q,r,s,t,v 33a,b,c,d,f,i 34b,c,d,f,i 35a,b
20%	Performs clerical tasks (e.g., receives, opens, logs, distributes incoming mail; answers phone and screens calls; greets and directs visitors; maintains inventory of general office supplies and orders as needed; maintains files and retrieves information); prepares routine forms; prepares records retention and disposal schedules and arranges record transfers.	K-3,4,11a,11b,12,13a S-25, 29 (Word Perfect, electronic typewriter, copier, fax, calculator) A-30a,c,e,f,h,j,l,n 31a,b,c,d,e 32a,b,c,d,e,f,g,h,i,j k,l,m,n,o,q,r,s,t,v 33a,b,c,d,f,i 34b,c,d,f,i 35a,b

POSITION CONTROL NUMBER
202.0 (22) Exempt-Inclassified

CLASS TITLE
Executive Secretary 1

CLASS
6832

List Position Numbers and Class Titles of positions directly supervised.

SIGNATURE OF AGENCY REPRESENTATIVE

DATE

Fred L. Parry

4/26/01

POSITION DESCRIPTION

OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES
PERSONNEL DIVISION

AGENCY
DEPT OF AGRICULTURE
DIVISION OR INSTITUTION
DIVISION OF LIVESTOCK PERMITTING
UNIT OR OFFICE
ADMINISTRATION

POSITION CONTROL NUMBER
211.0 (22) External

CLASS TITLE
Administrative Assistant 2

63122

X State Agency ___ County Agency New Position Change

COUNTY OF EMPLOYMENT
Licking

USUAL WORKING TITLE OF POSITION: Administrative Assistant
POSITION NO. AND TITLE OF IMMEDIATE SUPERVISOR: 201.0 Executive Director 3

NORMAL WORKING HOURS (Explain unusual or rotating shift.)
FROM: 8:00 AM TO: 5:00 PM

JOB DESCRIPTION AND WORKER CHARACTERISTICS

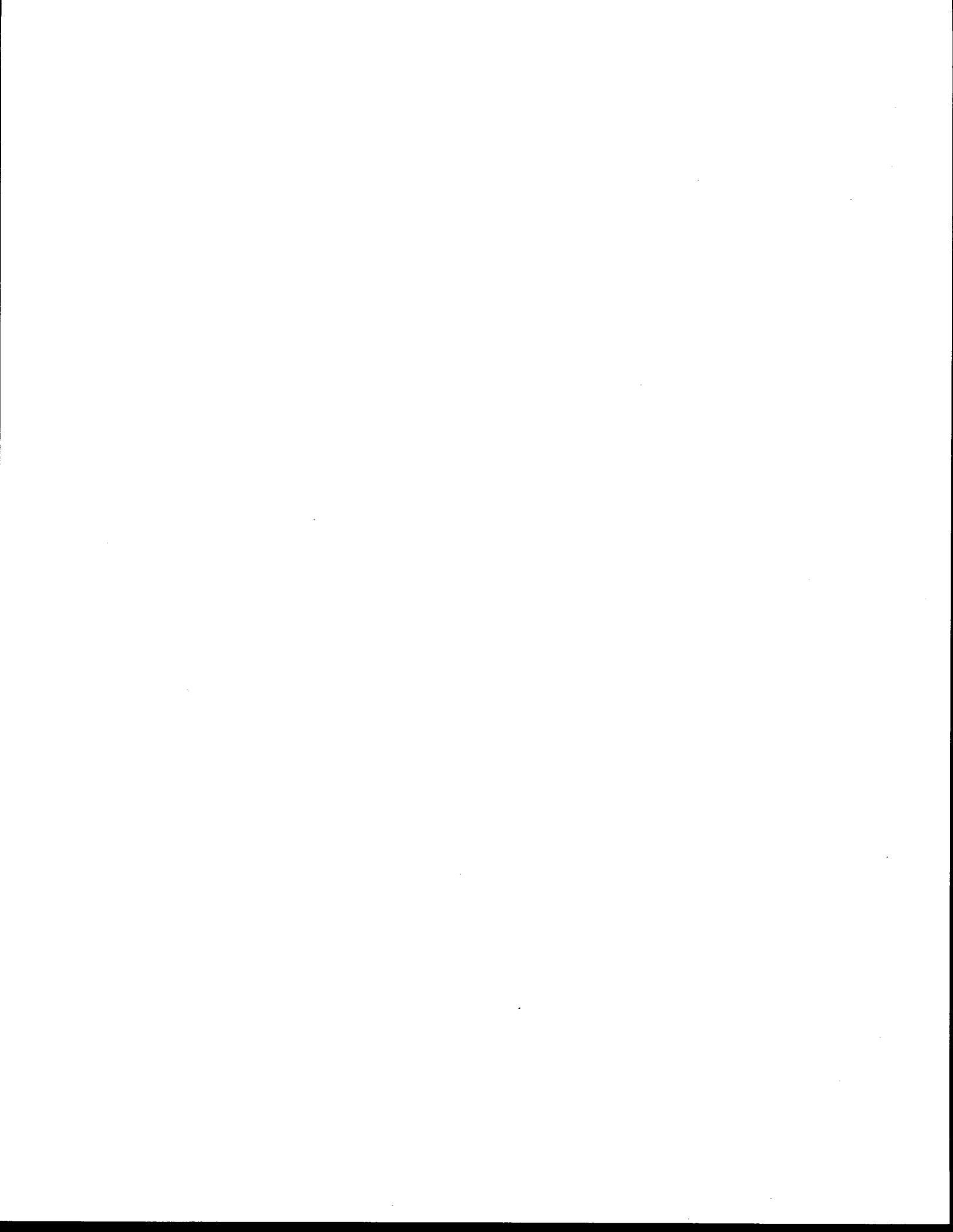
%	Job Duties in Order of Importance	Minimum Acceptable Characteristics
20%	Acts for the Administrator of the Livestock Permitting Program (e.g., independently answers complex &/or confidential correspondence; conducts staff meeting to discuss rules & operating procedures relating to assigned area; monitors manpower needs & insures sufficient personnel to complete special assignments/projects), serves as liaison between administrator & subordinates, transmits decisions & directives, represents administrator at meetings & conferences, formulates & implements program policy & assumes responsibility authority in the administrators absence, or does all of the proceeding and supervises staff (i.e. assigned clerical, maintenance, security &/or lower level administrative employees).	K-1,2,3,4,5,9a,11a,11b,12,13a, S-25, 29(Word, electronic typewriter, copier, fax, calculator A-30a,c,d,e,h,j,l,n 31a,b,c,d,e 32a,b,c,d,e,f,h,i,j,k,l,m,n,o,q,r,s,t,u,v, 33a,b,c,d,e 34b,c,d,e,f,I 35a,b,
15%	Researches & analyzes programs, procedures & policies of the Livestock Environmental Permitting Program; develops project proposals & program plans; provides technical advice to aid administrators in decision making.	K-1,2,3,4,5,9a,11a,11b,12,13a, S-25, 29(Word, electronic typewriter, copier, fax, calculator A-30a,c,d,e,h,j,l,n
25%	Manages business functions of administrator's office; prepares & administers budgets; oversees maintenance of fiscal controls, authorizes expenditures & purchases; administers special programs & projects; coordinates specific auxiliary functions falling under the authority of supervisor.	31a,b,c,d,e 32a,b,c,d,e,f,h,i,j,k,l,m,n,o,q,r,s,t,u,v, 33a,b,c,d,e 34b,c,d,e,f,I 35a,b,
20%	Maintains and communicates with interested parties lists in regards to rule making and public notice of permitted facilities as part of the public participation requirements. Prepares notices and communications with media to comply with legal notice requirements.	K-1,2,3,4,5,9a,11a,11b,12,13a, S-25, 29(Word, electronic typewriter, copier, fax, calculator A-30a,c,d,e,h,j,l,n
20%	Performs public relations duties; researches & responds to inquiries & complaints; furnishes information & explains Livestock Environmental Permitting programs to the public; writes speeches & gives lectures; prepares news releases.	31a,b,c,d,e 32a,b,c,d,e,f,h,i,j,k,l,m,n,o,q,r,s,t,u,v, 33a,b,c,d,e 34b,c,d,e,f,I 35a,b,



List Position Numbers and Class Titles of positions directly supervised

SIGNATURE OF AGENCY REPRESENTATIVE: *Med J. Dorey*

DATE: 6/13/2001





GENERAL INFORMATION

Part A GENERAL INFORMATION

The following general information is required for all permits.

1. Owner's/Operator's Name and Address and Signature

Note: If there is more than one owner/operator or if this is a Corporation or Limited Liability Partnership (LLP) all owner/operators, officers, directors, partners or others that have a right to control the facility must be listed below. If there are more than two names, add the names, addresses and phone numbers of all additional individuals on a separate piece of paper. At least one owner/operator must **sign and certify** the permit application. Rule 901:10-2-01) Any change in owner/operator before a final decision is made on any permit requires signature and certification by the new owner/operator.

Name: _____	Name: _____
Address: _____	Address: _____
City: _____	City: _____
State: _____ Zip: _____	State: _____ Zip: _____
Phone: _____	Phone: _____
Fax: _____	Fax: _____
E-mail: _____	E-mail: _____

Signature

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering information, the information is, to the best of my knowledge and belief, true and accurate and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine or imprisonment for knowing violations." 901:10-1-02(A)(8)

Signature: _____

Printed Name: _____

Date: _____

Check one or both of the following:

- Name of Owner or
 Name of Operator

Print name here: _____



2. Facility Name and Address

Note: Please provide address and phone information only if different from above.
Rule 901:10-2-01(C)(1) and (5)

Name of Facility: _____
Contact Person: _____
Address: _____
City: _____ State: _____ Zip: _____
County: _____ Township: _____ Section: _____
Phone: _____ Fax: _____

3. Watershed: Rule 901:10-2-02

Name: _____
Address (8 digit code): _____

You may find the name of your watershed on the U.S. Environmental Protection Agency Watershed Information Network website: www.epa.gov/win. For assistance please contact the Ohio Department of Agriculture, Livestock Environmental Permitting Program at (614) 387-0470 or through the ODA website at: www.state.oh.us/agr/

4. Permit Application Prepared By

Rules 901:10-2-01 and 901:10-1-02(A)(8)

Name: _____ Company: _____
Address: _____
City: _____ State: _____ Zip: _____
Phone: _____ Fax: _____
Email: _____

Permit Preparation by Professional Engineer

Rules 901:10-2-03, 901:10-2-05, 901:10-2-06

Name: _____ Company: _____
Address: _____
City: _____ State: _____ Zip: _____
Phone: _____ Fax: _____
Email: _____



5. Reason for Application (Note: Check all that apply)

A. Permit to Install Rules 901:10-2-01 to 901:10-2-06

- Proposed construction of a new manure storage or treatment facility
 - Proposed expansion of an existing manure storage or treatment facility (by 10% or more) as a "modification" defined in Rule 901:10-1-01
 - Proposed expansion of animal numbers at an existing animal feeding facility (AFF) to the size of a concentrated animal feeding facility (CAFF)
 - Other (Please list and describe in detail):
-

B. Permit to Operate Rules 901:10-2-07 to 901:10-2-20

- Proposed operation of a new CAFF
 - Proposed expansion of animal numbers at an existing AFF to the size of a CAFF
 - Renewal of an expiring PTO
 - Other (Please list and describe in detail):
-

C. National Pollutant Discharge Elimination System (NPDES) Rules 901:10-2-07 to 901:10-2-20 and rules 901:10-3-01 to 901:10-3-11

- Designated as a concentrated animal feeding operation (CAFO)
 - Proposed new discharge
 - Other (Please list and describe in detail):
-

General National Pollution Discharge Elimination System (NPDES) Chapter 901:10-4 of the Ohio Administrative Code.

Individual National Pollution Discharge Elimination System (NPDES) Rules 901:10-2-07 to 901:10-2-20 and rules 901:10-3-01 to 901:10-3-11.

D. Fees:

- Permit to Install \$1,250.00
- Permit to Operate \$750.00
- Permit Modification \$200.00

E. Construction Stormwater NPDES Permit Rules 901:10-2-04(E) and 901:10-3-11

During the construction described in your permit application, will 1 acre or more be disturbed?

- Yes - You **WILL** need to apply for a Construction Stormwater NPDES Permit
- No - You **WILL NOT** need to apply for a Construction Stormwater Permit.

1. Other permits, licenses, certifications, etc.

The issuance of this permit does not constitute express or implied approval or agreement that if constructed and operated in accordance with the



application and the plans included in the application, that this facility will operate in compliance with all applicable state and federal laws and regulations. Before the start of operations authorized in a permit(s) issued by ODA, the owner/operator is advised to have all other necessary permits or any other regulatory documents current and on file. List the status of any permits, licenses, etc. and the origin or source or issuing department of the permits, that are required for the operation of this facility. The source means the issuing government agency for most of these permits, which include the Ohio Department of Health, local health department, Ohio EPA, or the Ohio Department of Natural Resources. The following steps shall be followed on answering these items:

1. Answer "Yes" if the Permit is issued and provide permit number.
2. Answer "No" if the permit is required but not yet issued at the date of submittal of this application and provide the status of the permit application (i.e.: Submitted, Not Submitted, etc.).
3. If the permit is not applicable to this facility, marked "N/A" in the "Yes" blank.

Flood Plain Permit:

Yes Permit I.D. _____
 No Status of Permit _____ Source: _____

Septic system:

Yes Permit I.D. _____
 No Status of Permit _____ Source: _____

Dairy milk license:

Yes Permit I.D. _____
 No Status of Permit _____ Source: _____

Dam safety permit (Ohio DNR/Division of Water):

Yes Permit I.D. _____
 No Status of Permit _____ Source: _____

Public Drinking Water (25 or more employees):

Yes Permit I.D. _____
 No Status of Permit _____ Source: _____

Mortality Composting Certification:

Yes Certification I.D.: _____
 No Status of Certification: _____ Source: _____

Composting Permit if selling or giving compost away for application on land of others:

Yes Certification I.D.: _____



No Status of Certification: _____ Source: _____

401/404 Certificate (Ohio EPA/Army Corps of Engineers):

Yes Permit I.D. _____

No Status of Permit _____ Source: _____

Other permits or licenses (*Please list and describe in detail*):

Please contact the Ohio Department of Agriculture, Livestock Environmental Permitting Program at (614) 387-0470 or the ODA website at www.state.oh.us/agr/ for assistance or information.

For NPDES purposes, please note: Agricultural activities which are subject to this permit are generally reported under one or more of the following North American Industry Classifications (NAIC) [formerly referred to as SIC codes]: NAIC 112112 (beef), NAIC 112210 (Swine), NAIC 112410 (Sheep/goats), NAIC 112120 (dairy), NAIC 112320 (Broiler), NAIC 112310 (Eggs, layers, starter pullets), NAIC 112330 (Turkey), NAIC 112340 (Pullets, hatchery), NAIC 112390, or NAIC 112920 (Horses) (2002 NAIC Manual).

7. **Confidential Information.** Rule 901:10-1-05 of the Ohio Administrative Code allows an applicant to submit a claim of "trade secret" or "confidential business information" as Ohio law defines these terms. **It is the applicant's responsibility to provide detailed information and supporting reasons for making such a claim before the application is submitted.** It is the applicant's responsibility to mark the information on the pages or to otherwise describe in detail those parts of the application and supporting documents and enclosures for which the claim of confidentiality is sought. If the Director agrees with the reasons provided with the claim then the information will be managed by ODA as "confidential," but with certain exceptions that are also set forth in the Rule on "trade secrets." The Director's decision with respect to a claim of confidentiality may be subject to legal challenge in Ohio under Ohio's public records laws.

8. **Certified Livestock Manager** Rule 901:10-1-06
Do you propose to establish a new facility or expand an existing facility to 10 times the number necessary to be permitted as a CAFF or more?

Yes No

If yes, you are required to employ a Certified Livestock Manager. Please complete the enclosed Form- **Certified Livestock Manager**.



9. Local Notification

- A. If you propose to establish a new CAFF or expand an existing AFF to a CAFF, you must provide proof that the board of county commissioners of the county and the board of trustees of the township where the facility is or will be located has been informed of your intent with your application.

- B. If you propose to establish a new MCAFF or expand an existing AFF or CAFF to an MCAFF, you are required to complete the enclosed written notification and send it to the board of county commissioners of the county and the board of trustees of the township where the facility is or will be located and come to an agreement on improvements necessary to accommodate the facility. Proof of the agreement will need to be provided to this office before approval of this permit.
Rule 901:10-1-02(A)(6)-(7)

Enclosed is a **Local Notification** form for your use. You **must** use it to notify the board of county commissioners of the county and the board of trustees by certified mail, return receipt requested in order to document notice and to initiate any other communication about the facility.

10. Compliance Information

- Have you owned or operated a CAFF in Ohio for at least two of the five years immediately preceding the submission of this permit application?

Yes No

If YES, please provide the following information:

Permit Type: _____
Agency or department issuing the permit: _____
Permit number: _____
Permit issuance date: _____
Name and location/address and county of the facility: _____
Name of the owner or operator: _____

If NO, please complete the Form – **Compliance Information** – and enclose with this permit application



11. Types of Animal Confinement Buildings

Instructions: Please complete the following two charts for 1 Types of Animal Confinement Buildings and 2. Animal Capacity. If these forms do not provide enough space for the required information, then please make copies/duplicates of the forms and complete your application. Rule 901:10-2-01(C)(2)

The information to be provided here for Animal Capacity is for regulatory purposes only. This information is to be used to assess how the facility "fits" into the regulatory program described in Chapter 903 of the Ohio Revised Code for large livestock facilities. These forms are NOT to be used to calculate manure production.

Please provide the total design capacity of each building					
Building Number	#1	#2	#3	#4	#5
Existing or proposed					
Total Confinement (Enclosed Bldg)					
Partial Confinement (Open and Enclosed Bldg)					
Open Lot					
Other (describe)					

If the application is for a new facility, then omit item 11 for Existing population and proceed directly to item 12. If the application is for a "modification" of the facility be sure to check the definition of a "modification" in Rule 901:10-1-01 and then submit all required information below.



12. Animal Capacity

Animal Type	Minimum Population CAFF/MCAFF	1 Existing Population (leave blank if new)	2 Maximum Design Capacity
Cattle			
Slaughter and feeder cattle	1,000 / 10,000		
Mature cow (milked or dry)	700 / 7,000		
Veal	1,000 / 10,000		
Swine			
Over 55 pounds	2,500 / 25,000		
Less than 55 pounds	10,000 / 100,000		
Horse			
Horses	500 / 5,000		
Sheep			
Sheep or lamb	10,000 / 100,000		
Turkeys			
Turkey	55,000 / 550,000		
Chickens			
Laying hen or broiler	82,000 / 820,000		
Pullets	125,000 / 1,250,000		
Ducks			
Ducks	35,000 / 350,000		
Other			
TOTAL ANIMAL CAPACITY Add all numbers in column 1 for existing total Add all numbers in column 2 for design total		Existing Total	Final Total

*NOTE: Maximum Design Capacity means the total number of stalls or total numbers of animal confinement capacity. Maximum Design Capacity refers to buildings. Maximum Design Capacity does NOT refer to the Total Storage Volume of manure.

PAYMENT REQUIRED:

Remittance of the applicable fee is enclosed payable to the Ohio Department of Agriculture.

Payment by check or money order only:

Payment Method: Check # _____ Money Order

Amount: \$, .



Ohio Department of Agriculture
Certified Livestock Manager

Instructions: In order to be a Certified Livestock Manager in the State of Ohio, through the Ohio Department of Agriculture, this form must be completed. A Certified Livestock Manager is required for any of the following:

- (1) For a major concentrated animal feeding facility with 10,000 or more cattle; 7,000 or more mature dairy cattle; 10,000 or more veal calves; 25,000 swine over 55 lbs. or 100,000 swine under 55 lbs., 550,000 or more turkeys, or 820,000 laying hens with other than a liquid manure system. Other requirements for a Certified Livestock Manager are set forth in Section 903.07 of the Revised Code and Rule 901:10-1-06.
- (2) For a person who is a livestock manure broker who buys, sells, or land applies annually more than 4,500 dry tons per year, or 25 million gallons of liquid manure or its equivalent.
- (3) For a person who land applies and transports annually more than 4,500 dry tons per year, or 25 million gallons of liquid manure or its equivalent

The space provided in this form may not be sufficient to allow for a thorough response to all questions. Please supplement this form with any additional pages of information.

Please be sure to include a \$30.00 fee along with this application.

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____

Business Name or Livestock Facility representing: _____

Business Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____

Please add electronic mailing address and or FAX numbers if available.



Certified Livestock Manager

1. Are you a certified crop advisor as determined by the American Society of Agronomy? Yes ___ No ___ If yes, please specify date of certification and/or date of successful completion of the program. Rule 901:10-1-06(D)(4)(a).

2. Are you a certified planner in accordance with the United States Department of Agriculture Natural Resource Conservation Service and thus certified to prepare comprehensive nutrient management plans? Yes ___ No ___ If yes, please specify date of certification and/or date of successful completion of the program.

3. Are you trained and certified by another State? Yes ___ No ___ If yes, please specify the State and, if applicable, your certification number. Please provide the name of the testing organization, the name of a responsible person to contact and that person telephone number and address. Unless the Ohio Department of Agriculture has entered into a cooperative agreement with any official agency of the federal government or other academic or private institution or unless the Department has recognized other training and examination programs, the Department reserves the right to assess the training and certification conducted and to verify that the training and certification meets the requirements of this program, its laws and rules.

4. List of Certified Livestock Manager Core and Elective Courses taken: (See description of program and alternative qualifying training on last page)

	Date of Course	Where
Core: Environmental Rules and Regulations	_____	_____
Manure Storage and Handling	_____	_____
On-Farm Nutrient Balance	_____	_____
Electives:		
Role of Animal Agriculture	_____	_____
Environmental Awareness	_____	_____
Odor Awareness and Control	_____	_____
Mortality Management	_____	_____
Emergency Action Plans	_____	_____
Insect and Rodent Control	_____	_____
Human Health Risks Associated with Animal Agriculture	_____	_____
Biosecurity	_____	_____
Manure Management Issues, Challenges and Solutions Winter Application, Preferential Flow & Water Quality	_____	_____
Other Courses not listed	_____	_____
Description _____	_____	_____



Certified Livestock Manager

5. Please describe in detail your knowledge of calculating nutrient values in manure. Rule 901:10-1-06(D)(1)

6. Please describe in detail how to (a) develop and (b) implement a plan for land applying manure. Rule 901:10-1-06(D)(1)

7. Describe in detail best practices to remove manure held in manure storage or held in manure treatment. Rule 901:10-1-06(D)(1)

8. Describe in detail best management practices for dead animal disposal or mortality management. Rule 901:10-1-06(D)(1)

9. Describe in detail best management practices for manure management, including practices that control odor and practices that protect the environment. In describing environmental practices, discuss those best management practices that protect both surface water and ground water. Rule 901:10-1-06(D)(1)



Certified Livestock Manager

10. Please describe in detail how to (a) develop and (b) implement a plan for manure management. Rule 901:10-1-06(D)(1)

11. Ohio requires an Insect and Rodent Control Plan for concentrated animal feeding facilities and major concentrated animal feeding facilities. Section 903.06 of the Revised Code and rule 901 requires plans:10-2-19. Please describe in detail how to (a) develop and (b) implement an Insect and Rodent Control Plan. Rule 901:10-1-06(D)(1)

12. All of the work described in 1 to 7 involves calculations, plan development, plan implementation, and implementation of best management practices. Please describe in detail your work experience in performing the work described in each item 1 to 7. Rule 901:10-1-06(D)(1)

Give places employment and dates of employment where you performed this work. Identify a person at the place of employment that the Ohio Department of Agriculture may contact to verify the information submitted by you.

a. Calculating nutrient values in manure.

b. (a) Developing manure land application plan.

(b) Implementing a manure land application plan.



Certified Livestock Manager

c. Experience in manure removal from storage, treatment lagoons, tanks

d. Experience in using best management practices for mortality management

e. Experience in manure management

f.

i. Experience and techniques used for odor controls

ii. Environmental protection, including especially experience in protecting water quality for both surface water and ground waters.

g. (a) Experience in developing a manure management plan.

(b) Experience in implementing a manure management plan.



Certified Livestock Manager

- h. Experience in controlling and eliminating insects and rodents at a facility with 1,000 or more animal units.

13. Resume. Please include a detailed record of your work history, including references (if available)

Please sign here (1) to authorize the soil and water conservation district having authority over any operation or facilities that I own or control or with whom I have contracted as a livestock manure broker or livestock manure applicator to disclose to the Ohio Department of Agriculture any and all information that may be on file with the local soil and water district and the of the Division of Soil and Water within the Ohio Department of Natural Resources. I understand that I may claim confidentiality for any information in the local or Division files if that information is trade secret, confidential business information, or confidential financial information.

(2) "I acknowledge that the following records must be kept by me and made available to ODA:

1. Record or list or describe acres for land application of manure and note if land is owned or leased by owner of the manure.
2. If applying liquid manure on land with subsurface drains, record periodic observations of any drain outlets during and after application.
3. If applying liquid manure on land with subsurface drains, record use of drain outlet plugs or other such devices.
4. Record date, rate, quantity and method of application of the nutrient, the form and source of manure or commercial fertilizer or other organic by-products.
5. Record the total amount of nitrogen and phosphorus actually applied to each field and document the calculations for the total amount applied.
6. Record the condition of soil at the time of application including, but not limited to, available water capacity and evidence of soil cracks and related information on soil conditions.
7. Record temperature, including general weather conditions at the time of application and for 24 hours prior to and following application."

(3) "I certify under penalty of law that this document and any attachments were prepared under my direction. To the best of my knowledge and belief, the information is true, accurate, and complete. I am aware there are significant penalties for submitting false information."



Certified Livestock Manager

Please sign and date below

Signature: _____

Print name here: _____

Date: _____

PAYMENT REQUIRED:

Remittance of the \$30.00 fee is enclosed payable to the Ohio Department of Agriculture.

Payment by check or money order only:

Payment Method: Check # _____ Money Order
Amount: \$30.00

Ohio Livestock Managers Certification Program

FOR CERTIFICATION EACH APPLICANT MUST COMPLETE THE FOLLOWING THREE CORE REQUIREMENTS OR EQUIVILANT:

1. Environmental Rules and Regulations (5 hr)
2. On-Farm Nutrient Balance (LPES 2, 10, 11, 12, 13, 34)⁵, (LEAP II)⁴
 - Manure Composition (feed, management, species, storage changes, etc.)¹
 - Commercial fertilizer^{1,2}
 - Soil and plant nutrients^{1,2}
 - Nutrient export (intentional and non-intentional)¹
 - Nutrient balance calculations¹
3. Manure storage and handling¹ (LPES 20, 21, 22, 23, 24, 25, 30, 31, 32, 33, 35, 36)⁵
 - (LEAP II, 12 hr)⁴
 - Within the animal facility
 - Manure transport within and outside the permitted operation
 - Land application of manure
 - Equipment maintenance and calibration

FOR CERTIFICATIONS EACH APPLICANT MUST ALSO COMPLETE THREE OF THE FOLLOWING ELECTIVES:

4. Role of Animal Agriculture (LEAP I)⁴
5. Environmental Awareness (LEAP I)⁴, (LPES 1)⁵
6. Odor awareness and control (LPES 40, 41, 42, 43, 44)⁵
 - Odor dispersion models



Certified Livestock Manager

- Odor reduction technology
- 7. Mortality composting³ (LPES 51)⁵
- 8. Emergency Action Plans (primarily related to nutrient storage and handling) (LPES 50)⁵, (LEAP II)⁴
- 9. Insect and Rodent control measures (material in revised Bulletin 604)
- 10. Human Health Risks Associated with Animal Agriculture (farmers and citizens)(material in revised Bulletin 604)
- 11. Good Neighbor Relations (LEAP I and II)⁴
- 12. Bio-security
- 13. Manure Management Issues, Challenges and Solutions
Winter Application, Fracture Flow and Water Quality

¹Optional if individual has completed Comprehensive Nutrient Management Plan (CNMP) training program

²Optional if individual has completed the Certified Crop Advisor (CCA) training program

³Optional if individual is currently certified for mortality composting

⁴Optional if individual has completed Livestock Environmental Assurance Program (LEAP), Level I and/or Level II

⁵Optional if individual has completed Livestock and Poultry Environmental Stewardship Curriculum (LPES) published by Midwest Planning Service

Example: If you are a Certified Crop Advisor and you have participated in the Livestock Environmental Assurance Program Levels I and II, you will have met all the minimum training requirements and only need to submit an application form (included as an attachment) and \$30.00 application fee to become a Certified Livestock Manager.

There is a requirement to maintain the certification 10 hours of additional training is required every three years.

ODA-LEPP will have certification courses available periodically in cooperation with OSU Extension, ODNR-Division of Soil and Water Conservation, the Livestock Coalition and other organizations.

We have attempted to allow credits for other training that you may have received. If you have questions please contact the Livestock Environmental Permitting Program at 614/387-0470 or by E-mail at LEPP@mail.agri.state.oh.us



Ohio Department of Agriculture Compliance Information

Purpose: This attachment is to fulfill the requirements of Section 903.05 of the Ohio Revised Code (ORC). See Rules 901:10-1-02 and 901:10-03 of the Ohio Administrative Code (OAC). This form shall accompany the permit application to identify the owner and operator. This form shall also be used by any person seeking to acquire ownership or for permit transfers. See Rule 901:10-1-08 of the OAC.

Background: Rules 901:10-1-02 and 901:10-1-03 of the OAC and Section 903.05 of the ORC require that all applicants seeking to own or operate a concentrated animal feeding facility (CAFF) fill out a Compliance Information Form ("Background Check") if they have not operated a CAFF in the state of Ohio for two of the last five years immediately preceding the permit application. If the applicant seeks to purchase or acquire a CAFF the applicant must comply with Section 903.05 of the ORC by completing the Compliance Form before the CAFF permit can transfer to the applicant. If the applicant has operated an animal feeding facility (AFF) and plans to expand or otherwise change to facility to a CAFF, the applicant must complete a Compliance Form.

To obtain a permit or transfer a permit, the person or persons who seek a permit must also demonstrate that they (and persons associated with the applicant in the operation of a CAFF) have a positive or favorable record with respect to farming and the environment. This means a record or reputation of competence, reliability, and expertise.

Form: This form asks the applicant to provide information stating if the applicant has owned and operated a facility in the state of Ohio, elsewhere in the United States, or outside of the United States. Owner means the person who has the right to control or in fact controls management of the CAFF or the selection of officers, directors, or managers of the operation. The form requires the applicant to provide specific information, and copies of supporting documentation. This includes documentation about the nature of the ownership interest, whether a sole proprietorship, partnership, or corporation. Information is required to identify corporate officers, if the nature of a business concern is a corporation, whether the corporation is public or private, as well as information on all partners, for a partnership.

Information must be provided as to whether the applicant, owner, or operator has been required to pay a fine or penalty or to perform a service because of actions that caused water pollution. For example, do documents exist that verify that complaints from neighbors? Has the applicant been sued by a government agency or fined by a government office?

The applicant may submit additional information explaining the applicant's record of compliance. The Department is interested in information that demonstrates competence, reliability, and expertise.



The Department will evaluate the information. Staff will verify the information submitted by checking any information on file with other Divisions within the Department of Agriculture as appropriate, e.g., with the Dairy Division or Division of Animal Industry. In addition, the Director will verify the information with the Ohio Environmental Protection Agency, the local Soil and Water Conservation Districts, in Ohio, with other states' regulatory agencies, local health departments, and other appropriate government agencies in other countries. To expedite the Director's review and verification, the owner, operator, or applicant must submit copies of any documents pertaining to enforcement actions—whether administrative, civil, or criminal—and related compliance information.

Denying a Permit: A permit to install or permit to operate or an application to transfer a permit can be denied because of the applicant's compliance history. Even if the applicant has operated a concentrated animal feeding facility in Ohio for two of the past five years immediately preceding the application, the Director can deny the permit in accordance with Section 903.05(B) of the ORC. If information is submitted to the Director or if the Director obtains other information that the applicant and persons associated with the applicant have a history of significant noncompliance, the Director may deny the permits. The Director shall deny the permits if the permit contains false or misleading information.

A copy of the final report on Compliance Information will become part of the Permit.

1. Owner's Name and Address

Name: _____
 Address: _____
 City: _____ State: _____ Zip: _____
 Phone: _____ Fax: _____
 Email: _____

Is the owner a corporation, partnership, sole proprietorship, or other form of commercial organization, such as an association, firm, or trust?

For example:

- A. "Sole proprietorship" means a form of business concern, other than a partnership or corporation, in which one person owns all the assets and is solely liable for all the debts of the business. Sole proprietor includes any individual or entity in which an individual is an applicant or permittee or prospective owner.
- B. "Partner" means a business concern where any person holding a position as, or similar to, a general partner, as defined in division (E) of section 1782.01 of the Revised Code, or a limited partner, as defined in division (F) of section 1782.01 of the Revised Code, or persons who share profits and liability and have management powers of a partnership, as partnership is defined in section 1775.05 of the Revised Code.



- C. "Publicly traded corporation" means a business concern that is a corporation:
- (i) Whose shares are listed on a national securities exchange; or
 - (ii) Whose shares are regularly quoted in an over-the-counter market by one or more members of a national or affiliated securities association; or
 - (iii) With fifty or more shareholders.

If the owner is a publicly traded corporation, identify those who own, hold, or control, either directly or through a holding company or subsidiary, at least twenty-five per cent of the equity of the corporation.

If the facility is any other business concern, (i.e., other than a publicly traded corporation, identify those who own, hold, or control, either directly or through a holding company or subsidiary, at least fifty per cent of the equity of the business concern.

"Equity" means any ownership interest in a business concern, including sole proprietorship, the shares of a partner, and stock in a corporation.

IMPORTANT: Do not insert dollar amounts or attach copies of any financial documents to this Compliance Report. The purpose of these questions on equity and debt liability is to identify individuals who may be required to provide information pertaining to a history of environmental compliance.

2. Operator's Name and Address

Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Phone: _____ Fax: _____
Email: _____



If the operator of the CAFF is a person who is not the owner, identify the operator.

For example, the following questions describe the nature of an operator:

Is this person employed or to be employed to be responsible for the direct control or overall operations of the CAFF? _____

Will this person's duties or responsibilities involve, in whole or part, the management of the facility and the exercise of independent or discretionary judgment? _____

Will this person have the right to control or in fact control management of the facility and or the selection of officers, directors, or managers of the CAFF? _____

Is this person employed (or to be employed) in a supervisory capacity for the subject facility? _____

"Right to control or in fact controls management of the applicant or of the owner" means an individual who has authority which:

- (1) Is delegated in the interest of the employer;
- (2) Involves the exercise of that individual's independent judgment;
- (3) Is not merely authority to perform a routine or clerical task; and
- (4) Has authority to perform or effectively to recommend any one or more of the following actions: hiring, firing, transferring, suspending, laying off, recalling, promoting, discharging, assigning, rewarding, disciplining, directing, or adjusting grievances of, employees whose duties or responsibilities involve, in whole or part, the management of (including but not limited to the evaluation of, identification of, (the effects of), handling of, transportation of, storage of, or treatment of, application of manure.

"Right to control or in fact controls management of the applicant or of the owner" includes any individual who has an agreement that grants authority to operate the CAFF as set forth in a contract with the applicant or permittee or the prospective owner.

- (1) Is there a contract?
- (2) Are there employees of the contractor who are employed in a supervisory capacity for the subject facility; or
- (3) Are employees of the contractor empowered to exercise independent judgment for the subject facility.



3. **Other Animal Feeding Facilities. This information shall be completed by both the owner and the operator, where the operator is not the owner. Please specify who is the "owner" and who is the "operator."**
4. **Please list the name(s) of AFFs or CAFFs that the applicant for the current permit has operated (during the five-year period immediately preceding the submission of the current permit application) or is operating in Ohio. Please include the location and/or address(es) and the name of the county. Please provide any and all permit identification numbers.**
- *
*
5. **Please list the name(s) of AFFs or CAFFs that the applicant has operated (during the five-year period immediately preceding the submission of the current permit application) or is operating elsewhere in the United States and that are regulated under the Federal Water Pollution Control Act. Please include the location and/or address(es) and the name of the county. Please provide any and all permit identification numbers.**
- *
*
*
6. **Please list the name(s) of AFFs or CAFFs that the applicant has operated (during the five-year period immediately preceding the submission of the current permit application) or is operating outside the United States. Please include the location and/or address(es) and the name of the county. Please provide any and all permit identification numbers. Please provide the addresses of the regulating entities.**
- *
*
*



7. Compliance Record

Please list all **administrative enforcement actions** issued to the applicant, all **civil actions** in which the applicant was determined by the trier of fact to be liable in damages or was the subject of injunctive relief or another type of civil relief, and all **criminal actions** in which the applicant pleaded guilty or was convicted during the five years immediately preceding the submission of this permit application in connection with any violation of the Clean Water Act, the Safe Drinking Water Act or any other applicable state laws pertaining to environmental protection that was alleged to have occurred or to be occurring at any AFF that the applicant has operated or is operating in the United States or with any violation of the environmental laws of another country that was alleged to have occurred or to be occurring at any AFF that the applicant has operated or is operating outside the United States.

Administrative Enforcement Actions means include administrative orders, notices of violation letters, and letters that serve as notices of deficiencies that result in noncompliance:

- None:
- Pending:
- Resolved:
- Dismissed:

Civil Actions:

- None:
- Pending:
- Resolved:
- Dismissed:

Criminal Actions:

- None:
- Pending:
- Resolved:
- Dismissed:



- 8. Please sign here to authorize** the soil and water conservation district having authority over any operation or facilities identified above to disclose to the Ohio Department of Agriculture any and all information that may be on file with the local soil and water district and the of the Division of Soil and Water within the Ohio Department of Natural Resources. The applicant may claim confidentiality for any information in the local or Division files if that information is trade secret, confidential business information, or confidential financial information.

Signature: _____

Note: The applicant may submit any explanation pertaining to the above actions for consideration by the Director. This may include discussion of notices of violation letters or related government correspondence; fines or penalties paid; or work or services performed in place of fines or penalties.

- Additional information is enclosed.

9. Applicants with Operations in Countries Other Than the United States

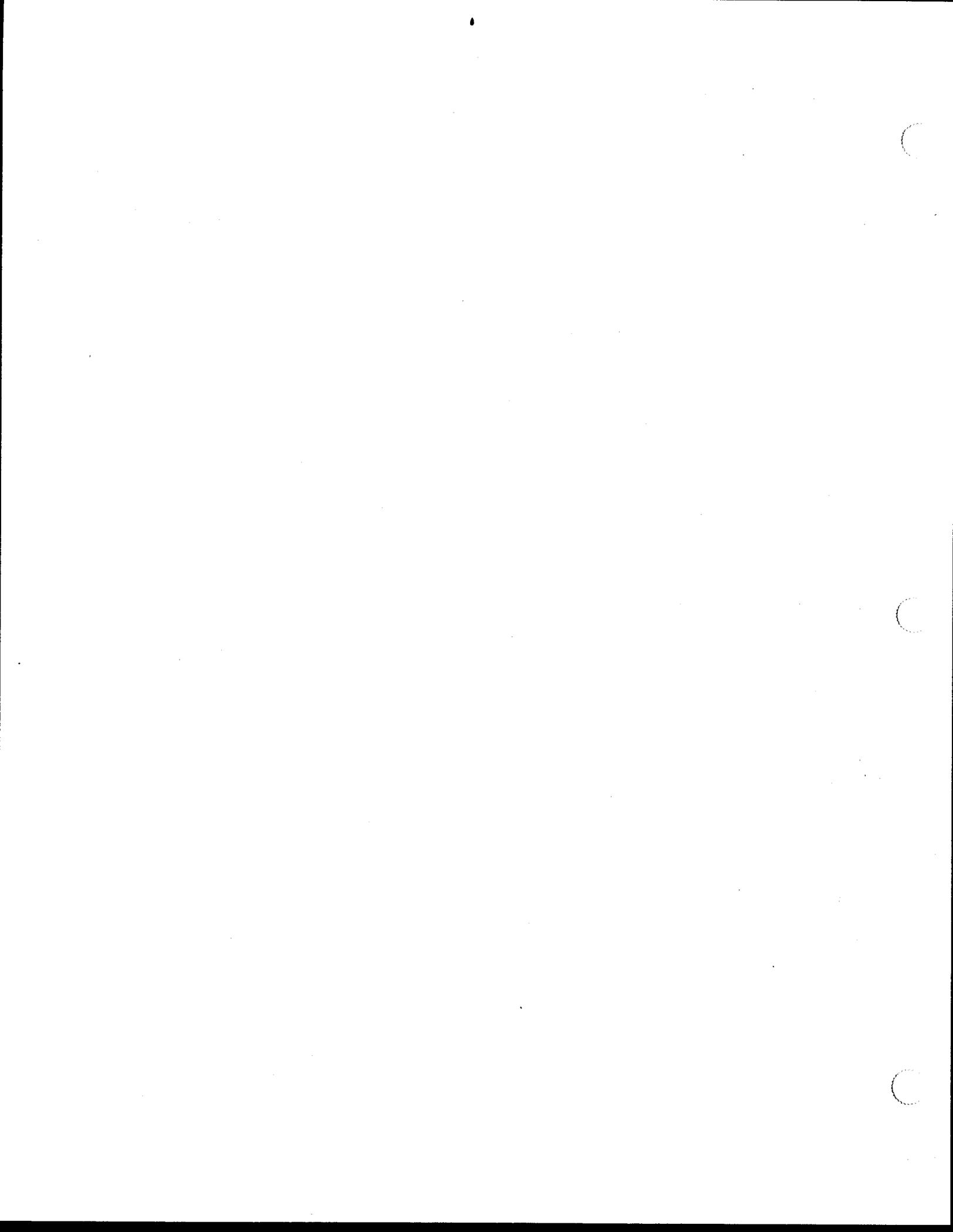
If the applicant listed in item 2 (above) an AFF or CAFF that the applicant has operated (during the five year period immediately preceding the submission of the current permit application) or is operating **outside the United States**, please include the following information:

Name of the province or state where the farm(s) was located:

Applicant's date of birth:

Name and address of agency that regulated the farm.





Ohio Department of Agriculture
Local Notification
For
Major Concentrated Animal Feeding
Facilities (MCAFF)

Purpose: This form is to be used to meet the requirements of the **Permit**

Application– Notification to Counties and Townships. It serves to document written notification of both the county commissioners and the township trustees where a proposed major concentrated animal feeding facility (MCAFF or major CAFF) is to be located, along with procedures for any infrastructure changes, if requested. See Rule 901:10-1-02(A)(6) of the Ohio Administrative Code.

You are required to obtain formal certification from the boards of county commissioners and the township trustees that final recommendations, if any, regarding improvements and cost of improvements on local government infrastructure have been made by the local boards if you propose a major concentrated animal feeding facility that is defined as an animal feeding facility that stables or confines at least the number of animals specified in any of the following categories:

- (1) Seven thousand mature dairy cattle whether milked or dry;
- (2) Ten thousand veal calves;
- (3) Ten thousand cattle other than mature dairy cattle or veal calves;
- (4) Twenty five thousand swine that each weigh fifty-five pounds or more;
- (5) One hundred thousand swine that each weigh less than fifty-five pounds;
- (6) Five thousand horses;
- (7) One hundred thousand sheep or lambs;
- (8) Five hundred and fifty thousand turkeys;
- (9) Three hundred thousand laying hens or broilers if the animal feeding facility uses a liquid manure handling system;
- (10) One million two hundred fifty thousand chickens, other than laying hens, if the animal feeding facility uses a manure handling system that is not a liquid manure handling system;
- (11) Eighty hundred and twenty thousand laying hens if the animal feeding facility uses a manure handling system that is not a liquid manure handling system;
- (12) Three hundred thousand ducks if the animal feeding facility uses a manure handling system that is not a liquid manure handling system;
- (13) Five hundred thousand ducks if the animal feeding facility uses a liquid manure handling system.

Copies of signed and dated correspondence must be included with your Permit Application.



Part A County Commissioners _____ County

Dear County Commissioners:

This notification sent by certified mail, shall serve as meeting the requirement as created by Senate Bill 141 (12/2000) and stated in Ohio Revised Code 307.204. This law requires any proposed Major Concentrated Animal Feeding Facility*(Major CAFF) to notify county and township officials of potential impacts to road infrastructure. This letter will allow uniform notification of this requirement.

Actions to be taken by the Board of County Commissioners and the Facility Owner and/or Operator are outlined on page 4 of this notification.

At the request of the Board of County Commissioners, the County Engineer may review this notification and advise the Board on both of the following:

- Improvements and maintenance of improvements that are reasonably needed in order to accommodate the impact on the county infrastructure that is anticipated as a result of the facility, including increased travel or the types of vehicles on county roads.
- The projected costs of the improvements and maintenance.

The law requires the Facility Owner and/or Operator to construct modify and maintain or finance the construction, modification and maintenance of improvements as provided in the Board of County Commissioners' final recommendations and with the approval and oversight of the County Engineer. If you decline to do so, the Board may initiate mediation to resolve differences between the Board and you, as an applicant.

In the County of your jurisdiction, I intend to:

- Establish a new **Major CAFF**
- Increase the number of animals in the design capacity of an existing **Major CAFF** by ten percent or more in excess of the design capacity set forth in the current permit (_____ permit number).
- Increase the number of animals in the design capacity of an existing CAFF by ten percent or more in excess of the design capacity set forth in the current permit (_____ permit number) and to a design capacity of more than that defined for a Major CAFF.

The name of this facility is: _____



The contact person is: _____

Phone number: _____

E-mail address _____

Fax number: _____

Mailing address: _____

The physical location of this facility, including anticipated travel routes is: (attach map or sketch)

The following are the anticipated travel routes of motor vehicles traveling to and from the facility:

The following are the anticipated number and weights of motor vehicles traveling to and from the facility:

Signature of Owner and/or Operator of Major Concentrated Animal Feeding Facility

Name: _____ Date: _____

Name: _____
(Printed/Typed)

THIS PAGE IS TO BE COMPLETED BY THE COUNTY COMMISSIONERS



Date received by Board of County Commissioners: _____

Date referred to County Engineer (optional) _____

Date of request for additional information: _____
(Commissioners must request additional information not later than 10 days after receiving written notification)
(Applicant must provide such information not later than 10 days after request is made.)

Date Board responded with recommendations: _____
(Not later than 30 days after Board receives the initial written notification.)

Date applicant responds to recommendations: _____
(Not later than 15 days after receipt of the Boards recommendations)

Response of applicant to recommendations:

Agrees with recommendations and will implement them.
Date recommendations become final: _____

Submits alternative recommendations. _____
Date, if alternate recommendations are submitted Board selects final
recommendations _____
(Not later than 30 days after receipt of alternative recommendations)

We hereby certify that in accordance with Section 307.204 of the Ohio Revised Code that
_____ (name of owner and/or operator) of
_____ (name of the Major Concentrated
Animal Feeding Facility) to be located in _____ (name of county) has
provided the Board with the required written notification and final recommendations
regarding improvements, if any, to county infrastructure were agreed upon.

Signature of County Commissioners

Name: _____ Date: _____

Name: _____ Date: _____

Name: _____ Date: _____

Cc: Township Trustees



ADDITIONAL LEGAL REQUIREMENTS TO BE CONSIDERED

In the event that the facility Owner and/or Operator fails to implement the Board of County Commissioners' final recommendation, ORC 307.204 (G) requires the Board to notify the person by certified mail that the Board intends to initiate mediation with the person if the person remains out of compliance with the final recommendations.

The Board shall allow sufficient time for the person to apply for and proceed to obtain, for the purpose of financing the construction, modification, or maintenance of the improvements, exemptions from taxation under sections 5709.63, 5709.632, 5709.73, and 5709.78 of the revised code or state or federal grants that may be available.

If the person remains out of compliance with the final recommendations, the Board may initiate mediation with the person in order to resolve differences with them. If mediation fails to resolve the differences, the person first shall attempt to resolve the differences through any legal remedies before seeking redress through the court of common pleas.

Also according to 307.204 (H), if the person subsequently submits an application under section 903.02 of the Revised Code for a permit to modify the facility, or if the routes of travel to or from the facility change for any reason other than road construction conducted by the county, the board or the person may request that additional information be provided in writing and shall proceed as provided in section 307.204(H) for the notification and recommendation proceedings.



Part B **Township Trustees** _____ **Township**

Dear Township Trustees:

This notification sent by certified mail, shall serve as meeting the requirement as created by Senate Bill 141 (12/2000) and stated in Ohio Revised Code 505.266. The law requires any proposed Major Concentrated Animal Feeding Facility* to notify county and township officials of potential impacts to road infrastructure. This letter will allow uniform notification of this requirement.

Actions to be taken by the Board of Township Trustees and the Facility Owner and/or Operator are outlined on page 4 of this notification.

At the request of the Board of Township Trustees, the County Engineer may review this notification and advise the Board on both of the following:

- Improvements and maintenance of improvements that are reasonably needed in order to accommodate the impact on the county infrastructure that is anticipated as a result of the facility, including increased travel or the types of vehicles on county roads.
- The projected costs of the improvements and maintenance.

The law requires the Facility Owner and/or Operator to construct modify and maintain or finance the construction, modification and maintenance of improvements as provided in the Board of Township Trustees' final recommendations and with the approval and oversight of the County Engineer. If you decline to do so, the Board may initiate mediation to resolve differences between you, as applicant, and the Board.

In the township of your jurisdiction, I intend to:

- Establish a new **Major CAFF**
- Increase the number of animals in the design capacity of an existing **Major CAFF** by ten percent or more in excess of the design capacity set forth in the current permit (_____ permit number).
- Increase the number of animals in the design capacity of an existing CAFF by ten percent or more in excess of the design capacity set forth in the current permit (_____ permit number) and to a design capacity of a Major CAFF.

The name of this facility is: _____



The contact person is: _____

Phone number: _____

E-mail address _____

Fax number: _____

Mailing address: _____

The physical location of the facility, including anticipated travel routes, is: (attach map or sketch)

The following are the anticipated travel routes of motor vehicles traveling to and from the facility:

The following are the anticipated number and weights of motor vehicles traveling to and from the facility:

Signature of Owner and/or Operator of Major Concentrated Animal Feeding Facility

Name: _____

Date: _____

Name: _____

(Printed/Typed)



THIS PAGE IS TO BE COMPLETED BY THE TOWNSHIP TRUSTEES

Date received by Board of Township Trustees: _____

Date referred to County Engineer (optional) _____

Date of request for additional information: _____
(Trustees must request additional information not later than 10 days after receiving written notification)
(Applicant must provide such information not later than 10 days after request is made)

Date Board responded with recommendations: _____
(Not later than 30 days after Board receives initial written notification.)

Date applicant responds to recommendations: _____
(Not later than 15 days after receipt of the Boards recommendations)

Response of applicant to recommendations:

- Agrees with recommendations and will implement them.
Date recommendations become final: _____
- Submits alternative recommendations
Date, if alternate recommendations are submitted, Board selects
final recommendations _____
(Not later than 30 days after receipt of alternative recommendations)

We hereby certify that in accordance with Section 505.266 of the Ohio Revised Code that _____ (name of owner and/or operator) of _____ (name of the Major Concentrated Animal Feeding Facility) to be located in _____ (name of township) has provided the Board with the required written notification and final recommendations regarding improvements, if any, to township infrastructure were agreed upon.

Signature of Township Trustees

Name: _____ Date: _____

Name: _____ Date: _____

Name: _____ Date: _____

Cc: County Commissioners



ADDITIONAL LEGAL REQUIREMENTS TO BE CONSIDERED

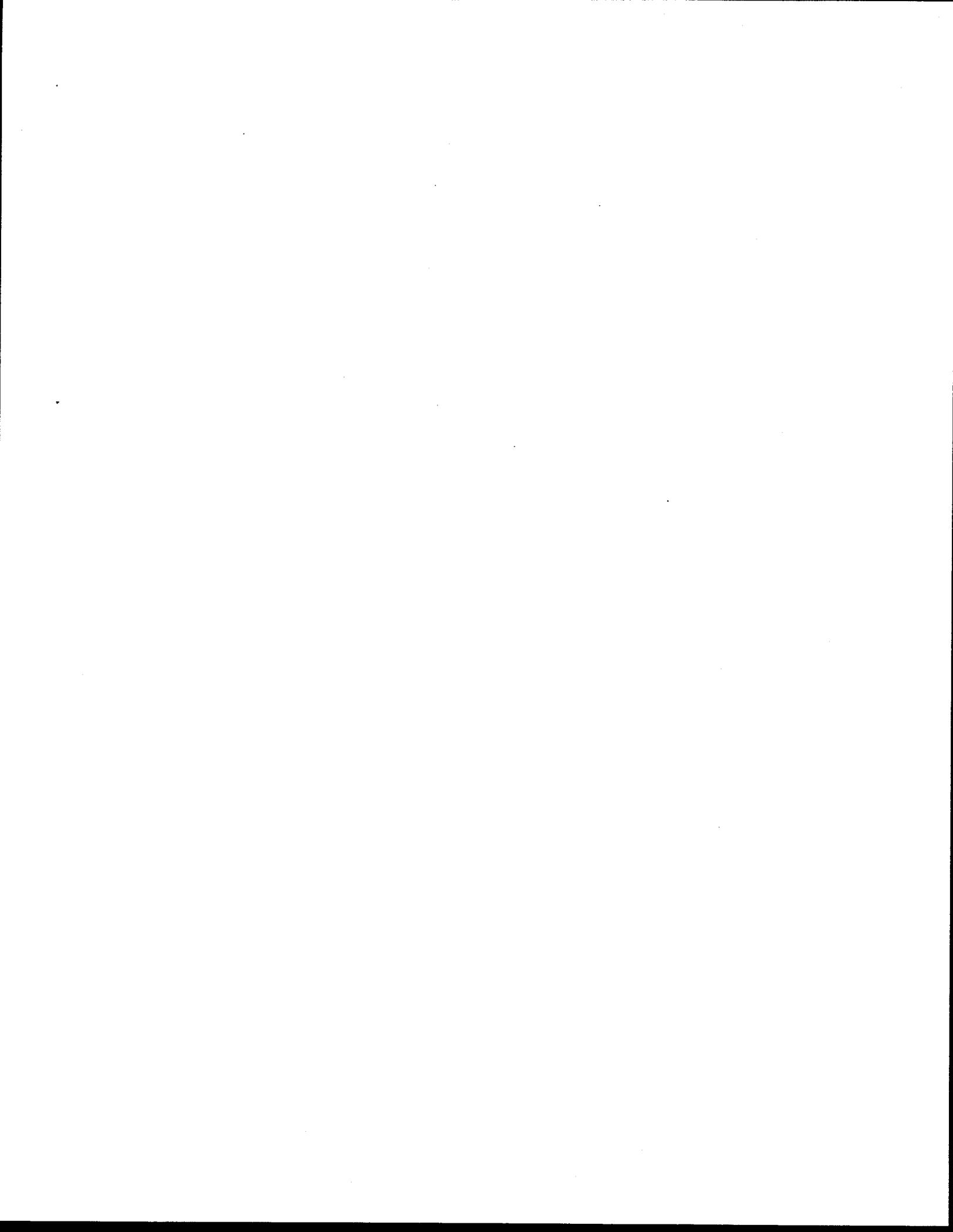
In the event that the facility Owner and/or Operator fails to implement the Board of Township Trustees' final recommendation, ORC 505.266 (G) requires the Board to notify the person by certified mail that the Board intends to initiate mediation with the person if the person remains out of compliance with the final recommendations.

The Board shall allow sufficient time for the person to apply for and proceed to obtain, for the purpose of financing the construction, modification, or maintenance of the improvements, exemptions from taxation under sections 5709.63, 5709.632, 5709.73, and 5709.78 of the revised code or state or federal grants that may be available.

If the person remains out of compliance with the final recommendations, the Board may initiate mediation with the person in order to resolve differences with them. If mediation fails to resolve the differences, the person first shall attempt to resolve the differences through any legal remedies before seeking redress through the court of common pleas.

Also according to 505.266 (H), if the person subsequently submits an application under section 903.02 of the Revised Code for a permit to modify the facility, or if the routes of travel to or from the facility change for any reason other than road construction conducted by the county, the board or the person may request that additional information be provided in writing and shall proceed as provided in section 505.266(H) for the notification and recommendation proceedings.





Ohio Department of Agriculture
Local Notification
For Large
Concentrated Animal Feeding
Facilities (CAFF)

Purpose: This form is to be used to meet the requirements of the Permit Application- Notification to Counties and Townships.

For large concentrated animal feeding facilities you are required to document that you have consulted with the boards of county commissioners and the township trustees if you plan to apply to install, build, or expand a large concentrated animal feeding operation. You do not need formal certification from representatives of local government, but we urge you to adapt these form letters for your use to assist you in demonstrating that you have notified local officials and offered to talk to or meet with or that you will communicate with the county commissioners and township trustees about your plans. Send mail as "certified mail return receipt requested" and insert the original receipts of notice here with this page in the permit application. See Rule 901:10-2-02(A)(7).

In addition you must include copies of signed and dated correspondence to the local officials with your Permit Application.

"Large concentrated animal feeding operation" means an animal feeding facility that stables or confines at least the number of animals specified in any of the following categories:

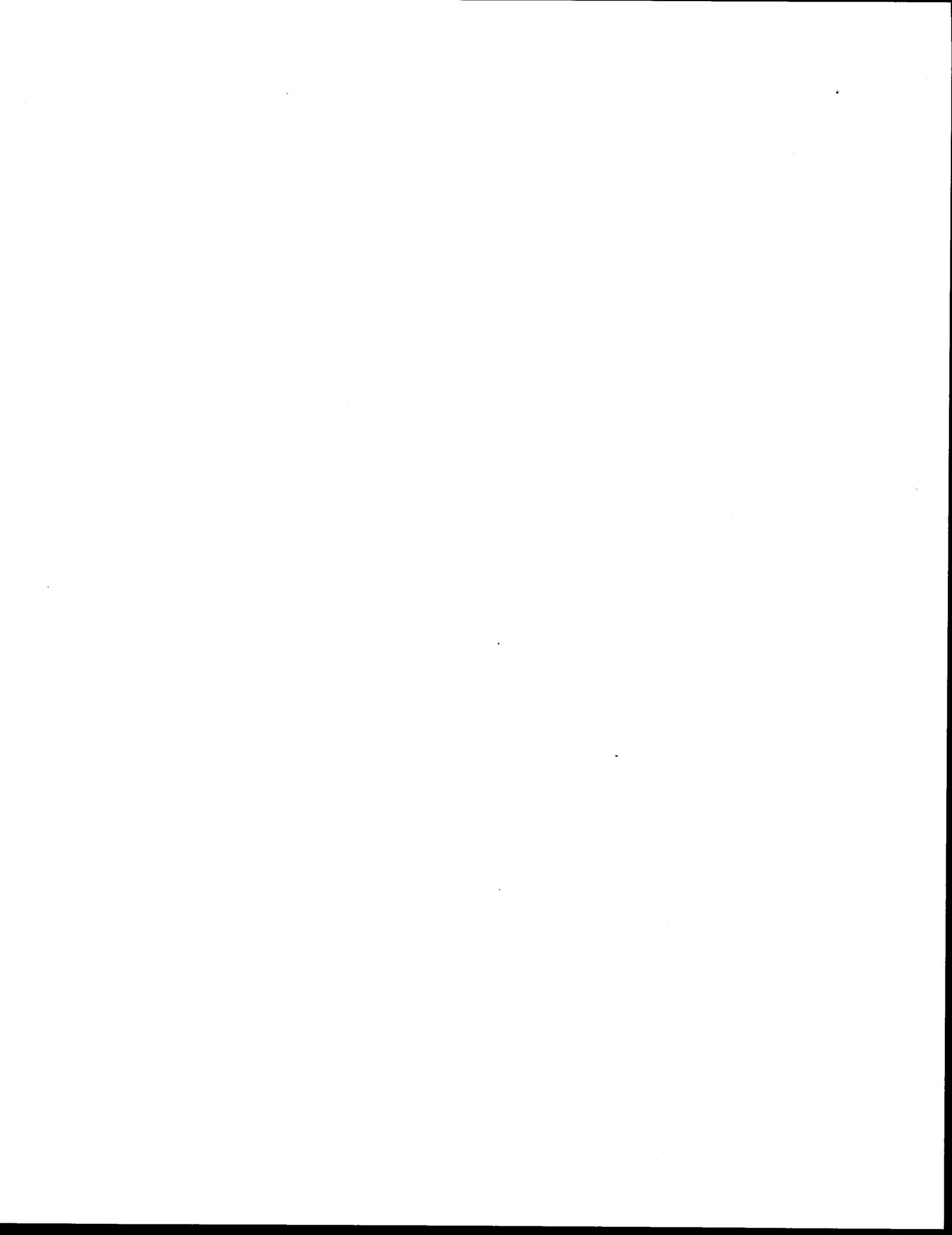
- (1) Seven hundred mature dairy cattle whether milked or dry;
- (2) One thousand veal calves;
- (3) One thousand cattle other than mature dairy cattle or veal calves;
- (4) Two thousand five hundred swine that each weigh fifty-five pounds or more;
- (5) Ten thousand swine that each weigh less than fifty-five pounds;
- (6) Five hundred horses;
- (7) Ten thousand sheep or lambs;
- (8) Fifty-five thousand turkeys;
- (9) Thirty thousand laying hens or broilers if the animal feeding facility uses a liquid manure handling system;
- (10) One hundred twenty-five thousand chickens, other than laying hens, if the animal feeding facility uses a manure handling system that is not a liquid manure handling system;
- (11) Eighty-two thousand laying hens if the animal feeding facility uses a manure handling system that is not a liquid manure handling system;
- (12) Thirty thousand ducks if the animal feeding facility uses a manure handling system that is not a liquid manure handling system;
- (13) Five thousand ducks if the animal feeding facility uses a liquid manure handling system.



C

C

C



4. Provide brief description of structure (i.e.: Deep Pit – Liquid, Deep Pit – Solid, Outside Tank – Covered, Outside Tank – Uncovered, Concrete Slab, Dry Stack, Earthen Pond, Earthen Lagoon, etc.)
5. Provide in gallons for liquid systems and cubic feet for solid systems. This volume shall be to the maximum operating level, which is the total depth minus the required freeboard.
6. Only for Manure Treatment Lagoons – Provide in gallons.
7. Provide overall dimensions of structure. For ponds/lagoons, provide dimensions at maximum operating level.
8. Days of storage provided for the number of animals that contribute to that structure.
9. Freeboard required shall be 1-foot for ponds/lagoons and 6-inches for fabricated structures containing liquid manure or solid manure, if exposed to rainfall/runoff; plus the direct precipitation and runoff received by the respective structure from the 25-year, 24-hour rainfall event or the 100-year, 24-hour rainfall event, which ever applies.

***Provide a detailed calculation sheet that shows annual manure produced, total manure storage volume, days of storage provided and calculation for freeboard required (if necessary) for each manure storage or treatment facility listed in the above chart.**

2. Water Quantity Rule 901:10-2-01(C)(3)

a. How much water will the facility utilize on an:

Average daily basis: _____
 Average annual basis: _____

b. Please include with this application a detailed description of the basis for the above calculations.

c. Please describe the source(s) of the water:

3. Ground Water Quality Rules 901:10-2-01(C)(6) and 901:10-2-03(A) and 901:10-2-03(B)

Ground water sampling for Total Coliform Bacteria and Nitrates:

a. Date conducted: _____

b. Coliform Results (positive/negative): _____
 Nitrates Results (mg/l): _____

c. Please illustrate the location of all well(s) on the **Site Map**. Rule 901:10-2-01(C)(5). Also, if multiply wells exist, mark the well that was used for the sampling provided above.



4. **Construction and Operation Dates Rule 901:10-2-01(C)(7)**

For the construction described in your permit application:

a. List the anticipated:

Beginning date of construction: _____

Proposed ending date of construction: _____

b. List the anticipated beginning date of operation for a new facility:

5. **Siting Criteria for a Manure Storage or Treatment Facility 901:10-2-02**

Note: ODA can assist the owner/operator with these determinations

a. Is a fabricated structure, manure storage pond or manure treatment lagoon located wholly or partially in any of the following areas: 901:10-2-05

Note: Answering "Yes" to any of the following will require additional design criteria to be satisfied in rule Rule 901:10-2-02 to obtain a PTI. CHECK ANSWER "Yes" or "No."

- | | Yes | No |
|--|--------------------------|--------------------------|
| i. An area of potential subsidence due to an underground mine(s) | <input type="checkbox"/> | <input type="checkbox"/> |
| ii. A karst area | <input type="checkbox"/> | <input type="checkbox"/> |

b. A fabricated structure (structure), manure storage pond (storage pond) or manure treatment lagoon (treatment lagoon) is prohibited in the following areas: Rule 901:10-2-02

- i. The one-year time-of-travel contour from a well for which the Ohio EPA has delineated or endorsed a ground water source protection area and which serves a **community** water system. If no delineation or endorsement, then no closer than 1000 feet from the well.
- ii. The one-year time-of-travel contour from a well for which the Ohio EPA has delineated or endorsed a ground water source protection area and which serves a **non-community** water system not owned or operated by the owner or operator of the facility. If no delineation or endorsement, then no closer than 300 feet from the well.
- iii. If a well is identified as **highly susceptible** by Ohio EPA, then installation is prohibited between the one-year time-of-travel contour and five-year time-of-travel contour unless additional ground water monitoring, or additional engineered controls or both are added, installed, and implemented as approved by the Director.
- iv. A regulatory floodway as designated by FEMA



c. Will a fabricated structure be located within any of the following?

Note: Answering "Yes" to any of the following violates the siting criteria listed in Rule 901:10-2-02 or may require additional monitoring or design criteria. CHECK ANSWER "Yes" or "No" or "N/A."

	Yes	No	NA
i. 300 feet of a well serving a public water system that is owned or operated by the owner or operator of the facility			
ii. 3 ft (including liner) of bedrock without an aquifer			
iii. 100 ft of a property line or public road			
iv. For a fabricated structure, 50 ft. of a water well or class V well			
v. 1,500 ft of a surface water intake			
vi. 120 ft from a stream – if a CAFF			
vii. 300 ft from a stream - if a MCAFF			
vii. Between the one-year and five-year time-of-travel contours for a well for which the Ohio EPA has delineated or endorsed a ground water source protection area and is identified as highly susceptible			
ix. 300 ft. from Cold Water Habitat and Seasonal Salmonid Stream			

d. A fabricated structure shall have fifteen vertical feet of low permeable material between the bottom of the structure and the uppermost aquifer, unless additional design criteria are added, installed, and implemented as approved by the Director.

- i. Depth to uppermost aquifer: _____ ft.
 - ii. Source of information for determining the depth to aquifer including documents referred to, computations, and a description of field work:
-
- iii. Feet of low permeable material between the bottom of structure and uppermost aquifer: _____ ft.
 - iv. Are provisions for ground water monitoring required and included as part of the Permit to Install? Yes No

e. Is a manure storage pond or manure treatment lagoon located within:

Note: CHECK yes, no, or NA for the following questions. Note: Answering "Yes" to any of the following violates the siting criteria listed in Rule 901:10-2-02 or may require additional monitoring or design criteria:



	Yes	No	NA
i. 300 feet of a well serving a public water system that is owned or operated by the owner or operator of the facility			
ii. 3 ft (including liner) of bedrock without an aquifer			
iii. 100 ft of a property line or public road			
iv. 300 ft of a water well, class 5 well, or a sinkhole			
v. 1,500 ft of a surface water intake			
vi. 300 ft from a stream – if a CAFF			
vii. 600 ft from a stream - if a MCAFF			
viii. Between the one-year and five-year time-of-travel contours for a well for which the Ohio EPA has delineated or endorsed a ground water source protection area and is identified as highly susceptible.			
ix. 600 ft. from Cold Water Habitat and Seasonal Salmonid Stream			
x. A sole source aquifer as designated by US EPA			
xi. A 100-year floodplain			

f. A manure storage pond or manure treatment lagoon shall have fifteen vertical feet of low permeable material between the bottom of the structure and the uppermost aquifer, unless additional design criteria or ground water monitoring are added, installed and implemented as approved by the director.

- i. Depth to uppermost aquifer: _____ ft.
- ii. Source of information for determining the depth to aquifer including documents referred to, computations, and a description of field work:

- iii. Feet of low permeable material between the bottom of structure and uppermost aquifer: _____ ft.
- iv. Are provisions for ground water monitoring required and included as part of the Permit to Install: Yes No N/A

g. Will a fabricated structure, manure storage pond or manure treatment lagoon that will contain solid manure be located closer than: Rule 901:10-2-02

- | | Yes | No | N/A |
|--|--------------------------|--------------------------|--------------------------|
| i. 500 ft of a neighboring residence – if a CAFF | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| ii. 1,000 ft of a neighboring residence – if a MCAFF | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |



h. Will a fabricated structure, manure storage pond or manure treatment lagoon that will contain liquid manure be located closer than: Rule 901:10-2-02

	Yes	No	N/A
i. 1,000 ft of a neighboring residence – if CAFF	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii. 2,000 ft of a neighboring residence – if MCAFF	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If the fabricated structures, manure storage ponds or manure treatment lagoons for new or expanded facilities do not meet the restrictions set forth in paragraphs c(iii), e(iii), g. and h., above, then the applicant may provide additional documentation as described in the Appendix to Rule 901:10-2-02.

6. Site Map 901:10-2-01(C)(5)

Map

- a. For a concentrated animal feeding facility (CAFF), provide a site map of the location of the manure storage and treatment facilities that demonstrates a 1,000 foot radius surrounding this location.
- b. For a major concentrated animal feeding facility (MCAFF), provide a site map of the location of the manure storage and treatment facilities that demonstrates a 2,000 foot radius of surrounding this location.
- c. For both a. and b., above, include any landmarks such as residence or barns or machine storage that serve as points of reference for boundaries and for locations of manure storage and treatment facilities.
- d. For a. and b., above, provide overall dimensions of the manure storage or treatment facilities.
- e. For a. and b., above, insure that the map shows location and compliance with the siting criteria for manure storage and treatment facilities.
- f. For a. and b., above, show approximate location of known subsurface drainage tiles within 100 feet of the proposed manure storage or treatment facilities.
- g. For a. and b., above, show the location of well(s) to be used for groundwater sampling.

7. Geological Exploration Report

Please enclose a Subsurface Geological Exploration Report of the soils, hydrology, subsurface geology, and topography of the land area used for the manure storage or treatment facility and describe how the site meets Rule 901:10-2-03. See Rule 901:10-2-03 for additional detail required.



Provide the name, address, telephone number (including FAX number), and e-mail address of the Professional Engineer or Engineering Geologist who prepared the Geological Exploration Report (required by Rule 901:10-2-03)

Name: _____

Address: _____

Telephone: _____ Fax: _____

8. Precipitation Runoff and Stormwater Grading Plans

Refer to the requirements in Rules 901:10-2-04 (F) and 901:10-3-11. This can be included as part of Item 11, Engineering Drawings.

9. Detail engineering drawings, designs, and plans for construction

Engineering Drawings

Please include design plans and detailed engineering drawings for the construction of the manure storage or treatment facilities. Rules 901:10-2-01(C)(7), 901:10-2-03, and 901:10-2-04 to 901:10-2-06

10. Signature

Signature

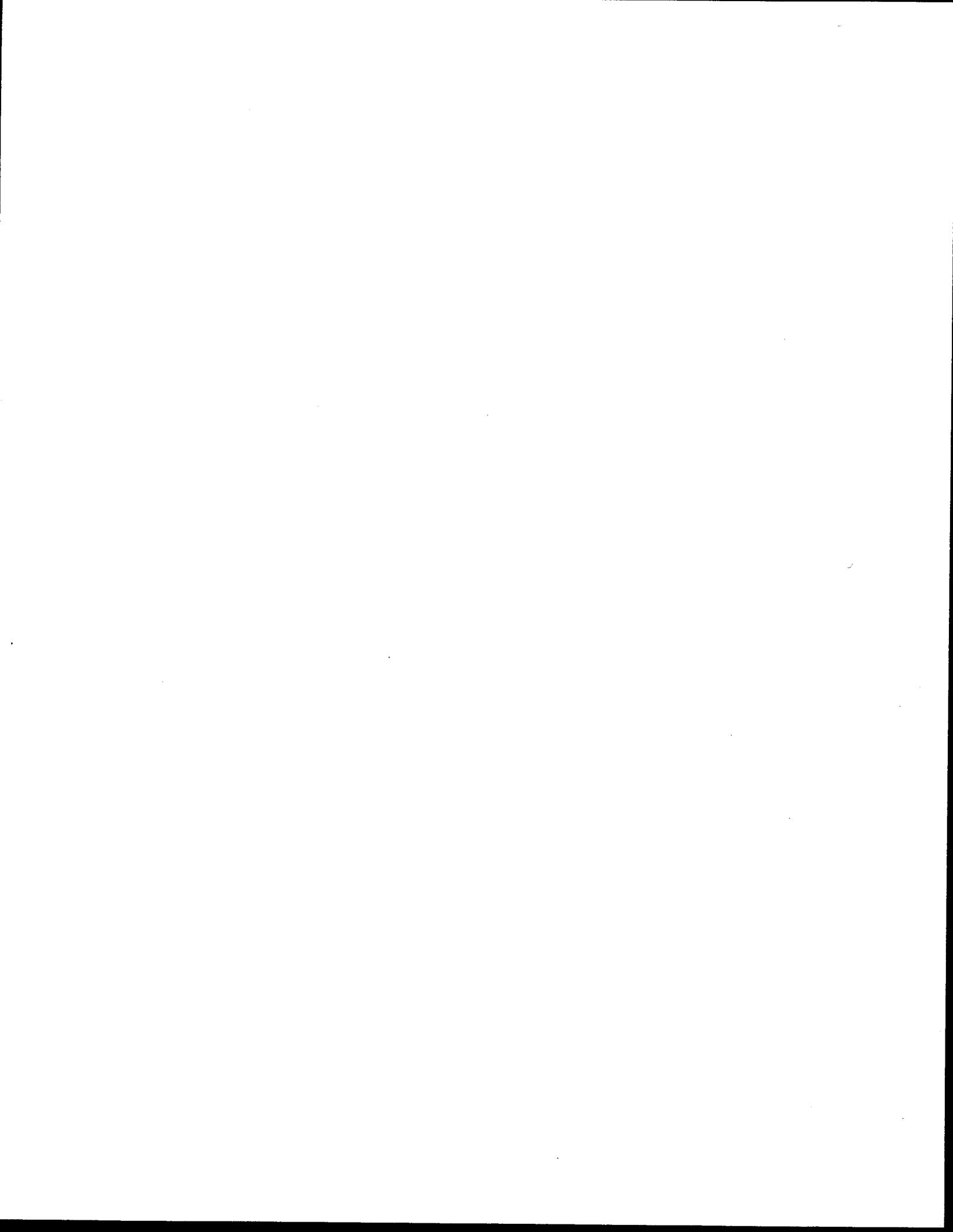
"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering information the information is, to the best of my knowledge and belief, true and accurate and complete. I am aware there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations." Rule 901:10-1-02(A)(8) of the Ohio Administrative Code."

- Name of Owner or
 Name of Operator (check one or both)

Print name: _____

Signature _____ Date: _____









PERMIT TO OPERATE

Part C INFORMATION REQUIRED FOR A PERMIT TO OPERATE

This application is to be used for a Permit to Operate. Please enclose with this application the following plans. Forms are attached that may be used to compile the information required for each plan. A "Comments" section is given below for your use to explain or clarify any of the information submitted by you.

- Manure Management Plan – Rules 901:10-2-08 to 901:10-2-11, 901:10-2-13 to 901:10-2-18, 901:10-2-20, 901:10-3-01 and 901:10-3-02; 901:10-3-03 to 901:10-3-06, as appropriate, and 901:10-3-10 and 901:10-3-11.
- Insect and Rodent Control Plan – *Rule 901:10-2-19*
- Mortality Management Plan – *Rule 901:10-2-15*
- Emergency Response Plan – *Rule 901:10-2-17*

Important: If this application for a Permit to Operate is **not** submitted with an application for a Permit to Install, then you shall also submit the following to satisfy NPDES requirements for a NPDES permit:

- The latitude and longitude of the entrance to the production area of the operation-Rule 901:10-3-01
- A topographic map of the geographic map of the area in which the operation is located showing the specific location of the production area-Rule 901:10-3-01
- A listing of other relevant environmental permits, including any state permits and construction approvals.
- Signature:** "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering information, the information is, to the best of my knowledge and belief, true and accurate and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine or imprisonment for knowing violations."
901:10-1-02(A)(8)

Signature _____

Date: _____

- Name of Owner Name of Operator (check one or both)

 Print name here



Ohio Department of Agriculture Manure Management Plan

Purpose: A Manure Management Plan is designed to minimize water pollution and protect waters of the state and is required as part of the Permit to Operate. Rules 901:10-2-08 to 901:10-2-11, 901:10-2-13 to 901:10-2-18, 901:10-2-20, 901:10-3-01 and 901:10-3-02; 901:10-3-03 to 901:10-3-06, as appropriate, and 901:10-3-10 and 901:10-3-11 of the Administrative Code describe the requirements of a Manure Management Plan or "MMP". In order to complete this form, you should read ODA's **Operating Record**. Upon approval of the MMP, you are required to maintain an **Operating Record** at your operation that documents your actions to comply with the Permit to Operate, including this MMP. Referring to the ODA **Operating Record** may assist you in providing the information required here. You may use some or all of ODA's forms in the **Operating Record** or use other forms, provided those forms are approved by ODA.

There may be no discharge of manure into waters of the state except as provided below:

NPDES Effluent Limitations Applicable to the Production Area

Whenever precipitation causes an overflow of manure, then manure in the overflow may be discharged into waters of the state provided:

- a. The production area is properly designed, constructed, operated and maintained to contain all manure and the runoff and direct precipitation from the 25-year, 24-hour storm event for the location of the facility. The design storage volume must reflect all wastes accumulated during the storage period; normal precipitation less evaporation during the storage period; normal runoff during the storage period; the direct precipitation from a 25-year, 24-hour storm event; the runoff from the 25-year, 24-hour storm event from the production area; residual solids after liquid has been removed; necessary freeboard to maintain structural integrity; and in the case of manure treatment lagoons, a minimum treatment volume. Note, however, that design standard for new sources is a 100-year, 24-hour storm event, as provided in Chapter 901:10-3 of the Administrative Code.
- b. The production area is operated in accordance with applicable rules for the Operating Record.
- c. In the event of any overflow or other discharge of manure from a manure storage or treatment facility, whether authorized by this permit, the following actions shall be taken:
 - 1) Record an estimate of the volume of the release and the date and time.
 - 2) The discharge must be analyzed by methods in 40 CFR Part 136.
 - 3) If conditions are not safe for sampling, the owner or operator must provide documentation of why samples could not be collected and analyzed. For example, due to dangerous weather conditions. But once these conditions have passed, samples shall be collected.
 - 4) Refer to **Form 1 in the Operating Record**, which may be used as part of your required Annual Report to be submitted to the Director. This form shows the information that is required for an annual report of any discharges.



- 5) **As required by State law and NPDES requirements, spills and discharges must be reported within 24 hours of discovery as required by the Emergency Response Plan, which is a part of the Permit to Operate. Refer to the attached ODA Form for Emergency Response Reports or use your own approved form. This Form shows the information that is required and this information shall be submitted for each emergency report. It is not part of the Operating Record.**

Land Application of Manure

There may be no discharge of manure into waters of the state from the land application area except for where it is an agricultural stormwater discharge generated by means of runoff generated by precipitation that drains over terrain used for agriculture, provided that the manure has been applied in accordance with site specific nutrient management practices that ensure appropriate agricultural utilization of nutrients in manure in compliance with the best management practices set forth in Chapter 901:10-2 of the Administrative Code.

Upon approval by the Director, any information provided shall become the Manure Management Plan of the Permit to Operate, legally effective and enforceable.

General Information

Owner's/Operator's Name and Facility Name

This information should be the same as the information contained in the associated permit application.

Name of Owner/Operator:

Name of Facility:

Manure Management Plan Prepared By:

Name: _____

Address: _____

Telephone: _____

Email: _____

Fax: _____



1. Equipment Maintenance, Repair and Calibration

Please refer to **Form 2** in the Operating Record for the type of information required in your records or you may use your own approved form, which is part of the Permit to Operate. List all equipment owned or operated by the facility to be used as part of managing manure at the manure storage or treatment facility.

Equipment Type	Capacity/Size	Number Available	Major Maintenance Frequency	Calibration Frequency
Solid Spreader				
Liquid Spreader (Inject/Incorp.)				
Liquid Spreader (Surface)				
Drag Hose (Inject/Incorp.)				
Drag Hose (Surface)				
Traveling Gun				
Center Pivot				
Pumps				
Other (Describe)				

2. Manure Storage Ponds, Manure Treatment Lagoons, and Fabricated Structures

Please refer to the forms included as the Operating Record Forms 3A or 3B for the type of information required for your records. You may use your own approved forms. For each manure storage pond, each manure treatment lagoon, and/or each fabricated structure, complete the following information:



SCHEDULES

- A. List all manure storage or treatment facilities that are located on the facility. In column A., provide the "Structural ID" that is, or will be, utilized in identifying this structure. Examples would be: Deep Pit-Barn 1, North Manure Storage Pond, Concrete Settling Basin, Manure Treatment Lagoon-Cell 1, etc.
- B. Specify the planned schedule and/or frequency to remove manure as required by Rule 901:10-2-08 (A)(3)(g). Refer to Rule 901:10-2-14 Appendix A Table 1 for Land Application Restrictions and complete the chart after d., below. Examples would be: Annually-Generally in the Fall, Bi-Annually-Spring and Fall, etc.
- C. Specify a frequency for inspecting the operating level of each manure storage or treatment facility. All liquid manure storage structures must be inspected a minimum of weekly. Refer to Forms 3A and 3B in the ODA Operating Record. Depth markers must be installed on all ponds or lagoons and must clearly indicate the minimum capacity necessary to contain the runoff and direct precipitation of (one of the following):
- The 25-year, 24-hour rainfall event
 - The 100-year, 24-hour rainfall event
- D. Please specify the required freeboard for each manure storage pond, manure treatment lagoon or fabricated structure. The freeboard shall be 1-foot for manure storage ponds or treatment lagoons (Rule 901:10-2-06 (A)(8)) and 6-inches for fabricated structures, except for fabricated structures that contain solid manure and are not subject to precipitation or runoff (Rule 901:10-2-05 (A)(4)). These are NPDES requirements. Finally, any manure storage or treatment facility exposed to precipitation or runoff shall have additional freeboard that shall account for the following:
- i. 25-year, 24-hour precipitation event volume on the surface, unless volume is for a facility subject to the requirements of paragraph (D) of rule 901:10-3-06 of the Administrative Code.
 - ii. 25-year, 24-hour precipitation event runoff from a Drainage Area, unless volume is for a facility subject to the requirements of paragraph (D) of rule 901:10-3-06 of the Administrative Code.
- E. State the Maximum Operating Level of the manure storage or treatment facility. This should be calculated based on the total depth of structure minus the required freeboard as provided in Item D. above.
- F. Provide the Total Manure Storage Volume of the manure storage or treatment facility in gallons for liquid systems and cubic feet for solid systems. This volume should not include the volume that should be designated to required freeboard as provide in Item D. above.
- G. State the Storage Period Provided for the manure storage or treatment facility in Days.



To calculate, take the Total Manure Storage Volume and divide by the total amount of manure produced in one year and then multiply by 365 days.

- H. Specify a Frequency for Inspecting the Overall Structural Integrity of the manure storage or treatment facility. Refer to Forms 3A and 3B in the ODA Operating Record. Manure storage or treatment facilities shall be inspected for evidence of erosion, leakage, animal damage, cracking, excessive vegetation or a discharge (Rule 901:10-2-08 (A)(3)(e)).

A. Structure ID	B. Frequency of Manure Removal	C. Inspection Frequency of Operating Level	D. Required Freeboard (feet)	E. Maximum Operating Level (feet)	F. Total Manure Storage Volume (gallons or cubic feet)	G. Storage Period Provided (days)	H. Inspection Frequency of Overall Structural Integrity



3. Surface Water Protection and Stormwater Controls and Overall Structural Integrity.

List the frequency at which you will inspect the following items in the chart in order to satisfy Rule 901:10-2-08 (A)(3) (d), (h), (i), (j) and (k). These are NPDES requirements.

Please refer to the forms included as the Operating Record Forms 3A or 3B for the type of information required for your records for each item listed below. You may use your own forms if these are approved by ODA.

You are required to perform weekly visual inspections of all stormwater diversion devices, runoff diversion structures, and devices channeling contaminated stormwater to the manure storage pond(s) and/or manure treatment lagoon(s). For any other devices, please insert the inspection frequency.

On the following chart, check all of the types of control that apply at your facility, and, where appropriate, the inspection frequency:

A. Control Structure/Type	B. Inspection Frequency	C. Maintenance Frequency*	Mark with a check if applicable
Stormwater Diversion(s)	Weekly		
Runoff Diversion	Weekly		
Structures	Weekly		
Channels for Contaminated Stormwater Conveyances	Weekly		
Berms/Embankments			
Manure Transfer Pipes			
Grassed Waterways and Filter Strips			
Vegetative Cover			
Gutters/Downspouts			
Contaminated Stormwater Pond	Weekly		
Domestic/Industrial Waste Structures or Controls			
Other (describe):			

*Item C – Maintenance Frequency – This shall describe the intended frequency that each item will be maintained. For items that relate to vegetative cover, this could be as simple as “Weekly during the growing season.” For other items, like Manure Transfer Pipes and Gutter/Downspouts, this could be noted as “As Needed or Required.”



4. Other Requirements for the Production Area of the Facility.

There shall be no disposal of animal mortalities in any fabricated structure, manure storage pond, or manure treatment lagoon, unless the system is specifically designed to treat animal mortalities. Handle animal mortalities so as to prevent discharge of manure to waters of the state. This is an NPDES requirement.

Please refer to the forms included as the **Operating Record Form 9** for the type of information required for your records for correct mortality management. You may use your own approved forms.

There shall be no disposal of untreated or unapproved domestic or industrial wastewater from showers, toilets, or sinks. In addition, there shall be no disposal of medical wastes, chemicals, or other contaminants used in the production area into any manure storage or treatment facility. There shall be no access to waters of the state by any animals in the production area of the facility.

Timely correction of any deficiencies shall be identified in the **Operating Record**.

Daily, visual inspections of all drinking water lines, including cooling water lines shall be recorded in the **Operating Record Form**. Select from **Forms 3A, 3B, 8A, 8B, or the form provided by the U.S. EPA**. You may also use your own form if approved by ODA.

5. Groundwater Sampling and Analysis

Unless submitted as part of an application for a Permit to Install that accompanies an application for this Permit to Operate, you must provide a copy of the results of sampling and analysis of groundwater from a well at the facility. Rule 901:10-2-08(A)(3)(I) also requires **annual** sampling of groundwater from a well that is properly located, protected and operated at the facility. The well must be accessible for sampling and have adequate water quantity for a sample. Accordingly, this Permit to Operate includes a map as part of the required information in the Permit to Install that demonstrates the location of the well. Annual analysis shall include, at a minimum, Total Coliform Bacteria and Nitrates.

A copy of the sample results as provided by the laboratory to you will be kept in the Operating Record. Refer to **item 4 in the Operating Record** for the type of information required for your record.



6. Manure Characterization

Provide an estimate, supported by calculations of the quantity and total nutrient content of manure produced, stored and treated during a twelve-month period. This information and information on total animal numbers are NPDES requirements.

For each manure storage or treatment facility (i.e., each manure storage pond, manure treatment lagoon, and fabricated structure) please provide the manure characterization as required by Rule 901:10-2-10. Please obtain or make duplicate copies of this form in order to provide the required information for each pond, lagoon, or structure.

As applicable, use the following charts:

Animal Species	Animal Type	Animal Weight	Animal Numbers	Days at Facility	As is Tons Generated	Gallons Generated

Fill in the following charts for manure nutrients and available nitrogen.

Manure Nutrient Data						
	Total N	Ammonia N	Organic N	P2O5	K2O	% moisture
Lbs./ton or lb/1000 gal.						
Lbs.						
Tons						

Manure Nutrient Data						
	Total N	Ammonia N	Organic N	P2O5	K2O	% moisture
Lbs./ton or Lbs./1000 gal.						
Lbs.						
Tons						



Manure Nutrient Data						
	Total N	Ammonia N	Organic N	P2O5	K2O	% moisture
Lbs./ton or Lbs./1000 gal.						
Lbs.						
Tons						

ODA Appendix C, Table 6. Method of Calculating N Availability of Manures^a						
Manure Applied	Manure Available Nitrogen	Poultry Manure Available Nitrogen	Available Nitrogen %		Time of Application	Days Until Incorporated ^b
			NH ₄	Organic		
Tons	Pounds	Pounds			Date	Days
			50	33	Nov-Feb	<5
			25	33	Nov-Feb	>3
			50	33	Mar-Apr	<3
			25	33	Mar-Apr	>3
			75	33	Apr-Jun	<1
			25	33	Apr-Jun	>1
			75	15	Jul-Aug	<1
			25	15	Jul-Aug	>1
			25	33	Sep-Oct	<1
			15	33	Sep-Oct	>1

^a The calculations are for all animal manures. It is assumed that 50% of the organic N in poultry manure is converted to NH₄ rapidly and is therefore included in the NH₄ column for calculating available N.

^b Incorporation is the mixing of manure and soil in the tillage layer. Disking is usually enough tillage for conserving N availability.



The source of the information presented in these charts is based upon the following (check all that apply)

- Analysis of manure (date of analysis) _____
Description of Analysis (i.e.: Manure Storage Pond #1, Deep Pit #1, Sand Laden Manure, Separated Solids, etc.): _____
- Analysis of manure (date of analysis) _____
Description of Analysis (i.e.: Manure Storage Pond #1, Deep Pit #1, Sand Laden Manure, Separated Solids, etc.): _____
- Analysis of manure (date of analysis) _____
Description of Analysis (i.e.: Manure Storage Pond #1, Deep Pit #1, Sand Laden Manure, Separated Solids, etc.): _____
- Analysis of composed material (date of analysis) _____
Description of Analysis (i.e.: Mortality Compost, Composted Manure etc.): _____
- Analysis is based on sample from another facility that is similar to my facility
Provide name and address of facility that sample was taken from:
Name: _____
Address: _____
Description of Analysis (i.e.: Manure Storage Pond, Deep Pit, Sand Laden Manure, Separated Solids, etc.) _____
Date of analysis from the other facility: _____

At a minimum, each of the following parameters must be sampled and analyzed annually with results recorded in the **Operating Record**: Total Nitrogen, Ammonium Nitrogen, Organic Nitrogen, Phosphorus, Potassium, Percent Total Solids. Refer to the Operating Record at item 5 to show the type of information required for your records. **Please attach with this Manure Management Plan all of the most recent manure analysis lab sheets that were utilized in developing this plan.**

7. Total Nutrient Budget

Rule 901:10-2-09 requires a MMP with a total nutrient budget for the facility. The rule and NPDES requirements also require a summary of land available (or by means of Distribution and Utilization) for manure that is generated by the facility for the duration of the permit. This means that a summary statement is required in this MMP that demonstrates your plan to manage manure over the life of the permit that is 5 years with the means of reusing and recycling manure and manure nutrients. Please provide the following information:

- The total nutrient budget requirements on land application sites under my control as property owner or by lease (rent): _____
- The quantity of commercial fertilizer nutrients to be applied on land application sites my control as the owner/operator is: _____



- I plan to use Distribution and Utilization methods as authorized by Rule 901:10-2-11 for a quantity of nutrients estimated by me to be:

Annual Total N Distributed: _____ Lbs.

Annual Total P2O5 Distributed: _____ Lbs.

Annual Total K2O Distributed: _____ Lbs.

***If use of Distribution and Utilization is for all manure produced at the facility, go to Item #8.**

The following charts were developed by ODA to assist the applicant with calculating nutrient budgets and phosphorus buildup. An applicant can substitute a manure management plan by using similar software or other forms if they address all items covered in the following forms and ODA rules. This plan should be developed as a starting point for manure planning purposes. Changes (i.e. differing crops, manure applications, addition of land, etc.) to the manure management plan should be recorded in the operating record and are considered operational changes by ODA rules. ODA has prepared a form that is included in the operating record to record such changes. As an alternative to using this form, a copy of the manure management plan with the changes noted is also acceptable, or any other method of recording approved by ODA. When using the following charts, residual N can be found by using the following table from Appendix C Table 4 of rule 902:10-2-14:

Previous Crop	N Credits Pounds of N
Corn small grains	0
Soybeans	30
Grass sod	40
Established forage legume	
Average stand (3 plants/ft ²)	B
Good stand (5 plants/ft ²)	B
Annual legume cover crop	30

When using legumes, the maximum nitrogen removal to be used in the manure management plan is 150 lbs/ac as required by Appendix F or rule 901:10-2-14.



Annual Crop Removal for Year 1 of a 5-year rotation

Year													
		Corn grain	Corn grain w/ Residual N*	Silage	Silage w/ Residual N*	Beans	Wheat	Wheat w/ Residual N*	Hay	Nutrient Removal			
N-rate (Lbs. N/ac)										N	P2O5	K2O	
Yield (bu/ac)										Lbs.	Lbs.	Lbs.	
Field ID	Acreage												
Total acreage										Total			
Crop Removal Lbs./bu	N	1		6		0	$40+(1.75x(\text{yield}-50))$						
(Lbs./ton) for	P2O5	0.37	0.37	3.3	3.3	0.8	0.64	0.64	13				
Silage	K2O	0.27	0.27	8	8	1.4	0.4	0.4	50				
		* Residual Nitrogen		Lbs. N/ac for the following crop									



Annual Crop Removal for Year 2 of a 5-year rotation

Year												
		Corn grain	Corn grain w/ Residual N*	Silage	Silage w/ Residual N*	Beans	Wheat	Wheat w/ Residual N*	Hay	Nutrient Removal		
N-rate (Lbs. N/ac)										N	P2O5	K2O
Yield (bu/ac)										Lbs.	Lbs.	Lbs.
Field ID	Acreage											
Total acreage									Total			

Crop Removal Lbs./bu	N	1		6		0	40+(1.75x(yield-50))		
(Lbs./ton) for P2O5		0.37	0.37	3.3	3.3	0.8	0.64	0.64	13
Silage K2O		0.27	0.27	8	8	1.4	0.4	0.4	50

* Residual Nitrogen Lbs. N/ac for the following crop



Annual Crop Removal for Year 3 of a 5-year rotation

Year			Corn grain w/ Residual N*	Silage	Silage w/ Residual N*	Beans	Wheat	Wheat w/ Residual N*	Hay	Nutrient Removal		
N-rate (Lbs. N/ac)										N	P2O5	K2O
Yield (bu/ac)										Lbs.	Lbs.	Lbs.
Field ID	Acreage											
Total acreage									Total			
Crop Removal Lbs./bu	N	1		6		0	$40+(1.75 \times (\text{yield}-50))$					
(Lbs./ton) for	P2O5	0.37	0.37	3.3	3.3	0.8	0.64	0.64	13			
Silage	K2O	0.27	0.27	8	8	1.4	0.4	0.4	50			
		* Residual Nitrogen		Lbs. N/ac for the following crop								



Annual Crop Removal for Year 4 of a 5-year rotation

Year													
		Corn grain	Corn grain w/ Residual N*	Silage	Silage w/ Residual N*	Beans	Wheat	Wheat w/ Residual N*	Hay	Nutrient Removal			
N-rate (Lbs. N/ac)										N	P2O5	K2O	
Yield (bu/ac)										Lbs.	Lbs.	Lbs.	
Field ID	Acreage												
Total acreage										Total			

Crop Removal Lbs./bu	N	1		6		0	$40+(1.75 \times (\text{yield}-50))$		
(Lbs./ton) for	P2O5	0.37	0.37	3.3	3.3	0.8	0.64	0.64	13
Silage	K2O	0.27	0.27	8	8	1.4	0.4	0.4	50

* Residual Nitrogen Lbs. N/ac for the following crop

Annual Crop Removal for Year 5 of a 5-year rotation

Year													
		Corn grain	Corn grain w/ Residual N*	Silage	Silage w/ Residual N*	Beans	Wheat	Wheat w/ Residual N*	Hay	Nutrient Removal			
N-rate (Lbs. N/ac)										N	P2O5	K2O	
Yield (bu/ac)										Lbs.	Lbs.	Lbs.	
Field ID	Acreage												
Total acreage										Total			
Crop Removal Lbs./bu	N	1		6		0	$40+(1.75 \times (\text{yield}-50))$						
(Lbs./ton) for	P2O5	0.37	0.37	3.3	3.3	0.8	0.64	0.64	13				
Silage	K2O	0.27	0.27	8	8	1.4	0.4	0.4	50				
		* Residual Nitrogen		Lbs. N/ac for the following crop									



8. Distribution and Utilization

In cases where manure generated by the facility is sold or given away, the owner or operator must comply with the following conditions:

- a. Maintain records in the operating record. Refer to the Operating Record Form 6 for the information required in your operating record or for your own approved form, showing the date and amount (tons or gallons) of manure that leaves the operation on an annual basis, as required by Rule 901:10-2-11 and as NPDES requirements;
- b. Record the name and address of the recipient(s);
- c. Provide the recipient(s) with the most recent sample result of the manure that list the nutrient content.
- d. Provide copies of the Land Application Restrictions, Appendix A of Rule 901:10-2-14 and, if applicable, the Available Water Capacity Chart of Appendix A, for any land application of liquid manure.

Type of Distribution and Utilization (Mark all that apply)

- Sale/distribution/donation of manure to a broker for use as soil nutrient
- Sale/distribution/donation of manure to a broker for use as compost
- Sale/distribution/donation of manure to a broker for use in vermiculture
- Sale/distribution/donation for fuel source alternatives.
- Giving manure to another farmer
- Composting manure for use as a soil amendment
- Composting manure for use in vermiculture
- Other (describe)

9. Odor Control and Weather Data

Each of the following are the best management practices to be used to minimize odors. Check all that apply as conditions in your permit. Rule 901:10-2-12, 901:10-2-14 and 901:10-2-16 (A)(1)(c)(xvii).

Record weather conditions 24 hours before land application, during land application, and 24 hours after land application activities in the Operating Record, Form 7B or your own approved form.

- Remove, transfer and land apply manure when wind direction is less likely to affect neighboring residences
- Inject Manure
- Incorporate Manure
- Utilize appropriate pressure and nozzles for spray irrigation



Utilize an appropriate odor control volume in the design and operation of manure treatment lagoon

Other:

10. Soil Characterization

Soil samples for soil tests shall be representative of a land application site with one composite soil sample representing no more than 25 acres or one composite soil sample for each land application site, whichever is less.

Soil test analysis shall be performed as required by Rule 901:10-2-13, to satisfy NPDES requirements, and performed by laboratories that can provide the North Central Region 13 (NCR 13) method of testing. (NCR 13) specifies extraction methods appropriate for the Midwest conditions.) Avoid taking soil test samples (other than for presidedress nitrogen) anytime in a six (6) month period after manure application.

In developing appropriate manure application rates for land application, the Bray P1 soil test level shall be used or an equivalent appropriate phosphorus soil test may be used, if approved by the Director.

This MMP uses the following soil test (select one):

- Bray P1
- Mehlich III
- Olsen
- Phosphorus Retention Test
- Other:

Results will be reported in the Operating Record Form 7A, or your own approved form or actual lab analysis sheets, with one of the following units:

- Parts per million (ppm)
- Pounds per acre (lbs./acre)



11. Land Application

The following describes the procedures to be used in this MMP for land application as required by rule 901:10-2-14.

Application Procedures: In the space provide below, briefly describe the general application methods that will be utilized by your facility. This shall include the type of equipment for application, type of equipment for incorporation or injection, type of equipment to be utilized for transportation to fields, approximate number of days/loads needed to land apply the annual manure produced, whether land application will be performed by a custom applicator, etc. Note: If Distribution and Utilization is utilized for all manure, please answer as "N/A."

Use **Operating Record Forms 7A and 7B**, or your own approved forms, to record all of the following to satisfy the Rules listed and NPDES requirements:

- 1) Field observations of liquid manure applications, based on Available Water Capacity. Rules 901:10-2-16(A)(1)(c)(iii), (iv) and 901:10-2-14
- 2) Soil survey maps for all land application sites. Rule 901:10-2-16(A)(1)(c)(v).
- 3) Cropping schedules. Rule 901:10-2-16(A)(1)(c)(viii).
 - Past year
 - Current year
 - Anticipated 2 year projection for planned crop
- 4) Targeted crop yield for each crop (productivity and yield data). Rule 901:10-2-16(A)(1)(c)(ix).
- 5) Actual yield. Rule 901:10-2-16(A)(1)(c)(xi).
- 6) Results of [Rule 901:10-2-16(A)(1)(c)(xii)]:
 - Nitrogen leaching risk assessment procedures
 - Phosphorus soil test assessment procedures
 - Phosphorus index risk assessment procedure
- 7) Nutrient applications [Rule 901:10-2-16(A)(1)(c)(xiv)]:
 - Date
 - Rate



- Quantity [Rule 901:10-2-16(A)(1)(c)(xv)]
 - Method
 - Source
 - Form
 - Identify as manure, commercial fertilizer, and/or organic by-product
- 8) Soil conditions at the time of application. Rule 901:10-2-16(A)(1)(c)(xvi):
- Available Water Capacity
 - Soil cracks
 - Other
- 9) Dates of implemented best management practices to reduce runoff by any of these [Rule 901:10-2-16(A)(1)(c)(xvii)]:
- Crop rotation
 - Maintain cover crops
 - Residue management
 - Maintenance of all setbacks

Use **Operating Record Form 7C**, or your own form if approved by ODA, only in the event that you need to modify or update the Manure Management Plan during the 5-year term of the Permit to Operate, based on substantive changes in how the facility is managed, including the location, method, timing, or frequency of land application, and significant changes to crop rotations or yearly cropping patterns, or in the event of a discharge.

12. Closure

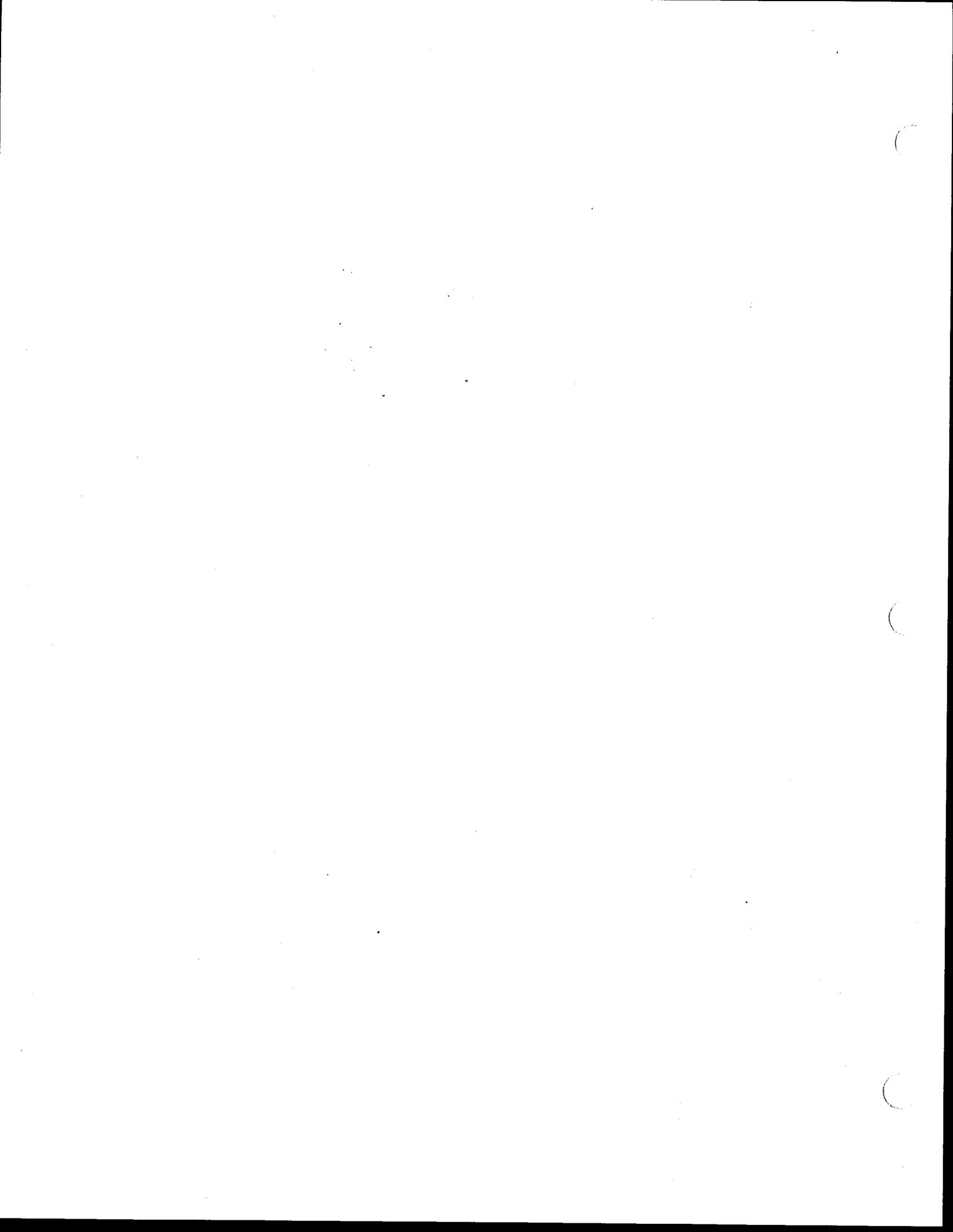
In addition, the MMP must satisfy NPDES requirements and Rule 901:10-2-18 of the Administrative Code, which describes the requirements for a closure plan for a manure storage or treatment facility. However, a closure plan does not need to be submitted until at least 90 days before closure and comply with the following:

- a. No manure storage or treatment facility shall be permanently abandoned.
- b. Manure storage or treatment facilities shall be maintained at all times until closed in compliance with a plan approved by the Director.
- c. All manure storage ponds or manure treatment lagoons must be properly closed if the owner or operator ceases operation. In addition, any manure storage pond or manure treatment lagoon that is not in use for a period of twelve months must be properly closed unless the facility is financially viable, intends to resume use to the structure at a later date, and either: (1) maintains the structure as though it were actively in use, to prevent compromise of structural integrity; or (2) removes manure to a depth of one foot or less and refills the structure with clean water to preserve the integrity of the liner. In either case, the owner or operator shall notify the Department of the action taken and shall conduct routine inspections, maintenance, and record keeping as though the structure were in use. Prior to restoration of use of the structure, the owner or operator shall notify the Department and provide the opportunity for inspection.



- d. Unless otherwise authorized by the Department completion of closure for manure storage ponds and manure treatment lagoons shall occur as promptly as practicable after the owner or operator ceases to operate or, if the owner or operator has not ceased operations, 12 months from the date on which the use of the structure ceased, unless the lagoons or ponds are being maintained for possible future use in accordance with the requirements above.
- e. To close any manure storage or treatment facility, the owner or operator shall remove all manure and dispose of it in accordance with the Manure Management Plan in the Permit to Operate, or document its transfer from the permitted facility in accordance with any Distribution and Utilization requirements specified in rule 901:10-2-11 of the Administrative Code, unless otherwise authorized by the Department.





Ohio Department of Agriculture Insect and Rodent Control Plan

Purpose: The Insect and Rodent Control Plan is required in order to minimize the presence and negative effects of insects and rodents at the farm and in surrounding areas, including land on which the manure is stored or applied. The Insect and Rodent Control plan shall comply with the requirements in Rule 901:10-2-19 of the Ohio Administrative Code and shall be incorporated into the Permit To Operate upon approval.

The term "IRC Plan" is used in this form to refer to Insect and Rodent Control Plan. The term "pests" is used throughout and includes both insects and rodents.

This form is designed to ask a series questions or to list a number of options that an owner or operator should consider when preparing and submitting an IRC Plan. Where appropriate, rules are cited. Please refer to these rules for assistance in preparing the IRC Plan.

Owner's/Operator's Name and Facility Name

This information should be the same as the information contained in the associated permit application.

Name of Owner/Operator: _____

Name of Facility: _____

Contact Person: _____

Integrated Pest Management

Provide a narrative description of the integrated pest management approach to be used.
Rule 901:10-2-19 (B)(2)(a)



Insect and Rodent Control Plan

Pest Control

Identify the insects and/or rodents that cause the most concern at the facility:

Why are there concerns with these pests? Rule 901:10-2-19 (B)(3)(a)(iv)

Describe the history of any pest problems or incidents that have occurred at the facility and the solutions that have or will be implemented.

Describe the inspection frequency to examine the pest's population and activities.
Rule 901:10-2-19(B)(3)(a)(i)

- Daily:

- Weekly:

- Monthly:



Insect and Rodent Control Plan

- Seasonal or quarterly:

- A combination of these, for the following reasons:

Describe periodic examination of trends in pest populations and/or pest activity that occur at the facility, taking into account the possibility of seasonal changes or other changes over a period of time. Rule 901:10-2-19(E)(2)

If fly speck cards or some other device is used to monitor fly levels, explain how they are used and what action level is used to trigger fly control.

Explain how Livestock and poultry mortality will be managed on a regular basis so that it is not a source of pest activity. Rule 901:10-2-19(B)(3)(a)

Maintenance Activities

List areas pests are likely to find "attractive." Describe what will be done to prevent a problem in these respective areas if applicable to your facility. Rule 901:10-2-19(B)(3)(a)(i)-(iv) and 901:10-2-19(B)(3)(b)

- Watering system:



Insect and Rodent Control Plan

- Feed system:

- Storage areas:

- Others, given the facility's design, location, drainage, and site grade:

- Walkways or walk areas in the buildings:

- Walkways or walk areas around and outside the buildings:

- Feed alleys:

- Describe the fan maintenance and cleaning schedule.



Insect and Rodent Control Plan

- Describe the inventory of materials available at the facility for house keeping and maintenance of leaks, damaged wall or containers or other items that may cause pests to infest the area. Rule 901:10-2-19(B)(3)(b)

Equipment and Other Devices for Pest Control and Maintenance

List the equipment available to maintain pest control. Rule 901:10-2-19(B)(3)(b) (iii)

List insecticides, larvicides, rodenticides, space sprays, baits, traps, strips, etc. available for use. Rule 901:10-2-19(B)(3)(d)

Storing, Stockpiling, and Land Applying Manure

Include the manure removal schedule.

Describe the measures to treat pests at the manure stockpile after removal from the facility and prior to land application (or prior to arrangements for Distribution and Utilization by another party). Rule 901:10-2-19(C)



Insect and Rodent Control Plan

Describe measures taken for temporary stockpiled manure (i.e., thermal treatment, covers, setbacks, chemical treatment, etc.) Rule 901:10-2-19(C)

Emergency Procedures Rule 901:10-2-19(D)

List telephone numbers, FAX numbers, and e-mail addresses for those who need to be contacted in the event of an emergency.

List steps to take in an emergency to contact certified professionals.

List places to obtain equipment and supplies.

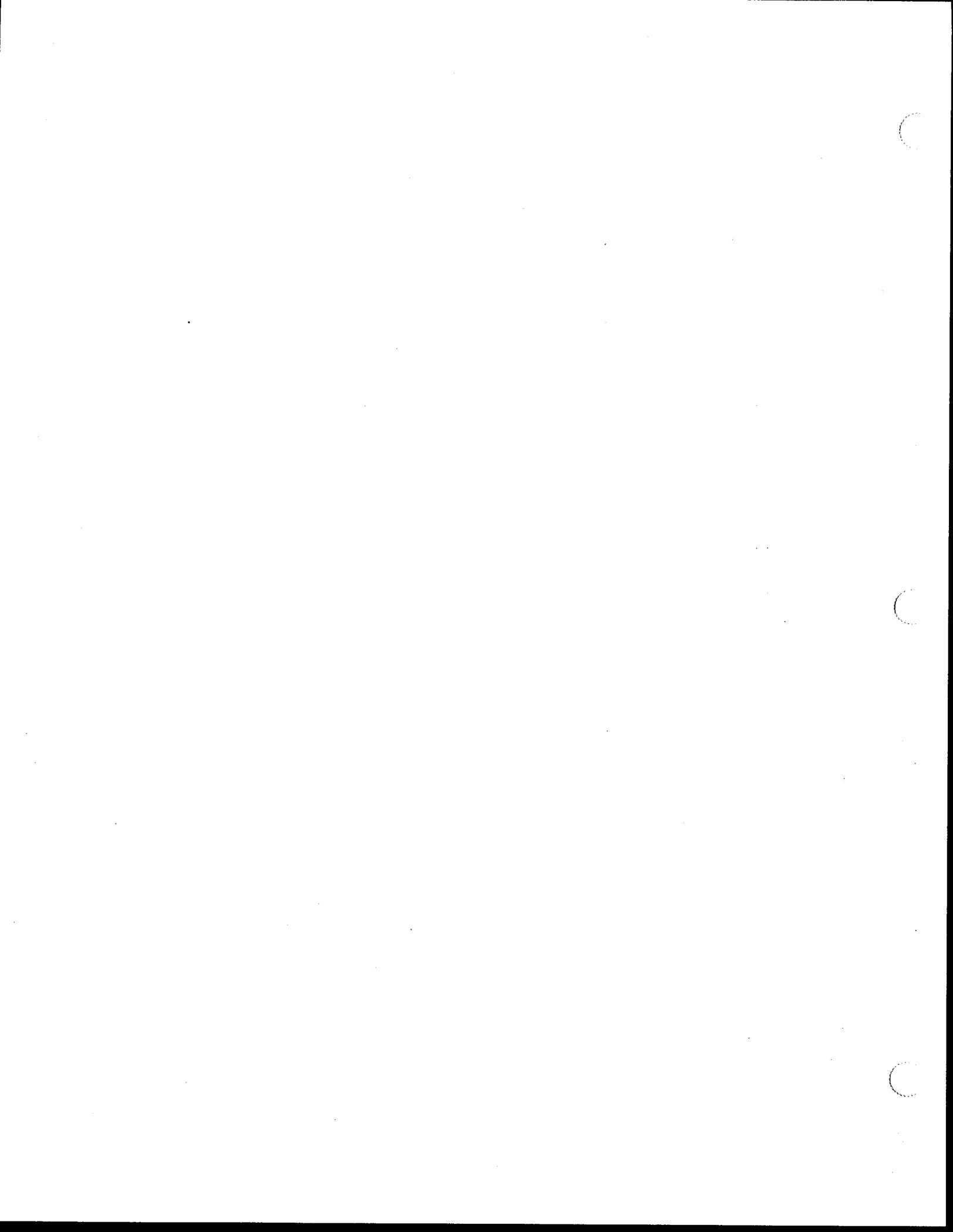
Identify health department.



Operating Record Requirements

- a. Time and date of inspections of pest populations or activity.
Rule 901:10-2-19(B)(3)(a)
- b. Document that employees can assess pest controls that have been used over a period of time and that actions to minimize pests are taken regularly.
Rule 901:10-2-16(A)(1)(d) and Rule 901:10-2-19(B)(3)(a)
- c. Document a schedule of inspections, housekeeping, and repairs to keep pests under control. Rules 901:10-2-19(B)(3)(a) and 901:10-16(A)(1)(d)
- d. Mortality Record. Rule 901:10-2-19(B)(3)(a)
- e. Manure or wastewater spill records. Rules 901:10-2-19(B)(3)(a) and 901:10-16(A)(1)(d)
- f. Document the supplies that are available at the facility. Note dates to reorder supplies.
- g. Manure removal and treatment schedule.
- h. Field observation for pests before and after land application. Rule 901:10-2-19(C)(2)(h) and Rule 901:10-2-19(C)
- i. Stockpile location (appropriate setbacks, located away from tiles, located to allow for natural drying with sunlight and wind). Rule 901:10-2-19 (C)





Subject C Insect & Rodent
Control Plan

Ohio Department of Agriculture Mortality Management Plan

OVERVIEW

Under Ohio law the disposal methods for dead livestock are as follows: burning, burial, composting, rendering, and landfill. See rule 901:10-2-15 of the Administrative Code or Sections 941.14, 1511.022, and 1515.08 of the Ohio Revised Code. NPDES requirements prohibit the holder of a permit from disposing of any mortality in manure storage and treatment facilities, stormwater management facilities, or any other treatment system that is not specifically designed and approved for mortality.

Burning – Burning dead poultry and small animals is biologically the safest disposal method. The incinerator should be sited in a convenient location that will avoid potential problems and be downwind of livestock housing, farm residences, and neighbors. Owners or operators are encouraged to contact the Ohio EPA for information regarding incineration.

Burial – Burial involves excavating a grave or pit, filling the bulk of the excavation with dead animals, and then covering them with soil until the grave or pit is filled. Where regulations allow burial, there are generally strict siting requirements. Common siting requirements include locating the burial where it will not create an actual or potential public health hazard.

Composting – Composting is similar to the process of natural decomposition except that it is enhanced and accelerated by mixing organic waste with other ingredients in a manner that optimizes microbial growth. Owners or operators are encouraged to contact their local Ohio State University Extension or Soil and Water Conservation District for information.

Rendering – The use of rendering services recycles the nutrients contained in dead animals. Proper biosecurity measures must be utilized to minimize the spread of disease from farm to farm by rendering plant vehicles and personnel. If animals are rendered they should be transported within twenty-four hours of their death. An area must be designated outside the perimeter of the facility for pick-up by rendering personnel. The owner or operator is encouraged to contact the Ohio Department of Agriculture's Animal Industry for additional information.

Sanitary Landfill – Sanitary landfills are engineered burial facilities for disposal of solid waste. Disposal of dead poultry and/or animals in a sanitary landfill is permitted in some areas. The owner or operator is encouraged to contact the landfill operator to determine if the landfill in the area accepts dead animals, the fees associated with the animals, and the proper containers for disposal.



INSTRUCTIONS

A record of the date and time of each inspection for animal mortality must be recorded in the operating record at a frequency as specified by the applicant on this form and as approved by the Director. In order to complete this form, you should read ODA's **Operating Record Form 9**. Upon approval of the Permit to Operate and NPDES permit, you are required to maintain an **Operating Record** at your facility that documents your actions to comply with the permit, including mortality management. Referring to the **ODA Operating Record** may assist you in providing the information required here. You may use some or all of ODA's forms in the **Operating Record** or use other forms, provided those forms are approved by ODA.

Fill in the blanks listed below and check the following type of disposal method that is to be used. Include the best management practices necessary to implement the disposal of dead livestock.

Owner's/Operator's Name and Facility Name

This information should be the same as the information contained in the associated permit application.

Name of Owner/Operator: _____
Name of Facility: _____

Local Veterinary, Name and Phone Number

Ohio Department of Agriculture, Animal Industry, Phone Number

614-728-6220

Ohio Department of Agriculture, Livestock Environmental Permitting Program, Phone Number

614-387-0470



Mortality Management

DISPOSAL METHODS

Burning:

Location: _____

Equipment Needed: _____

Burial:

Location: _____

Equipment Needed: _____

Composting:

Location: _____

Equipment Needed: _____

Rendering:

Location: _____

Equipment Needed: _____

Sanitary Landfill:

Name: _____

Location: _____

INSPECTION FREQUENCY: [Check for moisture, carbon source, turning, leachate containment, removal]

- Daily
- Weekly
- Other

Catastrophic Mortality Event: Please provide a short description of procedures to be used in the event of a catastrophic loss if normal mortality management cannot handle losses.



Mortality Management

Best Management Practices

Please describe the best management practices that will be used to dispose of dead livestock.



Ohio Department of Agriculture Emergency Response Plan

Forms

Purpose: The emergency response plans are required to be developed and maintained on all Concentrated Animal Feeding Facilities (CAFF), Major Concentrated Animal Feeding Facilities (MCAFF), or Concentrated Animal Feeding Facilities (CAFO). Emergency response plans are used to minimize the environmental impact of emergencies that could happen at a facility.

In preparing the emergency response plan, it is recommended that the owner or operator use this form or, in the alternative, use a form that is satisfactory to the Director if the Director finds that the alternative form contains all of the information required in rule 901:10-2-17 of the Administrative Code.

Sections D, F, G, and H of the Emergency Response Plan are not required as part of the plan. They are however recommended as a resource for the owner or operator to have on-site in case of an emergency.

Please fill in all information sheets as thoroughly as possible.

- A. General Facility Information Sheet
- B. Effluent Spill Emergency Response Information Sheet
- C. Runoff Retention Plan
- D. Prearranged Emergency Response Agreements
- E. Manure Handling System Maintenance Record
- F. Fire Emergency Response Information Sheet
- G. Power Outage Information Sheet
- H. Personal Information
- I. Mortality Management Plan

It is recommended that the owner or operator keep a copy of the emergency response plan in the operating record and a copy at the site office so that it is easily accessible to all employees.

Ohio Department of Agriculture



Emergency Response Plan

A. General Facility Information Sheet

OWNER OR OPERATOR NAME (This information should be the same as the information contained in the associated permit application.) 901:10-2-17(A)(1)

Name of Facility: _____
Address: _____
City: _____ State: _____ Zip: _____
Phone: _____ Fax: _____
Email: _____

Owner Operator: _____
Address: _____
City: _____ State: _____ Zip: _____
Phone: _____ Fax: _____
Email: _____

CERTIFIED LIVESTOCK MANAGER (if applicable)

Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Phone: _____ Fax: _____
Email: _____

EMERGENCY CONTACT INFORMATION

Second Contact Person if owner is not available.

Name: _____
Phone Number: _____ Fax Number: _____

Third Contact Person if owner/operator and second contact person are not available.

Name: _____
Phone Number: _____ Fax Number: _____

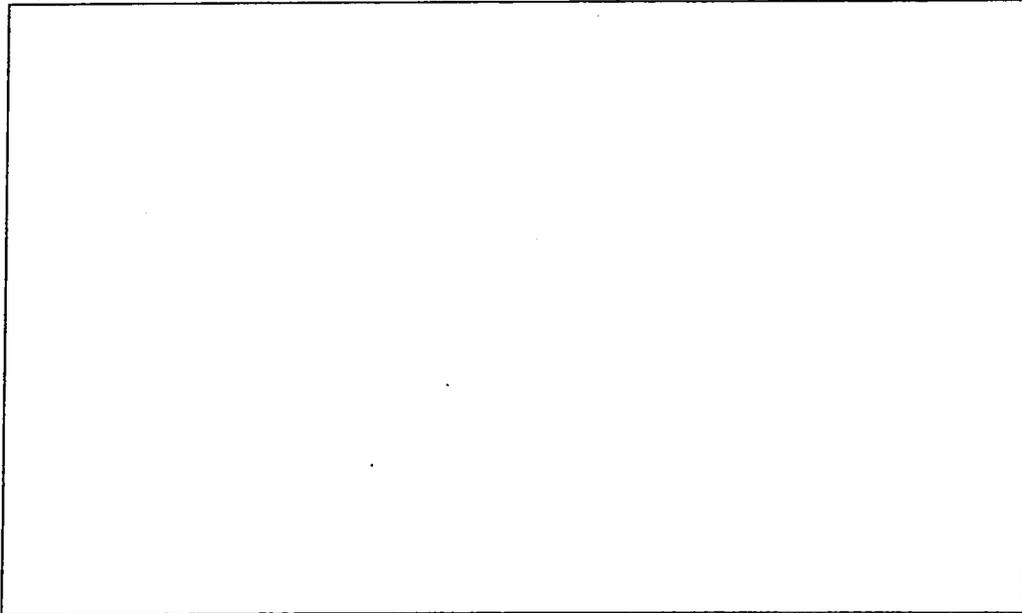
EMERGENCY RESPONSE CONTACT PHONE NUMBERS

Ambulance (EMS): _____
Fire Department: _____



Emergency Response Plan

Provide a site map that indicates the location of buildings, lagoons, wells, hazardous materials, property boundaries, and possible direction of lagoon runoff. Also, indicate the location of materials that could be used for temporary berms, i.e., dirt piles, old hay bales, sawdust, etc and where berming may take place to contain an accidental discharge.



THE OWNER OR OPERATOR SHALL ALSO FILE A WRITTEN REPORT OF THE OCCURRENCE IN LETTER FORM WITHIN FIVE DAYS FOLLOWING FIRST KNOWLEDGE OF THE OCCURRENCE, UNLESS OTHERWISE WAIVED BY THE DIRECTOR. THIS REPORT SHALL OUTLINE THE ACTIONS TAKEN OR PROPOSED TO BE TAKEN TO CORRECT THE PROBLEM AND TO ENSURE THAT THE PROBLEM DOES NOT RE-OCCUR.

901:10-2-17(A)(4)(d)

(The written report shall be sent to the following address: Ohio Department of Agriculture, Livestock Environmental Permitting Program, 8995 East Main Street, Reynoldsburg, Ohio 43068.)



D. Prearranged Emergency Response Agreements

To deal with an emergency quickly and effectively, most operations need assistance from other individuals. It is essential that prior arrangements be made so every person involved knows what to do when an emergency arises. Individuals can quickly bring equipment such as tractors with plows, backhoes, bulldozers, or personnel with shovels. Reciprocal agreements can be established with these neighbors.

If a spill occurs, it is very important to have access to nearby land, irrigation, and earth-moving equipment. In most cases, the owner or operator, producer, farmer, or emergency response personnel must contact people who own the equipment needed to respond to a spill. Having a prearranged written agreement with these people simplifies matters. The terms of these arrangements should include such things as financial compensation and a description of the equipment that would be used. List any arrangements made with other owners, operators, or producers and neighbors to share personnel and or equipment, supplies, and land access during an emergency. 901:10-2-17

ACCESS AGREEMENT

(The following is a sample land access agreement.)

This document will serve as an access land agreement between

_____ and
(hereafter called owner or operator)

_____ and
(hereafter called neighbor.)

In the unlikely event that a manure discharge originating from the owner or operator's property enters neighbor's property, neighbor hereby grants permission to owner or operator or his agents to enter neighbor's property and take any reasonable steps to control, contain, and remediate the manure discharge.

Owner or operator agrees to restore neighbor's property to its original condition.

Signed _____ Date: _____



Emergency Response Plan

PREARRANGED EMERGENCY RESPONSE AGREEMENTS

List any arrangements made with other owners or operators to share personnel and or equipment, supplies, and land access during an emergency.

Prerarranged Land Access Agreements

Contract One: _____

Contract Two: _____

Lagoon Pumping Services within a reasonable distance from the facility that would be able to respond to an emergency.

Name: _____

Address: _____

Phone: _____

Name: _____

Address: _____

Phone: _____

Name: _____

Address: _____

Phone: _____



Ohio Department of Agriculture Emergency Response Plan

E. Manure Handling System Maintenance Record

LOCATION OF PREARRANGED EMERGENCY EQUIPMENT AND SUPPLIES

This includes equipment that is available twenty-four hours a day. Include phone numbers and primary contacts. Put a list in the order that the owner or operator would like the equipment operators contacted. Post a copy in each building onsite, in site office, and the owner or operator's residence. Preferably posted by a phone or the main doorway. 901:10-2-17

Owner	Phone	Location	Comments
Irrigation Pumps			
Bulldozer/Track Loader			
Backhoe			
Vacuum Slurry Tank			
Other			

Ohio Department of Agriculture



Emergency Response Plan

Name: _____

Phone Number: _____

Is there a disconnect between the meter base and the buildings? Yes No

If so where? _____

Give the location of the electrical panels in the buildings.

List fuels located on the facility and their location. (Location shown on the site map in part A)

Are hazardous materials stored in the facilities? Yes No

If yes, provide the location(s) and a list of the materials. (Location shown on the site map in part A)

Propane Company

Name: _____

Phone Number: _____

Size of propane tanks (Location shown on the site map in part A):

Ohio Department of Agriculture
Emergency Response Plan



Emergency Response Plan

G. Power Outage Information Sheet

This form is not required but recommended.

Electrical Power Company

Name: _____

Phone Number: _____

Size of Electrical Service: _____

GENERATOR

Is there a Standby Generator? Yes No

If so, is there a Double- Throw Disconnect to Isolate the Facility from the Utility During Generator Operation? Yes No

Is there a Disconnect between the Meter Base and Panel? Yes No

LIST THE NAME AND NUMBER OF ELECTRICIANS WHO PERFORM SERVICE ON THE FACILITY.

Name: _____

Phone Number: _____

Name: _____

Phone Number: _____

Name: _____

Phone Number: _____

**Ohio Department of Agriculture
Emergency Response Plan**

H. Personnel Information



Emergency Response Plan

This form is not required but recommended.

The owner or operator should have an up-to-date list of any persons who are employed by the owner or operator. This personnel information document is to be filled out by the owner or operator and should contain any special responsibilities of the employee's employed at the facility.

Name: _____

Special Responsibilities:

Ohio Department of Agriculture
Emergency Response Plan
I. Catastrophic Mortality Management Plan

OVERVIEW



Emergency Response Plan

Under Ohio law the disposal methods for dead livestock are as follows: burning, burial, composting, rendering, and landfill. See rule 901:10-2-15 of the Administrative Code or Section 941.14 of the Ohio Revised Code.

Burning – Burning dead poultry and small animals is biologically the safest disposal method. The incinerator should be sited in a convenient location that will avoid potential problems and be downwind of livestock housing, farm residences, and neighbors. Owners or operators are encouraged to contact the Ohio EPA for additional information.

Burial – Burial involves excavating a grave or pit, filling the bulk of the excavation with dead animals, and then covering them with soil until the grave or pit is filled. Where regulations allow burial, there are generally strict siting requirements. Common siting requirements include locating the burial where it will not create an actual or potential public health hazard.

Composting – Composting is similar to the process of natural decomposition except that it is enhanced and accelerated by mixing organic waste with other ingredients in a manner that optimizes microbial growth. Owners or operators are encouraged to contact their local Ohio State University Extension or Soil and Water Conservation District for information.

Rendering – The use of rendering services recycles the nutrients contained in dead animals. Proper biosecurity measures must be utilized to minimize the spread of disease from farm to farm by rendering plant vehicles and personnel. If animals are rendered they should be transported within twenty-four hours of their death. An area must be designated outside the perimeter of the facility for pick-up by rendering personnel. The owner or operator is encouraged to contact the Ohio Department of Agriculture's Animal Industry for additional information.

Sanitary Landfill – Sanitary landfills are engineered burial facilities for disposal of solid waste. Disposal of dead poultry and/or animals in a sanitary landfill is permitted in some areas. The owner or operator is encouraged to contact the landfill operator to determine if the landfill in the area accepts dead animals, the fees associated with the animals, and the proper containers for disposal.



INSTRUCTIONS

This plan is to be kept in the operating record. A record of the date and time of each inspection for animal mortality must be recorded in the operating record on a daily basis.

Fill in the blanks listed below and check the following type of disposal method that is to be used. Include the best management practices necessary to implement the disposal of dead livestock.

Local Veterinary, Name and Phone Number

Ohio Department of Agriculture, Animal Industry, Phone Number

614-728-6220

Ohio Department of Agriculture, Livestock Environmental Permitting Program, Phone Number

614-387-0470

DISPOSAL METHODS



Emergency Response Plan

Burning:

Location: _____

Equipment Needed: _____

Burial:

Location: _____

Equipment Needed: _____

Composting:

Location: _____

Equipment Needed: _____

Rendering:

Name of Renderer: _____

Location mortality stored: _____

Equipment Needed: _____

Sanitary Landfill:

Name of Renderer: _____

Location mortality stored: _____

Equipment Needed: _____

Best Management Practices

Please describe the best management practices that will be used to dispose of dead livestock.



MANURE SPILL REPORT

NAME OF FACILITY

DATE

NAME OF PERSON RESPONSIBLE

WATER WAY AFFECTED

MANURE TYPE

SPILL OCCURRED BECAUSE:

TIME

PHONE NUMBER

AMOUNT

AGENCIES CONTACTED:

EQUIPMENT USED:

STEPS TAKEN TO CONTAIN AND REMEDIATE THE SPILL



General conditions.

1. **Duty to mitigate.** The permittee shall take all reasonable steps to minimize or prevent any discharge or disposal in violation of the permit, which has a reasonable likelihood of adversely affecting human health or the environment. This permit may be modified, suspended or revoked for cause.
2. **Permit actions.** The filing by the permittee of a request for permit modification, suspension, revocation, or a notification of planned changes or anticipated noncompliance does not stay any permit.
3. **Duty to comply.** The permittee shall comply with all conditions of the permit. Any permit noncompliance constitutes a violation of the act and chapter 903 of the Revised Code and is grounds for an enforcement action; for permit revocation; suspension; modification; or denial of a permit renewal application.
4. **General effluent limitations.** The effluent shall, at all times, comply with Ohio water quality standards.
5. **Authorized discharges.** All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit more frequently than, or at a level in excess of, that authorized by this permit shall constitute a violation of the terms and conditions of this permit. Such violations may result in the imposition of civil and/or criminal penalties as provided in Section 309 of the Act and Ohio Revised Code Sections 903.16, 903.17, 903.18 and 903.99
6. **Duty to reapply.** If any person who wishes to commence a discharge or to continue any activity regulated by the permit after the expiration date of this permit, an application for a permit or renewal of a permit shall be submitted to the Director at least one hundred eighty days prior to discharge or the expiration date of the permit.
7. **Property rights.** The permit does not convey any property rights of any sort or any exclusive privilege.
8. **Inspection and entry.** The permittee shall allow the Director or an authorized representative upon the presentation of proper identification and in compliance with Department biosecurity procedures:
 - (a) To enter the facility where any records are kept under the terms and conditions of the permit;
 - (b) To have access for review and copying any records that must be kept under the terms and conditions of the permit;
 - (c) To inspect, at reasonable times:
 - (1) Equipment, (including any monitoring and control equipment) or method;
 - (2) Any manure storage or treatment facility;



General Conditions for Permits

- (3) Practices or operations required or regulated under the permit; and
 - (4) To sample or monitor, at reasonable times, for the purpose of assuring permit compliance or as otherwise authorized by the Act, any substances or parameters at any location.
9. Duty to provide information. The permittee shall furnish to the Department within a reasonable time any information that the Department may request to determine whether cause exists for modifying, revoking and reissuing or terminating the permit or to determine compliance with the permit. The permittee shall also furnish to the Department, upon request, copies of records required by this permit to be kept.
10. Records retention.
- (a) Records of samples and measurements taken including, but not limited to, samples and measurements of manure, soils, process wastewater and process generated water for the purpose of monitoring shall be representative of the monitored activity.
 - (b) The permittee shall retain records of all monitoring information, including all calibration and maintenance records and, if applicable, original strip chart recordings or continuous monitoring instrumentation. Copies of reports required by this permit and records of data used to complete the application for this permit shall be retained for a period of at least five years from the date of this permit, the sample, measurement, report or application. This period may be extended by request of the Department at any time.
11. Recording of results.
- (a) The date, exact place and time of sampling or measurements;
 - (b) The individual(s) who performed the sampling or measurements;
 - (c) The date(s) analyses were performed;
 - (d) The analytical techniques or methods used; and
 - (e) The results of such analyses.
12. Sampling and analytical methods. Monitoring must be conducted according to rules 901:10-2-04 and 901:10-2-13 of the Administrative Code and according to test procedures approved under 40 C.F.R. part 136, unless other test procedures have been specified in this permit and approved by U.S. EPA. Monitoring must be conducted in accordance with any water quality analytical procedures approved by the Department. The permittee shall maintain equipment or lease the equipment or otherwise obtain access to equipment to ensure accurate measurements.
13. Signatures. All permit applications and reports required by the permit and other information submitted to the Director shall be signed and certified as follows:
- (a) All permit applications shall be signed as follows:
 - (1) For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:



General Conditions for Permits

- (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or
 - (ii) The manager of one or more production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures; or
- (b) For a partnership or sole proprietorship: by a general partner for a partnership or the proprietor, respectively.
- (c) The written authorization is submitted to the Director.
- (d) All reports required by permits and other information requested by the Director shall be signed by the person described above or a duly authorized representative of that person. A person is a duly authorized representative of the person described above only if:
- (1) The authorization is made in writing by the person described above;
 - (2) The authorization specifies either an individual or a position having responsibility for the overall operation of the facility such as the position of manager, or a position of equivalent responsibility. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.) and,
 - (3) The written authorization is submitted to the Director.
- (e) Changes to authorization. If an authorization is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying this rule must be submitted prior to or together with any reports, information, or applications to be signed by an authorized representative.
- (f) Certification. Any person signing a document under this rule shall make the following certification: "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly



gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information."

14. Need to halt or reduce activity is not a defense. It shall not be a defense for an permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
15. Proper operation and maintenance. The permittee shall at all times properly operate and maintain all facilities (and related appurtenances) which are installed or used by the permittee This provision requires the operation of backup or auxiliary facilities or similar to achieve compliance with the conditions of the permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxilliary facilities or similar systems only when necessary to comply with the conditions of this permit.
16. Emergency notification. In an emergency, the permittee shall follow the facility's emergency response plan, which shall include, at a minimum, following:
 - (a) The names and telephone numbers of persons who are identified by the owner or operator as responsible for implementing the plan;
 - (b) Areas of the facility where potential spills can occur and their accompanying surface and subsurface drainage points; and
 - (c) Procedures to be followed in the event of a spill, including actual or imminent discharge to waters of the state. These procedures shall include:
 - (1) The permittee shall report a spill or discharge by telephone to the Department as soon as possible, but in no case more than twenty-four hours following first knowledge of the occurrence and shall provide the following information:
 - (i) The time at which the discharge or spillage occurred, if known, was discovered;
 - (ii) The approximate amount and the characteristics of the discharge or spillage;
 - (iii) The waters of the state affected by the discharge or spillage;
 - (iv) The circumstances, which created the discharge or spillage;
 - (v) The names and telephone numbers of persons who have knowledge of these circumstances;
 - (vi) Those steps being taken to clean up the discharge or spillage;
 - (vii) The names and telephone numbers of the persons responsible for



General Conditions for Permits

the cleanup.

(2) For any emergency that requires immediate reporting after normal business hours, the permittee shall use the Ohio Department of Agriculture's emergency telephone number.

(3) If applicable, the permittee shall notify appropriate local authorities.

(4) The permittee shall also file a written report of the occurrence in letter form within five days following first knowledge of the occurrence, unless waived, in writing, by the Department. This report shall outline the actions taken, proposed to be taken to correct the problem and to ensure that the problem does not recur.

17. Noncompliance notification. The permittee shall report any noncompliance, which may endanger health or the environment. Any information shall be provided orally within twenty-four hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within five days of the time the permittee becomes aware of the circumstances. A written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate and prevent reoccurrence of the noncompliance.

The following shall be included as information, which must be reported within twenty-four hours:

- (a) Any unanticipated bypass that exceeds any effluent limitation in the permit;
- (b) Any upset which exceeds any effluent limitation in the permit; and
- (c) Violations of discharge limitations for any of the pollutants listed by the Director in the permit to be reported within twenty-four hours.

The Director may waive the written report on a case-by-case basis for reports if the oral report has been received within twenty-four hours.

18. Compliance schedules. Reports of compliance or noncompliance with, or any progress reports on, any compliance schedule of this permit shall be submitted fourteen days after each schedule date.
19. Anticipated noncompliance. The permittee shall give advance notice to the Director of any planned changes at the facility that may result in noncompliance
20. Bypass means the intentional diversion of manure from any portion of the production area.



General Conditions for Permits

- (a) Bypass not exceeding limitations. The permittee may allow any bypass to occur that does not cause effluent limitations to be exceeded but only if it also is for essential maintenance to assure efficient operation.
- (b) If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible, at least ten days before the date of the bypass.
21. Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass to the Director.
22. Bypasses are prohibited and the Director may take enforcement action unless:
- (a) The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage. Severe property damage means substantial physical damage to property, damage to the treatment facilities that causes them to be inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
- (b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of manure, or maintenance during normal periods of equipment downtime. This condition will not be satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass.
23. Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance or careless or improper operation.
- (a) Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with technology-based effluent limitations. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is a final administrative action subject to judicial review.
- (b) Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate through properly signed, contemporaneous operating records, or other relevant evidence that:
- (1) An upset occurred and the permittee can identify the cause of the upset;
 - (2) The permitted operation was at the time being properly operated;
 - (3) The permittee submitted notice of the upset as required.
- (c) In any proceeding to enforce the NDPES permit the permittee seeking



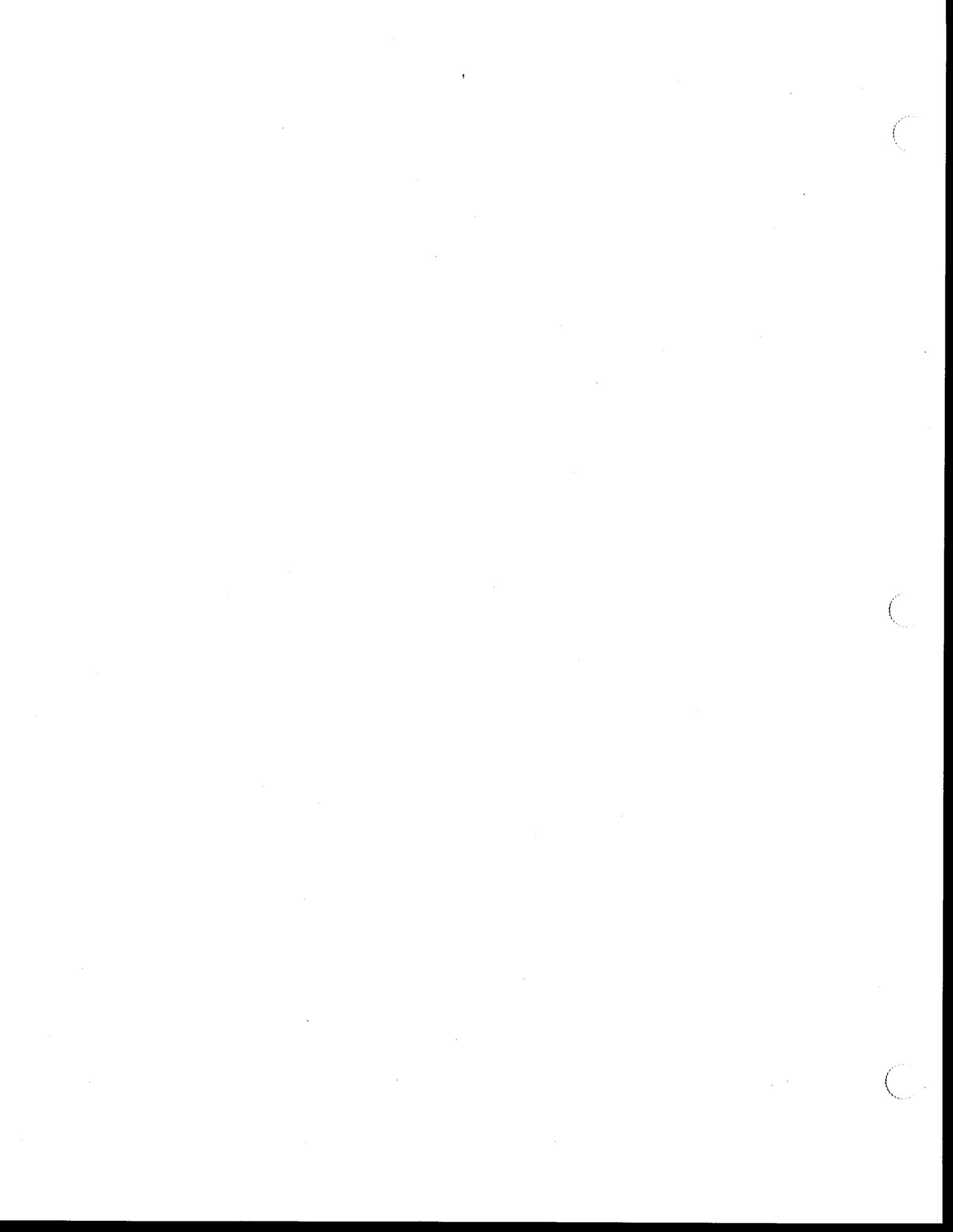
to establish the occurrence of an upset has the burden of proof.

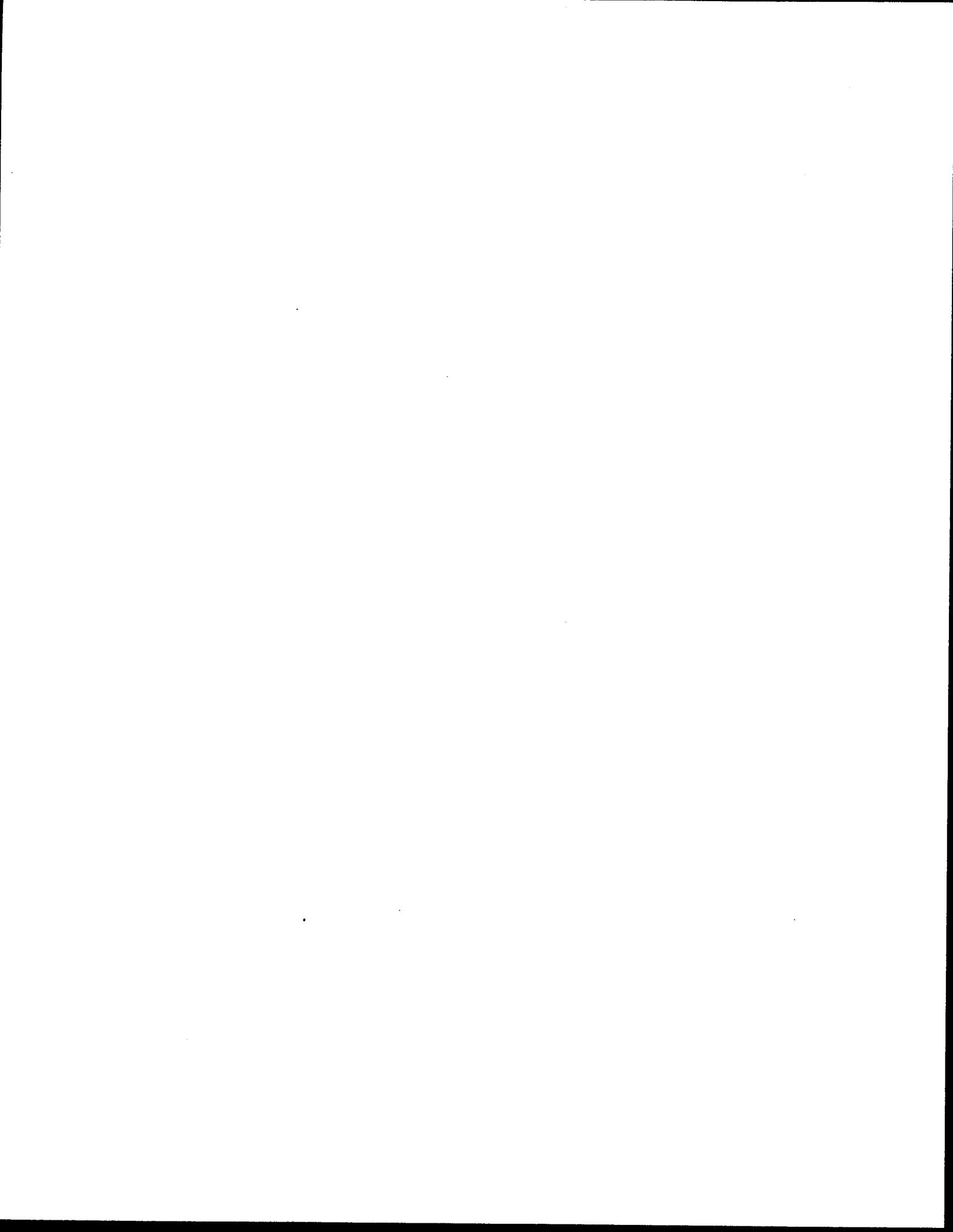
24. **Planned changes.** The permittee shall give notice to the Department as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:
- (a) The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 C.F.R. section 122.29(b); or
 - (b) The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants, which are not subject to effluent limitations in the permit.
25. **Other information.** Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information.
26. **Reporting obligations.**
- (a) Annual reports and information required to be submitted by the permit or by the rules may be submitted in hard copy format in the Ohio Department of agriculture [fill in #] report form pre-printed by the Ohio Department of agriculture or an approved facsimile. The original report form must be signed and mailed to:

Ohio Department of Agriculture
Livestock Environmental Permitting Program
8995 East Main Street
Reynoldsburg, Ohio 43068

- (b) Alternatively, annual reports and information may be submitted electronically using the Ohio Department of agriculture developed software, based on a memorandum in agreement signed by a responsible corporate officer, general partner, proprietor or a duly authorized representative of the permittee and submitted to the Ohio Department of agriculture to receive an authorized personal identification number (pin) prior to sending data electronically. A hard copy of the Ohio Department of agriculture form must be generated, signed and maintained on site for records retention purposes.
27. Ohio Revised Code Section 903.99 provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under the NPDES permit shall, upon conviction, be punished by a fine of not more than \$25,000 per violation.
28. Ohio Revised Code Section 903.99 states that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained by the NPDES permit including monitoring reports or reports of compliance of noncompliance shall, upon conviction, be punished by a fine of not more than \$25,000 per violation.







Permit No. _____

Order No: _____

Effective Date: _____

Expiration Date: _____

The Ohio Department of Agriculture
Authorization to Discharge Under the National Pollutant Discharge Elimination System

In compliance with the provisions of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et seq., hereinafter referred to as the "Act"), and the "Concentrated Animal Feeding Facilities Program" (Ohio Revised Code Chapter 903),

(Name of Facility)

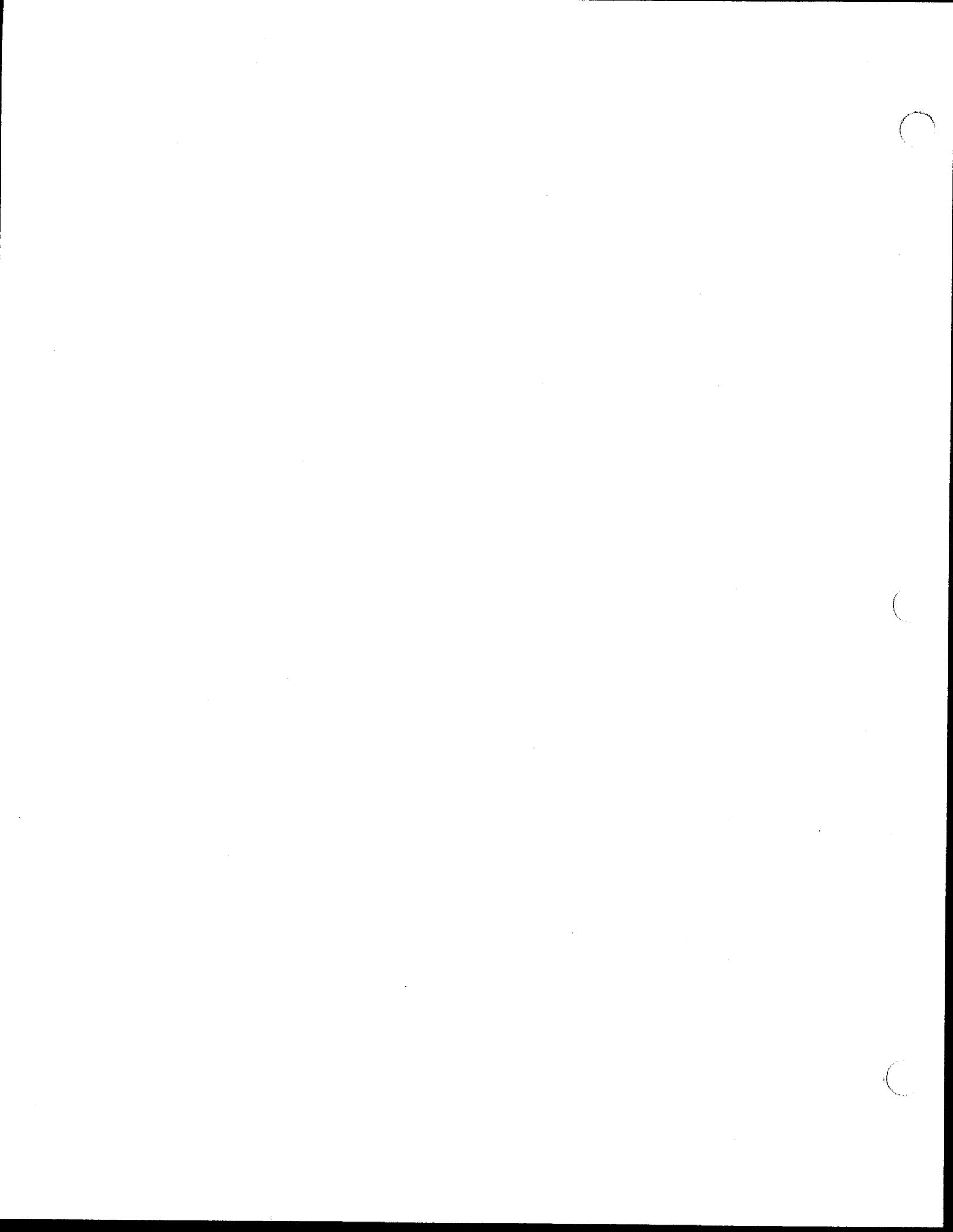
is authorized by the Ohio Department of Agriculture, hereinafter referred to as "ODA," to discharge from the _____ (Name of Facility) located at (Address—including road/street/route—City—Ohio—County) in accordance with the terms and conditions specified in Parts I, II, and III of this permit.

This permit is conditioned upon payment of applicable fees as required by Rule 9011:10-1-04 of the Ohio Administrative Code.

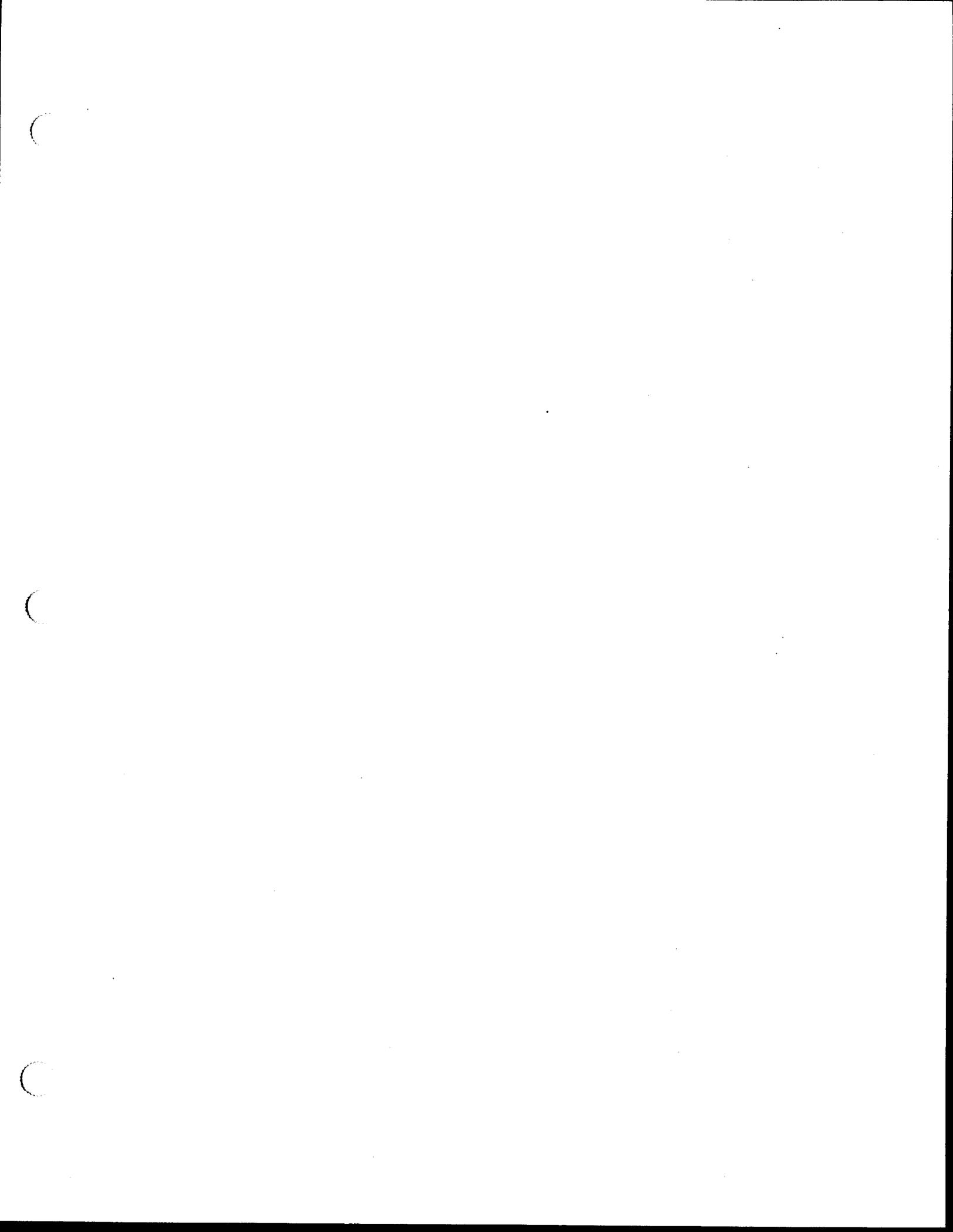
In accordance with Section 903.03 of the Ohio Revised Code, ODA finds that the Facilities' Manure Management Plans, Insect and Rodent Control Plans, and Mortality Management Plans described in the attached permit conforms to best management practices. This order by the Director to issue this permit does not constitute express or implied approval or agreement that if constructed and operated in accordance with the application and the plans included in the application that this operation will operate in compliance with all applicable state and federal laws and regulations.

This permit and the authorization to discharge shall expire at midnight on the expiration date shown above. In order to receive authorization to discharge beyond the above date of expiration, the permittee shall submit such information and forms as are required by the ODA no later than 180 days prior to the above date of expiration.

Fred L. Dailey
Director



NPDES Special Conduct...



Special conditions.

1. **Manure Management Plan.** The permittee shall implement the MMP approved in this Permit at the production area and at land application sites by achieving the discharge limits and specific management practices described in the MMP.
2. **Duty to maintain NPDES permit coverage.** The permittee must maintain coverage under this NPDES permit until the facility is properly closed. This applies to decisions by the permittee to close down or to downsize or to make other changes so that the facility no longer meets the definition of a concentrated animal feeding facility. Closure shall be performed in accordance with Rule 901:10-2-18 and requires the permittee to show there is no remaining potential for discharge of manure generated by the facility.
3. **Distribution and utilization.** If the permittee chooses this option for the Manure Management Plan, the permittee shall provide a copy of the most recent manure analysis for nutrient content and shall provide copies of Appendices A, B, and F of Rule 901:10-2-14. The permittee shall maintain records of each manure transfer in the Operating Record. The permittee shall report the estimated annual amount of manure transferred to other persons in the previous twelve months of the calendar year in an annual report to be filed with the Department.
4. **Winter application.** Surface application of manure is not recommended and the permittee is required to notify the Department and obtain approval prior to any surface application of manure. Surface application of manure during winter is limited to only such quantities of manure to be removed to address manure storage limitations until non-frozen soils are available for application.

In addition, all of the following restrictions shall apply:

- a. The application rate is limited to 10 wet tons/acre for solid manure with more than 50% moisture and 5 wet tons for liquid manure less than 50% moisture. For liquid manure, the application rate is limited to 5,000 gallons/acre.
- b. Applications are to be made on land with at least 90% surface residue cover (e.g., good quality hay or pasture field, all corn grain residue remaining after harvest, all wheat residue cover remaining after harvest) from streams, ditches, waterways, surface water, (e.g., areas that present the least runoff potential and are furthest from surface water).
- c. Manure shall not be applied on more than 20 contiguous acres. Contiguous acres for application are to be separated by a break of at least 200 feet. Utilize those areas for manure application that are furthest from any surface waters of the State.
- d. Increase the application setback distance to 200 feet minimum from all waters of the State. The distance may be further increased due to local conditions.

- e. The rate of application shall not exceed the rates specified in Appendix F of Rule 901:10-2-14.
 - f. Additional winter application criteria for fields with significant slopes of more than 6%: Manure shall be applied in alternating strips 60 to 200 feet wide generally on the contour, or in the case of contour strips on the alternating strips.
5. Stormwater. Spill prevention and good housekeeping practices, along with diversion of clean water, shall be used to ensure that uncontained stormwater from the production area is not contaminated by manure and to ensure that stormwater discharges from the following areas maintain Ohio Water Quality Standards in the receiving waters of the State: immediate access roads and rail lines used or traveled by carriers or raw materials, products, waste material, or by-products used or created by the facility; refuse sites, sites used for the storage and maintenance of material handling equipment; and shipping and receiving areas.

Stormwater that is contaminated by manure or raw materials may only be discharged in accordance with Effluent Limitations for discharge described in the Manure Management Plan (MMP) of this permit.

Stormwater management, including spill prevention, good housekeeping and maintenance of stormwater conveyances shall be recorded by the permittee in the Operating Record as required by Rules 901:10-2-08 and 901:10-2-16.

* * * * *

The following special condition shall be inserted for medium and small CAFOs:

There may be no discharge of manure into waters of the state except as provided below:

NPDES Effluent Limitations Applicable to the Production Area

Whenever precipitation causes an overflow of manure, then manure in the overflow may be discharged into waters of the state provided:

- a. The production area is properly designed, constructed, operated and maintained to contain all manure and the runoff and direct precipitation from the

[the permit writer shall select one]

- [25-year, 24-hour storm event for the location of the facility]
- [10-year, 24-hours storm event for the location of the facility]
- [100-year, 24-hour storm event for the location of the facility]

The design storage volume must reflect all wastes accumulated during the storage period; normal precipitation less evaporation during the storage period; normal runoff during the storage period; the direct precipitation from a

[the permit writer shall select one]

- [25-year, 24-hour storm event]
- [10-year, 24-hours storm event]
- [100-year, 24-hour storm event]

from the production area; residual solids after liquid has been removed; necessary freeboard to maintain structural integrity; and in the case of manure treatment lagoons, a minimum treatment volume.

- b. The production area is operated in accordance with applicable rules for the Operating Record.
- c. In the event of any overflow or other discharge of manure from a manure storage or treatment facility, whether authorized by this permit, the following actions shall be taken:
 - 1) Record an estimate of the volume of the release and the date and time.
 - 2) The discharge must be analyzed by methods in 40 CFR Part 136.
 - 3) If conditions are not safe for sampling, the owner or operator must provide documentation of why samples could not be collected and analyzed. For example, due to dangerous weather conditions. But once these conditions have passed, samples shall be collected.
 - 4) Refer to **Form 1 in the Operating Record**, which may be used as part of your required Annual Report to be submitted to the Director. This form shows the information that is required for an annual report of any discharges.
 - 5) **As required by State law and NPDES requirements, spills and discharges must be reported within 24 hours of discovery as required by the Emergency Response Plan, which is a part of the Permit to Operate. Refer to the attached ODA Form for Emergency Response Reports or use your own approved form.** This Form shows the information that is required and this information shall be submitted for each emergency report. It is not part of the Operating Record.

Land Application of Manure

There may be no discharge of manure into waters of the state from the land application area except for where it is an agricultural stormwater discharge generated by means of runoff generated by precipitation that drains over terrain used for agriculture, provided that the manure has been applied in accordance with site specific nutrient management practices that ensure appropriate agricultural utilization of nutrients in manure in compliance with the best management practices set forth in Chapter 901:10-2 of the Administrative Code.

* * * * *

The following special condition shall be inserted for all permits where the owner/operator chooses to discharge to waters of the State for conditions that

are not governed by the technology-based effluent limitations for CAFOs, e.g., a cooling water discharges, stormwater discharges, egg washwater discharges. The permit writer shall use all that apply.

Additional discharges. The permittee is required to perform the following:

- a. Grab samples shall be taken of all discharges from the production area. Clean water that has been diverted does not need to be sampled. Date and time of sampling, the results of analysis, and information required by Rule 901:10-3-10 shall be recorded in the Operating Record.
- b. Grab samples shall be taken of all discharges from
 - [the production area],
 - [the cooling water outlet],
 - [stormwater pond outlet],
 - [_____ describe other],

Based on the following frequency:

- weekly
- monthly
- quarterly
- twice per year, during the months of March and November
- annually

Clean water that has been diverted does not need to be sampled. Date and time of sampling, the results of analysis, and information required by Rule 901:10-3-10 shall be recorded in the Operating Record.

NPDES Permit for CAFOs Minimum Practices

ENSURE ADEQUATE STORAGE¹ CAPACITY

Develop and implement specific practices and associated structures to ensure adequate storage capacity to achieve permit limitations including:

- Maintain sufficient capacity in liquid manure, wastewater, or storm water storage structures to ensure compliance with all permit requirements.
- Store dry manure in production buildings or in storage facilities or otherwise storing it in such a way as to prevent polluted runoff.
- Provide adequate storage capacity to ensure compliance with the nutrient management technical standard approved by the permitting authority.
- Ensure proper operation and maintenance of all manure, wastewater, and storm water storage facilities.

¹ Storage includes but is not limited to waste ponds and lagoons and other structures such as tanks (above and below ground) and staking facilities (concrete pad, walls, and a roof.)

ENSURE PROPER MANAGEMENT OF MORTALITIES

Handle and dispose of dead animals in a manner that prevents contamination of waters of the United States.

DIVERSION OF CLEAN WATER

Develop and implement management practices to divert clean water from the production area. Clean water includes rain falling on the roofs of facilities, runoff from adjacent land, and other sources. If clean water is not diverted from coming into contact with manure or process wastewater it must be collected in accordance with permit requirements.

PREVENTION OF DIRECT CONTACT OF ANIMALS WITH WATERS OF THE UNITED STATES

Develop and implement appropriate controls to prevent access of animals to waters of the United States in the production area.

CHEMICAL HANDLING

Develop and implement controls to prevent the inappropriate introduction of chemicals into the manure, wastewater, and storm water storage and handling system. Examples include pesticides, hazardous and toxic chemicals, and petroleum products and by-products.

CONSERVATION PRACTICES TO CONTROL NUTRIENT LOSS

For land application areas under the control of the CAFO operator develop and implement practices that are sufficient to minimize the discharge of pollutants to waters of the United States. These practices may include, but are not limited to residue management, conservation crop rotation, grassed waterways, strip cropping, vegetated buffers, riparian buffers, setbacks, terracing, and diversions.

PROTOCOLS FOR MANURE AND SOIL TESTING

Identify and implement specific manure, wastewater and soil sample collection and analysis protocols to be used in developing and implementing the nutrient management plan. At a minimum the protocol is to specify the collection and analysis of manure, litter, and other process waste waters annually for nutrient content, including nitrogen and phosphorus. The protocol is to specify the collection and analysis of soil samples for phosphorus content at least once every 5 years for all fields under the control of the CAFO operator where manure and wastewater may be applied. In all cases the sampling frequency for both manure, litter and wastewater and soil is to be consistent with the technical standard for nutrient management established by the Director.

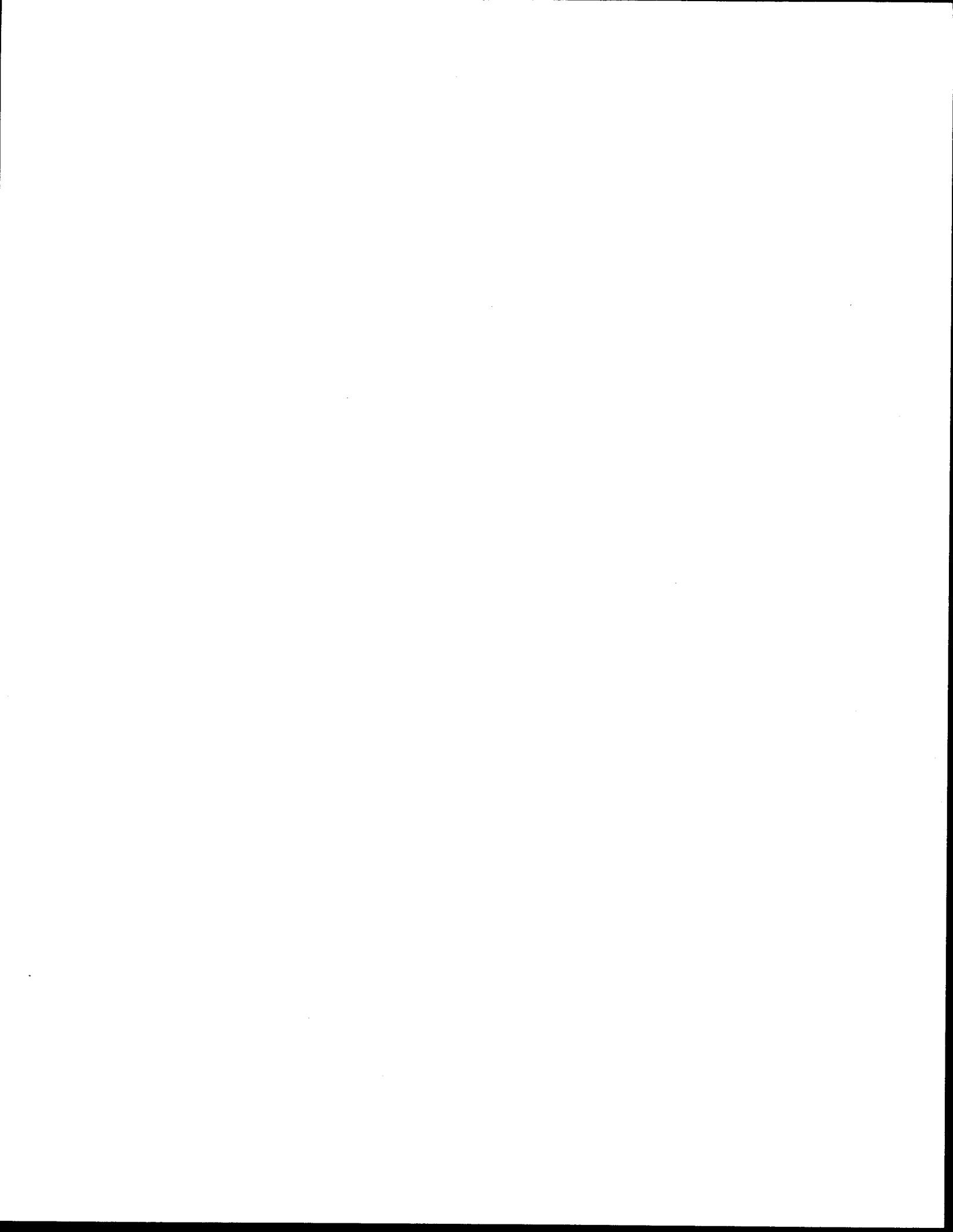
PROTOCOLS FOR THE LAND APPLICATION OF MANURE AND PROCESS WASTEWATER

Develop and implement protocols to apply manure, litter, process wastewater in accordance with the technical standard for nutrient management established by the Director.

RECORD KEEPING

Maintain all records necessary to document the development and implementation of the nutrient management plan and compliance with the minimum practices defined in the permit. In addition, records must be maintained that document compliance with the effluent limitations specified in the permit.

Part D Additional NPDES
Requirements



Part D	ADDITIONAL INFORMATION FOR CAFOS SUBJECT TO NPDES PROVISIONS
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This section applies to a facility that is applying for a National Pollutant Discharge Elimination System (NPDES) permit. Please review the rules and information listed in this Part D and provide additional information to supplement Part C of this Permit Application in order to satisfy the NPDES requirements.

Section A. – General Information

1. Applying for:

Individual Permit General Permit

2. Type of Business

Concentrated Animal Feeding Operation
 Small
 Medium
 Large

3. Facility Operation Status

Existing
 Expanding
 Proposed

4. Watershed

- Name:** _____
- Address** (8 digit code): _____

You may find the name of your watershed on the U.S. Environmental Protection Agency Watershed Information Network website: www.epa.gov/win. For assistance please contact the Ohio Department of Agriculture, Livestock Environmental Permitting Program at (614) 387-0470 or through the ODA website at: www.state.oh.us/agr

5. Owner's/Operator's Name and Address and Signature

Note: If there is more than one owner/operator or if this is a Corporation or Limited Liability Partnership (LLP) all owner/operators, officers, directors, partners or others that have a right to control the facility must be listed below. If there are more than two names, add the names, addresses and phone numbers of all additional individuals on a separate piece of paper. At least one owner/operator must **sign and certify** the permit application. Rule 901:10-2-01) Any change in owner/operator before a final decision is made on any permit requires signature and certification by the new owner/operator.

Name:		Name:	
Address:		Address:	
City:		City:	
State:	Zip:	State:	Zip:

Permit Application Part D NPDES Application

Phone: ()
Fax: ()
E-mail:

Phone ()
Fax: ()
E-mail:

6. Facility Name and Address

Note: Please provide address and phone information only if different from above.
Rule 901:10-2-01(C)(1) and (5)

Name of Facility:

Contact Person:

Address:

City:

State:

Zip:

County:

Township:

Section:

Phone: ()

Fax: ()

7. Latitude of entrance to the production area: _____
Longitude of entrance to the production area: _____

8. List other relevant existing or proposed Environmental Permits: _____

9. Animal Capacity

Animal Type	<u>Minimum Population</u> CAFF/MCAFF	1 Existing Population (leave blank if new)	2 Maximum Design Capacity
Cattle			
Slaughter and feeder cattle	1,000 / 10,000		
Mature cow (milked or dry)	700 / 7,000		
Veal	1,000 / 10,000		
Swine			
≥ Over 55 pounds	2,500 / 25,000		
≤ Less than 55 pounds	10,000 / 100,000		
Horse			
Horses	500 / 5,000		
Sheep			
Sheep or lamb	10,000 / 100,000		
Turkeys			
Turkey	55,000 / 550,000		
Chickens			
Laying hen or broiler	82,000 / 820,000		
Pullets	125,000 / 1,250,000		
Ducks			
Ducks	35,000 / 350,000		
Other			
TOTAL ANIMAL CAPACITY Add all numbers in column 1 for existing total Add all numbers in column 2 for design total		<u>Existing Total</u>	<u>Final Total</u>

*NOTE: Maximum Design Capacity means the total number of stalls or total numbers of animal confinement capacity. Maximum Design Capacity refers to buildings. Maximum Design Capacity does NOT refer to the Total Storage Volume of manure.

Section B – Supporting Information

1. Attach to this form a topographic map of the area extending at least one mile beyond property boundaries. The map must show the outline of the facility and production area and the location of any existing or proposed discharge structures. The map may be a site drawing that may be included within other PTI or PTO forms for the Ohio Department of Agriculture.

2. Attach to this form engineering drawings, design calculations and plans for construction that include an evaluation of precipitation, runoff and stormwater grading plans to be included at the production area and facility. In addition, provide with this evaluation the following:

- Design calculations based on either a 25-year/24-hour storm or 100-year/24-hour storm.
- For each discharge outfall, give the maximum daily flow, maximum 30-day flow, and the long-term average flow.
- See Rules 901:10-3-03 to 901:10-3-06 for effluent limitations for facilities by species type.
- Include the results of at least one analysis of the discharge for all pollutants for which authorization to discharge is being requested and a measurement of the daily volume (gallons per day) of process wastewater or process-generated wastewater being discharged.
- Identify and show location of receiving waters for any discharge.

A complete permit application may require the submittal of quantitative and qualitative data for pollutants contained in a facility's effluent. This will apply for those CAFOs that may plan for a discharge that is not covered by the effluent limitations for zero discharge as required in OAC Chapter 901:10-3. The effluent must be sampled and analyzed for pollutants listed in the application form. Each applicant may be required to submit, for every outfall, data on the following pollutants:

- Oil and grease
- Total suspended solids (TSS)
- pH
- biochemical oxygen demand (BODS)
- chemical oxygen demand (COD)
- total organic carbon (TOC)
- ammonia (as N)
- temperature (both winter and summer)
- fecal coliform (if believed present or if sanitary waste is, or will be discharged)
- total residual chlorine (TRC) (if chlorine is used)

Permit Application Part D NPDES Application

5. Provide in gallons for liquid systems and cubic feet for solid systems. This volume shall be to the maximum operating level, which is the total depth minus the required freeboard.
6. Only for Manure Treatment Lagoons – Provide in gallons.
7. Provide overall dimensions of structure. For ponds/lagoons, provide dimensions at maximum operating level.
8. Days of storage provided for the number of animals that contribute to that structure.
9. Freeboard required shall be 1-foot for ponds/lagoons and 6-inches for fabricated structures containing liquid manure or solid manure, if exposed to rainfall/runoff; plus the direct precipitation and runoff received by the respective structure from the 25-year, 24-hour rainfall event or the 100-year, 24-hour rainfall event, which ever applies.

4. Manure and Nutrient Production and Use

A. How much manure is generated annually by the facility?

_____ Tons _____ Gallons

B. If manure is to be land applied, how many acres of land, under the control of the owner or operator, are available for applying the CAFO's manure?

_____ Acres

C. If manure is to be transferred to others, provide quantity of manure to be transferred annually.

_____ Tons _____ Gallons

Attach with this form a manure management plan for review and approval.

Section C. - Antidegradation Policy

1. General.

Rule 901:10-3-01, including required compliance with water quality standards and the antidegradation policy. All projects that require both an NPDES and PTI should submit these applications simultaneously to avoid going through the antidegradation review for each separate permit.

2. Anti-Degradation Applicability

- a. Permit application with no direct surface water discharge (Projects that do not meet the applicability section of Rule 3745-1-05(B) such as on-site disposal, extensions of sanitary sewers, spray irrigation).
- b. Renewal NPDES application with no requested increase in loading of currently permitted pollutants. Go to Section D below on this form for Agreement and Signature.
- c. PTI and NPDES application for a new manure storage or treatment facility that will discharge to surface water. Complete Section 3 below.
- d. An expansion or modification of an existing manure storage or

treatment facility that will result in any of the following:

- Addition of any pollutant not currently in the discharge, or
- An increase in mass or concentration of any pollutant currently in the discharge, or
- An increase in any current pollutant limitation in terms of mass or concentration.

Complete Section 3 below.

e. Renewal NPDES permit or modification to an effective NPDES permit that will result in any of the following:

- A new permit limitation for a pollutant that previously had no limitation, or
- An increase in any mass or concentration limitation of any pollutant that currently has a limitation.

Complete Section 3 below.

3. Anti-Degradation Information:

a. Identify streams or rivers into which the production area of your facility may discharge:

b. Do the NPDES permit and the PTI applications meet an exclusion as outlined in Rule 3745-1-05(C)?

- Yes
- No

If yes, then:

1. Provide justification for the exclusion.
2. Identify the substances to be discharged, including the amount of regulated pollutants to be discharged in terms of mass and concentration.

If no, are you requesting a waiver as outlined by Rule 3745-1-05(D)?

- No
- Yes

If you wish to pursue one of the waivers, please identify the waiver and submit the necessary information to support the request.

For all projects that do not qualify for an exclusion, a report must accompany this permit application evaluating the preferred design alternative, non-degradation alternatives, minimal degradation alternatives, and mitigative techniques/measure for the design and facility of the facility. The information outlined below should be addressed in this report. If a waiver is requested, this section is still required.

- a. Describe the availability, cost effectiveness and technical feasibility of connecting to existing central or regional sewage collection and treatment facilities, including long range plans for sewer services outlined in state or local water quality management planning documents and applicable facility planning documents.
- b. List and describe all government and/or privately sponsored conservation projects that may have been or will be specifically targeted to improve water quality or enhance recreational opportunities on the effected water resource.
- c. Provide a brief description below of all treatment alternatives evaluated for this application and their respective operation and maintenance needs.

- Preferred design alternative:

- Non-degradation alternative(s):

- Minimal degradation alternative(s):

- Mitigative techniques/measure(s):

At a minimum, the following information must be included in the report for each alternative evaluated.

- d. Outline of the treatment evaluated, including the costs associated with the equipment, installation, and continued operation and maintenance.
- e. Identify the substances to be discharged, including the amount of regulated pollutants to be discharged in terms of mass and concentration.
- f. Describe the reliability of the treatment, including but not limited to the possibility of recurring operation and maintenance difficulties that would lead to increased degradation.
- g. Describe any impacts to human health and the overall quality and value of the water resource.
- h. Describe and provide an estimate of the important social and economic benefits to be realized through this proposed project. Include the number and types of jobs created and tax revenues generated.
- i. Describe environmental benefits to be realized through this proposed project.
- j. Describe and provide an estimate of the social and economic benefits that may be lost as a result of this project. Include the impacts on commercial and recreational use of the water resource.
- k. Describe the environmental benefits lost as a result of this project. Include the impact on the aquatic life, wildlife threatened or endangered species.
- l. Provide any other information that may be useful in evaluating this application.

4. Discharge Information

For treatment and discharge constructed pursuant to a previously issued Ohio EPA PTI or pursuant to a previously issued ODA PTI, provide the following information:

- PTI Number _____
- PTI Issuance Date _____
- Initial Date of Discharge _____

Section D. Applicant Agreement Language and Signature

Signature

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering information the information is, to the best of my knowledge and belief, true and accurate and complete. I am aware there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations." Rule 901:10-1-02(A)(8) of the Ohio Administrative Code."

Name of the owner or operator (Signature here)

Date

Check one or both of the following:

- Name of Owner or
- Name of Operator

Print name here

Important: All reports required by permits and other information requested by the director shall be signed by the owner or operator or a duly authorized representative of the owner or operator only if:

- (a) *The authorization is made in writing by the owner or operator.*
- (b) *The authorization specifies either an individual or a position have responsibility for the overall operation of the facility such as the manager or an equivalent position.*
- (c) *The written authorization is submitted to the Director.*
- (d) *Changes in this authorization require notice to the Director prior to submitting reports, information, or applications.*

For Department Use Only:

Date Permit Application Received: _____ Date Permit Application Complete: _____

Date Permit Application Information Entered into Data Management System: _____

Application Fee Amount Due: _____ Application Fee Amount Received: _____

Check Number: _____

Issuance Date of Permit: _____



OPERATING RECORD

901:10-2-16

Purpose: The Operating Record is a part of the Permit to Operate. The Operating Record documents the day-to-day functions at the facility. It is important to maintain day-to-day records of activities, inspections, measurement, weather, and other events that take place at the facility. The Operating Record will be inspected by the Ohio Department of Agriculture (ODA) to determine if the facility is in compliance with laws, rules, and permits.

In accordance with rule 901:10-2-16 of the Ohio Administrative Code (OAC) the owner or operator shall maintain the operating record on forms provided by ODA or on forms selected by the owner or operator, provided that the Director approves them. In addition, ODA Livestock Environmental Permitting staff approves the use of forms available in the Comprehensive Nutrient Management Plan (CNMP) prepared by the Natural Resources Conservation Service of the U.S. Department of Agriculture, particularly those forms in the CNMP used for the Manure Management Plan.¹

The Operating Record may be made available to the public, unless sections are determined to be a trade secret. If the owner or operator feels that a section of the operating record should be a trade secret, they must submit a letter to ODA explaining why that section is a trade secret. ODA will then determine whether the information is a trade secret. For trade secret requirements see rule 901:10-1-05 of the OAC. Please think about the best way to organize and manage the records that you need for your operation. For example, if you distribute manure off-site to others, it may be convenient for you to keep copies of any Manure Bills of Sale with copies of other records on distribution dates, distribution quantities, and manure analysis. But the Manure Bills of Sale are no longer required to be kept in the Operating Record so you may wish to use a separate notebook. If a Form or a section of a Form does not apply to your facility, the use of "NA" (not applicable) is allowed or you may simply cross out the portions you do not use.

Keep it simple. The Operating Record should be organized so that you and the inspector can review records as efficiently as possible during the inspection. The Operating Records should help you and the inspector to quickly decide whether or not you are in compliance with the rules. The Operating Record should help you plan for inspections and plan for other activities at your facility: sampling, repairs, maintenance, and application or distribution of manure. Finally, a new rule requires you to submit an Annual Report to the Director. If your Operating Record is well organized you should be able to summarize information from the Operating Record and insert it in the Annual Report Form that is included here for your use.

A special note on records on Manure Storage Capacity and records of Insect and Rodent Control Plan. You may choose to record your inspections on any one of several forms in this package that are approved by ODA, depending on the animal species of your operation and/or the physical structure of your operation, e.g., liquid manure or solid manure. Refer to Forms 3A or

¹ Comprehensive Nutrient Management Plan, February 2002.

3B or 8A or 8B and 8C. The owner or operator is required to keep the Operating Record for a minimum of five years.

The following sections are required for the Operating Record:

1. Annual Record of Discharges
 - Form 1. Annual Discharge Information
2. Equipment Records
 - Form 2: Land Application Equipment Record
3. Inspection of Manure Storage and Treatment Facilities (choose one or both)
 - Form 3A. Manure Storage and Treatment Facilities with Liquid Storage
 - Form 3B. Fabricated Structures for Dry Manure Storage
4. Annual Ground Water Records: For annual ground water sampling, keep the actual analysis (or a copy) in the Operating Record. No separate form is required.
5. Manure Characterization Records
 - Attach or include copies of analytical sampling results for your manure. Contact your laboratory to obtain a copy. Sampling must be done annually, with a copy of the annual sample results in your Operating Record is needed.
6. Records for Implementation of Distribution and Utilization
 - Form 6: Distribution and Utilization Record
7. Land Application Records
 - Form 7A: Soil Samples and Cropping Schedule: Target, Actual Yields
 - Form 7B: Field Information: Dates, Rates, Methods, Amounts, Weather, and Best Management Practices
 - Form 7C: Nutrient Management Records (if applicable)
8. Insect and Rodent Control
 - Form 8A: Insect and Rodent Control Plan Record: Poultry
 - Form 8B: Insect and Rodent Control Plan: Non-poultry
 - Form 8C: Insect and Rodent Control Records of Inspections and Actions Taken at Manure Stockpile or Manure Transfer Sites (if an applicable part of the IRCP).
9. Mortality Management Plan
 - Form 9: Mortality Management Record
10. Daily Drinking Water Line Inspection Forms
11. Annual Report Form



Form 1. Annual Discharge Information

IN THE EVENT OF A DISCHARGE THE PERSON REPORTING THE DISCHARGE SHALL SUPPLY THE FOLLOWING INFORMATION TO THE OHIO DEPARTMENT OF AGRICULTURE. (A form is provided below).

1. List the times at which the manure spill occurred and was discovered.
2. List the approximate amount and the characteristics of the manure spillage.
3. If applicable list the stream affected by the spillage.
4. List the reasons which created the spillage.
5. List the names and phone numbers of person who have knowledge of these circumstances.
6. List the steps taken to clean up the spillage.
7. List the names and telephone numbers of persons responsible for the cleanup.
8. Provide all Land Application Records that are relevant to the application period in which the spill occurred. These records should also show any weather reports and rainfall events that may attributed to the spill or discharge.

Date and time of manure spill ¹	Steps to clean up the spill	Location ² : Stream Effected	Description ³ : Reason which created the spill ^f	Name and phone number of persons involved	Volume ⁴ and characteristics of the manure spillage	Names and phone numbers of persons responsible for the cleanup.

¹ **Time:** The time of the discharge. If the discharge was detected after it happened, give an estimate of the time when the discharge occurred.

² **Location:** The location of the discharge to waters of the U.S. Be specific. Include the name of the water body, and a specific description of where the manure, litter, or process wastewater entered the water body. Include landmarks or other points of reference (e.g., Three Mile Creek, at southeast corner of feedlot where creek bends to the west).

³ **Description:** Provide other relevant information about the discharge, including the source, cause, composition (e.g., emergency overflow of process wastewater from lagoon #2), and impacts observed (e.g., fish kill in waterbody).

⁴ **Volume:** Give an estimate of the number of gallons or tons of manure, litter, or process wastewater discharged.

^f This information is not required by the NPDES CAFO regulations to be included in the annual report but date, time, and volume of any discharge from the production area shall be filed in the annual report.



THE OWNER OR OPERATOR SHALL ALSO FILE A WRITTEN REPORT OF THE OCCURRENCE IN LETTER FORM WITHIN FIVE DAYS FOLLOWING FIRST KNOWLEDGE OF THE OCCURRENCE, UNLESS OTHERWISE WAIVED BY THE DIRECTOR. THIS REPORT SHALL OUTLINE THE ACTIONS TAKEN OR PROPOSED TO BE TAKEN TO CORRECT THE PROBLEM AND TO ENSURE THAT THE PROBLEM DOES NOT RE-OCCUR.

901:10-2-17(A)(4)(d)

(The written report shall be sent to the following address: Ohio Department of Agriculture, Livestock Environmental Permitting Program, 8995 East Main Street, Reynoldsburg, Ohio 43068.)

Date of occurrence: _____

Date report sent to Ohio Department of Agriculture: _____

Report written and signed by the following person:



Form 2. Land Application Equipment Records

Equipment Record

Please list all equipment to be used as part of managing manure at the manure storage or treatment facility. At a minimum, this list includes land application equipment used as indicated in the chart below. Rule 901:10-2-08(A)(2) of the OAC.

Equipment Type	Date calibrated	List Maintenance performed (i.e. oil changes, beaters cleaned, end gates checked, etc.)	Date of Maintenance
Solid Spreader			
Liquid Spreader – Injected			
Liquid Spreader – Surface Spray			
Liquid Spreader – Knives up			
Hose pull – Knives up			
Hose pull – Injected			
Traveling gun			
Standing pipe			
Center pivot			
Other-			



Forms 3A and 3B: Inspection of Manure Storage and Treatment Facilities

MANURE STORAGE OR TREATMENT FACILITY

Manure Storage or Treatment Facility includes the following:

- Manure Storage Pond - earth impoundments or pits used to settle and store manure
- Manure Treatment Lagoon - earth impoundments or pits that biologically treat manure.
- Fabricated Structures - engineered, man-made tanks of concrete, steel, fiberglass, plastic, timber, or other approved/designated materials.

The following must be included in the Operating Record for the manure storage or treatment facilities:

1. Record the information at the top of the page for each manure storage pond, manure treatment lagoon, or for each fabricated structure. Include one page per each pond, lagoon, and structure. "Volume of storage" should not include the freeboard *volume*. Your permit tells you the amount of freeboard required.
2. Record the inspection dates when you inspect each manure storage pond or manure treatment lagoon, depth of manure, remaining storage capacity, and date and amount of manure removed, and the time of year when you remove manure. For fabricated structures that do not have liquid manure (e.g., hi-rise poultry, pen pack), record inspection dates, approximate depth of manure, remaining storage capacity by percentage, approximate amount of manure removed, and the time of year when you remove manure.
3. Record the inspection dates as you inspect for cracks, animal damage, and seepages in and around a pond or lagoon. Record any structural damage in ponds, lagoons, or structures.
4. Record inspections of vegetation.
5. Record the inspections of stormwater conveyances and any protective vegetative cover.
6. Under "Notes" be sure to record any corrective actions taken to repair or replace any damage, holes, cracks, etc. Routine mowing does not need to be recorded, but an ODA inspector will look for conditions that promote rodents, flies, or erosion.
 - The inspections must include, but are not limited to, the date, time, and results of the inspection, as well as any comments.
 - Existing facilities are required to be designed and operated for a 25-year, 24-hour storm event. New facilities for swine, poultry, and veal calves that are built after April 14, 2003 must be designed for a 100-year, 24-hour storm event. However, chronic rainfall may impact your ability to comply with the rules. Chronic rainfall means a series of wet weather conditions that preclude manure removal from an otherwise properly designed, constructed, maintained, and operated manure storage or treatment facility, precludes land application of manure in accordance with the permit, and exceeds the documented and State approved chronic rainfall design storage value used in the design of the facility in the production area of your facility. Existing facilities are required to be designed and operated for a 25-year, 24-hour storm event. New



facilities for swine, poultry, and veal are required to be designed and operated for a 100-year, 24-hour storm event.

- Chronic rainfall means a series of wet weather conditions that preclude manure removal from an otherwise properly designed and maintained manure storage or treatment facility.



Form 3A. Manure Storage Ponds, Manure Treatment Lagoons, Fabricated Structures with Liquid Manure – WEEKLY

Permit Number:

Facility Name:

Building / Storage Structure Identification:

Days of Storage:

Total Depth of Storage:

less freeboard

Volume of Storage:
Less freeboard

cubic feet	tons	gallons

DATE							
STORAGE							
Depth of manure							
Remaining storage							
How much manure removed							
STRUCTURAL INTEGRITY							
Any Seepage							
Structural Damage							
Condition of Vegetation							
STORM WATER CONVEYANCE							
Functioning Properly							
Condition of Vegetation							
Please note any corrective action taken below:							

PLEASE NOTE ANY CORRECTIVE ACTION TAKEN BELOW:



Form 3A. Manure Storage Ponds, Manure Treatment Lagoons, and Fabricated Structures with Liquid Manure - WEEKLY

DATE												
STORAGE												
Depth of manure												
Remaining storage												
How much manure removed												
STRUCTURAL INTEGRITY												
Any Seepage												
Structural Damage												
Condition of Vegetation												
STORM WATER CONVEYANCE												
Functioning Properly												
Condition of Vegetation												

PLEASE NOTE ANY CORRECTIVE ACTION TAKEN BELOW:



Form 3A. Manure Storage Ponds, Manure Treatment Lagoons, and Fabricated Structures with Liquid Manure - WEEKLY

DATE												
STORAGE												
Depth of manure												
Remaining storage												
How much manure removed												
STRUCTURAL INTEGRITY												
Any Seepage												
Structural Damage												
Condition of Vegetation												
STORM WATER CONVEYANCE												
Functioning Properly												
Condition of Vegetation												

PLEASE NOTE ANY CORRECTIVE ACTION TAKEN BELOW:



Form 3A. Manure Storage Ponds, Manure Treatment Lagoons, and Fabricated Structures with Liquid Manure - WEEKLY

DATE												
STORAGE												
Depth of manure												
Remaining storage												
How much manure removed												
STRUCTURAL INTEGRITY												
Any Seepage												
Structural Damage												
Condition of Vegetation												
STORM WATER CONVEYANCE												
Functioning Properly												
Condition of Vegetation												

PLEASE NOTE ANY CORRECTIVE ACTION TAKEN BELOW:





Form 3A. Manure Storage Ponds, Manure Treatment Lagoons, and Fabricated Structures with Liquid Manure - WEEKLY

DATE										
STORAGE										
Depth of manure										
Remaining storage										
How much manure removed										
STRUCTURAL INTEGRITY										
Any Seepage										
Structural Damage										
Condition of Vegetation										
STORM WATER CONVEYANCE										
Functioning Properly										
Condition of Vegetation										

PLEASE NOTE ANY CORRECTIVE ACTION TAKEN BELOW:



Form 3A. Manure Storage Ponds, Manure Treatment Lagoons, and Fabricated Structures with Liquid Manure - WEEKLY

	DATE				
STORAGE					
Depth of manure					
Remaining storage					
How much manure removed					
STRUCTURAL INTEGRITY					
Any Seepage					
Structural Damage					
Condition of Vegetation					
STORM WATER CONVEYANCE					
Functioning Properly					
Condition of Vegetation					

PLEASE NOTE ANY CORRECTIVE ACTION TAKEN BELOW:



Form 3B. Fabricated Structures with Dry Manure Storage

Month	Day	Manure Operation Levels (approx. per cent capacity remaining)	Manure Storage Area Structural Integrity	Manure Removal Dates -- See Manure Log	Grass Waterways	Vegetative Cover
January						
February						
March						
April						
May						
June						
July						
August						
September						
October						
November						
December						



4. ANNUAL GROUNDWATER RECORDS.

Annual Groundwater Analysis: Attach or include copies of analytical sampling results for groundwater well(s). Contact your laboratory to obtain a copy. Sampling must be done annually for Nitrates and Total Coliform Bacteria, with a copy of the annual sample results in your Operating Record, no separate form needed.

5. MANURE CHARACTERIZATION RECORD

For each manure storage or treatment facility (i.e., each manure storage pond, manure treatment lagoon, and fabricated structure), please provide a copy of the results of sampling and analysis of the manure as required by Rules 901:10-2-04 and 901:10-2-10 of the OAC.

Attach the manure tests to this section of the Operating Record. **Be sure to identify each specific barn or pond or lagoon or other structure per each sample taken. Identify the laboratory method used to analyze the manure, which must be either "Recommended Methods of Manure Analysis" (A3769), University of Wisconsin Extension 2003 or the appendix to rule 901:10-2-04, Midwest Plan Service-18(1) "Manure Characteristics" (2000), Iowa State University.**

FORM 5A. MANURE CHARACTERIZATION RECORD

Manure Nutrient Data						
	Total N	Ammonia N	Organic N	P2O5	K2O	% Moisture
lb/ton or lb/1000 gal						
lbs						
tons						



Use the following table to calculate available nitrogen based on time of year and type of application. Determine available nitrogen by multiplying the % available for ammonia N and organic N and adding them together (i.e. $0.5 \times \text{NH}_4\text{N} + 0.33 \times \text{Organic N}$).

ODA Appendix C, Table 6. Method of Calculating N Availability of Manures ^a						
Manure Applied Tons	Manure Available Nitrogen Pounds	Poultry Manure Available Nitrogen Pounds	Available Nitrogen %		Time of Application Date	Days Until Incorporated ^b Days
			NH ₄	Organic		
			50	33	Nov-Feb	<5
			25	33	Nov-Feb	>3
			50	33	Mar-Apr	<3
			25	33	Mar-Apr	>3
			75	33	Apr-Jun	<1
			25	33	Apr-Jun	>1
			75	15	Jul-Aug	<1
			25	15	Jul-Aug	>1
			25	33	Sep-Oct	<1
			15	33	Sep-Oct	>1
			^a The calculations are for all animal manures. It is assumed that 50% of the organic N in poultry manure is converted to NH ₄ rapidly and is therefore included in the NH ₄ column for calculating available N.			
			^b Incorporation is the mixing of manure and soil in the tillage layer. Disking is usually enough tillage for conserving N availability.			



6. DISTRIBUTION AND UTILIZATION METHODS DISTRIBUTION AND UTILIZATION.

Maintain complete records of off-site distribution of manure for use by other than the permittee. Quantify manure transferred off-site for each twelve- month period (tons/gallons). **Note: If you apply distributed manure, you are required to keep the Land Application Records in Section 6.**

1. Quantity of nutrients managed via distribution and utilization:
Type of Distribution and Utilization
2. The date of the off-site transfer of manure.
3. The name of the recipient of manure.
4. Provide copies of the following Appendices to each recipient: Appendix A (How to use Appendices); Appendix A Table 1, Soils Prone to Flooding; Appendix A Table 2 Land Application Setbacks; Appendix B Available Water Capacity Chart (for liquid manure), and Appendix F, the Most Limiting Nutrient Chart (all Appendices included on next pages).
5. Provide copies of manure sample results
6. Other practices: On a separate piece of paper include a reference to other practices that you may use, but which are **not** required, e.g., manure bills of sale, customer lists, buyer meetings, etc.



Appendix A of rule 901:10-2-14: How to Use the Appendices to this Rule.

Refer to Appendix A, Tables 1 and 2 - Soils Prone to Flooding through Appendix F, Most Limiting Manure Application Rates of rule 901:10-2-14 of the OAC.)

1. Determine if the site has soils that are prone to flooding and when the expected flooding seasons are (Appendix A, Table 1). Note that applications can only be made to soils prone to flooding at times outside the predicted flooding season. All applications to soils prone to flooding must be incorporated within 24 hours and must follow the setbacks in Appendix A, Table 2.
2. Determine if a solid or liquid manure application will be performed. Determine if solid manure will be stockpiled at the land application site. Stockpiles must meet the setbacks described in column 1 of Appendix A Table 2.
3. For liquid manure applications, follow Appendix B, Available Water Capacity Chart, and Appendix F, Most Limiting Manure Application Rates Chart (Table 1 - tilled fields, Table 2 - non-tilled fields). For solid manures, follow Appendix F, Most Limiting Manure Application Rates Chart.
4. Determine the nutrient removal for the expected cropping sequence using Appendix C, Tables 1-3. Determine residual nitrogen credits for the expected cropping sequence using Appendix C, Table 4.
5. Determine the nitrogen leaching potential of the field based on Appendix C, Table 5, Nitrogen Leaching Assessment Procedure. Note that all tiled fields have a high nitrogen leaching potential. High nitrogen leaching potential fields must have application rates less than or equal to 50 lb/ac as applied nitrogen (calculated by adding NH₄-N to 1/3 Organic N) from June - October 1st UNLESS the field has a cover crop planted.
6. Use the current manure analysis and the relevant sections of Appendix C Tables 6-7 through Appendix D, Tables 1-5 to determine the amount of manure nutrients available for crop production.
7. Use Appendix E, Table 1 (P-Index) if the Bray P1 value of the soil test is over 150 ppm. P-Index may only be relied upon for a transitional period of time to allow the owner or operator an opportunity to find other fields or other methods to distribute nutrients from of the facility in order to achieve less than 150 ppm Bray P1 soil test method.
8. Use Appendix F, Most Limiting Manure Application Rates Chart, Nitrogen, P₂O₅, K₂O, Rate (tons or gallons per acre), or Available Water Capacity to determine the application rate. The selected application rate must be the most restrictive of the five "Limiting Application Rate Criteria" for each Field Situation & Time of Year.

Other Notes:

9. When using Appendix F, although not recommended, Phosphate manure application rates can be made between 250-500lb/ac/yr in cases where liquid manure exceeds 60 lbs. P₂O₅ per 1000 gallons or solid manure that exceed 80 lbs. P₂O₅ per ton. The following criteria also apply: manure must be incorporated within 24 hours and no applications can be made on either frozen or snow covered ground or fields with soil tests over 100 ppm Bray P1; soil tests less than 40 ppm Bray P1 shall have no further P additions for 3 years; soil tests between 40 - 100 ppm Bray P1 shall have no further additions of P for 5 years; no other limiting criteria can be violated.
10. When using legumes as a nitrogen removal source, the maximum legume nitrogen removal must be less than or equal to 150 lbs/ac.
11. When applying liquid manure to tilled fields, the following criteria must be followed (except for growing crops):
 - 11a. Applications must be less than or equal to 0.5" or 13,000 gal/ac.
 - 11b. Use a tool (AERWAY tool or similar tool) that can disrupt/close (using horizontal fracturing) the preferential flow paths in the soil, OR till the surface of the soil 3-5" deep to a seedbed condition to soak up the liquid manure and keep it out of preferential flow channels.
 - 11c. If injection is used, it should only be deep enough to cover the manure with soil. Till the soil at least 3" below the depth of injection prior to application. Tillage prior to application will be considered incorporation of the manure.



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- 11d. The outlets must be monitored before, during, and after application AND provisions planned to plug the tile or capture the tile flow if liquid manure reaches the tile outlets. If No-till or pastures are used for applications, tiles must be plugged.
12. If manure is to be applied on frozen or snow covered ground, the field must have at least 90% surface residue cover (e.g. good quality hay or pasture field, all corn grain residue). For applications to or frozen or snow covered ground, manure shall not be applied on more than 20 contiguous acres. Contiguous areas for application are to be separated by a break from streams, ditches, waterways, surface water, etc (areas that present the least runoff potential and are furthest from surface water). The setbacks in column 3 should be followed. Prior approval must be obtained from the ODA, Livestock Environmental Permitting Program BEFORE frozen or snow/ice covered ground surface manure applications. If manure can be incorporated within 24 hours on frozen ground, approval from ODA, Livestock Environmental Permitting Program is not required.
13. For surface manure applications, follow the setbacks in column 2. For incorporation within 24 hours or injection, follow the setbacks in column 4.



Appendix A Table 1 of rule 901:10-2-14 Soils Prone to Flooding

Soils	Months	
Abscota Variant	Feb-Jun	
Adrian	Nov-May	
Aetna	Dec-Jun	
Alganssee	Nov-May	
Algiers	Nov-Jun	Frequently flooded
Algiers	Dec-Jun	Occasionally flooded
Alluvial land	Nov-Dec	Long duration
Alluvial land	Jan-Dec	Very long duration
Ashton	Dec-May	
Beaucoup	Mar-Jun	
Bonnie	Oct-Jun	
Brookston	Dec-May	
Carlisle	Nov-May	
Ceresco	Mar-May	
Chagrin	Nov-May	
Chavies	Nov-Mar	
Clifty	Nov-May	
Coblen	Nov-Jun	
Cohoctah	Nov-Apr	
Cuba	Jan-May	
Defiance	Jan-May	
Edwards	Sep-May	
Eel	Oct-Jun	
Eel variant	Jan-May	
Elkinsville	Jan-Dec	
Euclid	Dec-Jun	
Fitchville	Dec-Jun	
Flatrock	Dec-Apr	
Flatrock, limestone substratum	Nov-Apr	
Fluvaquents	Nov-Jun	
Genesee	Oct-May	
Genesee variant	Jan-May	
Gessie	Oct-May	
Glendora	Jan-Dec	
Grigsby	Dec-Apr	
Hackers	Jan-Apr	
Harrod	Nov-Jun	
Hartshorn	Nov-May	
Haymond	Dec-May	
Holly	Sep-May	Frequently flooded, very long duration
Holly	Nov-May	
Holton	Dec-Jun	
Huntington	Dec-May	
Joliet	Apr-Jun	
Jules	Mar-Jun	
Kerston	Mar-May	
Killbuck	Jan-Dec	
Kinn	Dec-Apr	
Knoxdale	Dec-Apr	
Kyger	Nov-May	
Landes	Jan-Jun	
Landes variant	Nov-Jun	



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Lanier	Nov-Jun	
Latty	Jan-May	
Lenawee	Mar-May	
Lindsay	Dec-Apr	
Linwood	Nov-Jun	
Lobdell	Jan-Apr	Frequently flooded
Lobdell	Nov-Apr	
Martinsville	Jan-Apr	
Martisco	Mar-Jun	
McGary variant	Jan-Dec	
Medway	Nov-Jun	
Medway variant	Nov-May	
Medway, limestone substratum	Nov-Dec	Frequently flooded, long duration
Melvin	Sep-May	
Melvin	Dec-May	
Mentor	Jan-Dec	
Millgrove	Nov-Jun	
Montgomery	Nov-May	
Moshannon	Dec-May	
Muskego	Nov-May	
Newark	Dec-Apr	
Newark variant	Jan-Apr	
Nolin	Feb-May	
Nolin variant	Feb-Apr	
Olentangy	Nov-Dec	
Orrville	Nov-May	
Otego	Nov-Dec	
Papakating	Nov-Jun	
Patton	Jan-Dec	
Peoga	Jan-Dec	
Pewamo	Mar-Apr	
Philo	Dec-May	
Piopolis	Mar-Jun	
Pope	Nov-Apr	
Rockmill	Sep-Jun	
Romeo	Mar-Jun	
Ross	Nov-Jun	
Roszburg	Nov-Jun	
Sarahsville	Dec-May	
Saranac	Nov-May	
Scioto	Nov-Jun	
Sebring	Nov-Jun	Occasionally flooded
Senecaville	Dec-Apr	
Shoals	Oct-Jun	
Shoals variant	Nov-May	used in Miami, Putnam, and Richland Counties
Shoals variant	Oct-Jun	used in Champaign County
Shoals, till substratum	Nov-Dec	
Skidmore	Dec-May	
Sligo	Mar-Apr	
Sloan	Nov-Jun	
Sloan, till substratum	Nov-Dec	
Stanhope	Nov-Dec	
Stendal	Jan-May	
Stone	Nov-Jun	
Stonelick	Nov-Jun	
Stringley	Nov-Jun	
Taggart	Jan-Dec	



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Tioga	Nov-May
Tioga Variant	Jan-Apr
Toledo	Nov-May
Tremont	Jan-Dec
Wabash	Nov-May
Wabasha	Sep-Jun
Wakeland	Jan-May
Walkill	Sep-Jun
Wappinger	Jan-Dec
Warsaw variant	Jan-May
Wayland	Nov-Jun
Wick	Oct-Jun
Wilbur	Oct-Jun
Willette	Nov-Dec
Zepernick	Nov-Jun
Zipp	Dec-May



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Appendix A Table 2 of rule 901:10-2-14 Land Application Restrictions	1	2	3	4
	Stockpiles	Surface Application	Winter Applications Frozen or Snow Covered Ground (1)	Surface Incorporation w/ 24 Hours OR Direct Injection
Class V wells, sinkholes	300'	300'	300'	100'
Waters of the State	300'	35' veg cover, 100' (2)	35' veg. cover, 200' (2)	35' veg. cover
Private or Public Well	300'	300'	300'	100'
Bedrock	> 3' from bedrock	none	none	none
Public Surface Drinking Water Intake	1500'	300'	300'	300'
Springs	300'	300'	300'	300'
Neighboring residences:	500'	300'	300'	100'
Flooding/flood plains/floodways (3):	do not stockpile	do not apply	do not apply	permissible (3)
Slope (4):	0-6%	>15% see note 5	If > 6% see note 1	>15% see note 5
Field Surface Drains(6)	300'	35'	200'	none
Maximum Application Rate:	Liquid Manure - Based on Appendix B (AWC Chart) & Appendix F (Most Limiting Nutrient Chart)			none
	Solid Manure - Based on Appendix F (Most Limiting Nutrient Chart)			

Note (1): Application on frozen and snow covered soil is not recommended. However, if manure application becomes necessary on frozen or snow covered soils, only limited quantities of manure shall be applied to address waste storage limitations until non frozen soils are available for manure application. If frozen or snow covered ground application becomes necessary, applications are to be applied only if ALL the following criteria are met:

- Application rate is limited to 10 wet tons/acre for solid manure more than 50% moisture and 5 wet tons for manure less than 50% moisture. For Liquid manure the application rate is limited to 5000 gallons/acre.
- Applications are to be made on land with at least 90% surface residue cover (e.g. good quality hay or pasture field, all corn grain residue remaining after harvest, all wheat residue cover remaining after harvest).
- Manure shall not be applied on more than 20 contiguous acres. Contiguous areas for application are to be separated by a break of at least 200 feet. Utilize those areas for manure application that are furthest from streams, ditches, waterways, surface water, etc (areas that present the least runoff potential and are furthest from surface water).
- Increase the application setback distance to 200 feet "minimum" from all grassed waterways, surface drainage ditches, streams, surface inlets, water bodies. This distance may need to be further increased due to local conditions.
- The rate of application shall not exceed the rates specified in Table 4 - Determining The Most Limiting Manure Application Rates for winter application.
- Additional winter application criteria for fields with significant slopes more than 6% - Manure shall be applied in alternating strips 60 to 200 feet wide generally on the contour, or in the case of contour strips on the alternating strips. All winter surface applications must have prior approval from the Ohio Department of Agriculture.

Note (2): The first setback refers to a vegetative buffer strip that must be maintained while the second refers to the total setback distance. Buffer strip is defined in the rule 901:10-1-01 (R)

Can use a 35' non vegetative buffer for intermittent stream / ditches or surface inlets if the manure application area has at least 50% vegetation/residue cover at the time of application.

Note (3): No applications during expected flooding season as reported in Appendix A, Table 1

Note (4): Must have < 5 ton/ac yearly average soil loss to perform surface manure applications

Note (5): Manures are not to be applied to cropland over 15% slope or to pastures/hayland over 20% slope unless ONE of the following precautions are taken:

- Immediate incorporation or injection with operations done on the contour, UNLESS the field has 80% ground cover (residue or canopy).
- Applications are timed during periods of lower runoff and/or rainfall (May 20th - October 15th)
- Split applications are made (separated by rainfall events) with single applications not exceeding 10 wet tons/ac or 5000 gal/ac.
- The field is established and managed in contour strips with alternated strips in grass or legume.

Note (6): Applications can be through field surface drains if criteria in Appendix A, How to Use Appendices are followed.

Source: USDA-NRCS (2003). Field Office Technical Guide-Conservation Practice Standard, 633, Columbus, Ohio.



Appendix B of rule 901:10-2-14 Available Water Capacity (AWC) This table shall be used to determine the AWC at the time of application and the liquid volume in gallons that can be applied not to exceed the AWC. To determine the AWC in the upper 8 inches use a soil probe or similar device to evaluate the soil to a depth of 8 inches. For land application, liquid manure application may also be calculated by converting acres per inch to gallons per acre. This conversion is based on the following formula: 1 acre – inch equals 27,156 gal/ac

Available Moisture in the Soil	Sands and Loamy Sands	Sandy Loam and Fine Sandy Loam	Very Fine Sandy Loam, Loam, Silt Loam, Silty Clay Loam	Sandy Clay, Silty Clay, Clay, Fine and Very Fine Textured Soils
< 25% Soil Moisture	Dry, loose and single-grained; flows through fingers.	Dry and loose; flows through fingers.	Powdery dry; in some places slightly crusted but breaks down easily into powder.	Hard, baked and cracked; has loose crumbs on surface in some places.
Amount to Reach AWC	20,000 gallons/ac	27,000 gallons/ac	40,000 gallons/ac	27,000 gallons/ac
25-50% or Less Soil Moisture	Appears to be dry; does not form a ball under pressure.	Appears to be dry; does not form a ball under pressure.	Somewhat crumbly but holds together under pressure.	Somewhat pliable; balls under pressure.
Amount to Reach AWC	15,000 gallons/ac	20,000 gallons/ac	30,000 gallons/ac	20,000 gallons/ac
50 - 75 % Soil Moisture	Appears to be dry; does not form a ball under pressure.	Balls under pressure but seldom holds together.	Forms a ball under pressure; somewhat plastic; slicks slightly under pressure.	Forms a ball; ribbons out between thumb and forefinger.
Amount to Reach AWC	10,000 gallons/ac	13,000 gallons/ac	20,000 gallons/ac	13,000 gallons/ac
75% to Field Capacity	Sticks together slightly; may form a weak ball under pressure.	Forms a weak ball that breaks easily, does not stick.	Forms ball; very pliable; slicks readily if relatively high in clay.	Ribbons out between fingers easily; has a slick feeling.
Amount to Reach AWC	5,000 gallons/ac	7,000 gallons/ac	11,000 gallons/ac	7,000 gallons/ac
100% Field Capacity	On squeezing, no free water appears on soil, but wet outline of ball on hand.	On squeezing, no free water appears on soil, but wet outline of ball on hand.	On squeezing, no free water appears on soil, but wet outline of ball on hand.	On squeezing, no free water appears on soil, but wet outline of ball on hand.
Above Field Capacity	Free water appears when soil is bounced in hand.	Free water is released with kneading.	Free water can be squeezed out.	Puddles: free water forms on surface

Note: Liquid manure applications to tiled fields must be less than or equal to 13,576 gal/ac.



Appendix F of rule 901:10-2-14 Most Limiting Manure Application Rates.
Table 1. Most Limiting Manure Application Rates for Tiled Fields.

Select the Most Limiting Application Rate Based on the Following Criteria					
Field Situation & Time of Year	Limiting Application Rate Criteria				
	Nitrogen	P2O5_{4l}	K2O	Tons/Ac Gallons/Ac	AWC Table
Subsurface Drained (Tiled) Fields					
(April - June) Subsurface Drained or High N Leaching Potential	1/ Crop Needs factoring N losses	Crop Needs or Crop Removal < 250 Lbs/ac	Crop Needs or Crop Removal < 500 Lbs/ac	13,000 gal/ac	Upper 8"
(April - June) Pasture > 20% or Cropland > 15% Subsurfaced Drained or High N Leaching Potential	Crop Needs factoring N losses	Crop Needs or Crop Removal < 250 Lbs/ac	Crop Needs or Crop Removal < 500 Lbs/ac	5/ 10 wet tons 5,000 gal/ac - unless contoured strips or incorporated immediately	Upper 8"
(July - Sept.) No Growing Crop Subsurface Drained or High N Leaching Potential	2/ 50 lbs/ac as applied N	Crop Needs or Crop Removal < 250 Lbs/ac	Crop Needs or Crop Removal < 500 Lbs/ac	13,000 gal/ac	Upper 8"
(July - Sept.) With a Growing Cover Crop Subsurface Drained or High N Leaching Potential	3/ Next year's crop needs as applied N	Crop Needs or Crop Removal < 250 Lbs/ac	Crop Needs or Crop Removal < 500 Lbs/ac	13,000 gal/ac	Upper 8
(July - Sept.) No Growing Crop Cropland > 15% Subsurfaced Drained or High N Leaching Potential	2/ 50 lbs/ac as applied N	Crop Needs or Crop Removal < 250 Lbs/ac	Crop Needs or Crop Removal < 500 Lbs/ac	13,000 gal/ac	Upper 8"
(Oct. - March) Subsurface Drained or High N Leaching Potential	3/ Next year's crop needs as applied N	Crop Needs or Crop Removal < 250 Lbs/ac	Crop Needs or Crop Removal < 500 Lbs/ac	13,000 gal/ac	Upper 8"
(Oct. - March) Pasture > 20% or Cropland > 15% Subsurfaced Drained or High N Leaching Potential	3/ Next year's crop needs as applied N	Crop Needs or Crop Removal < 250 Lbs/ac	Crop Needs or Crop Removal < 500 Lbs/ac	5/ 10 wet tons 5,000 gal/ac - unless contoured strips or incorporated immediately	Upper 8"
Frozen or Snow Cover Subsurface Drained or High N Leaching Potential	3/ Next year's crop needs as applied N	Crop Needs or Crop Removal < 250 Lbs/ac	Crop Needs or Crop Removal < 500 Lbs/ac	5/ 10 wet tons < 50% solids, 5 wet tons > 50% solids, liquid manure 5,000 gal/ac	

Note: Comments below Table 2 also pertain to this Table.



Appendix F of rule 901:10-2-14 Most Limiting Manure Application Rates.

Table 2. Most Limiting Manure Application Rates for Non-Tiled Fields.

Select the Most Limiting Application Rate Based on the Following Criteria					
Field Situation & Time of Year	Limiting Application Rate Criteria				
	Nitrogen	P2O5 _{4l}	K2O	Tons/Ac Gallons/Ac	AWC Table
Non Subsurface Drained (Tiled) Fields					
(July - Sept.) Not Subsurface Drained	1/ Crop Needs factoring N losses	Crop Needs or Crop Removal < 250 Lbs/ac	Crop Needs or Crop Removal < 500 Lbs/ac		Upper 8"
(Oct. - March) Not Subsurface Drained	1/ Crop Needs factoring N losses	Crop Needs or Crop Removal < 250 Lbs/ac	Crop Needs or Crop Removal < 500 Lbs/ac		Upper 8"
(April - June) Not Subsurfaced Drained Pasture > 20% or Cropland > 15%	1/ Crop Needs factoring N losses	Crop Needs or Crop Removal < 250 Lbs/ac	Crop Needs or Crop Removal < 500 Lbs/ac	5/ 10 wet tons 5,000 gal/ac - unless contoured strips or incorporate immediately	Upper 8"
(July - Sept.) Not Subsurfaced Drained Pasture > 20% or Cropland > 15%	1/ Crop Needs factoring N losses	Crop Needs or Crop Removal < 250 Lbs/ac	Crop Needs or Crop Removal < 500 Lbs/ac		Upper 8"
Frozen or Snow Cover Not Subsurface Drained	1/ Next year's crop needs factoring N losses	Crop Needs or Crop Removal < 250 Lbs/ac	Crop Needs or Crop Removal < 500 Lbs/ac	5/ 10 wet tons < 50% solids, 5 wet tons > 50% solids, liquid manure 5,000 gal/ac	
(Oct. - March) Not Subsurfaced Drained Pasture > 20% or Cropland > 15%	1/ Crop Needs factoring N losses	Crop Needs or Crop Removal < 250 Lbs/ac	Crop Needs or Crop Removal < 500 Lbs/ac	5/ 10 wet tons 5,000 gal/ac - unless contoured strips or incorporate immediately	Upper 8"
1/ Crop Needs factoring N losses - Maximum total nitrogen applied to meet the succeeding crop's recommended NITROGEN requirements for non-legume crops or 150 lbs/ac NITROGEN for the succeeding legume crop. Considers loss of N through application method and time of year.					
2/ 50 lbs/ac as applied N - Nitrogen application limited to 50 lbs/ac based on the addition of the NH ₄ or NH ₃ (ammonium/ammonia) content of the manure + 1/3 of the organic nitrogen content the manure as applied. Considers no losses due to application method or time of year.					
3/ Next year's crop needs as applied N - Maximum total nitrogen applied to meet the succeeding crop's recommended NITROGEN requirements for non-legume crops or 150 lbs/ac NITROGEN for the succeeding legume crop. Considers no losses due to application method or time of year.					
4/ Under special conditions and criteria the rate of P2O5 application can be increased to 500 lbs/acre (See Appendix A or rule 901:10-2-14). Frozen or Snow covered ground and fields over 100 ppm Bray P1 soil test are exempt and are always limited to applications less than or equal to 250 lb/ac P₂O₅.					
5/ Wet tons refers to the weight of the manure as it is applied - include solids and moisture weight.					



7. LAND APPLICATION RECORDS

The forms provided for this section of the Operating Record are to record important information regarding different aspects of land application and to comply with Rule 901:10-2-16 of the OAC. An owner or operator may select other forms for use, provided the Director approves these.

The Operating Record must be made available to the Director, or the Director's representative upon request.

ODA requires that you keep your Operating Record for a minimum of five (5) years.

NUTRIENT BUDGET

Determination of application rates. Application rates for manure shall be developed that minimize phosphorus and nitrogen transport from the field to surface water in compliance with Rule 901:10-2-14 of the OAC and several of the appendices to this rule. Application rates shall follow the nutrient budget set forth in the permit to operate's manure management plan, but with appropriate flexibilities for the implementation of specific nutrient management practices to land apply manure for the duration of the permit. The permittee must amend the nutrient budget as necessary whenever the facility makes a substantive change in how it manages the location, method, timing, or frequency of land application, provided all of the following changes to the nutrient budget are documented in the Operating Record:

- (1) The field-specific assessment of the potential for nitrogen and phosphorus transport from the field to surface waters and addresses the form, source, amount, timing, and method of application of nutrient on each field to achieve realistic production goals.
- (2) Document cropping plan on land that is to have manure applied. This includes crops from the past year, anticipated crops for the current year, and the next two years after the current year.
- (3) List the target crop yield for each crop on each land application site based on the following information:
 - Information on soil productivity
 - Historical yield data
 - Potential yield or
 - Combinations of yield data
 - An additional 10 percent may be added to potential and/or historical yields to account for improvements in management and technology.
- (4) Document the results of the nitrogen leaching risk assessment procedure and the phosphorus index risk assessment procedure (if fields are over 150 ppm).
- (5) Document the number of years needed to reach 150 parts per million, Bray P1, or equivalent if manure application rates exceed the phosphorus crop removal rates.

Soil sampling. List all soil tests for each field where manure is land applied. Soil tests must be conducted once every three years. The soil tests must be kept for a minimum of five years. A soil survey map of all sites must be kept in the operating record and made available to the ODA inspector upon request test methods are identified in 901:10-2-10.



LAND APPLICATION

Each time manure is applied to land it must be recorded in the Operating Record. The following information must be documented:

Record total amount of nitrogen and phosphorus actually applied to each field, including documentation of calculations for the total amount applied.

Inspection of land application equipment for leaks. Record all land application equipment that the owner or operator owns or has access to. This equipment must be properly maintained and not leak.

Sites. List or describe specific sites that are used for land application of manure. This includes land that is owned and/or leased by the owner/operator and land that the owner / operator applies manure on (i.e. distribution and utilization that the CAFF applies).

Best management practices.

- (1) Record observations of the drain outlets for liquid manure flow during and after application of liquid manure to a land application site.
- (2) Record the use of drain plugs or other devices when liquid manure is applied.
- (3) List the dates and the best management practices to maintain vegetative cover and to protect stream channels or areas adjacent to stream channels. Review the setback requirements in Rule 901:10-2-14 of the OAC for compliance.
- (4) Document the date, rate, quantity, and method of application of the nutrient, and/or form and source of manure, commercial fertilizer and/or other organic by-products.
- (5) Record the condition of the soil at the time of application including, but not limited to, available water capacity and evidence of soil cracks and related information on soil conditions. Refer to the Available Water Capacity Chart Appendix B of Rule 901:10-2-14 of the OAC for liquid manures.
- (6) Record the temperature conditions including weather conditions for 24-hours prior to manure application, at the time of the application, and for the 24-hours after application. Refer to Internet site: <http://www.uswx.com/us/wx/oh/> and determine the percent chance of rain listed in the hour-by-hour forecast. In the alternative, record the percent chance of rain or rain forecast published in your area in a newspaper of general circulation. List any publicized weather report on rainfall accumulation.



- (7) Document the implementation dates of those best management practices necessary to reduce the risk of nitrogen and phosphorus runoff by crop rotation, cover crops, or residue management. Refer to 901:10-2-14 of the OAC and several of the appendices to this rule for information on how to calculate the total amount of nitrogen and phosphorus to be applied to each field, how to calculate the rate of application, and how to comply with setbacks.



Form 7C: Land Application Nutrient Management Records

Nutrient Management

Application rates shall follow the nutrient budget set forth in the manure management plan approved as part of the Permit to Operate. If, however, the owner or operator needs to make substantive changes in nutrient management because of changes in the manure or other changes that effect the location, method, timing, or frequency of land application, then the owner or operator shall use this chart to record changes in the Operating Record for the duration of the permit.

Step 1. Refer to Most Recent Annual Sample Results for Soil and Manure

Number of Years to Reach 150 ppm: _____

Step 2. Projected Soil P and K Levels

1. P Level* at Start of Plan: _____
2. P Level* at End of Plan: _____
3. K Level* at Start of Plan: _____
4. K Level* at End of Plan: _____

Indicate whether levels are in ppm or lb/A _____

Step 3. Manure Application Plan

1. Month and Year of Application: _____
2. Crop: _____
3. Source of Manure or Storage ID: _____
4. Number of Years Applied For: _____
5. Incorporated? Yes _____ or No _____
6. Rate of Application Per Acre: _____
7. Available N (Estimated amount of N remaining after losses due to application method and timing): _____
8. P2O5 Applied: _____
9. K2O Applied: _____



Form 8C: Land Application Pests and Stockpile Management Records

Pest Management at Stockpiles in the Field

Insect and Rodent Control Field Inspection for the Following: Manure Stockpiles, Manure Transfer Sites, and/or After Manure Application

	Comment	Date
1. Field Inspected: _____		
2. Fly Population: _____		
3. Beetle Population: _____		
4. Rodent Population: _____		
5. Other (describe): _____		
6. Corrective Measure (Spray used; thermal treatment): _____		



9. MORTALITY MANAGEMENT PLAN RECORD

There shall be no disposal of animal mortalities in any manure storage pond or manure treatment lagoon, unless the system is specifically designed to treat animal mortalities. Handle animal mortalities so as to prevent discharge of manure to waters of the state.

The Mortality Management Plan is contained in rule 901:10-2-15 of the OAC. Proper recording and handling of animal mortalities is important. Animals may die of disease, injury, or other causes. This is routine in the day-to-day operations at a concentrated animal feeding facility, or major concentrated animal feeding facility.

1. Record the dates and times of inspection.
2. Record the number of dead animals removed from each building.
3. Record the best management practices used to implement the proper and appropriate disposal of dead livestock.



10. Daily Drinking Water Line Inspection Forms

Water Line Inspection Log Sheet

Instructions: Use this form to keep track of your daily water line visual inspections.

* Initial the form each day after the inspection is done.

Facility Name:

Permit #

January, 20		
Day	Initials	Leak Detected
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4		
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11		
12		
13		
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24		
25		
26		
27		
28		
29		
30		
31		

February, 20		
Day	Initials	Leak Detected
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2		
3		
4		
5		
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7		
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March, 20		
Day	Initials	Leak Detected
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April, 20		
Day	Initials	Leak Detected
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Operating Record Final

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October, 20		
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ANNUAL REPORT FORM FOR
CALENDAR YEAR 20__

Instructions: The owner or operator shall submit an annual report to the Ohio Department of Agriculture, Livestock Environmental Permitting Program for the prior year. The annual report shall be submitted on this form. If the operation has had any discharges during the past year, also include the Annual Discharge Report form, which is attached. Please use the information recorded in your Operating Record to provide the summary information for this form.

Please provide the following information, as required by rule 901:10-2-20 of the Ohio Administrative Code:

Name of Facility: _____

Address: _____

1. Summarize the number and type of animals, whether in open confinement or housed under roof (beef cattle, broilers, layers, swine weighing 55 pounds or more, swine weighing less than 55 pounds, mature dairy cows, dairy heifers, veal calves, sheep and lambs, horses, ducks, turkey, geese, other:
2. Summarize the estimated amount of total manure generated by this operation:
_____ tons/gallons/both? Circle one.
3. Provide the total number of acres for land application covered by the Manure Management Plan developed with your Permit or RCC: _____
4. Provide the total number of acres under control of the owner or operator that were used for land application of manure: _____
5. Estimated amount of total manure transferred to other person by the facility:
_____ tons _____ gallons
6. Provide a summary of all manure discharges from the production area¹ that have occurred in the prior year, including date, time, and approximate volume. Use attached form, Annual Discharge Report, if the information will not fit here:

_____ "Production area" means any of the following components of an animal feeding facility:

¹ (1) Animal confinement areas, including, but not limited to, open lots, housed lots, feedlots, confinement houses, stall barns, free stall barns, milkrooms, milking centers, cowyards, barnyards, medication pens, animal walkways, and stables; (2) Manure storage areas, including, but not limited to, manure storage or treatment facilities; (3) Raw material storage areas, including, but not limited to, feed silos, silage bunkers, commodity buildings, and bedding materials; (4) Waste containment areas, including, but not limited to, any of the following: (a) An egg washing or egg processing facility; (b) An area used in the storage, handling, treatment, or disposal of mortalities; (c) Settling basins, runoff ponds, liquid impoundments, and areas within berms and diversions that

7. Is the most current version of the owner or operator's Manure Management Plan prepared by a "certified nutrient planner²?" Yes _____ No _____
8. Certification: "I certify under penalty of law that this annual report was prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

By: _____
 Signature _____

Optional: How can the ODA Livestock Environmental Permitting Program help you?

Newsletters _____

Training opportunities _____

Timeliness _____

Other suggestions or comments

are designed and maintained to separate uncontaminated storm water runoff from contaminated water and to contain and treat contaminated storm water runoff.

"Discharge" means a discharge of pollutants to waters of the State.

² U.S.EPA regulations and ODA's rules do not require the development of Manure Management Plans or Nutrient Management Plans by a certified specialist or technical service provider. A nutrient management plan preparer certification program is only suggested by U.S.EPA. Federal guidance states that a certified specialist is a person who has a demonstrated capability to develop MMPs (or NMPs) in accordance with applicable USDA or State standards and is certified by USDA or a USDA-sanctioned organization. Certified specialists include qualified persons who have received certifications through a State or local agency, personnel from NRCS, persons who have completed certification through a State or local agency, and persons who have completed certification programs recognized as technical service providers, or other programs recognized by States. In addition, USDA has developed agreements with technical service providers to provide certified nutrient management plan development services. Third-party vendor certification programs may include, but are not limited to, (1) American Society of Agronomy's certification programs, including Certified Crop Advisors (CCA) and Certified Professional Agronomists (CPAg), Certified Professional Crop Scientists (CPSc), and Certified Professional Soil Scientists (CPSSc); (2) Land Grant University certification programs; (3) National Alliance of Independent Crop Consultants (NAICC); and (4) State Certification programs and Cooperative Extension. Generally, certification means a precertification training course, pass an examination, and receive continuing education on a variety of topics.

MANURE SPILL REPORT

NAME OF FACILITY

DATE

TIME

NAME OF PERSON RESPONSIBLE

PHONE NUMBER

WATER WAY AFFECTED

MANURE TYPE

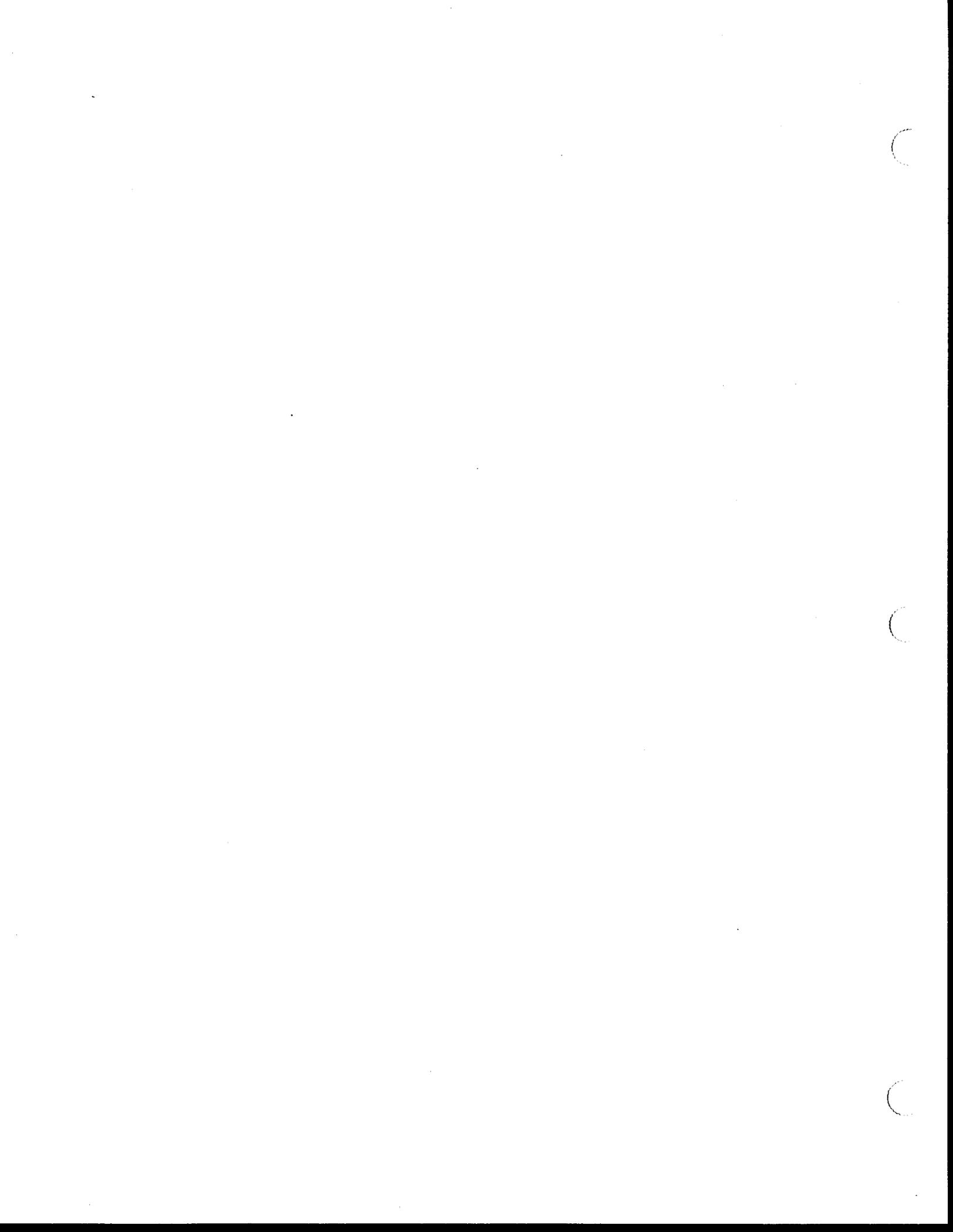
AMOUNT

SPILL OCCURRED BECAUSE

AGENCIES CONTACTED:

EQUIPMENT USED:





Animal Industry Administrative Policy Number: 045

Policy Subject: BIOSECURITY PROTOCOL
Date: March 20, 2001
Author: Dr. Dave Glauer

1. Arrive at premise where livestock are present or have recently been present.
2. Exit vehicle and put on clean boots or new disposable plastic boots.
3. Wash boots with an approved disinfectant.
4. If assignment involves handling of animals, wear clean coveralls.
5. These clean coveralls are to be stored in a white bag used exclusively for clean items.
6. While in boot and/or coveralls, complete the assignment.
7. Once assignment is complete, return to vehicle and wash boots with an approved disinfectant, or dispose of plastic boots in trash.¹
8. Remove boots and place them in your vehicle.
9. Remove coveralls.
10. The dirty coveralls are to be placed in a green bag used exclusively for dirty items.
11. Depart for your next destination.²
12. Handling of livestock on a single day should be limited to multiple species on one farm or different species on different farms.¹ Do not work on the same species on different farms on the same day without approval by the Director or his or her representative.
13. If a different species of livestock is to be handled at a subsequent destination, clean coveralls are to be worn when handling this species of livestock.
14. These are minimum standards. Other procedures may be appropriate and/or required:
 - Proceed from younger to older animals
 - Proceed from less diseased to more diseased
 - Disposable clothing, hats, shower in/out, etc.
 - Disinfection of any physical equipment returned to the vehicle

¹ Except a Foreign Animal Disease

² Certain situations may require the vehicle to be washed, i.e., Avian Influenza

Distribution: State/Federal Field Staff 3/20/01, Revised 9/14/01
cc--Dr. Glauer, Dr. McPhail, Dr. Dodaro, Dan Goeglein

This replaces Policy Number

History of revisions:

Ohio Department of Agriculture

Division of Animal Industry

8995 E. Main Street

Reynoldsburg, OH 43068

614-728-6220

FAX: 614-728-6310

ROUTINE BIOSECURITY PROCEDURES FOR ODA LIVESTOCK ENVIRONMENTAL
PERMITTING PROGRAM PERSONNEL VISITING FARMS, AND OTHER FACILITIES
WITH LIVESTOCK AND POULTRY

SUPPLEMENTS BIOSECURITY PROTOCOL, March 20, 2001

(Dr. David Glauer)

Animal Industry Administrative Policy Number: 045.1

This guidance establishes routine procedures to minimize the risk of personnel assigned to the Ohio Department of Agriculture (ODA) Livestock Environmental Permitting Program (LEPP) from transmitting animal diseases from livestock or poultry facilities. These facilities include farms, ranches, dairies, feed yards, sale yards, swine premises, and other facilities where there are animals or unprocessed animal tissues, secretions or excretions (including saliva, manure or urine, soiled feed, bedding, water or dirt, milk) to livestock or poultry. Often, owners/producers have adopted more stringent biosecurity measures than these procedures. More stringent measures might include specific directions on site entry (e.g., showering, changing clothes to come onto or leave the premises, vehicle washing), or vehicle travel on the site, and other measures. LEPP personnel should discuss appropriate biosecurity measures with the operator prior to entering animal areas, and are encouraged to follow the more stringent measures.

Separate emergency procedures will be applicable in cases of actual outbreaks of contagious animal diseases. In such a case, LEPP generally will avoid visiting affected areas and will coordinate with the ODA Division of Animal Industry, the State Veterinarian, USDA's Animal and Plant Health Inspection Service (APHIS) and local emergency control authorities concerning activities in these areas. Periodically, LEPP will contact the offices of the appropriate APHIS Area Veterinarians in Charge and the offices of the State Veterinarian to identify any areas with existing emergency animal disease events.

LEPP personnel should be aware of personal health and safety issues when visiting livestock facilities and consult about proper procedures. Livestock facilities may include OSHA-defined "confined spaces," e.g., manure pits. If staff need to enter such areas, all appropriate safety precautions must be followed. In addition, some animal diseases can be spread to humans, such as brucellosis (bacteria) and echinococcus (parasite). Fortunately, the U.S. largely has eliminated major risk of disease transmission from animals to humans.

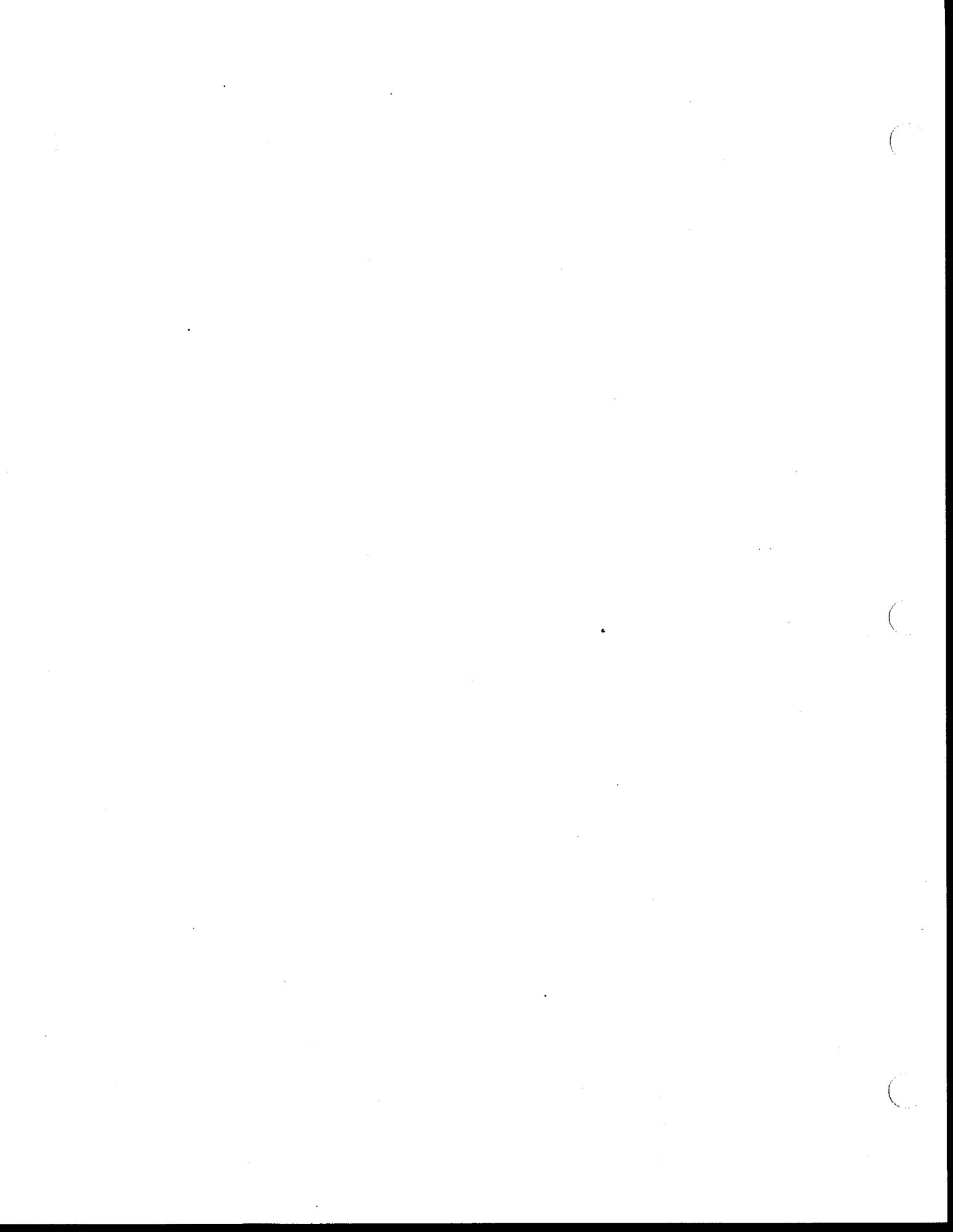
The following procedures are consistent with written procedures developed by APHIS for use by USDA personnel (June 12, 2001).

BIOSECURITY PROCEDURES

- Wear clean clothes to the facilities
- Drive clean vehicles to the facilities. Be certain that tires are free of dirt and debris by hosing the tires and wheel wells before entering the premises. If this does not clean the tires adequately, take the vehicle to a nearby pressure car wash. Including dates and type of vehicle washing in the vehicle log book is recommended.
- Park your vehicle on paved or concrete areas, away from farm production sites, to avoid contact with dirt, mud or manure.
- Consider using a vehicle supplied by the poultry operator for on-site travel if available.
- On entering a facility, acknowledge any and all livestock and poultry facilities visited within the previous 24 hours, including whether or not LEPP personnel entered any animal confinement or waste storage areas.
- Inform the operator of where the LEPP inspector wants to go on the site, determine what biosecurity procedures, if any, the owner/operator has for the on-site locations to be visited, and determine which biosecurity procedures will be followed for the areas to be visited.
- LEPP personnel should only enter animal production buildings if it is essential to complete the goals of the visit and should avoid contact with the livestock, poultry, or other animals (wild or domestic) on any facility. If close contact with animals is expected, including walking through narrowly confined pens or lots where animals are within reach, wearing personal protective equipment is recommended.
- Prior to entering the site, put on disinfected boots (with an approved disinfectant) or other footwear that has been cleaned or wear new disposable boot covers. The operator may have its own coveralls and boots for you to wear. However, if visiting only low-risk areas, such as offices that are away from animal areas, clean street shoes or boots are acceptable (hand washing is still needed). [Note: Boot covers may not provide sufficient traction to safely navigate slopes surrounding lagoons and pits. Personnel may want to use duct or chem tape to secure the boot cover to prevent slippage].
- Use disinfectants that have been registered (or exempted) by EPA for the intended use (see below). Keep a copy of the label and the Material Safety Data Sheet (MSDS) for any registered disinfectant used and make both available to the facility upon its request. Follow all label safety precautions and dispose of empty containers, unused disinfectant solution, and unused disinfectant in accordance with label instructions.
- If non-disposable clothing is soiled with manure, blood, milk, or other animal secretions or there has been close contact with livestock (actual handling or walking where animals were in reach) double bag clothing before leaving the site for later cleaning. Put on clean disposable clothing before entering a vehicle.
- Dispose of soiled boot covers and disposable clothing on-site if acceptable to the owner/operator. Where on-site disposal is not possible, double bag and tightly seal all contaminated clothing and gear in disposable bags.
- Designate the interior of your vehicle as a "clean area" and keep supplies in this area.
- Designate a "dirty area" of your vehicle, such as the trunk of the care or a specified enclosed area of a trunk bed for double bagged clothes or dirty equipment to be taken off-site.

- Before leaving the site, clean and disinfect boots. Scrub boots, bottom and sides to remove all dirt and debris, then wash with an approved disinfectant solution. Disinfectants are not effective on dirt, manure or other organic matter.
- Clean and disinfect equipment if contaminated.
- Inform the owner/operator of the areas of the site that were visited and the biosecurity procedures taken. This can be done at an inspection closing conference.
- Depart to your next destination.
- Handling of livestock on a single day should be limited to multiple species on one farm or different species on different farms. Do not work on the same species on different farms on the same day without the approval by the Director of agriculture or his/her representative.
- If a different species of livestock is to be handled at a subsequent destination, clean coveralls and boots are to be worn when handling the species of livestock.
- These are minimum standards. Other procedures may be appropriate and/or required:
 - Proceed from younger to older animals
 - Proceed from less diseased to more diseases
 - Disposable clothes, hats, shower in/out, etc.
 - Disinfection of any physical equipment returned to the vehicle
- Individuals should not make on-site visits to livestock operations if they have visited a foreign country and were exposed to or had contact with animals (with or without a known contagious disease) within 5 days prior to the site visit. Clothing and shoes worn on foreign site visits should be cleaned before use on U.S. facilities.
- Thoroughly wash hands with soap and water. Use antibacterial wipes or gel before entering and after leaving any animal facility. Disposable latex gloves may also be used, but not as a substitute for proper hand washing.
- If personnel are on a farm during an outbreak, they should not visit another farm for a minimum of 24 hours.
- Supplies
 - Clean boots or new disposable boot covers
 - Clean change of clothing or coveralls
 - Appropriate registered or exempted disinfectant (see below)
 - Water (at least minimum required for hand washing and disinfection)
 - A bucket or tray to contain disinfectant
 - Long handled brush
 - Clean bags for trash disposal or storage of items to be cleaned
 - Liquid and/or gel antibacterial soap or wipes
 - First aid kit including an eye wash
 - Phone numbers of the state veterinarian, AVIC federal veterinarian, or other local officials available in case you suspect animal diseases are present. Share any such observations with the owner/operator.
- The following products are currently registered by EPA as being effective against a broad range of disease-causing organisms, including Foot and Mouth Disease; they are not effective against all disease causing organisms. Consult the label information and, if other diseases are a concern, consult the state veterinarian or state department of agriculture.
 - Virkon S (EPA Reg. No. 62432-1, label and MSDS)
 - Oxonia Active (EPA Reg. No. 1677-129, label and MSDS)

- There are also two household chemicals subject to EPA Section 18 "quarantine exemptions" (i.e., they are exempted from FIFRA pesticide registration requirements) for use as Foot and Mouth Disease disinfectants. They are issued to APHIS but designed so that the general public can make treatments themselves using these chemicals. One permits vinegar (acetic acid) to be applied as a 4% solution, and the other permits bleach (sodium hypochlorite) to be used in a solution of 3 parts bleach to 2 parts water.



ROUTINE BIOSECURITY PROCEDURES FOR EPA PERSONNEL VISITING FARMS, RANCHES, SLAUGHTERHOUSES AND OTHER FACILITIES WITH LIVESTOCK AND POULTRY

This guidance establishes routine procedures to minimize the risk of EPA personnel transmitting animal diseases from livestock or poultry facilities, including farms, ranches, dairies, feed yards, sale yards, swine premises, slaughterhouses, and other facilities where there are animals or unprocessed animal tissues, secretions or excretions (including saliva, manure or urine, soiled feed, bedding, water or dirt, milk) to livestock or poultry. Often, owners/producers have adopted more stringent biosecurity measures than these procedures. More stringent measures might include specific directions on site entry (e.g., showering, changing clothes to come onto or leave the premises, vehicle washing), or vehicle travel on the site, and other measures. EPA should discuss appropriate biosecurity measures with the operator prior to entering animal areas, and are encouraged to follow the more stringent measures.

Separate emergency procedures will be applicable in cases of actual outbreaks of contagious animal diseases. In such a case, EPA generally will avoid visiting affected areas and will coordinate with USDA's Animal and Plant Health Inspection Service (APHIS) and local emergency control authorities concerning activities in these areas. Periodically, EPA will contact the offices of the appropriate APHIS Area Veterinarians in Charge and the offices of the state veterinarians to identify any areas with existing emergency animal disease events. The addresses and telephone numbers of these offices are attached.

EPA personnel should be aware of personal health and safety issues when visiting livestock facilities and consult with EPA's Health and Safety staff with questions about proper procedures. Livestock facilities may include OSHA-defined "confined spaces," e.g., manure pits. If staff need to enter such areas, all appropriate safety precautions must be followed. In addition, some animal diseases can be spread to humans, such as brucellosis (bacteria) and echinococcus (parasite)*. Fortunately, the U.S. largely has eliminated major risk of disease transmission from animals to humans

* Brucellosis is transmitted through contaminated and untreated milk and milk products and by direct contact with infected animals (cattle, sheep, goats, pigs, camels, buffaloes, and wild ruminants) or animal carcasses. It is extremely variable in humans. The acute form (less than 8 weeks from illness onset) may result in nonspecific and "flu-like" symptoms including fever, sweats, malaise, anorexia, headache, myalgia, and back pain. Echinococcus granulosus lives on dogs and livestock, and infects humans through contact with these animals. Allergic reactions and damage to various organs from cyst formation are the most common forms of disease in humans.

by a combination of veterinary medicine and state regulation.

The following procedures are consistent with written procedures developed by APHIS for use by USDA personnel (June 12,2001).

Biosecurity Procedures

- Individuals should not make on-site visits to livestock operations if they have visited a foreign country and were exposed to or had contact with fann animals (with or without a known contagious disease) within 5 days prior to the site visit Also, clothing and shoes worn on foreign fann visits should be cleaned before use on U.S. facilities.
- Thoroughly wash hands with soap and water or antibacterial wipes or gel before entering and after leaving any animal facility. Disposable latex gloves also may be used but not as a substitute for proper hand washing.
- Park your vehicle on paved or concrete areas, away from fann production sites, to avoid contact with dirt, mud or manure. If not possible, be certain that tires are free of dirt and debris by hosing the tires and wheel wells before leaving the premises. If this does not clean the tires adequately, take the vehicle to a nearby pressure car wash. Including dates and types of vehicle washing in the vehicle log book is recommended.
- Consider using a vehicle supplied by the facility operator for on site travel if available.
- Prior to entering the site, put on disinfected rubber boots or other footwear that has been cleaned and disinfected, or wear new disposable boot covers. The operator may have its own coveralls and boots for you to wear. However, if visiting only low-risk areas, such as offices that are located away from animal areas, clean street shoes or boots are acceptable (hand washing is still needed). [Note: Boot covers may not provide sufficient traction to safely navigate slopes surrounding lagoons and pits. Personnel may want to use tape to secure the boot cover to prevent slippage].
- On entering a facility, acknowledge any and all other livestock facilities visited within the previous 48 hours including whether or not EP A entered any animal confinement or waste storage areas.
- Inform the operator of where the EP A staff wants to go on the site, determine what biosecmity procedures, if any, the owner/operator has for the on-site locations to be visited, and determine which biosecmity procedures will be followed for the areas to be visited.
- EP A should only enter animal production buildings if it is essential to complete the goals of the visit, and should avoid contact with livestock, poultry or other animals (wild or domestic) on any facility. If close contact with animals is expected, including walking through narrowly confined pens or lots where animals are within reach, wearing coveralls is recommended.
- Designate the interior of your vehicle as a "clean area" and keep clean supplies in this area.
- Designate a "dirty area" of your vehicle, such as the tmnk of the car or a specified enclosed area of a truck bed for double bagged clothes or dirty equipment to be taken off site.

- Before leaving the site, clean and disinfect boots or tightly bag boots for later cleaning. Scrub boot bottom and sides to remove all dirt and debris, then wash with disinfectant solution. Disinfectants are not effective on dirt, manure or other organic matter.
- Clean and disinfect equipment if contaminated.
- Use disinfectants that have been registered (or exempted) by EPA for the intended use (see below). Keep a copy of the label and the Material Safety Data Sheet (MSDS) for any registered disinfectant used and make both available to the facility upon its request. Follow all label safety precautions and dispose of empty containers, unused disinfectant solution, and used disinfectant in accordance with label instructions.
- If non-disposable clothing is soiled with manure, blood, milk, or other animal secretions or there has been close contact with livestock (actual handling or walking where animals were within reach), before leaving the site, double bag clothing for later cleaning.
- Dispose of soiled boot covers, and disposable clothing on-site if acceptable to the owner/operator. Where on-site disposal is not possible, double bag and tightly seal all contaminated clothing and gear in disposable bags.
- Inform the owner/operator of the areas of the site that were visited, and the biosecurity procedures taken. This can be done at an inspection closing conference.

Supplies:

- clean boots or new disposable boot covers
- clean change of clothing or coveralls
- appropriate registered or exempted disinfectant (see below)
- water (at least minimum required for hand washing and disinfection)
- a bucket or tray to contain disinfectant
- long handled brush
- clean bags for trash disposal or storage of items to be cleaned
- liquid and/or gel antibacterial soap or wipes
- first aid kit including an eye wash
- phone numbers of the state veterinarian or other local officials available in case you suspect animal diseases are present. Share any such observations with the owner/operator as soon as possible

Disinfectants for Routine Biosecurity

The following products are currently registered by EPA as being effective against a broad range of disease-causing organisms, including Foot and Mouth Disease; they are not effective against all disease-causing organisms. Consult the label information and, if other diseases are a concern, consult the state veterinarian or state department of agriculture.

Virkon S (EPA Reg. No. 62432-1, label and MSDS)
Page 3 of 4

OxoniaActive (EPA Reg. No. 1677-129, label and MSDS)

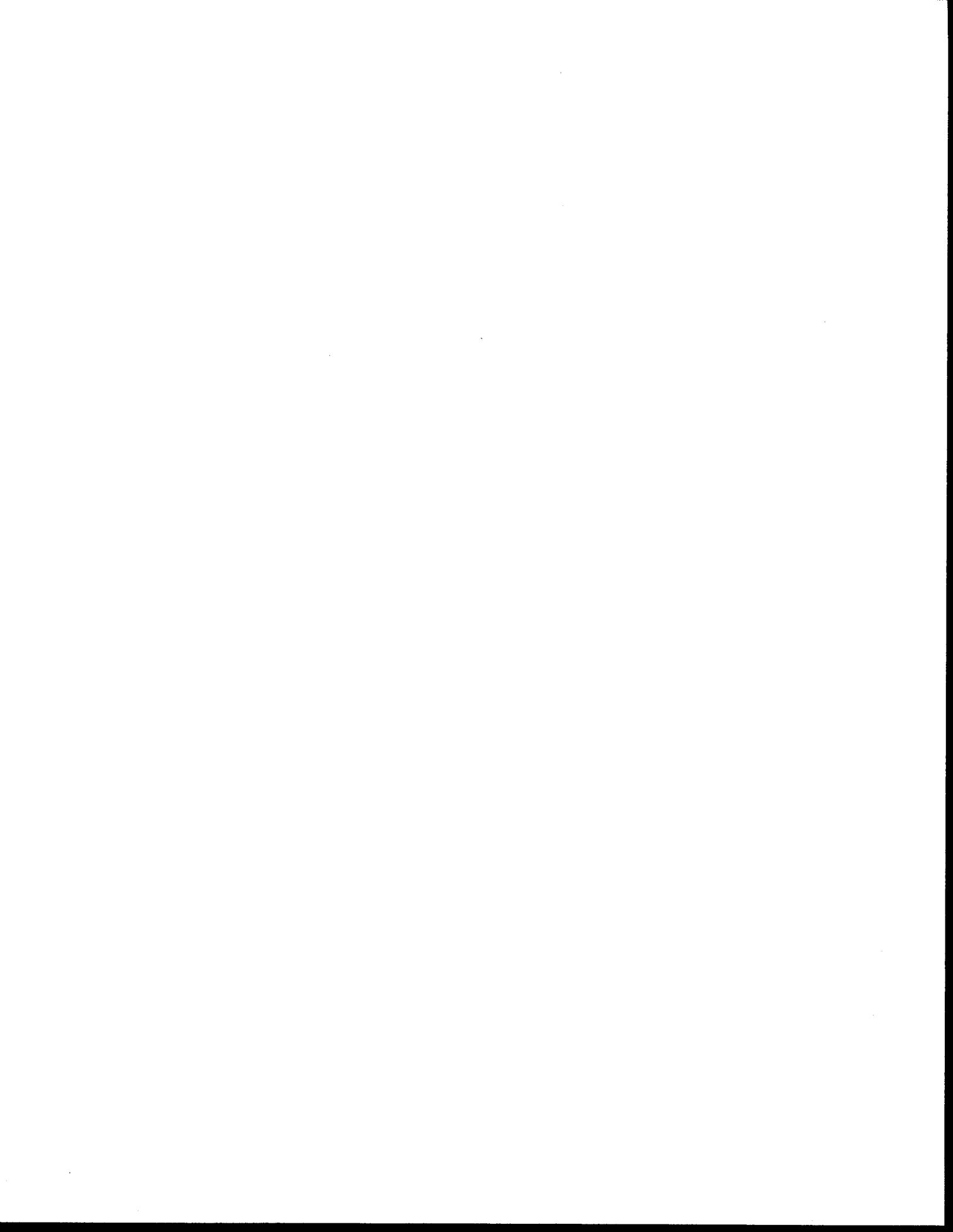
There are also two household chemicals subject to EP A Section 18 "quarantine exemptions" (i.e., they are exempted from FIFRA pesticide registration requirements) for use as Foot and Mouth Disease disinfectants. They are issued to APHIS but designed so that the general public can make treatments themselves using these chemicals. One permits vinegar (acetic acid) to be applied as a 4% solution, and the other permits bleach (sodium hypochlorite) to be used in a solution of 3 parts bleach to 2 parts water. Information on these Section 18 actions is attached.

Attachments:

1. APHIS Veterinary Series Area Offices and State Veterinarians
2. Copies of EP A-approved labels for Virkon S (April 26, 2001) and Oxonia Active (May 11,2001) and associated Material Safety Data Sheets
3. Section 18s for Acetic Acid and Sodium Hypochlorite (Bleach)

Disclaimer

The discussion in this document is intended solely as guidance. This document is not a regulation. It does not impose legally binding requirements on EP A, states, or the regulated community. This guidance does not confer legal rights or impose legal obligations upon any member of the public. The general description provided here may not apply to a particular situation based on the circumstances. Interested parties are free to raise questions and objections about the substance of the guidance and the appropriateness of the application of this guidance to a particular situation. EP A retains the discretion to adopt approaches on a case-by-case basis that differ from those described in this guidance where appropriate. This document may be revised periodically without public notice. EP A welcomes public input on this document at any time.





Ohio Department of Agriculture
LIVESTOCK ENVIRONMENTAL PERMITTING PROGRAM
 8995 East Main Street, Reynoldsburg, OH 43068-3399
 Telephone: (614) 387-0470 Fax: (614) 728-6335
www.ohioagriculture.gov/lepp/ Email: lepp@mail.agri.state.oh.us



INSPECTION FORM

OHIO DEPARTMENT OF AGRICULTURE INSPECTION FORM I. FACILITY INFORMATION

Name of Inspector:

Date of Inspection:

Inspection Start Time:

Inspection End Time:

Purpose of Inspection:

- 1st Routine
 2nd Routine
 Partial

- Complaint
 Enforcement
 Other

Facility:

Rule 901:10-2-01(C)(1)

Name:

Address:

Phone Number:

email:

Owner/Operator:

Rule 901:10-2-01(C)(1)

Name:

Address:

Phone Number:

email:

Owner/Operator:

Rule 901:10-2-01(C)(1)

Name:

Address:

Phone Number:

email:

Contact Person:

Name:

Address:

Phone Number:

email:

Livestock Manager Name:

Rule 901:10-1-06

Address:

Phone Number:

email:

Certificate Number:

Biosecurity Information:

Rule 901:10-5-02(B)

Date of Expiration of Certificate:

Inspector followed facility or industry biosecurity plan
 -- whichever is more stringent.

Yes No

N/A

II. FACILITY OPERATION INFORMATION

Number and Type of Animals

Rule 901:10-2-01(C)(2) and 901:10-1-07(A)(2)

Animal Type	Existing Number of Animals (leave blank if new)	Maximum Number of Animals (for new or expanding)
Slaughter and feeder cattle		
Dairy heifers		
Mature cows (milked or dry)		
Swine Over 55 pounds		
Swine Under 55 pounds		
Horses		
Sheep or lambs		
Turkeys		
Laying hens		
Broilers		
Duck		
Pullets		
Others:		

➤ **Number of employees:**

➤ **Type of feed system:**

Agricultural Drainage Well

Rule 901:10-2-02(A)

- | | | | | |
|---|---|-----|----|-----|
| ➤ | Is there indication of an agricultural drainage well (Class V well) on the property? | Yes | No | N/A |
| | ▪ If yes, is the agricultural drainage well likely to have runoff? | Yes | No | N/A |

Wastewater

Rule: 901:10-2-08(A)(4)(d)

- | | | | | |
|---|--|-----|----|-----|
| ➤ | Is there a sanitary permit for this facility? | Yes | No | N/A |
| | ▪ If yes, does the sanitary go to the manure storage and treatment facility? | Yes | No | N/A |
| | ▪ If yes, is it permitted to do so? | Yes | No | N/A |
| ➤ | Is there proper storage and containment of pesticides, fertilizers, and herbicides? | Yes | No | N/A |
| ➤ | Is there proper storage and containment of cleaning solutions? | Yes | No | N/A |
| ➤ | Is there proper storage and containment of vehicle fluids? | Yes | No | N/A |
| ➤ | Is there proper storage and disposal of veterinary supplies? | Yes | No | N/A |
| ➤ | Do any of the above go to the manure storage area? | Yes | No | N/A |

Rule 901:10-2-08(A)(4)(d)

IV. MANURE STORAGE AND TREATMENT FACILITIES

➤ **Type of Manure:**

Rule 901:10-2-10(A)

(Check all that apply) Liquid Solid

➤ **Annual manure analysis on file?**

Rules 901:10-2-10(C), 901:10-2-16(A)(1)(b)

Yes No N/A

Manure Sample Results

Type	Date	Moisture %	NH ₄ -N	Organic N	P ₂ O ₅	K ₂ O

➤ **Type of manure storage or treatment facility:**

Rule 901:10-2-04

(Check all that apply)

- Fabricated structure Manure storage pond
- Manure treatment lagoon Combination

Fabricated Structure

➤ **Type of fabricated structure:**

Rule 901:10-2-05

(Check all that apply)

- Stacking pad/bunker/etc Concrete block or stave pit.
- Deep pit Above ground tankmetal/concrete/other
- High-rise Manure storage barn (for belt-battery, etc.)
- Other Compacted earthen floor Concrete pit

➤ **Is there a six-inch minimum of freeboard for all storage structures containing liquid manure or subject to precipitation/runoff?**

Rules 901:10-2-05, 901:10-2-08(A)(4) and 901:10-2-16(A)(1)(a)(i)

Yes No N/A

➤ **Are records maintained on storage capacity or manure volume?**

Rule 901:10-2-16(A)(1)(a)(iii)

Yes No N/A

Structure	Maximum Operating Level	Current Manure Level	Storage Remaining

- **Is there evidence in the operating record of regular inspections of the manure storage or treatment facilities for erosion, leakage, animal damage, or discharge?**
Rule 901:10-2-08(A)(4)(e) & 901:10-2-16(A)(1)(a)(ii)

Yes No N/A

- **Do the inspections match the frequency in the manure management plan?**
Rules 901:10-2-08(A)(1) and 901:10-2-16(A)(1)(a)(ii)

Yes No N/A

- **Are these regular inspections properly recorded in the operating record?**
Rules 901:10-2-08(A)(4) and 901:10-2-16(A)(1)

Yes No N/A

Manure Storage Pond or Manure Treatment Lagoon

- **Type of manure storage pond or manure treatment lagoon (and approximate dimensions)**
Rule 901:10-2-06

(Check all that apply)

Earthen manure storage pond(s) Earthen manure treatment lagoon(s)

(explain number of ponds/lagoons, type of liner system installed (plastic, recompacted soil, in-situ soil, etc.))

- **Is there twelve-inches of freeboard, plus the volume needed to contain the appropriate design storm, if the structure is subject to rainfall and runoff?**
Rules 901:10-2-06(A)(2), 901:10-2-08(A)(4)(a), 901:10-2-16(A)(1)(a)(i)

Yes No N/A

- **Are records maintained on storage capacity or manure volume?**
Rule 901:10-2-16(A)(1)(a)(iii) & 901:10-2-06(A)(8) & 901:10-2-08(A)(4)(c)

Yes No N/A

Structure	Maximum Operating Level	Current Manure Level	Storage Remaining

- **Is there evidence in the operating record of regular inspections of the manure storage or treatment facilities for erosion, leakage, animal damage, or discharge?**
Rule 901:10-2-08(A)(4)(e) and 901:10-2-16(A)(1)(a)(ii)

Yes No N/A

- **Is there evidence in the operating record of weekly inspections of stormwater conveyances, diversion devices, and devices channeling contaminated stormwater to the manure storage pond or manure treatment lagoon?**
Rule 901:10-2-16(A)(1)(a)(iv)

Yes No N/A

- **Do the inspections match the frequency in the manure management plan?**
Rules 901:10-2-08(A)(1)

Yes No N/A

- **Are these regular inspections properly recorded in the operating record?**
Rules 901:10-2-08(A)(1)

Yes No N/A

- **Is the level indicator(s) conspicuously located and properly functioning in the manure storage pond or manure treatment lagoon?**
Rules 901:10-2-06(A)(2), 901:10-2-08(A)(4)(o) and 901:10-2-16(A)(1)(a)(i)

Yes No N/A

- **Is the vegetation near the manure storage pond or the manure treatment lagoon properly maintained?**
Rule 901:10-2-08(A)(4)(j) & (k)

Yes No N/A

- **Are the maintenance inspections for stormwater conveyances, runoff diversion structures, devices channeling contaminated stormwater, etc. properly recorded in the operating record?**
Rules 901:10-2-16(A)(1)(a)(v) & 901:10-2-08(A)(4)(i), (j)

Yes No N/A

V. MANURE MANAGEMENT

- **Is the schedule for manure removal or manure residual removal outlined in the manure management plan?** Yes No N/A
- Rules 901:10-2-08(A)(4)(g), 901:10-2-10(B), 901:10-2-16(A)(1)(c)&(e)

Manure Type	year		year		year	
	Tons/gals	acres	Tons/gals	acres	Tons/gals	acres
Total						

- **List the number of acres utilized for land application. (Include both land that is owned and land that is leased)**
- Rules 901:10-2-09(C), 901:10-2-16(A)(1)(c)(ii)
- Acres owned
 - Acres leased
 - Other land
 - Total acres
- **Was manure applied on snow covered or frozen ground?** Yes No N/A
- **If so, was the application site approved for application?** Yes No N/A

Distribution and Utilization

- **Is manure distributed through Distribution and Utilization methods?** Yes No N/A
- **If Distribution and Utilization method of manure removal was used were Appendices A, B, and F and the most recent manure analysis given to the recipient of the manure?** Yes No N/A
- Rule 901:10-2-16(A)(1)(e)(iv) & 901:10-2-11(A)

➤ **Is the record for of Distribution and Utilization of manure maintained in the operating record?**

Rule 901:10-2-16(A)(1)(e)(i)(ii)(iii) & 901:10-2-11(B)

Yes No N/A

Soil Characteristics

➤ **Are all soil analysis properly recorded in the operating record for the last five years?**

Rule 901:10-2-16(A)(1)(c)(vi) & 901:10-2-13(D)

(The analysis records must be taken every three years)

Yes No N/A

➤ **Are the soil samples representative of a land application site with one composite soil sample representing no more that twenty-five acres or one composite soil sample for each land application site, whichever is less?**

Rule 901:10-2-13(C)

Yes No N/A

➤ **Do any fields exceed 150 ppm of Phosphorous on the BrayP1 test?**

Rules 901:10-2-14(D)(E)(3) & 901:10-2-16(A)(1)(c)(xiii)

Yes No N/A

If so list those fields.

Nutrient Budget

➤ **Is commercial fertilizer used?**

Rules 901:10-2-09(C)(2)

Yes No N/A

If so, amount of commercial fertilizer used?

Rule 901:10-2-16(A)(1)(c)(xiv)

➤ **Are the date, rate, quantity and method of application of the nutrient, and/or form and source of manure, commercial fertilizer, and/or other organic by-products properly recorded in the operating record?**

Rule 901:10-2-16(A)(1)(c)(xiv)

Yes No N/A

Cropping Schedules

- | | |
|--|-------------------------|
| <p>➤ Is the cropping schedule for each site including past year and present year properly recorded in the operating record?
Rule 901:10-2-16(A)(1)(c)(viii)</p> | <p>Yes No N/A</p> |
| <p>➤ Is the crop yield for each site properly recorded in the operating record?
Rule 901:10-2-16(A)(1)(c)(ix)</p> | <p>Yes No N/A</p> |
| <p>➤ Is the actual crop yield for each site properly recorded in the operating record?
Rule 901:10-2-16(A)(1)(c)(xi)</p> | <p>Yes No N/A</p> |

Application Records

- | | |
|--|-------------------------|
| <p>➤ If liquid manure is applied, are drain plugs being used?
Rule 901:10-2-16(A)(1)(c)(iv)</p> | <p>Yes No N/A</p> |
| <p>➤ If liquid manure is applied, are observations of subsurface drains properly recorded in the operating record?
Rule 901:10-2-16(A)(1)(c)(iii) & 901:10-2-14(G)(2)(a)[Winter only]</p> | <p>Yes No N/A</p> |
| <p>➤ Has the equipment for land application been inspected, maintained and properly recorded in the operating record?
Rules 901:10-2-08(A)(2)</p> | <p>Yes No N/A</p> |
| <p>➤ Are there records in the operating record on soil conditions at times of application such as soil cracks?
Rule 901:10-2-16(A)(1)(c) (xvi)</p> | <p>Yes No N/A</p> |
| <p>➤ Are application rates, and nutrients applied, in accordance with ODA rules for nitrogen and phosphorus?
Rule 901:10-2-14(D),(E)</p> | <p>Yes No N/A</p> |
| <p>➤ Are liquid application rates based on the Available Water Capacity chart?
Rule 901:10-2-14(C)(1)(d)</p> | <p>Yes No N/A</p> |

- **Are there records of general weather conditions, temperature and rainfall 24-hours before and after manure applications?**
Rules 901:10-2-12 and 901:10-2-16(A)(1)(c)(xvii)
Yes No N/A

- **Are setbacks maintained and properly recorded in the operating record?**
Appendix A of Rule 901:10-2-14 and Rule 901:10-2-16(A)(1)(c)(vii)
Yes No N/A

- **Is there evidence of documented use of vegetative cover to protect stream channels?**
Rules 901:10-2-14, including Appendix A and 901:10-2-16(A)(1)(c)(vii)
Yes No N/A

VI. INSECT AND RODENT CONTROL

- | | | | |
|--|-----|----|-----|
| ➤ Is the insect and rodent control plan properly implemented by the owner or operator or manager?
Rule 901:10-2-19 & 901:10-2-16(A)(1)(a)(viii) | Yes | No | N/A |
| ➤ Does the insect and rodent control plan describe the inspection frequency to examine pest's populations and pest activities?
Rule 901:2-19(B)(3)(a)(i) | Yes | No | N/A |
| ➤ Are these inspections properly recorded in the operating record?
Rule 901:10-2-19(B)(3)(a)(iii) | Yes | No | N/A |
| ➤ Is proper maintenance of the watering system properly recorded in the operating record?
Rule 901:10-2-19(B)(3)(a)(ii) | Yes | No | N/A |
| ➤ Are daily inspections of drinking water Lines being made and recorded in the operating record?
Rule 901:10-2-08(A)(4)(n) & 901:10-2-19(B)(3)(a)(ii) | Yes | No | N/A |

VII. MORTALITY MANAGEMENT

- **What type of mortality management does the facility have?**

Rule 901:10-2-15 and 901:10-2-16(A)(1)(f)(i)

- **Are there inspection records properly recorded in the operating record on mortality?**

Rules 901:10-2-15 and 901:10-2-16(A)(1)(f)(ii)

Yes No N/A

- **Are Best Management Practices being utilized?**

Rules 901:10-2-08(A)(4)(m)

Yes No N/A

VIII. OPERATING RECORD – GENERAL

- | | | | |
|---|-----|----|-----|
| ➤ Are all operating records up-to-date and available for review by the inspector?
<small>Rules 901:10-2-08 and 901:10-2-16</small> | Yes | No | N/A |
| ➤ Is a copy of the RCC, PTI, PTO and/or NPDES permit with the operating record or located in the site office?
<small>Rule 901:10-2-01(B)(3) for PTI
901:10-2-07(E) for PTO & NPDES
901:10-1-07 for RCC as being part of PTO</small> | Yes | No | N/A |
| ➤ Have the operating records been retained by the owner or operator for minimum of five years?
<small>Rule 901:10-2-16(A)(1)</small> | Yes | No | N/A |
| ➤ Since the last inspection, have any operational changes been made at the facility?
<small>Rule 901:10-1-09(F)</small> | Yes | No | N/A |

IX. VISUAL INSPECTIONS AND OUTSIDE INFORMATION

Water Quality Impacts

- **Is there evidence of actual offsite discharge?**
Rules 901:10-2-08 and 901:10-2-16(A)(1)(a) Yes No N/A
- **Are there areas of concern for water quality impacts?**
Rules 901:10-2-08 and 901:10-2-16 Yes No N/A
- **Is the water well location maintained in a proper manner to avoid contamination?**
Rule 901:10-2-02(A)(1)&(2) Yes No N/A
- **Facility upkeep and general appearance:**
- Above average
 - Average
 - Below average
 - Poor

Describe the upkeep and general appearance of the following:

	Above Average	Average	Below Average	Poor	Comments
Diversion Ditches					
Diversion Dikes					
Berms					
Embankments					
Pipe Runs					
Grassed Waterways					
Vegetative Cover					
Contour Grass Strips					
Settling Basins					
Feed System					
Storage Areas					
Watering system					
Walkways or Walk Areas Inside the Building					
Walkways or Walk Areas Outside the Building					
Feed Alleys					
Chemicals					
Screens					
Ventilation Systems, i.e. Fans					
Others					

X. SUMMARY

- **Were the results of the inspection discussed with either the owner, operator, manager, representative or livestock manager?** Yes No N/A

- **The results will be sent to either the owner, operator, manager, representative, or livestock manager.**

Required Actions:

Recommended Actions:

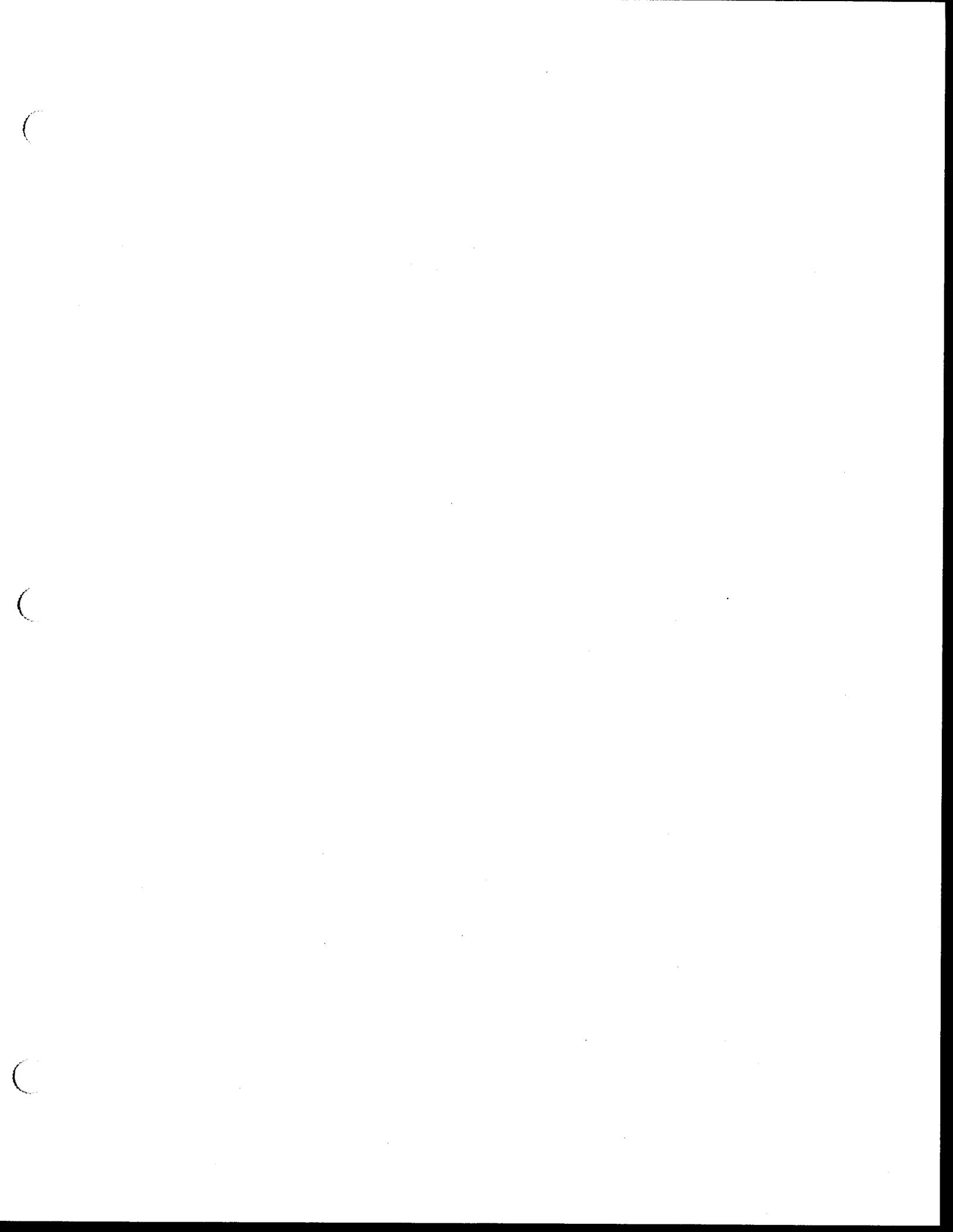
"I certify that this information was reviewed by the inspector and/or the owner, operator, manager, representative, or livestock manager of the facility."

Signature of Owner, Operator, Manager,
Representative or Livestock Manager

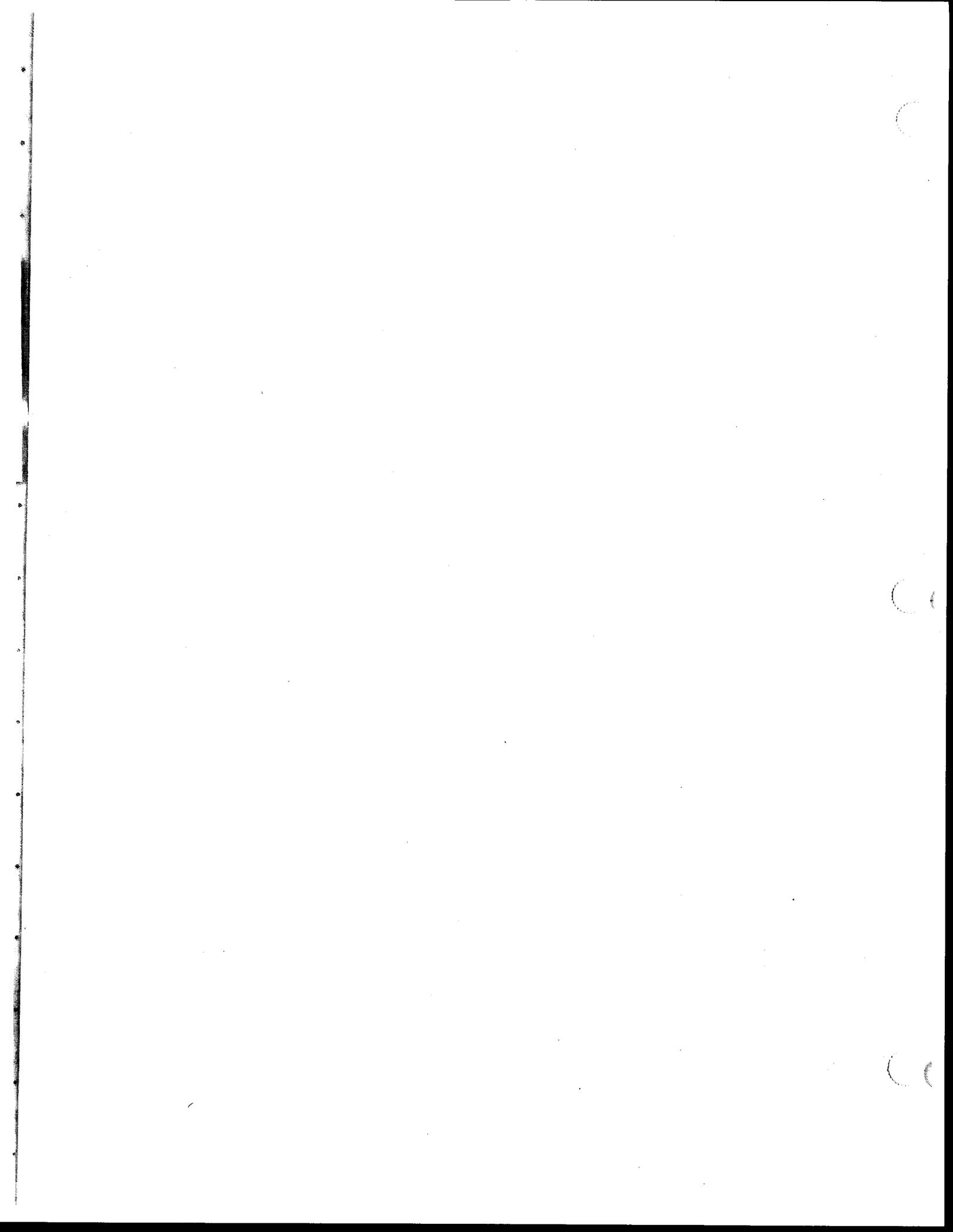
Date

Signature of Inspector

Date



Orders to Issue/Transfer Permits



**Ohio Department of Agriculture
State of Ohio**

Order No: 2006-359

**Permit to Install No. REY-0002.PI002.WOOD
Permit to Operate No. REY-0002.PO002.WOOD**

**RE: Reyskens Dairy Leasing, LLC
Reyskens Dairy, LLC**

Ladies and Gentlemen:

Based on Sections 903.02 and 903.03 of the Ohio Revised Code, the Ohio Department of Agriculture hereby issues Permit to Install No. REY-0002.PI002.WOOD and Permit to Operate No. REY-0002.PO002.WOOD.

Based upon findings that the Facilities are of correct design capacity; that the Facilities' Manure Management Plans, Insect and Rodent Control Plans, and Mortality Management Plans all conform to best management practices; and that the Facilities are operated in a manner that protects the waters of the state, the Director orders the Permit to Install and the Permit to Operate to be issued.

The Permit to Install is valid for twenty-four (24) months after the effective date shown below. The Permit to Install expires after twenty-four (24) months unless there is a continuing program for construction or the permittee has entered into a binding contractual obligation to undertake and complete construction within a reasonable time. The director may extend the expiration of the Permit to Install upon written request of the applicant in accordance with Rule 901:10-1-02 of the Ohio Administrative Code (OAC).

The Permit to Operate is valid for a period of five years but is subject to the following terms and conditions:

1. Stocking animals at an operating level authorized by Permit to Operate No. REY-0002.PO002.WOOD is prohibited until the following documents are received and construction is approved under Permit to Install No. REY-0002.PI002.WOOD in accordance with Rule 901:10-2-01 of the OAC.
 - a) The notarized statement,
 - b) Completed and approved as-built plans, and
 - c) An inspection of the facilities after construction by the Ohio Department of Agriculture.

Reyskens Dairy may continue to stock up to 925 cattle consistent with the terms and conditions of Reyskens Permit to Operate No. REY-0001.PO001.WOOD until such time as the above documents are received and the construction under Permit to Install No. REY-0002.PI002.WOOD is approved. Upon construction approval, Permit to Operate No. REY-0001.PO001.WOOD shall be superseded by Permit to Operate No. REY-0002.PO002.WOOD.

2. In the event that the owner or operator of the facility encounter any oil and gas wells during any land application of manure performed by the owner or operator, then the owner or operator shall notify the Division of Oil and Gas, Ohio Department of Natural Resource of the well location and comply with applicable setbacks for wells as set forth in rule 901:10-2-14 of the Ohio Administrative Code until such time as the well is properly plugged.

The Permit to Operate shall expire at midnight on a date five years from the effective date shown below. In order to receive authorization to continue to operate beyond the date of expiration, the permittee shall apply to renew the Permit to Operate from the Department not later than one hundred eighty days prior to the expiration of the Permit to Operate.

Effective Date of this Order: Upon journalization.

Fred L. Dailey, Director

Fred L. Dailey

Date 10-2-06

Entered Ohio Department of Agriculture Order Journal Oct 2, 2006,
by Cherie Ellis.



Ohio Department of Agriculture
State of Ohio

Order No: 2006-383

Permit to Install No. GRE-0001.PI001.WOOD
Permit to Operate No. GRE-0001.PO001.WOOD

RE: Green Dairy, LLC
11607 Bloomdale Road
Wayne, Ohio 43466

Ladies and Gentlemen:

Based on Sections 903.02 and 903.03 of the Ohio Revised Code, the Ohio Department of Agriculture hereby issues Permit to Install No. GRE-0001.PI001.WOOD and Permit to Operate No. GRE-0001.PO001.WOOD.

Based upon findings that the Facilities are of correct design capacity; that the Facilities' Manure Management Plans, Insect and Rodent Control Plans, and Mortality Management Plans are designed and, if implemented, will conform to best management practices; and provided that the Facilities, constructed in the manner authorized, are operated in a manner that protects the waters of the state, the Director orders the Permit to Install and the Permit to Operate to be issued. Specifically, the Director has determined that the Permit to Install shall authorize installation of additional engineered controls and ground water monitoring pursuant to Ohio Administrative Code (OAC) 901:10-2-02(N) in place of the required 15 feet separation distance required by OAC 901:10-2-02(E). The additional engineered controls are a ground water monitoring network of not fewer than six ground water monitoring wells and an increased liner thickness of four feet of recompacted clay thus exceeding by one foot the required liner depth required by OAC 901:10-2-06(A)(9). The liner for the manure storage ponds shall achieve a hydraulic conductivity of 8.77×10^{-8} cm/sec and shall be monitored with four ground water monitoring wells. The silage leachate collection pond shall achieve a hydraulic conductivity of 7.68×10^{-8} cm/sec and shall be monitored with two ground water monitoring wells

The Permit to Install is valid for twenty-four (24) months after the effective date shown below. The Permit to Install expires after twenty-four (24) months unless there is a continuing program for construction or the permittee has entered into a binding contractual obligation to undertake and complete construction within a reasonable time. The director may extend the expiration of the Permit to Install upon written request of the application in accordance with OAC 901:10-1-02.

This Permit to Operate is valid for a period of five years but is subject to the following terms and conditions:

1. Stocking animals at an operating level authorized by the Permit to Operate is prohibited until the following documents are received and construction approved in accordance with Rule 901:10-2-01 of the OAC.
 - a) The notarized statement,
 - b) Completed and approved as-built plans, and
 - c) An inspection of the facilities after construction by Ohio Department of Agriculture.

2. In the event that the owner or operator of the facility encounter any oil and gas wells during construction or any land application of manure performed by the owner or operator, then the owner or operator shall notify the Division of Mineral Resources, Oil and Gas, Ohio Department of Natural Resource of the well location and comply with applicable setbacks for waters of the state shall apply as set forth in rule 901:10-2-14 of the Ohio Administrative Code until such time as the well is properly plugged.

3. Comply with OAC Chapter 901:10-2, including OAC 901:10-2-08(A)(4)(l) to satisfy the requirements for additional ground water monitoring in accordance with the Director's determination made in accordance with OAC 901:10-2-02(N).

The Permit to Operate shall expire at midnight on a date five years from the effective date shown below. In order to receive authorization to continue to operate beyond the date of expiration, the permittee shall apply to renew the Permit to Operate from the Department not later than one hundred eighty days prior to the expiration of the Permit to Operate.

Effective Date of this Order: Upon journalization.

Fred L. Dailey, Director

Fred L. Dailey
 Date 27 October, 2006



Entered Ohio Department of Agriculture Order Journal Oct. 27, 2006,
 by Carrie Ellis.

Ohio Department of Agriculture
State of Ohio

Order No: 2005-018

Permit to Install No. SUN-0001.PI001.DARK
Permit to Operate No. SUN-0001.PO001.DARK

Robert Krouse, CEO
Midwest Poultry Services, L.P.
PO Box 307
Mentone, IN 46539

RE: Sunny Side Farms, 374 New Weston-Ft. Loramie, Ft. Recovery, OH 45846

Dear Mr. Krouse:

Based on Sections 903.02 and 903.03 of the Ohio Revised Code, the Ohio Department of Agriculture hereby issues Permit to Install No. SUN-0001.PI001.DARK and Permit to Operate No. SUN-0001.PO001.DARK.

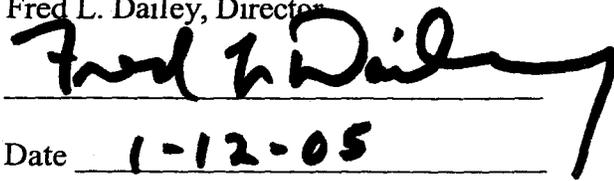
Based upon findings that the Facilities are of correct design capacity; that the Facilities' Manure Management Plans, Insect and Rodent Control Plans, and Mortality Management Plans all conform to best management practices; and that the Facilities are operated in a manner that protects the waters of the state, the Director orders the Permit to Install and the Permit to Operate to be issued.

The Permit to Install is valid for twenty-four (24) months after the effective date shown below. The Permit to Install expires after twenty-four (24) months unless there is a continuing program for construction or the permittee has entered into a binding contractual obligation to undertake and complete construction within a reasonable time.

The Permit to Operate is valid for a period of five years. The Permit to Operate shall expire at midnight on a date five years from the effective date shown below. In order to receive authorization to continue to operate beyond the date of expiration, the permittee shall apply to renew the Permit to Operate from the Department not later than one hundred eighty days prior to the expiration of the Permit to Operate.

Effective Date of this Order: Upon journalization.

Fred L. Dailey, Director


Date 1-12-05



Entered Ohio Department of Agriculture Order Journal Jan 12, 2005, by

Cornie Ellis

**Ohio Department of Agriculture
State of Ohio**

Order No: 2006-228

**Permit to Install No. SPR-0001.PI001.WILL
Permit to Operate No. SPR-0001.PO001.WILL**

Arnoldus De Kleijne
17495 County Road C
Bryan, OH 43506

RE: Springfield Dairy, LLC, 17495 County Road C, Bryan, OH 43506

Dear Mr. De Kleijne:

Based on Sections 903.02 and 903.03 of the Ohio Revised Code, the Ohio Department of Agriculture hereby issues Permit to Install No.SPR-0001.PI001.WILL and Permit to Operate No. SPI-0001.PO001.WILL.

Based upon findings that the Facilities are of correct design capacity; that the Facilities' Manure Management Plans, Insect and Rodent Control Plans, and Mortality Management Plans all conform to best management practices; and that the Facilities are operated in a manner that protects the waters of the state, the Director orders the Permit to Install and the Permit to Operate to be issued, subject to the conditions enumerated below.

The Permit to Install is valid for twenty-four (24) months after the effective date shown below.

Condition 1: Of the six (6) well logs documented in the Permit to Install, one well log states that no water was found and that casing for this well was pulled and the well properly closed. Two (2) of the six well logs document proper seal and closure of wells and an additional two (2) well logs document proper development of these two wells for production at the Facilities. Before commencing construction and installation as otherwise authorized, the additional last well of six shall be located and tested. If testing demonstrates that the well may be used for production, then the well will be properly raised and capped. If the water is not to be used for production, the well casing will be pulled and the well will be properly sealed and closed.

The Permit to Install expires after twenty-four (24) months unless there is a continuing program for construction or the permittee has entered into a binding contractual obligation to undertake and complete construction within a reasonable time. The director may extend the expiration of the Permit to Install upon written request of the application in accordance with Rule 901:10-1-02 of the Ohio Administrative Code (OAC).

The Permit to Operate is valid for a period of five years but is subject to the following terms and conditions:

Condition 2: Stocking animals at an operating level authorized by the Permit to Operate is prohibited until the following documents are received and construction approved in accordance with Rule 901:10-2-01 of the OAC.

- a) The notarized statement,
- b) Completed and approved as-built plans, and
- c) An inspection of the facilities after construction by Ohio Department of Agriculture.

The Permit to Operate shall expire at midnight on a date five years from the effective date shown below. In order to receive authorization to continue to operate beyond the date of expiration, the permittee shall apply to renew the Permit to Operate from the Department not later than one hundred eighty days prior to the expiration of the Permit to Operate.

Effective Date of this Order: Upon journalization.

Fred L. Dailey, Director

Fred L. Dailey / ASW

Date May 25, 2006

Entered Ohio Department of Agriculture Order Journal May 25, 2006,
by Craig Ellis.



Ohio Department of Agriculture
State of Ohio

Order No: 2004-121

Permit to Install No. WAR-0001.PI001.MERC
Permit to Operate No. WAR-0001.PO001.MERC

June 1, 2004

Melvin "Al" Warnock, Jr.
205 South Wayne Street
Fort Recovery, Ohio 45846

RE: Warnock Poultry Farm, 196 Fox Road, Fort Recovery, Ohio 45846

Dear Mr. Warnock:

Based on Sections 903.02 and 903.03 of the Ohio Revised Code the Ohio Department of Agriculture, hereby issues Permit to Install No. WAR-0001.PI001.MERC and Permit to Operate No. WAR-0001.PO001.MERC.

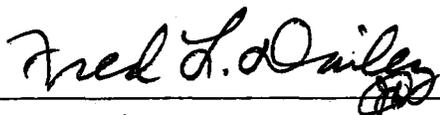
Based upon findings that the Facilities are of correct design capacity; that the Facilities' Manure Management Plans, Insect and Rodent Control Plans, and Mortality Management Plans all conform to best management practices; and that the Facilities are operated in a manner that protects the waters of the state, the Director orders the Permit to Install and the Permit to Operate to be issued.

The Permit to Install is valid for twenty-four (24) months after the effective date shown below. The Permit to Install expires after twenty-four (24) months unless there is a continuing program for construction or the permittee has entered into a binding contractual obligation to undertake and complete construction within a reasonable time.

The Permit to Operate is valid for a period of five years. The Permit to Operate shall expire at midnight on a date five years from the effective date shown below. In order to receive authorization to continue to operate beyond the date of expiration, the permittee shall apply to renew the Permit to Operate from the Department not later than one hundred eighty days prior to the expiration of the Permit to Operate.

Effective Date of this Order: Upon journalization.

Fred L. Dailey, Director



Date

6-1-04



Entered Ohio Department of Agriculture Order Journal June 1, 2004, by
Connie Ellis

**Ohio Department of Agriculture
State of Ohio**

In re: Review Compliance

Order No: 2006-072

Certificate No. RNWF-0002.RC001-
SCIO

Richard and Wendy Breneman
RNW Farm, LLC
9100 Smucker Rd.
Smithville, Ohio 44677

Order

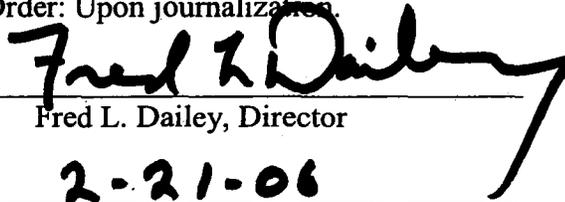
1. On May 26, 2004, the Director of the Ohio Department of Agriculture (Director and ODA) issued an Order for a Review Compliance Certificate (RCC), Order No. 2004-177, as well as RCC PINE-0001.RC001-SCIO.
2. As required by rule 901:10-1-08 of the Ohio Administrative Code (OAC), Jack Graves and Andy Hanson, the owners of Pine Creek Farm, as so identified on Order No. 2004-177, and Richard Breneman informed the Director by letters received January 25 and 26, 2006, of a proposed change of ownership such that Richard Breneman and Wendy Breneman will assume ownership and will assume responsibilities of the operations of the concentrated animal feeding facility (CAFF or Facility) which shall be known as RNW Farm, LLC.
3. As required by paragraph (C) of Section 903.05 of the Ohio Revised Code (ORC) and OAC rule 901:10-1-08, Richard Breneman provided the following information:
 - a. Richard and Wendy Breneman will be the owners of RNW Farm, LLC, located at 710 A Apel Road, Franklin Furnace, Ohio.
 - b. Richard Breneman will assume responsibilities as the owner and operator of RNW Farm, LLC.
 - c. Richard Breneman has the right to control or in fact controls management of RNW Farm, LLC, within the meaning of paragraph (C) of ORC Section 903.05
4. Richard Breneman provided the Director with information regarding compliance history of Breneman Farms in Wayne County, Ohio.
5. The Director finds, based on the information provided by Richard Breneman pursuant to paragraph (C) of section 903.05 of the ORC and by paragraph (D) of

rule 901:10-1-08 of the OAC, that Richard Breneman has sufficient reliability, expertise, and competence to operate the Facility in substantial compliance with ORC chapter 903 and OAC 901:10-1 to 901:10-6.

6. Based on Section 903.05 of the ORC and rule 901:10-1-08 of the OAC, and based further on the information regarding compliance history submitted by RNW Farm, LLC, the Director of the Ohio Department of Agriculture hereby issues Order No. 2006-~~172~~ to transfer RCC PINE-0001.RC001-SCIO from Jack Graves and Andy Hanson of Pine Creek Farms to the owner and operator, Richard Breneman as RNWF-002.RC001-SCIO.
7. Based on the foregoing information submitted by Richard Breneman and RNW Farm, LLC, the Director hereby issues Order No. 2006-~~M2~~ to supercede and modify Order No. 2004-177 and thereby approves Richard Breneman and Wendy Breneman as owners and Richard Breneman as operator of RNW Farm, LLC.
8. All other terms and conditions of Order No. 2004-117 and RCC PINE-0001.RC001-SCIO shall remain in full force and effect.

Effective Date of this Order: Upon journalization.

IT IS SO ORDERED:


Fred L. Dailey, Director

2-21-06
Date



Ohio Department of Agriculture
State of Ohio

In re: Permit to Operate
Permit to Install

Order No: 2005-490
Permit to Install No. REY-0001-
PT001.WOOD
Permit to Operate No. REY-0001-
PT001.WOOD

Reyskens Dairy Leasing LLC
Reyskens Dairy LLC
19480 Cygnet Road
Custar, Ohio 43511

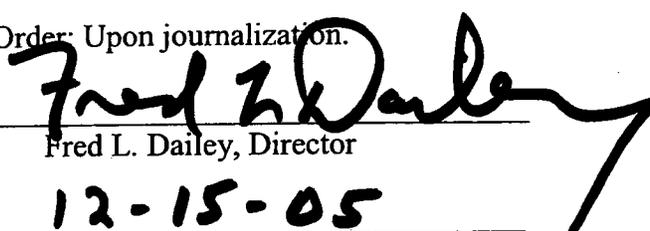
**Order Transferring the Permit to Install and Permit to
Operate from Carolus van de Heijning to Reyskens
Dairy Leasing, LLC**

1. On August 6, 2004, the Director of the Ohio Department of Agriculture ("Director" and "ODA") issued an Order (Order No. 2004-264) granting a Permit to Install ("PTI") (REY-0001.PI001.WOOD) and Permit to Operate ("PTO") (REY-0001-PO001.WOOD) to Carolus F.M. Van de Heijning as the owner and operator of Reyskens Dairy.
2. As required by paragraph (B)(1) of rule 901:10-1-08 of the Ohio Administrative Code ("OAC"), on December 9, 2005, Carolus van de Heijning informed the Director that Carolus van de Heijning intended to transfer ownership of Reyskens Dairy to Reyskens Dairy Leasing, LLC and to transfer the operation of this concentrated animal feeding facility ("Facility") to Reyskens Dairy, LLC. Accordingly, Carolus van de Heijning requested a transfer of the PTI and the PTO from Carolus van de Heijning to Reyskens Dairy Leasing, LLC and requested approval of transfer of operation of the facility to Reyskens Dairy, LLC.
3. As required by paragraph (C) of Section 903.05 of the ORC and paragraph (C) of rule 901:10-1-08 of the OAC, Carolus van de Heijning provided the following information to the Director:
 - a. Reyskens Dairy Leasing, LLC is owned by members Carolus (Karel) van de Heijning and Maria (Marianne) G.A. Verheijen;
 - b. Carolus (Karel) van de Heijning and Maria (Marianne) G.A. Verheijen are the only members of Reyskens Dairy Leasing, LLC;
 - c. Reyskens Dairy Leasing, LLC will assume responsibilities as the owner of the Facility;

- d. Reyskens Dairy Leasing, LLC has a right to control or in fact controls management of the Facility within the meaning of paragraph (C) of Section 903.05 of the ORC;
 - e. Reyskens Dairy, LLC is owned by members Mark van de Heijning and Patrick van de Heijning;
 - f. Mark van de Heijning is the managing member of Reyskens Dairy, LLC;
 - g. Reyskens Dairy, LLC will assume responsibilities as the operator of the Facility within the meaning of OAC 901:10-1-01(PPP)(3).
4. Reyskens Dairy Leasing, LLC and Reyskens Dairy, LLC provided the Director with the information required by paragraph (C) of section 903.05 of the ORC and by paragraph (D) of rule 901:10-1-08 of the OAC regarding compliance history.
5. The Director finds, based on the information provided by Reyskens Dairy Leasing, LLC and Reyskens Dairy, LLC pursuant to paragraph (C) of section 903.05 of the ORC and by paragraph (D) of rule 901:10-1-08 of the OAC, that Reyskens Dairy Leasing, LLC and Reyskens Dairy, LLC have sufficient reliability, expertise, and competence to operate the Facility in substantial compliance with ORC chapter 903 and OAC 901:10.
6. Based on Section 903.05 of the ORC and rule 901:10-1-08 of the OAC, and based further on the foregoing additional information regarding compliance history submitted by Reyskens Dairy Leasing, LLC and Reyskens Dairy, LLC, the Director of the Ohio Department of Agriculture hereby issues Order No. 2005-490 to transfer PTI REY-0001.PI001.WOOD and PTO REY-0001-PO001.WOOD from Carolus van de Heijning to the owner Reyskens Dairy Leasing, LLC and operator, Reyskens Dairy, LLC as PTI REY-0001.PT001.WOOD and PTO REY-0001-PT001.WOOD.
7. All terms and conditions of Order No. 2004-264 and PTI REY-0001.PI001.WOOD and PTO REY-0001-PO001.WOOD shall remain in full force and effect and are hereby incorporated in full into permits for Reyskens Dairy Leasing, LLC as PTI REY-0001.PT001.WOOD and PTO REY-0001-PT001.WOOD.

Effective Date of this Order: Upon journalization.

IT IS SO ORDERED:


Fred L. Dailey, Director

12-15-05
Date

TRANSFER AGREEMENT

The transferor, Carolus van de Heijning, agrees to transfer the ownership of Reyskens Dairy, located at 19480 Cygnet Road, Custar, OH 43511, to Reyskens Dairy Leasing, LLC. Carolus van de Heijning agrees to transfer the operation of this dairy to Reyskens Dairy, LLC. The transfer date for both ownership and operation shall be January 15, 2006, at which time the responsibility, coverage, and liability under the Ohio Department of Agriculture's permits for the dairy will be transferred.

Reyskens Dairy Leasing, LLC agrees to assume all responsibilities of Carolus van de Heijning for ownership of the dairy, and Reyskens Dairy, LLC agrees to assume all responsibilities of Carolus van de Heijning for operation of the dairy, including all responsibilities for compliance with the permits issued by the Ohio Department of Agriculture for the dairy.

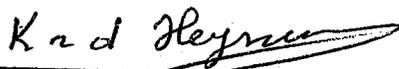
IT IS SO AGREED:

On Behalf of the Transferor:



Carolus (Karel) van de Heijning
316 Rudolph Road
North Baltimore OH 45872
On Behalf of Transferee

Reyskens Dairy Leasing, LLC



Carolus (Karel) van de Heijning
Member
316 Rudolph Road
North Baltimore OH 45872

On Behalf of Transferee
Reyskens Dairy, LLC



Mark van de Heijning
316 Rudolph Road
North Baltimore OH 45872

Carolus (Karel) van de Heijning
316 Rudolph Road
North Baltimore OH 45872

December 9, 2005

Mr. Fred L. Dailey, Director
Ohio Department of Agriculture
8995 E. Main Street
Reynoldsburg, OH 43068-3399

RECEIVED
DEC 15 2005
REGISTRATION

Re: Reyskens Dairy
PTI: REY-0001-P1001.WOOD
PTO: REY-0001-P1001.WOOD

Dear Director Dailey:

Pursuant to OAC 901:10-1-08, I am notifying you of my intent to transfer the ownership of Reyskens Dairy, located at 19480 Cygnet Road, Custar, OH 43511. The new owner will be Reyskens Dairy Leasing, LLC, and the new operator will be Reyskens Dairy, LLC. The address for both transferee companies will be the same as the dairy's address.

Maria (Mariette) G.A. Verheijen and I are the members of Reyskens Dairy Leasing, LLC. Mark van de Heijning and Patrick van de Heijning are the members of Reyskens Dairy, LLC. Mark is the Manager of Reyskens Dairy, LLC. More information about the ownership of the two companies is provided in the enclosed compliance information.

As stated in the enclosed transfer agreement, the transfer date will be January 15, 2006. The transfer agreement also contains the transferees' commitment to assume all responsibilities of the transferor.

Truly yours,

Carolus van de Heijning

cc: Kevin Elder

**Ohio Department of Agriculture
Draft Permit to Install and Draft Permit to Operate
Draft Permit to Install No. EAS-0001.PI001.CLAR
Draft Permit to Operate No. EAS-0001.PO001.CLAR**

PUBLIC NOTICE

Ohio Department of Agriculture
Livestock Environmental Permitting Program
8995 East Main Street
Reynoldsburg, Ohio 43068
614-387-0470

Date of Issue of Public Notice: October 4, 2004

Name and address of applicant: Dirk Winkel, 3053 Summerford Rd., South Charleston, Ohio, 45368

Name and address of facility: Eastwood Dairy LLC, 9235 Wildman Rd., South Charleston, Ohio, 45368

Public notice is hereby given that the Ohio Department of Agriculture is accepting comments on Eastwood Dairy's draft Permit to Install. The draft Permit to Install is for two, 600-cow free stall dairy barns; one, 300 dry cow dairy barn attached to a new milking parlor; two earthen storage ponds; and two concrete settling basins. This is a new dairy farm, and the owner intends to construct a 1,500-cow dairy facility, which is a design capacity of 2,100 animal units.

Public comments are also being accepted on Eastwood Dairy's draft Permit to Operate for the entire farm. The draft Permit to Operate is to regulate operations with plans for manure management, insect and rodent control, mortality management, and emergency response. It would be valid for a five-year period, at which time the owner would be required to renew the operating permit.

In accordance with rule 901:10-6-01 of the Ohio Administrative Code, ODA will provide an opportunity for public comment concerning these permits. The permit applicant has already made a request for a public meeting. Oral comments can be made on the record at the public meeting on November 10, 2004, at 7 p.m. in the Auditorium at South Eastern High School, 195 East Jamestown St., South Charleston. Any person may submit written comments on the draft permits at any time within 30 days. Written comments must be received by ODA no later than 5 p.m. on November 18, 2004, which is 5 business days after the date of the public meeting. Comments must be delivered or mailed to ODA Livestock Environmental Permitting Program, 8995 East Main Street, Reynoldsburg, Ohio 43068. The Director will not consider comments received after November 18, 2004, before making a determination on the final permits.

Copies of the draft Permit to Install and draft Permit to Operate may be reviewed and/or copies made at the ODA Livestock Environmental Permitting Program, 8995 East Main Street, Reynoldsburg, Ohio 43068, by first calling 614-387-0470 to make an appointment.

Deb Abbott

From: Deb Abbott [abbott@mail.agri.state.oh.us]
Sent: Wednesday, September 29, 2004 4:22 PM
To: 'mjpowell@coxohio.com'
Subject: legal notice for Monday, Oct. 4, 2004

The attached document is a legal notice for publication Monday, October 4, 2004. Please call or reply to this e-mail that this has been received and will be published. And please call immediately with any questions. Billing address is below and should be directed to Peggy Jackson.

Ohio Department of Agriculture
Livestock Environmental Permitting Program
89995 East Main Street
Reynoldsburg, OH 43068

Thank you!

Deborah Abbott
Public Information Officer 2
Ohio Department of Agriculture
Livestock Environmental Permitting Program
direct phone: 614-387-0914
fax: 614-728-6335
website: www.ohioagriculture.gov
Program's page: www.ohioagriculture.gov/lepp



Eastwood-Public-Noti-
tice.doc

Deb Abbott

From: Powell, Melissa [mjpowell@coxohio.com]
Sent: Wednesday, September 29, 2004 4:44 PM
To: abbott@mail.agri.state.oh.us
Subject: RE: legal notice for Monday, Oct. 4, 2004

Your ad will run as requested.

Thanks,
Melissa Powell
Classified Advertising
Springfield News Sun
Phone 937-328-0316
E-Mail
mjpowell@coxohio.com

-----Original Message-----

From: Deb Abbott [mailto:abbott@mail.agri.state.oh.us]
Sent: Wednesday, September 29, 2004 4:22 PM
To: Powell, Melissa
Subject: legal notice for Monday, Oct. 4, 2004

The attached document is a legal notice for publication Monday, October 4, 2004. Please call or reply to this e-mail that this has been received and will be published. And please call immediately with any questions. Billing address is below and should be directed to Peggy Jackson.

Ohio Department of Agriculture
Livestock Environmental Permitting Program
1995 East Main Street
Reynoldsburg, OH 43068

Thank you!

Deborah Abbott
Public Information Officer 2
Ohio Department of Agriculture
Livestock Environmental Permitting Program
direct phone: 614-387-0914
fax: 614-728-6335
website: www.ohioagriculture.gov
Program's page: www.ohioagriculture.gov/lepp

Deb Abbott

From: Powell, Melissa [mjpowell@coxohio.com]
Sent: Wednesday, September 29, 2004 4:44 PM
To: abbott@mail.agri.state.oh.us
Subject: RE: legal notice for Monday, Oct. 4, 2004

Your ad will run as requested.

Thanks,
Melissa Powell
Classified Advertising
Springfield News Sun
Phone 937-328-0316
E-Mail
mjpowell@coxohio.com

-----Original Message-----

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Subject: legal notice for Monday, Oct. 4, 2004

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Ohio Department of Agriculture
Livestock Environmental Permitting Program
9995 East Main Street
Seynoldsburg, OH 43068

Thank you!

Deborah Abbott
Public Information Officer 2
Ohio Department of Agriculture
Livestock Environmental Permitting Program
direct phone: 614-387-0914
fax: 614-728-6335
website: www.ohioagriculture.gov
Program's page: www.ohioagriculture.gov/lepp



NEWS RELEASE: Ohio Department of Agriculture

LIVESTOCK ENVIRONMENTAL PERMITTING PROGRAM



Governor Bob Taft
Lieutenant Governor Jennette B. Bradley
Director Fred L. Dailey

Livestock Environmental Permitting Program
8995 East Main Street • Reynoldsburg, Ohio 43068
Phone: 614-387-0470 • Fax 614-728-6335

ODA home page: www.ohioagriculture.gov • e-mail: lepp@mail.agri.state.oh.us

FOR IMMEDIATE RELEASE

October 4, 2004

Contact: Deborah Abbott, Livestock Environmental Permitting Program, 614-387-0914

ODA Issues Public Notice for Draft Permit to Install and Draft Permit to Operate for Eastwood Dairy: Information Sessions and Public Meeting Scheduled

REYNOLDSBURG – The Ohio Department of Agriculture has issued a public notice that it is accepting comments on a draft Permit to Install and draft Permit to Operate for Eastwood Dairy. ODA has scheduled two opportunities for the public to ask questions about the draft permits and one opportunity to provide oral comments about the draft permits.

Eastwood Dairy LLC is located in Clark County, Madison Township, 9235 Wildman Road, South Charleston, Ohio. It is owned and would be operated by Dirk Winkel. This is a new dairy farm, and Winkel intends to construct a 1,500-cow dairy facility, which is a design capacity of 2,100 animal units.

Eastwood Dairy's draft Permit to Install is for two, 600-cow free stall dairy barns; one, 300 dry cow dairy barn attached to a new milking parlor; two earthen storage ponds; and two concrete settling basins.

Eastwood Dairy's draft Permit to Operate is for the entire farm. The draft Permit to Operate is to regulate operations with plans for manure management, insect and rodent control, mortality management, and emergency response. It would be valid for a five-year period, at which time the owner would be required to renew the operating permit.

Two opportunities for the public to ask questions about the Eastwood Dairy's draft Permit to Install and draft Permit to Operate are scheduled. ODA staff will hold an information session on ~~Thursday, October 21~~, 2004, from 7 to 9 p.m. in the Auditorium at South Eastern High School, 195 East Jamestown St. in South Charleston where a presentation about the draft permits will be made, followed by a question and answer session.

A second public information session is scheduled for Monday, November 1, 2004, from 7 to 9 p.m. also in the Auditorium at South Eastern High School in South Charleston. Both meetings will be identical in content and format and are opportunities for the public to ask ODA's Livestock Environmental Permitting Program technical staff questions about the draft Permit to Install, draft Permit to Operate, and the public participation process.

(more)

The public meeting on Wednesday, November 10, 2004, at 7 p.m. also in the Auditorium at South Eastern High School in South Charleston will be a time where interested persons can submit oral or written comments on the record concerning the draft Permit to Install and draft Permit to Operate for the Eastwood Dairy. Oral comments may have time restrictions depending upon the number of people at the meeting. Written comments are accepted now until 5 p.m. on Monday, November 18, 2004, five business days after the public meeting, but will not be considered if they are received after that date. Written comments can be turned in at the public meeting or sent to ODA's Livestock Environmental Permitting Program.

Copies of the draft permits can be viewed at the ODA Livestock Environmental Permitting Program offices, 8995 East Main Street, Reynoldsburg, 614-387-0470 or at the Clark Soil and Water Conservation District office, 4400 Gateway Blvd., Suite 103, Springfield, 937-328-4600. Those interested should call ahead and make an appointment to view the documents. Written comments cannot be submitted to the Clark SWCD office.

On August 19, 2002, the ODA Livestock Environmental Permitting Program began implementing rules regulating Ohio's large livestock and poultry farms with more than 1,000 animal units. These rules established construction standards for all new and existing large livestock and poultry farms; all aspects of manure storage, handling, transportation, and land-application by these farms; the farms' insect and rodent control plans; and compliance and enforcement procedures. You can find more information on ODA's Livestock Environmental Permitting Program at www.ohioagriculture.gov/lepp.

FAX COVER SHEET

Ohio Department of Agriculture
Livestock Environmental Permitting Program
8995 East Main Street, Reynoldsburg, Ohio 43068
phone: 614-387-0470 fax: 614-728-6335

TO: Newsroom – Springfield News-Sun **FROM:** _____ Deborah Abbott

Phone: 937-328-0300 _____ Phone: 614-387-0914 _____

Fax: 937-328-0328 _____ Fax: 614-728-6335

Subject: attached press release _____

Number of pages (including cover sheet): 3 _____

Note to editors

***You can find more information on ODA's Livestock
Environmental Permitting Program's website at
www.ohioagriculture.gov/lepp***

Transmission Report

Date/Time
Local ID
Local Name
Company Logo

10- 4-04; 8:39AM
61472863335
livestock permits

This document was confirmed.
(reduced sample and details below)
Document Size Letter-S

FAX COVER SHEET

Ohio Department of Agriculture
Livestock Environmental Permitting Program
8995 East Main Street, Reynoldsburg, Ohio 43068
phone: 614-387-0470 fax: 614-728-6335

TO: Newsroom - Springfield News-Sun FROM: _____ Deborah Abbott

Phone: 937-328-0300 _____ Phone: 614-387-0914 _____

Fax: 937-328-0328 _____ Fax: 614-728-6335

Subject: attached press release _____

Number of pages (including cover sheet): 3 _____

Note to editors
You can find more information on ODA's Livestock
Environmental Permitting Program's website at
www.ohioagriculture.gov/lepp

Total Pages Scanned : 3 Total Pages Confirmed : 3

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Completed	RM: Receive to Memory	DR: Document Removed	TM: Terminated by user
Host Scan	HP: Host Print	FO: Forced Output	WT: Waiting Transfer
Host Fax	HR: Host Receive	FM: Forward Mailbox Doc.	WS: Waiting Send

FAX COVER SHEET

Ohio Department of Agriculture
Livestock Environmental Permitting Program
8995 East Main Street, Reynoldsburg, Ohio 43068
phone: 614-387-0470 fax: 614-728-6335

TO: NEWSROOM _____ FROM: Deborah Abbott _____
Enon Messenger & New Carlisle Sun

Phone: 937-864-1136 & 845-3861 Phone: 614-387-0914 _____

Fax: 937-845-3577 _____ Fax: 614-728-6335

Subject: attached press release _____

Number of pages (including cover sheet): 3 _____

Note to editors

***You can find more information on ODA's Livestock
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www.ohioagriculture.gov/lepp***

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10- 4-04; 8:41AM
61472863335
livestock permits

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8995 East Main Street, Reynoldsburg, Ohio 43068
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8995 East Main Street, Reynoldsburg, Ohio 43068
phone: 614-387-0470 fax: 614-728-6335

TO: NEWSROOM _____ FROM: Deborah Abbott _____
WBLY

Phone: 937-390-1693 _____ Phone: 614-387-0914 _____

Fax: 937-399-8767 _____ Fax: 614-728-6335

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Host Fax

RE: Resend
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DR: Document Removed
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FM: Forward Mailbox Doc.

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TO: NEWSROOM _____ FROM: Deborah Abbott _____
WEEC

Phone: 937-399-7837 _____ Phone: 614-387-0914 _____

Fax: 937-399-7802 _____ Fax: 614-728-6335

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phone: 614-387-0470 fax: 614-728-6335

TO: NEWSROOM _____
WKSJ

FROM: Deborah Abbott _____

Phone: 937-653-5477 _____

Phone: 614-387-0914 _____

Fax: 937-399-3661 _____

Fax: 614-728-6335

Subject: attached press release _____

Number of pages (including cover sheet): 3 _____

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61472863335
livestock permits

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Ohio Department of Agriculture
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phone: 614-387-0470 fax: 614-728-6335

TO: NEWSROOM _____ FROM: Deborah Abbott _____
WKSW
Phone: 937-653-6477 _____ Phone: 614-387-0914 _____
Fax: 937-399-3661 _____ Fax: 614-728-6335
Subject: attached press release _____
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FACT SHEET: Ohio Department of Agriculture

LIVESTOCK ENVIRONMENTAL PERMITTING PROGRAM



Governor Bob Taft
Lieutenant Governor Jennette B. Bradley
Director Fred L. Dailey

Livestock Environmental Permitting Program
8995 East Main Street • Reynoldsburg, Ohio 4306
Phone: 614-387-0470 • Fax 614-728-6333

ODA home page: www.ohioagriculture.gov • e-mail: lepp@mail.agri.state.oh.us

FOR IMMEDIATE RELEASE

October 4, 2004

Contact: Deborah Abbott, Livestock Environmental Permitting Program, 614-387-0914

FACT SHEET: Eastwood Dairy LLC Draft Permit to Install and Draft Permit to Operate

General overview of the farm

Eastwood Dairy LLC is located in Clark County, Madison Township, 9235 Wildman Road, South Charleston, Ohio. It is owned and would be operated by Dirk Winkel. This is a new dairy farm, and Winkel intends to construct a 1,500-cow dairy facility, which is a design capacity of 2,100 animal units. Eastwood Dairy is located in the Little Miami Watershed.

Under state law, the construction of a 1,500-cow dairy requires its owner to obtain a Permit to Install and a Permit to Operate from the Ohio Department of Agriculture. Vreba-Hoff Dairy Development of Wauseon prepared the permit applications, Clark Soil and Water Conservation District prepared the manure management plan, and North Point Engineering of North Canton prepared the engineering plans.

Overview of Permit to Install

Eastwood Dairy's draft Permit to Install is for two, 600-cow free stall dairy barns, one, 300 dry cow dairy barn attached to a new milking parlor, two earthen storage ponds, and two concrete settling basins. One earthen storage pond would be for contaminated storm water from the site, and the other storage pond would be used for manure storage. The storm water pond would have storage for approximately 4.9 million gallons of contaminated storm water, providing approximately 183 days of storage. The manure storage structure is proposed to store approximately 15.2 million gallons of manure, providing 366 days of storage. The two concrete settling basins would be located adjacent to each of the freestall barns and would be used to settle out the sand portion of the bedding before it is pumped to the manure storage pond. Each basin would be built with a stacking pad for the sand solids, and together they would provide 371 days of sand storage.

Overview of Permit to Operate

Eastwood Dairy's draft Permit to Operate is for the entire farm. The draft Permit to Operate would regulate farm operations with plans for manure management, insect and rodent control, mortality management, and emergency response. It would be valid for a five-year period, at which time the owner would be required to renew the operating permit.

(more)

Upon completion of the proposed construction, Eastwood Dairy would be capable of housing 1,500 mature dairy cows. The annual predicted manure production would be approximately 15 million gallons, which includes 9.4 million gallons of manure, 160,600 gallons of bedding, and 3.3 million gallons of wash water. An estimated 2.2 million gallons of wastewater would be collected annually from precipitation that falls directly on the manure storage structures and other areas, such as the silage pad, that would contribute contaminated storm water. Therefore, the total amount of liquid that would be stored annually is approximately 15.1 million gallons. In addition to liquid waste, the sand bedding would contribute approximately 11,000 dry tons of waste, of which 90 percent would be separated out.

All milking parlor wash water would flow into one of the two settling basins, and manure from the freestall barns would be scraped to their respective concrete settling basins where about 90 percent of the sand bedding is settled out and stored, while the liquid manure would then be pumped into a manure storage structure.

A storm water pond would be installed to collect contaminated storm water from the silage pads and areas around the commodities building. This wastewater would be used to irrigate crops as needed or pumped to the manure pond, which is designed to accept the excess liquid when land application is not practical.

The Eastwood Dairy has approximately 1,494 acres available for the application of the manure and wastewater from the dairy. The liquid waste stored in the manure storage ponds would be applied with a drag-hose injection system predominantly during the spring and fall, as weather permits, by a custom applicator. The sand solids would be applied throughout the year as weather permits.

A 5-year cropping rotation was evaluated for this permit with 186 acres of alfalfa with an expected yield of 6 tons per acre, 282 acres of corn with an expected yield of 175 bushels per acre, 701 acres of corn silage with an expected yield of 25 tons per acre, 275 acres of soybeans with an expected yield of 50 bushels per acre, and 50 acres of wheat with an expected yield of 80 bushels per acre.

The manure nutrient analysis for this facility was calculated based on actual manure samples from a similar facility. Total sand bedding was estimated to be 5,420 tons per year. The nutrient analysis utilized for this operation is as follows:

Total N per dry ton of manure = 3.2 lbs.

P₂O₅ per dry ton of manure = 5.5 lbs.

K₂O per dry ton of manure = 4.9 lbs.

The standard annual rate of solid manure would be applied at a rate of 20 dry tons per acre on available ground throughout the year.

The liquid manure nutrient analysis utilized for this operation was provided by a similar type operation and is as follows:

Total N per 1000 gallons of manure = 10.2 lbs.

P₂O₅ per 1000 gallons of manure = 8.0 lbs.

K₂O per 1000 gallons of manure = 15.0 lbs.

The standard annual rate of liquid manure would be 9,000 – 25,000 gallons per acre on all the acreage. Final rates would vary depending on crop nutrient requirements, and one-time rates would not exceed 13,000 gallons per acres.

An Insect and Rodent Control plan is required as part of the draft Permit to Operate to minimize the presence and negative effects of insects and rodents. Eastwood Dairy's Insect and Rodent Control Plan includes monitoring the barns on a weekly basis for flies and rodents. Speck cards or sticky tapes would be used to monitor for flies. Weekly visual inspections would be made for rodents. Rodent traps would be set and monitored by a pest control firm at least twice per month. A pest control firm would also routinely spray around the facility. Trends would be tracked by reviewing the speck card data both weekly and quarterly. More detail on the Insect and Rodent Control Plan would be found in the draft Permit to Operate.

A Mortality Management Plan is also required for the disposal of dead animals. Approved methods for disposal are burying, burning, rendering, or composting. Eastwood Dairy has selected rendering as their method of disposal.

An Emergency Response Plan is the last plan required by the draft Permit to Operate to ensure accidents or emergencies are handled quickly and efficiently to maintain the safety of the environment, wildlife, and water supplies. Any spills would be halted and contained, the proper authorities would be notified, and the area would be cleaned and restored to the original condition. Prearranged emergency access agreements with neighbors are in place. Prearranged emergency equipment and supplies, such as an irrigation pump, bulldozer, backhoe, and vacuum slurry tank, are also in place. In case of fire, there is a fire emergency response information sheet to assist farm personnel in contacting local fire protection districts.

Finally, an Operating Record is contained in the draft Permit to Operate that includes all forms and information that must be maintained by the facility to show compliance with ODA's rules. These records include inspection of the manure storage structures, manure characterization, land applications, insect and rodent control, distribution and utilization of manure, and mortality management. These records would be inspected by the ODA at least twice annually.

Livestock Environmental Permitting Program

Ohio Department of Agriculture

8995 East Main Street - Reynoldsburg, OH 43068
toll-free: 1-800-282-1955 or direct: 614-387-0470
lepp@mail.agri.state.oh.us

Deborah Abbott
Kelly Harvey

Public Information Officer
Community Relations Liaison

Web site address: <http://www.ohioagriculture.gov/lepp>

Information Session #1

Date: October 18, 2004

Time: 7:00-9:00 p.m.

Location: Southeastern High School

Information Session #2

Date: November 1, 2004

Time: 7:00-9:00 p.m.

Location: Southeastern High School

Pubic Meeting

Date: November 10

Time: 7:00 p.m.

Location: Southeastern High School

How can I comment on the draft permits?

The Livestock Environmental Permitting Program is accepting written comments on Eastwood Dairy draft permit to install and draft permit to operate until November 18, 2004 (**written comments must be received by 5 p.m., November 18**). To submit written comments, you must include your name and address. Please send your comments via e-mail to lepp@mail.agri.state.oh.us or via regular mail to the Livestock Environmental Permitting Program's office at the address above.

FAX COVER SHEET

Ohio Department of Agriculture
Livestock Environmental Permitting Program
8995 East Main Street, Reynoldsburg, Ohio 43068
phone: 614-387-0470 fax: 614-728-6335

TO: Newsroom – Springfield News-Sun FROM: _____ Deborah Abbott

Phone: 937-328-0300 _____ Phone: 614-387-0914 _____

Fax: 937-328-0328 _____ Fax: 614-728-6335

Subject: attached press release _____

Number of pages (including cover sheet): 2 _____

Note to editors

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Fax: 837-399-3661 _____ Fax: 614-728-6335

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NEWS RELEASE: Ohio Department of Agriculture

LIVESTOCK ENVIRONMENTAL PERMITTING PROGRAM



Governor Bob Taft
Lieutenant Governor Jennette B. Bradley
Director Fred L. Dailey

Livestock Environmental Permitting Progr
8995 East Main Street • Reynoldsburg, Ohio 430
Phone: 614-387-0470 • Fax 614-728-63

ODA home page: www.ohioagriculture.gov • e-mail: lepp@mail.agri.state.oh

FOR IMMEDIATE RELEASE

December 8, 2004

Contact: Deborah Abbott, Livestock Environmental Permitting Program, 614-387-0914

ODA Issues Final Permits to Eastwood Dairy

REYNOLDSBURG – Ohio Agriculture Director Fred L. Dailey issued a final Permit to Install and final Permit to Operate to Eastwood Dairy on December 7, 2004.

Eastwood Dairy LLC is located in Clark County, Madison Township, 9235 Wildman Road, South Charleston, Ohio. It is owned and will be operated by Dirk Winkel. This is a new dairy farm, and Winkel will construct a 1,500-cow dairy facility, which is a design capacity of 2,100 animal units.

Eastwood Dairy's final Permit to Install is for two, 600-cow free stall dairy barns; one, 300 dry cow dairy barn attached to a new milking parlor; two earthen storage ponds; and two concrete settling basins.

Eastwood Dairy's final Permit to Operate is for the entire farm. It will regulate operations with plans for manure management, insect and rodent control, mortality management, and emergency response. It will be valid for a five-year period, at which time the owner would be required to renew the operating permit.

The final permits can be appealed within 30 days to the Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, Ohio 43215. A copy of the appeal must also be forwarded to the Director of Agriculture within three days of filing the appeal with the Environmental Review Appeals Commission.

Deb Abbott

From: Deb Abbott [abbott@mail.agri.state.oh.us]
Sent: Wednesday, December 08, 2004 11:36 AM
To: 'mjpowell@coxohio.com'
Subject: Legal notice for Dec. 13, 2004

The attached document is a legal notice for publication Monday, December 13, 2004. Please call or reply to this e-mail that this has been received and will be published. And please call immediately with any questions. Billing address is below and should be directed to Peggy Jackson.

Ohio Department of Agriculture
Livestock Environmental Permitting Program
89995 East Main Street
Reynoldsburg, OH 43068



Eastwood-final-Noti
ce.doc

Deborah Abbott
Public Information Officer 2
Ohio Department of Agriculture
Livestock Environmental Permitting Program
direct phone: 614-387-0914
fax: 614-728-6335
website: www.ohioagriculture.gov
Program's page: www.ohioagriculture.gov/lepp

**Ohio Department of Agriculture
Permit to Install and Permit to Operate
Permit to Install No. EAS-0001.PI001.CLAR
Permit to Operate No. EAS-0001.PO001.CLAR**

PUBLIC NOTICE

Ohio Department of Agriculture
Livestock Environmental Permitting Program
8995 East Main Street
Reynoldsburg, Ohio 43068
614-387-0470

Date of Issue of Public Notice: December 13, 2004

Name and address of applicant: Dirk Winkel, 3053 Summerford Rd., South
Charleston, Ohio, 45368

Name and address of facility: Eastwood Dairy LLC, 9235 Wildman Rd., South
Charleston, Ohio, 45368

Public notice is hereby given that the Ohio Department of Agriculture has issued Eastwood Dairy a final Permit to Install. The final Permit to Install is for two, 600-cow free stall dairy barns; one, 300 dry cow dairy barn attached to a new milking parlor; two earthen storage ponds; and two concrete settling basins. This is a new dairy farm, and the owner will construct a 1,500-cow dairy facility, which is a design capacity of 2,100 animal units.

Public notice is hereby given that the Ohio Department of Agriculture has issued Eastwood Dairy a final Permit to Operate with plans for manure management, insect and rodent control, mortality management, and emergency response for the entire farm. The Ohio Agriculture Director approved the final permit on December 7, 2004.

The final permit can be appealed within 30 days to the Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, Ohio 43215. A copy of the appeal must be served on the Director of Agriculture within three days after filing the appeal with Environmental Review Appeals Commission.

- end -



Ohio Department of Agriculture



Governor Bob Taft
Lieutenant Governor Jennette B. Bradley
Director Fred L. Dailey

Livestock Environmental Permitting Program
8995 East Main Street • Reynoldsburg, Ohio 43068
Phone: 614-387-0470 • Fax 614-728-6335

ODA home page: www.ohioagriculture.gov/ • e-mail: agri@mail.agri.state.oh.us

October 1, 2004

Dirk Winkel
3053 Summerford Road
South Charleston, OH 45368

Dear Dirk:

I am writing to inform you that we have scheduled the time and place for the public meetings on your draft Permit to Install (PTI) and draft Permit to Operate (PTO). A technical meeting for local officials has been scheduled for October 18, 2004 at 4 p.m. at the Southeastern High School Auditorium, 195 E. Jamestown Street, South Charleston. At 7 p.m. the meeting will be open to the general public to answer any questions they may have about these permits. Technical staff from ODA's Livestock Environmental Permitting Program will be available to answer any questions.

A public information session will be held on November 1, 2004, at 7 p.m. at the Southeastern High School Auditorium. The public information session is another opportunity for interested persons to ask questions about the draft PTI and draft PTO. Technical staff from ODA's Livestock Environmental Permitting Program will again be on hand to answer questions.

A public meeting to accept public comments on your draft permits will be on November 10, 2004, at 7 p.m. at the Southeastern High School Auditorium. The public meeting will be a time where interested persons can submit oral or written comments on the record concerning your draft PTI and draft PTO. Oral comments may have time restrictions depending upon the number of people at the meeting. Written comments are accepted now through November 18, 2004, five business days after the public meeting, but will not be considered if they are received after that date. Written comments can be turned in at the public meeting or sent to ODA's Livestock Environmental Permitting Program.

For your records I have enclosed a copy of the public notice, press release and fact sheet on your farm. If you have any questions about his process please do not hesitate to call me.

Sincerely,

Kelly Harvey
Community Relations Liaison

(614) 387-0908



Ohio Department of Agriculture



Governor Bob Taft
Lieutenant Governor Jennette B. Bradley
Director Fred L. Dailey

Livestock Environmental Permitting Program
8995 East Main Street • Reynoldsburg, Ohio 43076
Phone: 614-387-0470 • Fax 614-728-6111

ODA home page: www.ohioagriculture.gov • e-mail: agri@mail.agri.state.oh.us

October 1, 2004

Anne Kaup-Fett
Clark County Health Department
529 E. Home Rd.
Springfield, OH 45503

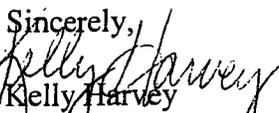
Dear Anne:

Thank you for taking the time to talk with me, as promised I have enclosed a copy of the draft Permit to Install (PTI) and draft Permit to Operate (PTO) for Eastwood Dairy Farm. I have also included a copy of the public notice, press release, and fact sheet on this farm.

A technical meeting will be held on October 18, 2004, at 4 p.m. at the Southeastern High School Auditorium, 195 E. Jamestown Street, South Charleston. The technical meeting is a time for local officials to ask questions about the draft PTI and draft PTO. At 7 p.m. the meeting will be open to the public to answer any questions they may have on these permits. A public information session will be held on November 1, 2004, at 7 p.m. at the Southeastern High School Auditorium. The public information session is another opportunity for interested persons to ask questions about the draft PTI and draft PTO. Technical staff from ODA's Livestock Environmental Permitting Program will be on hand to answer questions

A public meeting to accept comments on the draft permits will be on November 10, 2004, at 7 p.m. also at the Southeastern High School Auditorium. The public meeting will be a time where interested persons can submit oral or written comments on the record concerning the draft PTI and draft PTO for Eastwood Dairy. Oral comments may have time restrictions depending upon the number of people at the meeting. Written comments are accepted now through November 18, 2004, five business days after the public meeting, but will not be considered if they are received after that date. Written comments can be turned in at the public meeting or sent to ODA's Livestock Environmental Permitting Program.

Again, it was good to talk with you. Please don't hesitate to call if you have any further questions; I'd be happy to answer anything I can.

Sincerely,

Kelly Harvey
Community Relations Liaison
(614) 387-0908



Ohio Department of Agriculture



Governor Bob Taft
Lieutenant Governor Jennette B. Bradley
Director Fred L. Dailey

Livestock Environmental Permitting Program
8995 East Main Street • Reynoldsburg, Ohio 43068
Phone: 614-387-0470 • Fax 614-728-6335

ODA home page: www.ohioagriculture.gov • e-mail: agri@mail.agri.state.oh.us

October 1, 2004

Mike Haubner
Clark County Extension Agent
4400 Gateway Blvd., Suite 104
Springfield, OH 45502

Dear Mike:

Thank you for taking the time to talk with me, as promised I have enclosed a copy of the public notice, press release, and fact sheet on the draft Permit to Install (PTI) and draft Permit to Operate (PTO) for Eastwood Dairy Farm.

A technical meeting will be held on October 18, 2004, at 4 p.m. at the Southeastern High School Auditorium, 195 E. Jamestown Street, South Charleston. The technical meeting is a time for local officials to ask questions about the draft PTI and draft PTO. At 7 p.m. the meeting will be open to the public to answer any questions they may have about these permits. A public information session will be held on November 1, 2004, at 7 p.m. at the Southeastern High School Auditorium. The public information session is another opportunity for interested persons to ask questions about the draft PTI and draft PTO. Technical staff from ODA's Livestock Environmental Permitting Program will be on hand to answer questions.

A public meeting to accept comments on the draft permits will be on November 10, 2004, at 7 p.m. also at the Southeastern High School Auditorium. The public meeting will be a time where interested persons can submit oral or written comments on the record concerning the draft PTI and draft PTO for Eastwood Dairy. Oral comments may have time restrictions depending upon the number of people at the meeting. Written comments are accepted now through November 18, 2004, five business days after the public meeting, but will not be considered if they are received after that date. Written comments can be turned in at the public meeting or sent to ODA's Livestock Environmental Permitting Program.

Again, it was good to talk with you. Please don't hesitate to call if you have any further questions; I'd be happy to answer anything I can.

Sincerely,

Kelly Harvey
Community Relations Liaison
(614) 387-0908



Ohio Department of Agriculture



Governor Bob Taft
Lieutenant Governor Jennette B. Bradley
Director Fred L. Dailey

Livestock Environmental Permitting Program
8995 East Main Street • Reynoldsburg, Ohio 43068
Phone: 614-387-0470 • Fax 614-728-6111

ODA home page: www.ohioagriculture.gov • e-mail: agri@mail.agri.state.oh.us

October 1, 2004

George McConkey
Clark Soil and Water Conservation District Office
4400 Gateway Blvd., Suite 103
Springfield, OH 45502

Dear George:

Thank you for taking the time to talk with me, as promised I have enclosed a copy of the draft Permit to Install (PTI) and draft Permit to Operate (PTO) for Eastwood Dairy Farm. I have also included a copy of the public notice, press release, and fact sheet on this farm.

A technical meeting will be held on October 18, 2004, at 4 p.m. at the Southeastern High School Auditorium, 195 E. Jamestown Street, South Charleston. The technical meeting is a time for local officials to ask questions concerning the draft PTI and draft PTO. At 7 p.m. the meeting will be open to the public to answer any questions they may have about these permits. A public information session will be held on November 1, 2004, at 7 p.m. at the Southeastern High School Auditorium. The public information session is another opportunity for interested persons to ask questions about the draft PTI and draft PTO. Technical staff from ODA's Livestock Environmental Permitting Program will be on hand to answer questions.

A public meeting to accept public comments on the draft permits will be on November 10, 2004, at 7 p.m. also at the Southeastern High School Auditorium. The public meeting will be a time where interested persons can submit oral or written comments on the record concerning the draft PTI and draft PTO for Eastwood Dairy. Oral comments may have time restrictions depending upon the number of people at the meeting. Written comments are accepted now through November 18, 2004, five business days after the public meeting, but will not be considered if they are received after that date. Written comments can be turned in at the public meeting or sent to ODA's Livestock Environmental Permitting Program.

Again, it was good to talk with you, please don't hesitate to call if you have any further questions. I would like to thank you for allowing your copy of the draft permits to be available for public viewing.

Sincerely,

Kelly Harvey
Community Relations Liaison
(614) 387-0908



Ohio Department of Agriculture



Governor Bob Taft
Lieutenant Governor Jennette B. Bradley
Director Fred L. Dailey

Livestock Environmental Permitting Program
8995 East Main Street • Reynoldsburg, Ohio 43068
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ODA home page: www.ohioagriculture.gov • e-mail: agri@mail.agri.state.oh.us

October 1, 2004

Missy Gottfried
Madison Township Clerk
10200 Midway Road
South Solon, OH 43153

Dear Missy:

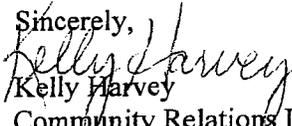
Thank you for taking the time to talk with me, I appreciated the opportunity to explain the new rules for livestock farm permitting and the new local notification that we must do as a result of the new law. As promised, I have enclosed a copy of the draft Permit to Install (PTI) and draft Permit to Operate (PTO) for Eastwood Dairy Farm. I have also included a copy of the public notice, press release, and fact sheet on this farm. As I mentioned to you, I have tried to contact all three township trustees to let them know I was forwarding this package to you.

A technical meeting has been scheduled for October 18, 2004, at 4 p.m. at the Southeastern High School Auditorium, 195 E. Jamestown Street, South Charleston. The technical meeting is an opportunity for local officials to ask questions about the draft PTI and draft PTO. At 7 p.m. the meeting will be open to the public to answer any questions they may have about these permits. A public information session will be held on November 1, 2004, at 7 p.m. at the Southeastern High School Auditorium. The public information session is another opportunity for interested persons to ask questions about the draft PTI and draft PTO. Technical staff from ODA's Livestock Environmental Permitting Program will be on hand to answer questions.

A public meeting to accept comments on the draft PTI and draft PTO will be on November 10, 2004, at 7 p.m. also at the Southeastern High School Auditorium. The public meeting will be a time where interested persons can submit oral or written comments on the record concerning the draft permits for Eastwood Dairy. Oral comments may have time restrictions depending upon the number of people at the meeting. Written comments are accepted now through November 18, 2004, five business days after the public meeting, but will not be considered if they are received after that date. Written comments can be turned in at the public meeting or sent to ODA's Livestock Environmental Permitting Program.

Again, it was good to talk with you. Please don't hesitate to call if you have any further questions; I'd be happy to answer anything I can.

Sincerely,


Kelly Harvey

Community Relations Liaison
(614) 387-0908

cc: Tom Florence, Madison Township Trustee
Martin Spears, Madison Township Trustee
David Sprague, Madison Township Trustee



Ohio Department of Agriculture



Governor Bob Taft
Lieutenant Governor Jennette B. Bradley
Director Fred L. Dailey

Livestock Environmental Permitting Program
8995 East Main Street • Reynoldsburg, Ohio 43076
Phone: 614-387-0470 • Fax 614-728-6

ODA home page: www.ohioagriculture.gov • e-mail: agri@mail.agri.state.oh.us

October 1, 2004

Michelle Noble
Clark County Clerk
50 East Columbia Street
Springfield, OH 45501

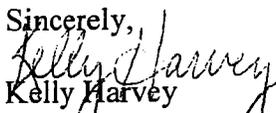
Dear Michelle:

Thank you for taking the time to talk with me, as promised I have enclosed a copy of the draft Permit to Install (PTI) and draft Permit to Operate (PTO) for Eastwood Dairy Farm. I have also included a copy of the public notice, press release, and fact sheet on this farm.

A technical meeting will be held on October 18, 2004, at 4 p.m. at the Southeastern High School Auditorium, 195 E. Jamestown St., South Charleston. The technical meeting is a time for local officials to ask questions about the draft PTI and draft PTO. At 7 p.m. the meeting will be open to the public to answer any questions they may have about these permits. A public information session will be held on November 1, 2004, at 7 p.m. at the Southeastern High School Auditorium. The public information session is another opportunity for interested persons to ask questions about the draft PTI and draft PTO. Technical staff from ODA's Livestock Environmental Permitting Program will be on hand to answer questions.

A public meeting to accept comments on the draft permits will be on November 10, 2004, at 7 p.m. also at the Southeastern High School Auditorium. The public meeting will be a time where interested persons can submit oral or written comments on the record concerning the draft PTI and draft PTO for Eastwood Dairy. Oral comments may have time restrictions depending upon the number of people at the meeting. Written comments are accepted now through November 18, 2004, five business days after the public meeting, but will not be considered if they are received after that date. Written comments can be turned in at the public meeting or sent to ODA's Livestock Environmental Permitting Program.

Again, it was good to talk with you. Please don't hesitate to call if you have any further questions; I'd be happy to answer anything I can.

Sincerely,

Kelly Harvey
Community Relations Liaison
(614) 387-0908

cc: James Sheehan, Clark County Commissioner
John Detrick, Clark County Commissioner
Roger Tackett, Clark County Commissioner



Ohio Department of Agriculture



Governor Bob Taft
Lieutenant Governor Jennette B. Bradley
Director Fred L. Dailey

Livestock Environmental Permitting Program
8995 East Main Street • Reynoldsburg, Ohio 43068
Phone: 614-387-0470 • Fax 614-728-6335

ODA home page: www.ohioagriculture.gov • e-mail: agri@mail.agri.state.oh.us

October 1, 2004

Cathy Alexander
Ohio EPA – Division of Surface Water
P.O. Box 1049
Columbus, OH 43216

Dear Cathy,

Enclosed please find a copy of the public notice, press release and fact sheet on the draft Permit to Install and draft Permit to Operate for Eastwood Dairy. A public meeting will be held November 10, 2004 at the Southeastern High School Auditorium, 195 E. Jamestown Street, South Charleston at 7 p.m. Written comments will be accepted now through November 18, 2004.

Please don't hesitate to contact me if you have any questions concerning these permits.

Sincerely,

Kelly Harvey
Community Relations Liaison
Ohio Department of Agriculture
Livestock Environmental Permitting Program
8995 East Main Street
Reynoldsburg, OH 43068
614/387-0908



Ohio Department of Agriculture



Governor Bob Taft
Lieutenant Governor Jennette B. Bradley
Director Fred L. Dailey

Livestock Environmental Permitting Program
8995 East Main Street • Reynoldsburg, Ohio 43068
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ODA home page: www.ohioagriculture.gov • e-mail: agri@mail.agri.state.oh.us

December 7, 2004

Michelle Noble
Clark County Clerk
50 East Columbia Street
Springfield, OH 45501-2639

Dear Michelle:

Enclosed please find a copy of the final Permit to Install and final Permit to Operate for Eastwood Dairy. I have also included a copy of the public notice, press release and the responsiveness summary of public comments received by mail and at the public meeting on November 10, 2004. This information has also been sent to all those who attended the public information session and public meeting in November.

Please don't hesitate to contact me if you have any questions concerning these permits.

Sincerely,

Kelly Harvey
Community Relations Liaison
Ohio Department of Agriculture
Livestock Environmental Permitting Program
8995 East Main Street
Reynoldsburg, OH 43068
614/387-0908

cc: James Sheehan, Clark County Commissioner
John Detrick, Clark County Commissioner
Roger Tackett, Clark County Commissioner



Ohio Department of Agriculture



Governor Bob Taft
Lieutenant Governor Jennette B. Bradley
Director Fred L. Dailey

Livestock Environmental Permitting Program
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Phone: 614-387-0470 • Fax 614-728-6335

ODA home page: www.ohioagriculture.gov • e-mail: agri@mail.agri.state.oh.us

December 7, 2004

Missy Gottfried
Madison Township Clerk
10200 Midway Road
South Solon, OH 43153

Dear Missy:

Enclosed please find a copy of the final Permit to Install and final Permit to Operate for Eastwood Dairy. I have also included a copy of the public notice, press release and the responsiveness summary of public comments received by mail and at the public meeting on November 10, 2004. This information has also been sent to all those who attended the public information session and public meeting in November.

Please don't hesitate to contact me if you have any questions concerning these permits.

Sincerely,

Kelly Harvey

Community Relations Liaison
Ohio Department of Agriculture
Livestock Environmental Permitting Program
8995 East Main Street
Reynoldsburg, OH 43068
614/387-0908

cc: Tom Florence, Madison Township Trustee
Martin Spears, Madison Township Trustee
David Sprague, Madison Township Trustee



Ohio Department of Agriculture



Governor Bob Taft
Lieutenant Governor Jennette B. Bradley
Director Fred L. Dailey

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Phone: 614-387-0470 • Fax 614-728-6335

ODA home page: www.ohioagriculture.gov • e-mail: agri@mail.agri.state.oh.us

December 7, 2004

George McConkey
Clark Soil and Water Conservation District
4400 Gateway Blvd., Suite 103
Springfield, OH 45502-6330

Dear George:

Enclosed please find a copy of the final Permit to Install and final Permit to Operate for Eastwood Dairy Farm. I have also included a copy of the public notice, press release and the responsiveness summary of public comments received by mail and at the public meeting on November 10, 2004. This information has also been sent to all those who attended the public information session and public meeting in November.

Please don't hesitate to contact me if you have any questions concerning these permits.

Sincerely,

Kelly Harvey
Community Relations Liaison
Ohio Department of Agriculture
Livestock Environmental Permitting Program
8995 East Main Street
Reynoldsburg, OH 43068
614/387-0908



Ohio Department of Agriculture



Governor Bob Taft
Lieutenant Governor Jennette B. Bradley
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ODA home page: www.ohioagriculture.gov • e-mail: agri@mail.agri.state.oh.us

December 7, 2004

Dirk Winkel
3053 Summerford Road
South Charleston, OH 45368

Dear Dirk:

Enclosed please find a copy of the final Permit to Install and final Permit to Operate for your farm. I have also included a copy of the public notice, press release and the responsiveness summary of the public comments we received by mail or at the public meeting. This information has also been sent to all of those who attended the information session or public meeting, the township trustees, the county commissioners, the county extension agent, the local health department and the county soil and water district office.

If you have any questions please do not hesitate to contact me.

Sincerely,

Kelly Harvey
Community Relations Liaison
Ohio Department of Agriculture
Livestock Environmental Permitting Program
8995 East Main Street
Reynoldsburg, OH 43068
614/387-0908



Ohio Department of Agriculture



Governor Bob Taft
Lieutenant Governor Jennette B. Bradley
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ODA home page: www.ohioagriculture.gov • e-mail: agri@mail.agri.state.oh.us

December 7, 2004

Cathy Alexander
Ohio EPA – Division of Surface Water
P.O. Box 1049
Columbus, OH 43216

Dear Cathy,

Enclosed please find a copy of the final Permit to Install and final Permit to Operate for Eastwood Dairy. I have also included a copy of the public notice, press release and the responsiveness summary of public comments received by mail and at the public meeting on November 10, 2004.

Please don't hesitate to contact me if you have any questions concerning these permits.

Sincerely,

Kelly Harvey
Community Relations Liaison
Ohio Department of Agriculture
Livestock Environmental Permitting Program
8995 East Main Street
Reynoldsburg, OH 43068
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Ohio Department of Agriculture



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December 7, 2004

Anne Kaup-Fett
Clark County Health Department
529 E. Home Road
Springfield, OH 45503

Dear Anne:

Enclosed please find a copy of the final Permit to Install and final Permit to Operate for Eastwood Dairy. I have also included a copy of the public notice, press release and the responsiveness summary of public comments received by mail and at the public meeting on November 10, 2004. This information has also been sent to all those who attended the public information session and public meeting in November.

Please don't hesitate to contact me if you have any questions concerning these permits.

Sincerely,

Kelly Harvey
Community Relations Liaison
Ohio Department of Agriculture
Livestock Environmental Permitting Program
8995 East Main Street
Reynoldsburg, OH 43068
614/387-0908



Ohio Department of Agriculture



Governor Bob Taft
Lieutenant Governor Jennette B. Bradley
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December 7, 2004

Mike Haubner
Clark County Extension Office
4400 Gateway Blvd., Suite 104
Springfield, OH 45502-9337

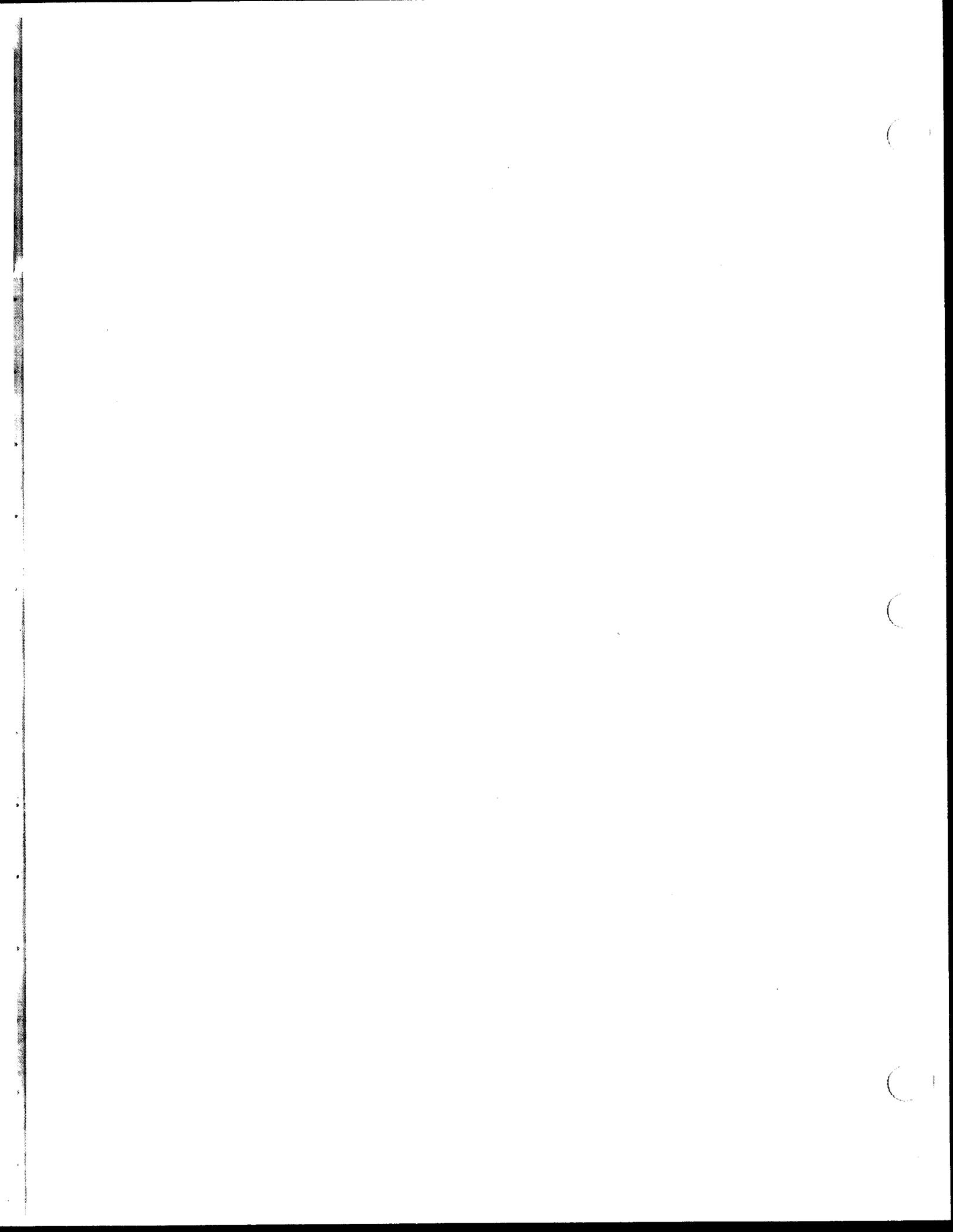
Dear Mike:

Enclosed please find a copy of the public notice of the final Permit to Install and final Permit to Operate for Eastwood Dairy. I have also included a copy of the press release and the responsiveness summary of public comments received by mail and at the public meeting on November 10, 2004. This information has also been sent to all those who attended the public information session and public meeting in November.

Please don't hesitate to contact me if you have any questions concerning these permits.

Sincerely,

Kelly Harvey
Community Relations Liaison
Ohio Department of Agriculture
Livestock Environmental Permitting Program
8995 East Main Street
Reynoldsburg, OH 43068
614/387-0908





Ohio Department of Agriculture



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Lieutenant Governor Jennette B. Bradley
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October 1, 2004

Dear interested party:

Your name was included on the ODA Livestock Environmental Permitting Program's mailing list as being interested in receiving public notices about permitted farms in your area or across the state. This letter is to inform you that the Livestock Environmental Permitting Program has issued a public notice (enclosed) for a draft Permit to Install and draft Permit to Operate for the Eastwood Dairy.

The following public education meetings are scheduled:

October 18 7 - 9 p.m. Southeastern High School, 195 E. Jamestown St., South Charleston
November 1 7 - 9 p.m. Southeastern High School, 195 E. Jamestown St., South Charleston

For more information about these permits go to the Livestock Environmental Permitting Program's website at www.ohioagriculture.gov/lepp.

A copy of the draft permits can be viewed at the ODA Livestock Environmental Permitting Program office, 8995 East Main Street, Reynoldsburg, (614) 387-0908 or at the Clark Soil and Water Conservation District office, 4400 Gateway Blvd., Suite 103, Springfield (937) 328-4600. Please contact the office for business hours. A request for a public meeting has already been made by the permit applicant. Oral comments can be made on the record at the public meeting on November 10 at 7 p.m. at the Southeastern High School, 195 E. Jamestown St., South Charleston

The public may submit written comments on the draft permits at any time within 30 days. Written comments must be received by ODA no later than 5 p.m. on November 18, which is 5 business days after the date of the public meeting. Written comments must be delivered or mailed to ODA's Livestock Environmental Permitting Program office and can not be submitted or mailed to the Paulding SWCD office. Written comments received after November 18 will not be considered by the Director before issuing the final permits.

If you are no longer interested in being on the interested party mailing list, or if you have any other questions please contact me at (614) 387-0908.

Sincerely,

Kelly Harvey
Community Relations Liaison

**Ohio Department of Agriculture
Draft Permit to Install and Draft Permit to Operate
Draft Permit to Install No. EAS-0001.PI001.CLAR
Draft Permit to Operate No. EAS-0001.PO001.CLAR**

PUBLIC NOTICE

Ohio Department of Agriculture
Livestock Environmental Permitting Program
8995 East Main Street
Reynoldsburg, Ohio 43068
614-387-0470

Date of Issue of Public Notice: October 4, 2004

Name and address of applicant: Dirk Winkel, 3053 Summerford Rd., South Charleston, Ohio, 45368

Name and address of facility: Eastwood Dairy LLC, 9235 Wildman Rd., South Charleston, Ohio, 45368

Public notice is hereby given that the Ohio Department of Agriculture is accepting comments on Eastwood Dairy's draft Permit to Install. The draft Permit to Install is for two, 600-cow free stall dairy barns; one, 300 dry cow dairy barn attached to a new milking parlor; two earthen storage ponds; and two concrete settling basins. This is a new dairy farm, and the owner intends to construct a 1,500-cow dairy facility, which is a design capacity of 2,100 animal units.

Public comments are also being accepted on Eastwood Dairy's draft Permit to Operate for the entire farm. The draft Permit to Operate is to regulate operations with plans for manure management, insect and rodent control, mortality management, and emergency response. It would be valid for a five-year period, at which time the owner would be required to renew the operating permit.

In accordance with rule 901:10-6-01 of the Ohio Administrative Code, ODA will provide an opportunity for public comment concerning these permits. The permit applicant has already made a request for a public meeting. Oral comments can be made on the record at the public meeting on November 10, 2004, at 7 p.m. in the Auditorium at South Eastern High School, 195 East Jamestown St., South Charleston. Any person may submit written comments on the draft permits at any time within 30 days. Written comments must be received by ODA no later than 5 p.m. on November 18, 2004, which is 5 business days after the date of the public meeting. Comments must be delivered or mailed to ODA Livestock Environmental Permitting Program, 8995 East Main Street, Reynoldsburg, Ohio 43068. The Director will not consider comments received after November 18, 2004, before making a determination on the final permits.

Copies of the draft Permit to Install and draft Permit to Operate may be reviewed and/or copies made at the ODA Livestock Environmental Permitting Program, 8995 East Main Street, Reynoldsburg, Ohio 43068, by first calling 614-387-0470 to make an appointment.

- end -

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Ohio Department of Agriculture



Governor Bob Taft
Lieutenant Governor Jennette B. Bradley
Secretary Fred L. Dailey

Livestock Environmental Permitting Program
8995 East Main Street • Reynoldsburg, Ohio 43068
Phone: 614-387-0470 • Fax 614-728-6335

ODA home page: www.ohioagriculture.gov • e-mail: agri@mail.agri.state.oh.us

December 7, 2004

Dear interested party:

You recently received notification from the Ohio Department of Agriculture (ODA) Livestock Environmental Permitting Program about a draft Permit to Install (PTI) and draft Permit to Operate (PTO) for Eastwood Dairy. This letter is to inform you that the final PTI and final PTO for the Eastwood Dairy has been granted, and a public notice of the final permits is enclosed. To view the responsiveness summary of comments received by mail and at the public meeting on November 10, 2004 and for more information about these permits go to the Livestock Environmental Permitting Program's website at www.ohioagriculture.gov/lepp.

A copy of the final permits can be viewed at the ODA Livestock Environmental Permitting Program office at 8995 East Main Street, Reynoldsburg, 614-387-0908 or at the Clark Soil and Water Conservation District Office at 4400 Gateway Blvd., Suite 103, Springfield, (937) 328-4600. Please contact the office for business hours.

If you are no longer interested in being on the interested party mailing list, or if you have any other questions please contact me at (614) 387-0908.

Sincerely,

Kelly Harvey
Community Relations Liaison
Livestock Environmental Permitting Program
Ohio Department of Agriculture
8995 East Main Street
Reynoldsburg, OH 43068

**Ohio Department of Agriculture
Permit to Install and Permit to Operate
Permit to Install No. EAS-0001.PI001.CLAR
Permit to Operate No. EAS-0001.PO001.CLAR**

PUBLIC NOTICE

Ohio Department of Agriculture
Livestock Environmental Permitting Program
8995 East Main Street
Reynoldsburg, Ohio 43068
614-387-0470

Date of Issue of Public Notice: December 13, 2004
Name and address of applicant: Dirk Winkel, 3053 Summerford Rd., South
Charleston, Ohio, 45368
Name and address of facility: Eastwood Dairy LLC, 9235 Wildman Rd., South
Charleston, Ohio, 45368

Public notice is hereby given that the Ohio Department of Agriculture has issued Eastwood Dairy a final Permit to Install. The final Permit to Install is for two, 600-cow free stall dairy barns; one, 300 dry cow dairy barn attached to a new milking parlor; two earthen storage ponds; and two concrete settling basins. This is a new dairy farm, and the owner will construct a 1,500-cow dairy facility, which is a design capacity of 2,100 animal units.

Public notice is hereby given that the Ohio Department of Agriculture has issued Eastwood Dairy a final Permit to Operate with plans for manure management, insect and rodent control, mortality management, and emergency response for the entire farm. The Ohio Agriculture Director approved the final permit on December 7, 2004.

The final permit can be appealed within 30 days to the Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, Ohio 43215. A copy of the appeal must be served on the Director of Agriculture within three days after filing the appeal with Environmental Review Appeals Commission.

- end -

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CC

CC

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**OHIO DEPARTMENT OF AGRICULTURE
SIGN-IN SHEET**

Eastwood Dairy / Clark County
Information Session
October 18, 2004 / 7:00 p.m.
Southeastern High School

PLEASE PRINT

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Bucky Baepel	7901 Old Rt. 42 So. Charleston Ohio 45368
William H. Turner	9265 Selma Rd So Charleston, Ohio 45368
Dan York	2580 Olabec Rd. Cedarville, Oh 45314
Claire Bushey	Springfield News-Sun 202 N. Limestone St.
STEVE WILSON	81 Arlington Ave, London, OH 43146
Jenny Smith	1807 Little Rd Jamestown. OH 45335
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Eastwood Dairy / Clark County
Information Session
October 18, 2004 / 7:00 p.m.
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Eastwood Dairy / Clark County
Information Session
October 18, 2004 / 7:00 p.m.
Southeastern High School

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Jack Hillrich	4676 US RT 42 CEDARVILLE OH 45314
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OHIO DEPARTMENT OF AGRICULTURE

SIGN-IN SHEET

Eastwood Dairy / Clark County

Information Session

November 1, 2004 / 7:00 p.m.

Southeastern High School

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Kathryn Bunkley	1650 S. Charleston Rd Jamestown 45335
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OHIO DEPARTMENT OF AGRICULTURE

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Eastwood Dairy / Clark County

Information Session

November 1, 2004 / 7:00 p.m.

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Information Session

November 1, 2004 / 7:00 p.m.

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**OHIO DEPARTMENT OF AGRICULTURE
SIGN-IN SHEET**

Eastwood Dairy / Clark County
Public Meeting
November 10, 2004 / 7:00 p.m.
Southeastern High School

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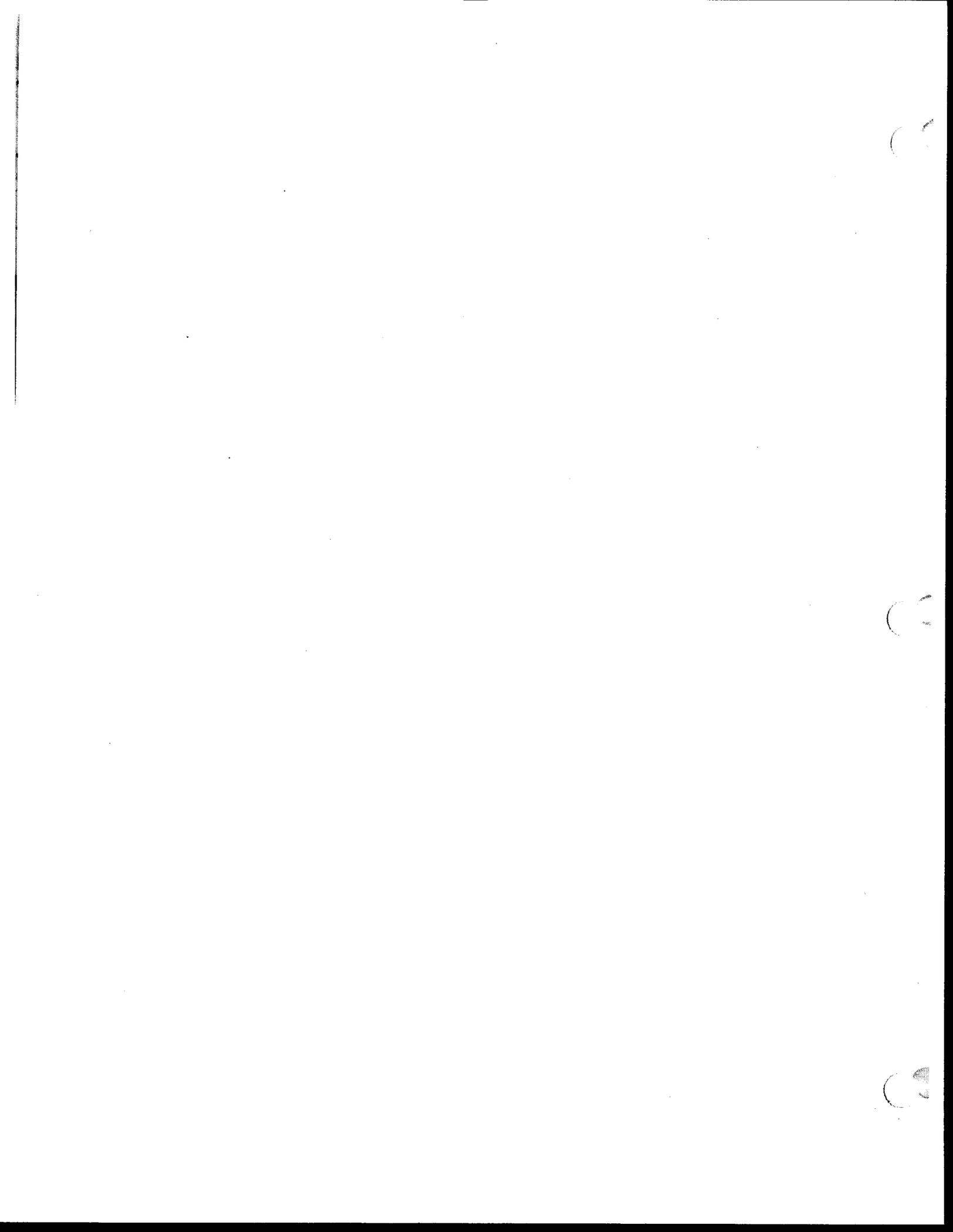
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Larry Smith	11116 S. Jamestown Oh 45335
Gail J. Jaramila	2727 S. JAMES TOWN RD. CANTON OH
Dennis & Joan Long	2580 COLESBEE RD CEDARVILLE OH 45314
Fon de Haan	Pleasantview Road South Solon
John & Debra	7851 Belmont Pike South Charleston Oh 45366
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State Rep Chris Widenor	4887 Peacock Rd Spd. 02.
Van Raay Dairy	12471 Thomas Rd, So. Charleston

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SIGN-IN SHEET**

Eastwood Dairy / Clark County
Public Meeting
November 10, 2004 / 7:00 p.m.
Southeastern High School

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Ann Woodward	8400 Wilbur in So. Charleston, OH 45368
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Wilbur & Erma Bryant	9050 Selma pke. So. Charleston, OH 45368
Kathryn Johnson	17257 Lorcha Rd S Charleston OH 45368
Clarna Johnson	7257 LENOVA RD S. CHARLESTON OH
Frank McLubben	6031 old cat & Cinn. Rd S. Charleston
Darrell Fulton	8787 Selma Pike S. Charleston
William H. Turner	9265 Selma Rd So. Char,





Ohio Department of Agriculture



Governor Bob Taft
Lieutenant Governor Jennette B. Bradley
Director Fred L. Dailey

Livestock Environmental Permitting Program
8995 East Main Street • Reynoldsburg, Ohio 43068
Phone: 614-387-0470 • Fax 614-728-6335

ODA home page: www.ohioagriculture.gov • e-mail: agri@mail.agri.state.oh.us

December 7, 2004

Dear interested party:

Thank you for taking part in the public participation process for the draft Permit to Install and draft Permit to Operate for the Eastwood Dairy. Due to your interest, I have enclosed a copy of the public notice of the final Permit to Install and final Permit to Operate. I have also included a copy of the responsiveness summary of comments received by mail and at the public meeting on November 10, 2004.

A copy of the final permits can be viewed at the ODA Livestock Environmental Permitting Program office at 8995 East Main Street, Reynoldsburg, 614-387-0908 or at the Clark Soil and Water Conservation District Office at 4400 Gateway Blvd, Suite 103, Springfield, (937) 328-4600. Please contact the office for business hours.

For more information about these permits go to the Livestock Environmental Permitting Program's website at www.ohioagriculture.gov/lepp. If you have any questions please contact me at (614) 387-0908.

Sincerely,

Kelly Harvey
Community Relations Liaison
Ohio Department of Agriculture
Livestock Environmental Permitting Program
8995 East Main Street
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**Ohio Department of Agriculture
Permit to Install and Permit to Operate
Permit to Install No. EAS-0001.PI001.CLAR
Permit to Operate No. EAS-0001.PO001.CLAR**

PUBLIC NOTICE

Ohio Department of Agriculture
Livestock Environmental Permitting Program
8995 East Main Street
Reynoldsburg, Ohio 43068
614-387-0470

Date of Issue of Public Notice: December 13, 2004

Name and address of applicant: Dirk Winkel, 3053 Summerford Rd., South
Charleston, Ohio, 45368

Name and address of facility: Eastwood Dairy LLC, 9235 Wildman Rd., South
Charleston, Ohio, 45368

Public notice is hereby given that the Ohio Department of Agriculture has issued Eastwood Dairy a final Permit to Install. The final Permit to Install is for two, 600-cow free stall dairy barns; one, 300 dry cow dairy barn attached to a new milking parlor; two earthen storage ponds; and two concrete settling basins. This is a new dairy farm, and the owner will construct a 1,500-cow dairy facility, which is a design capacity of 2,100 animal units.

Public notice is hereby given that the Ohio Department of Agriculture has issued Eastwood Dairy a final Permit to Operate with plans for manure management, insect and rodent control, mortality management, and emergency response for the entire farm. The Ohio Agriculture Director approved the final permit on December 7, 2004.

The final permit can be appealed within 30 days to the Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, Ohio 43215. A copy of the appeal must be served on the Director of Agriculture within three days after filing the appeal with Environmental Review Appeals Commission.

- end -

COLUMBUS ROAD - RESP. ALL INFORMATION IS CONFIDENTIAL

Charles Wildman
7322 Old 42
S Charleston, OH 45368

Dianna K. Fulton
8782 Selma Pike
S. Charleston, OH 45368

Blandena Quesinberry
5950 Old State Route 42
S. Charleston, OH 45368

Carl & Lorena Hyde
151 West North College Street
Yellow Springs, OH 45387

William Turner
9265 Selma Road
S. Charleston, OH 45368

Robert Turner
9230 Selma Road
S. Charleston, OH 45368

Jenny Smith
1807 Little Road
Jamestown, OH 45335

Kathryn Bundy
1650 S. Charleston Road
Jamestown, OH 45335

R. A. Battin
7554 Battin-Howell Road
S. Charleston, OH 45368

Daniel Battin
7603 Battin-Howell Road
S. Charleston, OH 45368

David Breads
4375 Shawnee Tr.
Jamestown, OH 45335

Larry Timmons Jr.
P.O. Box 713
S. Charleston, OH 45368

Burk & Hellen Taylor
1920 Old State Route 42
S. Charleston, OH 45368

Becky Boysel
7901 Old State Route 42
S. Charleston, OH 45368

Joan Long
2580 Oglesbee Road
Cedarville, OH 45314

Wilson
1 Arlington Avenue
London, OH 43140

John & Cheri Schickedantz
5377 S. Charleston-Clifton Road
S. Charleston, OH 45368

Howard Hudson
1870 Little Road
Jamestown, OH 45335

Richard Flax
135 Summerford Road
Charleston, OH 45368

Ann & Kenneth Woodward
8400 Wildman Road
S. Charleston, OH 45368

Frank & Martha McCubbin
6031 Ild 42
S. Charleston, OH 45368

Kathryn Johnson
57 London Road
Charleston, OH 45368

Carolyn Ferguson
5027 Old Rt. 42E
Cedarville, OH 45314

Thomas Rutschilling
10 Murray Drive
S. Charleston, OH 45368

Tom Tate
101 Old 42
Charleston, OH 45368

Tony Finchum
8140 Columbus-Cincinnati Road
S. Charleston, OH 45368

Dianna & Darrell Fulton
8782 Selma Pike
S. Charleston, OH 45368

Tom Townsend
101 Troy Road
Cincinnati, OH 45504

Bruce Wilson
531 Markley Road
London, OH 43140

Russ White
259 W. Mound Street
S. Charleston, OH 45368

Tom Florence
12255 Copeland Road
S Charleston, OH 45368

Louis Volma
7851 Selma Pike
S. Charleston, OH 45368

Jack Lillich
4676 US Rt. 42
Cedarville, OH 45314

Earl Finchum
8180 Columbus-Cincinnati Road
S. Charleston, OH 45368

Larry Miller Sr.
13411 S. Charleston Pike
S. Solon, OH 43153

Alfred Call
11154 Huntington Road
S. Charleston, OH 45368

M. de Haan
15637 Pleasantview Road
S. Solon, OH 43153

John Waymire
2353 Cortsville Road
Yellow Springs, OH 45387

Don Sanders
2837 Old Troy Pike
Urbana, OH 43078

Bill & Martha Brock
7072 S. Charleston-Clifton Road
S. Charleston, OH 45368

Diana Hart
1469 Watkins Road
Jamestown, OH 45335

Dave Sprague
5910 Old Springfield Road
S. Charleston, OH 45368

Ben Loudenback
8850 Battin-Howell Road
S. Charleston, OH 45368

Van Raay Dairy
12471 Thomas Road
S. Charleston, OH 45368

Nancy & Steve Mitchum
14175 Char & Chill Rd.
S. Solon, OH 43154

Kenn & Ann Woodward
8400 Wildman Road
S. Charleston, OH 45368

Doug & Debby Sears
16428 Pleasantview
S. Solon, OH 43153

Mr. & Mrs. Finchum
8180 Cols & Cinn Road
S. Charleston, OH 45368

Don Leeds
5298 Federal Road
Cedarville, OH 45314

Wilbur & Erma Bryant
9050 Selma Pike
S. Charleston, OH 45368

Kathryn & Clarence Johnson
7257 London Road
S. Charleston, OH 45368

Frank Mc Cubbin
5031 Old Col & Cinn Road
S. Charleston, OH 45368

David Bryant
6017 Old Cols-Cinn. Road
S. Charleston, OH 45368

Sarah & Timothy Leedy
6190 Old St. Rt. 42
S. Charleston, OH 45368

Danny Hartman
3580 S. Chariston Road
S. Charleston, OH 45368

Wayne Dunsmore
6817 London Road
S. Charleston, OH 45368

Melissa Fowler
7505 Jamestown Road
S. Charleston, OH 45368

W & Wilson Cook
7112 Jamestown Road
S. Charleston, OH 45368

Tony McAdams
7112 London Road
S. Charleston, OH 45368

Tony Faust
8425 Wildman Road
S. Charleston, OH 45368

*Sarah Leedy
6190 Old St. Rt. 42*



Ohio Department of Agriculture



Governor Bob Taft
Lieutenant Governor Jennette B. Bradley
Director Fred L. Dailey

Livestock Environmental Permitting Program
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ODA home page: www.ohioagriculture.gov • e-mail: lepp@mail.agri.state.oh.us

Responsiveness summary to public comments on the Eastwood Dairy draft Permit to Install and draft Permit to Operate December 6, 2004

The Ohio Department of Agriculture issued a public notice on October 4, 2004, of Eastwood Dairy's draft Permit to Install and draft Permit to Operate. This public notice opened the public comment period on the draft permits and informed the public that a public meeting would be held on November 10, 2004, to accept oral comments. The comment period ended at 5:00 p.m. on November 18, 2004.

Comments in quotation marks are taken word for word from oral and written comments, with no editing (other than some corrected spelling and grammar). Some comments offered on Eastwood Dairy were not applicable to the draft permits; nonetheless ODA wishes to acknowledge these comments by including them in the Responsiveness Summary. Finally, even though a comment's response was "None," the comment was considered. The table below outlines the comments received by ODA:

No.	Date received	Name	Organization, if any	City, State
1	10/18/04	Charles Wildman		S. Charleston, OH
2	11/10/04	William Turner		S. Charleston, OH
3	11/10/04	Robert Turner		S. Charleston, OH
4	11/10/04	Jenny Smith	Citizens Against Mega Dairies LLC	Jamestown, OH
5	11/10/04	Kathryn Bundy		Jamestown, OH
6	11/15/04	Dianna Fulton		S. Charleston, OH
7	11/16/04	William Turner		S. Charleston, OH
8	11/16/04	Carl D. Hyde, M.D. and Lorena E. Hyde		Yellow Springs, OH
9	11/16/04	Blandena Quesinberry		S. Charleston, OH
10	11/16/04	Hazel Caldwell		
11	10/21/04	R. Allen Battin		S. Charleston, OH

1. **Comment:** "The basis of my support is: 1) Economic A diversified agriculture that is producing multiple products for multiple markets is more sustainable than a simple corn soybean based economy. I believe that adding livestock to the local economy is helpful because the added value of the product stays at the farm where it was produced. Total sales from a given acre of property will increase with livestock in the economic base." [1]

Response to comment 1: This comment is about agricultural economics in general and does not relate to Eastwood Dairy's draft Permit to Install or draft Permit to Operate.

2. **Comment:** “2) Environmental. I believe a diversified crop rotation minimizes the environmental impact of agriculture and can enhance native wildlife. The primary cropping change brought by a dairy appears to be the addition of Alfalfa to the crop rotation. Alfalfa seems to be very positive to soil structure and fertility without the application of commercial nitrogen and phosphorus that appear to be hazards to aquatic life. Furthermore, the use of concentrated commercial fertilizers is further reduced by the application of the manure from the dairy. Properly managed this application poses minimal risk to the environment.” [1]

Response to comment 2: This comment is about agricultural in general and does not relate to Eastwood Dairy’s draft Permit to Install or draft Permit to Operate.

3. **Comment:** “I believe that the environmental impact from a dairy is much less and much preferred to various alternatives. Single family homes on 1acre lots with leach beds are going to produce more waste in a year than a dairy with a stocking density of 1cow per acre. Not to mention that with every home comes a road, two cars, a school bus, EMS service, electric, etc. What kind of environmental damage does this stuff collectively cause?” [1]

Response to comment 3: This comment compares the various forms of land use in the local area and does not relate to Eastwood Dairy’s draft Permit to Install or draft Permit to Operate.

4. **Comment:** “I believe that monitoring the environmental stewardship of a dairy is preferable to no monitoring of many alternative uses. Of the properties in Selma, how many have properly functioning and maintained leach fields? Who is monitoring these? How could a change be implemented. Answers: no one and with great difficulty. What is the impact of livestock grazing year round on a 5 acre lot, where the area is denuded, manure isn't managed, erosion is unchecked, wells unprotected, etc.? Logic says put these animals together in one spot where they can be properly managed and monitored. If corrections are needed in management they can be made quickly and decisively.” [1]

Response to comment 4: This comment compares the various forms of land use in the local area and does not relate to Eastwood Dairy’s draft Permit to Install or draft Permit to Operate.

5. **Comment:** “I believe the inevitable odor from this size livestock operation is acceptable given sight selection and prevailing winds. The sight is down wind of the population of Selma and on a rise that will allow the odors to mix quickly in the atmosphere away from earth bound noses. The nearest downwind inhabitant is 1/2? mile away protected by cropland and wooded areas. While every person is significant there is no concentration of people down wind of the proposed sight for several miles. I also believe that the inevitable odor can be managed to acceptable levels given the size and management intensity of this operation.” [1]

Response to comment 5: None.

6. **Comment:** "3) Social. I personally prefer the addition of livestock to the community over many of the alternative uses. Most alternative uses come with varying numbers of people. With the people come all manner of social challenges, trespassing, car races, poor drivers, bashed mailboxes, smashed corn fields, fast food trash, empty containers, etc. I rather prefer a cow that stays in her stall and gives society a plentiful supply of cool refreshing milk. Not that I am against people per say but a rural community is a rural community because there aren't a lot of people. I like a rural community." [1]

Response to comment 6: This comment compares the social affects of various forms of land use in the local area and does not relate to Eastwood Dairy's draft Permit to Install or draft Permit to Operate.

7. **Comment:** "As a neighbor, I became very agitated with this decision because first, it doesn't follow the view of being a good steward. It's kind of like going against what we grew up underneath, and I feel that this is the first violation of living in this area." [2]

Response to comment 7: This comment is too general for a response.

8. **Comment:** "A second violation is this procedure that they followed coming into the community, unannounced several years ago, and then all a sudden it became a reality that this was going to be taking place. So that's a little bit of a violation of one's rights in order to farm, I think that's wrong way to go about it." [2]

Response to comment 8: There is no requirement that a private farm notify anyone in the community about their actions or intentions. Permit applicants to ODA are required [Sections 307.204 and 505.266 of the Ohio Revised Code and Ohio Administrative Code Rule 901:10-1-02(A)(6)] to notify the board of county commissioners and the board of township trustees when an application is submitted for more than 700 dairy cows. Eastwood Dairy fulfilled this requirement by notifying the Clark County Commissioners and Madison Township Trustees in February 2004.

9. **Comment:** "Another thing is I don't how many realize that this spreading of liquid manure is probably not going to fall under the statutes that are established because they will override the issue of scattering probably too heavily and then this will be a run off, which EPA will then come in, but then the damage is already done." [2]

Response to comment 9: Most manure generated by the facility would be land applied on cropland of cooperating farmers that would grow feed for the dairy. Approximately 1,494 acres is available to Eastwood Dairy for the application of the manure and wastewater from the dairy. A 5-year cropping rotation was evaluated for this permit with 186 acres of alfalfa with an expected yield of 6 tons per acre, 282 acres of corn with an expected yield of 175 bushels per acre, 701 acres of corn silage with an expected yield of 25 tons per acre, 275 acres of soybeans with an expected yield of 50 bushels per acre, and 50 acres of wheat with an expected yield of 80 bushels per acre.

With animal manure, the objective is to land apply this manure as a fertilizer and recycle the nutrients provided in the manure by applying to cropland. No matter what sized farm

the manure comes from or who is applying it, manure application should be done following best management plans to avoid runoff. If a permitted farm applies the manure, ODA will have regulatory oversight. If the farm or farmer is too small for ODA jurisdiction, they must still apply manure so it does not enter waters of the state and follow Ohio's pollution abatement laws. The Ohio Department of Natural Resources through the local Soil and Water Conservation District offices oversee Ohio's Agricultural pollution abatement laws for agricultural sediment, silvicultural sediment and animal manure. Ohio EPA also has authority to step in if there is pollution of state waters.

10. **Comment:** "Basically, what I seen the last all this man, the last couple years looking from the back of our farm, our water ways are probably about as deep as this stage here, and all the way across so wide, and when that fills up with water, it comes directly down from South Charleston and heads right down toward Selma and that is my big concern." [3]

Response to comment 10: This comment relates to water drainage from the proposed site of Eastwood Dairy. None of the proposed facility is in a floodplain and construction will not block normal water flow. In addition storm water is retained on site and should not increase peak flows. Any potentially contaminated storm water will be land applied to crop fields. Land applications of manure to crop fields must follow proper setbacks from streams, consider moisture conditions of the fields at the time of application, and consider the forecast for rainfall after application.

11. **Comment:** "And what's it going to do to the wells. You can't promise, the wells dry out. If the wells dry out, what are you going to do? That's going to affect your neighbors and that's going to affect everybody. If it's not fair to us, then why does the dairy need to be in?" [3]

"The manure from the dairy could ... deplete the entire area's water supply that supplies water to families of adjoining farms." [10]

Response to comment 11: If a facility has the capacity to use greater than 100,000 gallons of groundwater per day, it is required to register with the Ohio Department of Natural Resources Division of Water as required by Ohio Revised Code Section 1521.16. Eastwood Dairy estimates it will use 43,500 gallons of water per day, or 15,877,500 gallons per year. If there are additional concerns, local government officials, in cooperation with area residents, can request ODNR's Division of Water to assist in conducting detailed studies. To regulate this area further would be beyond the scope of ODA's authority.

If ODA receives a valid complaint in regards to a neighboring well becoming adversely affected by water reduction, ODA would advise and assist the complainant in contacting the ODNR Division of Water. ODA will assist the ODNR Division of Water with any material or information they may request. Refer to Ohio Revised Code Section 1521.17 for Ohio laws on the determination of reasonableness of water use.

12. **Comment:** "I live about five and a half miles from this particular facility and my concern with regards to this facility is there is not enough land, 1,500 acres is not

enough land for spreading the manure. There is never enough land for spreading manure." [4]

Response to comment 12: This is the commenter's opinion that the farm has not proposed enough acreage to spread manure. ODA has evaluated the nutrient management plan proposed by Eastwood Dairy, and finds the application rates meet the nutritional demands of the crops proposed. ODA's routine inspections and the farm's inspections of their manure storage pond are designed to monitor the pond level and provide ample warning to the farm when manure should be applied. If manure is not removed in a timely manner, the farm could be subject to an enforcement action by ODA.

13. **Comment:** "At the Manure Science Review in August when Jim Hoorman spoke reviewing the investigations of the 98 manure violations in Ohio January 1, 2000, to December 31, 2003, 66 them were on wet or rainy days. At the rate that manure was applied, two times as much manure was applied than was reported to the investigators, for an average half a million gallons in some cases." [4]

Response to comment 13: Many of the incidents Mr. Hoorman reported on were from non-permitted farms. A permitted farm needs to apply manure at the rate the soil is capable of handling it, eliminating most wet or rainy days. If a permitted farm were to have a manure run-off, ODA would investigate the application site and the records of application to determine what happened and who was at fault. ODA rules require storage capacity so that manure removal for land application generally occurs twice per year. The farm could be subject to an enforcement action by ODA. Non-permitted farms are within the oversight of ODNR through the local SWCDs. Also see the response to comment 9 & 10.

14. **Comment:** "And there is not enough control. There is not enough regulations in the permit process to protect the environment, to protect the citizens against the manure that they are going to be applying on this particular location. I fear the water shed is in trouble." [4]

Response to comment 14: This comment is about the permitting process, the rules and the law in general. It does not relate to Eastwood Dairy's draft Permit to Install or Permit to Operate.

15. **Comment:** "Of the manure violations that had occurred, 41 of them were, 51 of them were for farms that did not have a manure management plan, 30-some of them had a manure management plan, but of those only a few follow the manure management plan. So I hear a lot of information regarding permitting and permitting of these facilities, but the true fact is that in reality it is not followed in practice." [4]

Response to comment 15: All farms permitted by ODA are required to have a Manure Management Plan. The farms noted by the commenter were not permitted by ODA. A Manure Management Plan alone will not prevent manure run-off. The farmer must manage his farm according to the Manure Management Plan. ODA's routine and complaint inspections of each farm will ensure that the farm is following its Manure Management Plan and Permit to Operate. If the farmer is not following his permit, the farm could be subject to an enforcement action by ODA.

16. **Comment:** "I'm really concerned regarding the property values that we are going to incur as they go down for those people who live the closest to these facilities, and for those who live further away. Even if our value does not decrease, we are not going to see an increase in this area because of these facilities. Whereas, other locations who do not have factory farms in them are going to see an increase in their property values over time. I just have a real fear for people who are within this area regarding this facility." [4]

"The presence of such an enormous factory farm would ...greatly reduce the value of adjoining land." [8]

Response to comment 16: ODA does not have the authority to consider reduction in property values as criteria for a decision on draft permits.

17. **Comment:** "Regardless of what the Ohio Department of Agriculture, how well they regulate, regardless of how well the dairy owners and operators follow the rules, it is still not good enough. These manure lagoons are faulty by design and the US EPA has come out to inspect. They took a hydrogeologist who has no bias regarding these farms, but is looking for protection of the environment, works for an independent firm, that said these manure lagoons are clay compacted, they will leak. It's not a matter of if, it's a matter of when, and everybody down stream is affected by this." [5]

Response to comment 17: US EPA has been on Ohio dairy farms in the last year. At the time of inspection by US EPA, seven of the nine farms were considered medium-sized concentrated animal feeding operations (CAFOs) and outside ODA's jurisdiction. Two had recently-approved ODA permits but construction had not started. Many of the concerns the US EPA had in the administrative orders to the dairy farms relate to the potential for contaminated stormwater. US EPA made no findings with respect to manure lagoons or clay compacted ponds in their administrative orders. They cited no Ohio farms for having failed manure lagoons or manure storage ponds. In fact, the construction techniques and standards used by ODA for manure storage ponds and manure lagoons are comparable to standards used by US EPA in its regulatory programs.

18. **Comment:** "I think it's very important that the regulatory agencies do a tougher, better job. I don't think the rules are strict enough and I think we need to see a lot more improvement where this is concerned." [5]

Response to comment 18: This comment is about the permitting process, the rules and the law in general. It does not relate to Eastwood Dairy's draft Permit to Install or Permit to Operate.

19. **Comment:** "After attending several of your informational meetings, I do understand that there is very little we citizens in this area can do to stop this destructive business from becoming a reality. Ultimately, the ODA has control of our fate. If laws do not permit you to turn down a permit that has the potential to make living for us very difficult both now and most definitely in the future, we have no choice but to proceed with monitoring these business ventures ourselves. Rest assured we will continue to let you and associated politicians know that we do not want these factory farms in our

unpopulated areas, let alone in our community of tax paying citizens. A study needs to be done on the Ohio Department of Agriculture to see where your criteria comes from to grant such permits. Maybe this is being done out of state? We the citizens of this area do not want this dairy that is being forced upon us, so therefore, you leave us no option but to pursue all areas of concern on our own, realizing there will be no help from you." [6]

Response to comment 19: The Livestock Environmental Permitting Program's law and rules focus on protecting waters of the state and minimizing odor and insect nuisances to neighbors. There is no provision in the law for a "popular vote" as criteria for denying a draft Permit to Install or draft Permit to Operate. If the permit meets all laws and standards, the courts will likely overrule any action by the Director to deny the permit.

ODA's Livestock Environmental Permitting Program can be contacted at 614-387-0470 during business hours or toll free 1-800-282-1955 after hours for emergencies and ask for the Livestock Environmental Permitting Program to register a complaint if practices are noticed around the farm that are unusual or would not be considered best management practices to control odor (i.e. improper disposal of mortality, spoiled feed laying around, etc). Inspectors will visit the person who complained, the farm, and any other permitted farms in the area to inspect for compliance with their permits and best management practices.

ODA's Livestock Environmental Permitting Program has three dedicated inspectors for the 142 permitted farms in Ohio. All inspectors are highly qualified and skilled at what they do, including education and experience with livestock production, nutrient management, and environmental and water quality training. Their time is dedicated to routine and complaint inspections. ODA has committed to at least two routine inspections per farm per year – this is significantly better than the old system of no dedicated inspectors and engineers and no routine inspection program. Twice a year is the minimum inspection frequency, but complaints or violations noted during regular inspections would lead to more inspections to ensure problems are fixed and/or that violations are corrected. The inspection form they use is 27 pages long and covers all aspects of the management of the farm. In addition to the three inspectors, the executive director of the Livestock Environmental Permitting Program and the three agricultural engineers all can and do also inspect farms.

20. **Comment:** "My question to you at this point is, 'Why Ohio? Why in a populated area?' Could it be because Ohio laws are so lax, fines are so few, ODA is understaffed? Who is really benefiting from this process? Hmmm? Once again, I ask you to consider the permitting of Eastwood Dairy LLC, and in whose best interest is this permit?" [6]

"Why should the majority of the people in Madison Township be forced to accept the will of Dirk Winkle, Vreba/Hoff and the Wildman family? They want to bring a disgusting, inhumane, unhealthy factory farm and do business in our back yard. Then they will be spreading their waste product all around our little village Of Selma. Of course, we do not want it. Would you? We do not welcome this for one minute. I have written to six of our representatives and senators about this. We have a lot to lose while the other side is obviously going to be making out like a bandit. It's what I call stealing from the long time, hard working citizens and home owners in the area

and giving it to the Mega cow people. You know how I feel about it and a few of the reasons. Do you care?" [9]

"There was a time when citizens of this country expected our local, state, and federal elected government representatives to help us protect U.S. citizens instead of allowing people from foreign countries to take over and ruin our water, land and clean air that we have been taught to protect." [10]

Response to comment 20: As mentioned above, the Livestock Environmental Permitting Program's law and rules focus on protecting waters of the state and minimizing odor and insect nuisances to neighbors. The Livestock Environmental Permitting Program carries out those responsibilities on all farms ODA permits. The majority of these comments are regarding why large farms choose to locate in Ohio, which does not relate to the Eastwood Dairy draft Permit to Install and draft Permit to Operate.

21. **Comment:** "I spoke out against the permitting of this Eastwood Dairy on 11-10-04 at the public meeting. I am sending this letter to express my feelings also to be put on record." [7]

Response to comment 21: All comments provided orally at the Eastwood Dairy public meeting on November 10, 2004, are part of the public record. They are treated equally with all written comments.

22. **Comment:** "Many people in our immediate area are discontented but don't wish to be documented as such. Therefore, I am one of many discontented souls but am brave enough to send you my heartfelt feelings as to the effect this will have on future generations." [7]

Response to comment 22: ODA records all comments received during a public comment period. ODA cannot record rumor or comments told to staff second or third hand.

23. **Comment:** "A. water contamination that will affect the aquifer. 1. Tainted water – this could also cause the cows to drink less – you know it takes water to produce milk!!" [7]
 "Dirk Winkel a farmer from the Netherlands will own and operate a dairy, if given a permit, that can store up to 15 million gallons of manure each year until it can be spread over approximately 1,500 acres of farm land. The manure from the dairy could contaminate ... the entire area's water supply that supplies water to families of adjoining farms. I own an adjoining farm to the Wildman's farm and they have for years increased the number of tiles and water-ways to empty, their excess water down on my farm. I think it is most unfair to have them or any one put manure on their fields that will very definitely affect my farm." [10]

Response to comment 23: Eastwood Dairy is required to be designed, built, and operated so that there are no leaks and no discharges of manure into waters of the state. A site-specific geological exploration was made for Eastwood Dairy. Ohio Administrative Code Rule 901:10-2-03 requires a separation distance of 15 feet of low permeable material, for an aquifer yielding less 100 gallons per minute, between the bottom of the proposed manure storage pond and the uppermost aquifer (Ohio Administrative Code Rule 901:10-2-02). Soil borings found that the low permeable soil separation distance for

the manure storage ponds and one concrete settling basin exceeded the 15-foot requirement. One concrete settling basin had only 9.7 feet of separation distance. Since the adequate vertical isolation distance of 15 feet does not exist for this concrete settling basin, as per OAC 901:10-2-02 (A)(1)(e), a ground water monitoring program will be implemented prior to construction of the proposed dairy.

Testing will be performed during construction and submitted as part of the completed as-builts to verify that the appropriate compaction and permeability was provided to meet ODA rules.

ODA believes that meeting these standards, which are recognized throughout the nation and used by the U.S. Department of Agriculture's Natural Resources Conservation Service, should provide the necessary protection in preventing any impairment to the aquifer underlying the Eastwood Dairy. It is important to note that there has been no evidence in Ohio that manure ponds have leaked.

Eastwood Dairy is also required to perform an annual groundwater quality test as a part of this permit (Ohio Administrative Code Rules 901:10-2-03 and 901:10-2-08). For concerns related to manure storage, the best place to sample is at the farm itself. The well used at the site would pull more water from the aquifer than the surrounding individual homes, and any pollution would show up at the production site first. The initial test conducted for the permit application indicated that nitrates were "not detected" and total coliform bacteria was negative.

Regarding groundwater pollution from land application of manure, it is believed that these concerns are negligible as compared to that of manure storage structures. At an average annual application rate of less than 1 inch per acre per year, the crop would utilize a portion of these nutrients, and the remaining nutrients (P_2O_5 and K_2O) attach to the soil particles, generally in the upper 8 inches of the soil. Since nitrogen is a concern for leaching through the soil profile and does not readily attach to soil particles, the maximum amount of nitrogen to be applied in any given year cannot exceed the nitrogen requirements of the following crop, which minimizes excessive nitrogen application and any leaching effects it may have to groundwater. For land application of any manure, best management practices and nutrient balances are to be utilized to prevent excessive application of manure and concerns with these nutrients polluting surrounding ground and/or surface waters.

Application rates of liquid manure are to be adjusted to the Available Water Capacity of the soil at the time of application to prevent surface ponding and runoff. Tile outlets are also to be monitored during and after application and measures shall be in place to prevent discharge of manure through tile systems into waters of the state. There may be the use of water control structures, tile plugs or backhoe to cut tile lines. Additionally there are requirements of buffer and filter strips between manure application areas and waters of the state.

24. **Comment:** "B. All new operations start out well – but with uncontrollables being uncontrolled leads to quadrupled problems." [7]

Response to comment 24: This comment relates to “uncontrollable” acts causing problems on farms. The term “uncontrollable” is very general, but ODA does require the farm have an Emergency Response Plan in case of emergencies such as manure spills or discharges, fire, power outage, or catastrophic mortality.

25. **Comment:** “ODA in its stretched system should have other departments doing a check and balance upon its operations so that an overbearing approach to this system isn’t allowed. 1. Less one sided decisions – allowing others choosing how the future is formed. 2. Publicize to the immediate area more the whole picture.” [7]

Response to comment 25: ODA does not create laws, rules, or give itself regulatory authority. ODA is given and carries out regulatory responsibility by the Ohio General Assembly. S.B. 141 outlined how all large concentrated animal feeding facilities are regulated in Ohio. This law was updated in 2003 with H.B. 152. Other agencies and offices of government do work with ODA on these operations, such as Ohio EPA, local SWCD offices, local health departments, ODNR, and U.S. EPA. Other local government agencies and offices have authority with respect to land use planning.

26. **Comment:** “3. Since this is more of a factory than some factories are, agriculture shouldn’t be able to exempt itself from this phase of production!!” [7]

Response to comment 26: State laws acknowledge agricultural uses and that livestock production, regardless of size, is agriculture. This comment is general to all large farms and not specific to Eastwood Dairy’s draft Permit to Install or draft Permit to Operate.

27. **Comment:** “The proposed Eastwood dairy would have profound effect on the surrounding area. We urge that it not be permitted. The Society of Friends (Quakers) with which we are associated has had a long historical presence in Selma. It is a wonderful area of small and middle-sized farms.” [8]

Response to comment 27: This comment is general to agriculture and does not relate to Eastwood Dairy’s draft Permit to Install or draft Permit to Operate. The standards that this farm is required to meet are equal to or stricter than that of small and medium sized facilities.

28. **Comment:** “The presence of such an enormous factory farm would present very serious problems in waste disposal...” [8]

Response to comment 28: ODA requires each permitted farm to have a Manure Management Plan, so the manure is distributed and recycled properly as a nutrient to the soil and growing plants and to prevent manure run off. Because the farm has whole farm manure management plans, the rules require the farmer to either land apply in accordance with rules or to find adequate distribution for all his manure. Manure and soil testing determines how much manure should be applied to farm fields, and applying more is in violation of the laws. Rules require application only with available water holding capacity thus avoiding over application on saturated land. Farmers are required to monitor and control drainage tile flow. Farmers must comply with setbacks so as not to apply too closely to streams and rivers, to their neighbors, or to wells. They are required to plan for emergencies and to maintain detailed records of all aspects of manure

application, including analytical results, field conditions, amounts, method of application, and weather conditions. Our routine inspections of farmers actually applying manure, as well as inspections of all their records of manure application track this and assure that they are land applying or distributing and using manure correctly. If the permit would be approved and it is not followed, the farm could be subject to an enforcement action by ODA.

29. **Comment:** "The presence of such an enormous factory farm would present very serious problems in ... stream pollution..." [8]

Response to comment 29: See the response to comment 23.

30. **Comment:** "The presence of such an enormous factory farm would present very serious problems in ... flies and other insects..." [8]
"... and the flies that will be inflicted on near by residents." [10]

Response to comment 30: In order to obtain a Permit to Operate from ODA, a large livestock or poultry farm is required to include an Insect and Rodent Control Plan with the permit application. The plan is required to minimize the presence and negative effects of insects and rodents. Eastwood Dairy's Insect and Rodent Control Plan includes monitoring the barns on a weekly basis for flies and rodents. Speck cards or sticky tapes would be used to monitor for flies. Weekly visual inspections would be made for rodents. Rodent traps would be set and monitored by a pest control firm at least twice per month. A pest control firm would also routinely spray around the facility. Trends would be tracked by reviewing the speck card data both weekly and quarterly. The draft Permit to Operate contains the complete Insect and Rodent Control Plan. This plan would be subject to routine and complaint inspections by ODA. If the permits are not followed, the farm could be subject to an enforcement action by ODA.

31. **Comment:** "The people who own this will not be living downwind to constantly be breathing the polluted air, not to mention the smell..." [10]

Response to comment 31: There is no requirement for where a farm owner lives in relation to the production area of his farm.

32. **Comment:** "Will the foreigners be allowed to send the BIG MONEY they expect to make here (because they can not make the money in their own country this way) back to a foreign country and not pay taxes here. Our farmers must pay taxes on all income made on our farms." [10]

Response to comment 32: This comment refers to what the farm owners plan to do with the profits from their private business. This does not relate to Eastwood Dairy's draft Permit to Install or draft Permit to Operate.

33. **Comment:** "Draft Permit to Install No. EAS-0001.PI001.CLAR and Draft Permit to Operate No. EAS-0001.PO001.CLAR. I am enclosing a copy of page 29 of Section 6 of the manure application plan, under notes of assumption. They are planning to plug the tile outlets when they start flowing manure. This is where the legal problem comes into effect. As the Department of Agriculture knows it is illegal to dam water

back on upland property. As shown in copy of pages 7 and 8 section 3 which I am enclosing. I own most of the farm property north west of Battin-Howell Road. I also own south east of Battin Howell Rd. to So. Charleston-Clifton. A large portion of the land is drained through D-01;04. D-02;04 and D-03;04 page 8. Both surface and subsurface (tile) that they plan to plug. I have tiles (mains) going to outlets at Rte. 42. one going through D-03-04, three going through D02;04, one going through D01;04. These all flow into an open ditch through Selma, Ohio. The outlet is marked with an X page 8 at D-01;04 the A section and Rte 42." [11]

Response to comment 33: As indicated in response to 23, the farm must monitor the tile flow during and after land application and be prepared to plug or block the flow if manure is found. Land applications during times of heavy tile flow will be highly unlikely due to the limitation of soils to support equipment and the Available Water Capacity to be able to apply manure. If tiles do have to be blocked the manure is to be pumped out of the tile and should not affect the flow of the upstream properties. It is not against the law to block water flow, but you cannot causes damage to neighboring properties. This responsiveness summary will be sent to Eastwood Dairy to share with their cooperating crop farmers so they are aware of your concerns and encourage measures that avoid blocking main tile lines.

34. **Comment:** "I do not know if it makes any different for the permits, but Richard Wildman does not own this land. The land on this part of the permit Roger Thompson owns. Richard just rents it." [11]

Response to comment 34: Land does not have to be owned by the farmer to apply manure to it. A farmer can apply manure to rented ground.

(C)

(C)

(C)



Governor Bob Taft
Lieutenant Governor Maureen O'Connor
Director Fred L. Dailey

Livestock Environmental Permitting Program
8995 East Main Street • Reynoldsburg, Ohio 43068
Phone: 614-387-0470 • Fax 614-728-6000

ODA home page: www.state.oh.us/agr/ • e-mail: agri@odant.agri.state.oh.us

February 5, 2004

Mark and Marie Osterholt Farm
C/o Mr. and Mrs. Mark Osterholt
1289 Burville Road
Ft. Recovery, Ohio 45846

RE: 1st of 2 Inspections 2004

Dear Mr. and Mrs. Osterholt:

This letter is to document the Ohio Department of Agriculture's January 22, 2004, inspection of the Mark and Marie Osterholt Farm. Your farm that was inspected is located in Section 23 of Gibson Township in Mercer County.

Since you have obtained a Permit to Install and Permit to Operate from ODA, you are now subject to ODA's biannual inspections. This inspection was conducted as a result of those requirements. The inspection is meant to determine whether or not you are in compliance with the permits that have been issued to you. Compliance is determined by checking both your operating practices and operating records.

During the inspection, I noted your management practices were acceptable. I also noted that while you have been implementing many of the new operating records required, there are several that still must be maintained. All areas of deficiency are noted in the attached report. **I strongly urge you to review the attached report closely, as areas that are currently deficient will need to be improved upon to meet ODA requirements, or they will result in violations and possible enforcement action. This will be verified at the next inspection.**

ODA recognizes that you have just recently began operating as a Concentrated Animal Feeding Facility and are working on understanding what records must be kept. It appears that a lack of understanding of what is in your management plans (primarily the Manure Management Plan) has created the above result (of missing records). While we went through your plans briefly at the inspection, **you need to review them closely, understand what they say, and follow them.**

You indicated that you disagree with the schedule of equipment maintenance and calibration listed in your Manure Management Plan. You may revise this to more accurately reflect your operating practices under rule 901:10-1-09 (F) of the Ohio Administrative Code, the rule that allows for operational changes. This rule states, in part:

Upon the request of the director or as initiated by the owner or operator, changes may be made by the owner or operator and shall be recorded in the operational record by rule 901:10-2-16 of the Administrative Code.

As this rule states, please record your changes to the plan in your operating record. You will then be expected to follow your revised plan, which will be verified at the next inspection when I see this change in your Operating record and I check your records of equipment calibration.

Overall, it appeared your facility was being appropriately managed. It was also good to see that you are requesting soil sample results from others that you give manure to and apply manure for. This is a good practice that ODA encourages you to maintain, especially if you are custom applying manure for others.

Should you have questions about this report or what is expected of you, please feel free to call me at 614-728-4217 or the number I provided for you at the inspection. I may also be reached via email at mckay@odant.agri.state.oh.us.

Sincerely,

Michelle McKay

Michelle McKay
Livestock Environmental Inspector

Enclosure

Cc: Cathy Alexander, Ohio EPA
Mercer County SWCD
Bill Knapke, Cooper Farms
File



Governor Bob Taft
Lieutenant Governor Maureen O'Connor
Director Fred L. Dailey

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October 1, 2002

Mr. John Douglas
14981 Fox Lake Road
Marshallville
Ohio 44645

Re: Inspection report for Catalpadale Dairy Farms

Dear Mr. Douglas:

As per my conversation with you on October 1, 2002, please find enclosed a copy of my hand-written inspection report. John Douglas and herdsman Rick Pew represented Catalpadale. Others in attendance were Jim Young and Kelly Harvey from ODA-LEPP, Rick Wilson from OEPA and Tim Demland from OSU Extension was present for the inspection; you and I signed this report. No later than 14 days from today, I will be sending you a typed copy of the report along with a letter explaining the results of the inspection.

ODA is here to provide technical guidance and to assist you with questions you may have as you work through the Review Compliance Certificate process. If you have further questions regarding this report, please feel free to contact me at either 614-387-0913 or at 330-897-1302.

Sincerely,

Jim Young
Livestock Environmental Inspector

Enclosure

Cc: File



Ohio Department of Agriculture

OHIO
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Governor Bob Taft
Lieutenant Governor Jennette B. Bradley
Director Fred L. Dailey

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10 May 2004

John Douglass
Catalpadale Dairy Farms
14981 Fox Lake Rd.
Marshallville, Ohio 44645

**Re: 1st of 2 2004 Review Compliance Certificate Final Inspection Report for
Catalpadale
Ohio EPA Permit # 08-048-NE**

Mr. Douglass:

This letter serves as the Ohio Department of Agriculture Livestock Environmental Permitting Program's follow-up to our 14 April 2004 inspection for Catalpadale Dairy Farm. The facility inspected was: Catalpadale Dairy Farm located in Wayne County, Baughman Township, Section 9.

From my inspection, it appears that you are following your current Ohio EPA permit. A CNMP has been submitted, and it is noted by ODA that you have been using utilization and distribution by gifting your manure to several surrounding farms, as well as applying to land you both own and lease. These records are recorded in the Operating Record and were made available during the inspection. There are sales agreements in place. You have provided a copy of Appendix A of Ohio Administrative Code Rule 901:10-2-14 and Matrix for "Manure Land Application Restrictions" to those surrounding farmers. This Appendix has ODA's setback requirements for land application. The matrix is a summary of Appendix A. This matrix gives a quick look at application restrictions.

J & R Spraying is under contract for insect and rodent control. This Insect and Rodent Control Plan (IRCP) has been submitted by you as a required part of your Review Compliance Certificate (RCC) and has been implemented and those inspections will be recorded in the Operating Record. The same is true of the Mortality Management Plan. Taylor Dead Stock Removal renders all mortality.

As far as the RCC process goes, as required by Section 903.04(E) of the Ohio Revised Code and the OAC Rule 901:10-1-07, you will need to submit to ODA the following:

1. Names and addresses of owners and or partners and any other person who has a right to control or manage the facility.
2. Type and number of livestock at the facility
3. An updated Manure Management Plan.

4. An updated Mortality Management Plan.
5. An updated Insect and Rodent Control Plan.
6. Plans on who will be your Certified Livestock Manager and how you will implement the program (*not applicable at your operation*)
7. Any revisions to the approved PTI that reflects current operations.
8. A list of all contiguous neighbors and their addresses.

ODA is requesting these items be submitted no later than 1 July 2004.

All of the aforementioned items have been submitted to ODA and are presently under review. We are currently awaiting the plans and location of the satellite manure storage pond that is needed to provide 180 days of storage.

Once ODA has reviewed the information listed above so that we may properly answer questions we receive from the public and provide them with the most updated information, we will then send out the letters to all contiguous neighbors. The RCC process does not necessitate a public meeting or hearing.

Until ODA makes a decision on your RCC, you need to continue to follow your current Ohio EPA permit. For manure and/or soil sampling results that the Ohio EPA permit requires you to submit, you should now submit them to ODA.

Finally, you should know that Ohio EPA is adopting a new General NPDES permit for concentrated animal feeding operations (CAFOs) in Ohio. The General NPDES permit has very strict limitations on manure applications to frozen or snow covered ground. If your operation is not eligible for the General permit, then you may expect an individual NPDES permit, which will have the same limitations. Attached is a copy of Appendix A Table 1, Land Application Restrictions and Setbacks from ODA. Like Ohio EPA, ODA is adopting these limitations along with increased required setbacks.

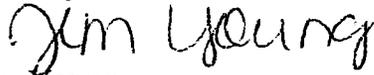
These changes will affect your plans for manure application in the Fall-Winter 2004. We urge you to start planning now:

1. How many acres are available for land application of manure, given your or the cooperating crop farmer's existing or intended cropping plans for these acres;
2. How many gallons/tons of manure need to be spread from now until November-December 2004 to provide enough manure storage at this facility for a minimum of 120 - 180 days;
3. What is the total volume (gallons/tons) of manure storage currently available, less your freeboard requirement;
4. What type of land application equipment will you need to meet item #2? What is the capacity of the equipment and the volume that can be applied on a daily basis;

The goal of this plan would be to have adequate storage until the first freeze so that your facility will not have to land apply manure from this date until March-April 2005. Application on frozen or snow-covered ground is to only be utilized during emergency situations and not a routine practice in any manure management plan.

Should you have any questions or concerns about this inspection or the RCC process feel free to call me at either 614-387-0913 or 330-897-1302. I may also be reached via e-mail at jyoung@odant.agri.state.oh.us

Sincerely,



Jim Young
Livestock Environmental Inspector

Enclosure

Cc: File

Cc: Without enclosure

Duane Wood – Wayne County SWCD
Mark Nishimura – ODNR
Rick Wilson – Ohio EPA



Ohio Department of Agriculture



Governor Bob Taft
Lieutenant Governor Jennette B. Bradley
Director Fred L. Dailey

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ODA home page: www.state.oh.us/agr/ • e-mail: agri@odant.agri.state.oh.us

8 March 2004

Ohio Fresh Eggs, LLC
Croton Layer #1
C/o Ron Flory
10513 Croton Road
Johnstown, Ohio 43031

**Re: 1st of 2, 2004 Inspection Reports for Ohio Fresh Eggs, LLC, Croton Layer #4
Ohio Department of Agriculture Permit to Install #OFL1-0001.PI001.LICK
Ohio Department of Agriculture Permit to Operate #OFL1-0001.PO001.LICK**

Dear Mr. Flory:

This letter serves as the Ohio Department of Agriculture's follow-up to our 27 February 2004 inspection for Ohio Fresh Eggs, LLC, Croton Layer #1. The facility inspected was: Ohio Fresh Eggs, LLC, Croton Layer #1 located in Licking County, Section 3 of Hartford Township

From my inspection, it appears that you are following both your Permit to Install and Permit to Operate, including but not limited to, Mortality Management Plan, Insect and Rodent Control Plan (IRCP), and Manure Management Plan. Mortality is removed from cages on a daily basis and placed into barrels. These barrels are emptied into a refrigerator truck and transported to the rendering facility. G.A. Wintzer is the rendering service being used.

The IRCP is being followed and records for the IRCP, Mortality Management Plan, and manure sales and manure application records are being maintained in the facility operating record. To this date there have been 2,994 tons of manure sold to Chuck Bachman Ag Trucking and Dan Vaness and 1,815,000 gallons of storm water land applied by Kneller Manure Service. There are detailed records of all manure applications and sales in the facility operating record, and they were readily available during the inspections. All applications should abide with Appendix A and the Matrix for Land Application Restrictions. Weather and soil conditions are also recorded.

The well Public Drinking Well (PWS), License #04-4555612-64436, and identified as well #1 and located west of barn #1 was tested on 18 August 2003. This well shows negative results for Fecal Coliform to be < 1/100 ppm, Fecal Strep to be < 1/100 ppm, and Nitrate to be, < 0.1 mg/l. All records maintained in the operating record conform to the requirements of Rule 901:10-2-16 of the Ohio Administrative Code.

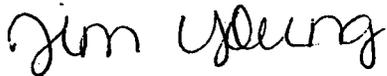
During this inspection we discussed the new construction procedure to be used at Layer #1. Also we discussed a few items that need attention. They are as follows:

- Clean and repair exhaust fans.
- Reshape areas between the high-rise barns so surface water moves away from the area between the barns to avoid ponding and making it easier for vegetative maintenance.
- Need to install a staff gauge in egg wash cell #1 and cell #2 or an approved level monitoring system of another kind.
- Obtain a manure sample from each layer barn at the facility.

Most of the aforementioned items are in the process of being addressed with the new remodeling procedures at Layer #1.

Should you have any questions or concerns about this inspection feel free to call me at either 614-387-0913 or 330-897-1302. I may also be reached via e-mail at jyoung@odant.agri.state.oh.us

Sincerely,



Jim Young
Livestock Environmental Inspector

Enclosure

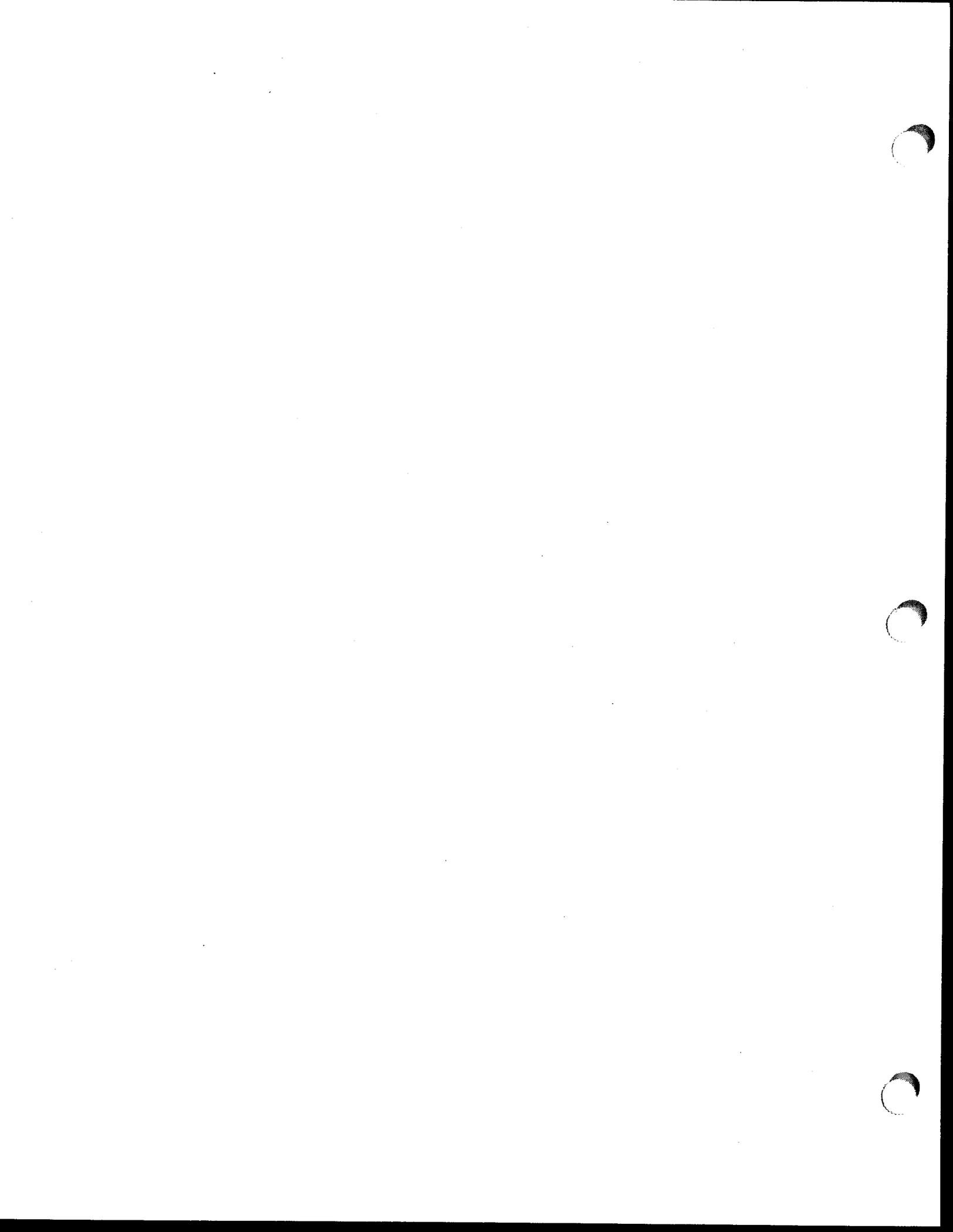
Cc: File

Ron Flory – Ohio Fresh Eggs, LLC
Stephanie Tudor – Ohio Fresh Eggs, LLC

Cc: Without Enclosure

Rick Wilson – Ohio EPA
Jim Kiracofe - Licking SWCD
Mike Nishimura - ODNR

Checklist for Permit or
Permit Modification Issuance



Checklist for Permit or Permit Modification Issuance. Before Any permit or permit modification may be watermarked and copied for issuance as a draft permit (and releasable to the public) the following steps must be completed on this form. This form shall be completed for each permit with no exceptions! Each document of a permit must be organized exactly in the order listed here. Completion of the form requires a checkmark by the reviewer and the reviewer's name or initials.

- Fees (Administrative Assistant)** Have all appropriate fees been paid for the permit(s)? If you don't know, ask.

- Is this an MCAFF (Legal & Administrative Assistants)?** If so, you must check the **Fees** to make sure of the correct amount.

- Has the Permit Application been stamped in (Administrative Assistant)**

- Overview (Engineers)**

Part A – Administrative Information

- Permit Application (Engineers)** Does the application(s) have 5 complete permit application pages?
 - Are the corresponding questions on pages 1 and 2 filled out?
 - Are the questions answered correctly?

- General Information (Engineers and Legal)** Does the application(s) have 9 complete permit application pages?
 - 1. Is the owner and operator information consistent? (Legal)
 - 2. Is the Facility Name and Address information consistent? (Legal)
 - 3. Is the Facility Location Information correct? (Engineers)

- 4. Is the Watershed Location correct? (Engineers)
- 5. Is the Permit Application Prepared by section correct? (Engineers)

- 6. Is the Date the permit was submitted filled out correctly? (Engineers)

- 7. Is the Reason for application section filled out correctly? (Engineers & Legal)
 - PTI
 - PTO
 - NPDES

- 8. Is the Construction Stormwater section filled out correctly?
 _____ Date Applied for permit

- 9. Is the Other permits, licenses, certifications, etc. section filled out correctly?

- 10. Is there any Confidential Information in the permit? (Engineers) If so, requires Legal's sign-off to determine if the confidentiality claim is legally supportable, to what extent, and with redacted documentation.

- 11. Is the Certified Livestock Manager page filled out? (Engineers & Community Relations Liaison)
 - If so, are the CLM papers filled out correctly? (Engineers & Legal)
 - Is this an MCAFF?** If so, you must check the LEPP files on Certified Livestock Manager and **make a copy of the original Certification by the Director of the CLM identified in this permit(s) and place a copy of the certificate in the permit(s) at Certified Livestock Manager.** (Community Relations Liaison)

- Local Notification (Legal)** Is the local notification page filled out properly?

- Does application(s) have signed and dated letters from the applicant for both county commissioners and township trustees?

- Does application include some form of documentation to verify that at least a copy to some consultation, e.g., that Local Notification was sent to both sets of local officials by certified mail return receipt requested?

- Is this an MCAFF ?** If so, you must **check Local Notification again** to make sure that the permit(s) also has a **formal certification from each board**—both township trustees and county commissioners—that is **signed by these individuals.**

- Compliance Information (Legal)** Is the Compliance Information form filled out correctly?
 - Is the report on the **background check** included with this part of the Permit(s) at the portion of the permit labeled as **Compliance Information?**

- Animal Units and Types of Animal Confinement Buildings (Engineers)** Are these tables filled out correctly?

Part B - PERMIT TO INSTALL (PTI) – Is a PTI required for this application?

YES

NO (If no, proceed to the PTO section)

These documents are required for a Permit to Install (or PTI modification) (Engineers)

- 1. Manure Storage or Treatment Facilities – Is this section completely and accurately filled out?
- 2. Water Quantity – Is this section completely and accurately filled out?
- 3. Ground Water Quality - Is this section completely and accurately filled out?
- 4. Construction and Operation Dates - Is this section completely and accurately filled out?
- 5. Siting Criteria - Is this section completely and accurately filled out?

Siting Criteria. Check the permit to see if any siting criteria for **Neighboring residences or for Property lines have been modified by written agreements.** If siting has been modified, you should find a completed form that looks like this in that part of the permit that is siting criteria:

" _____ residing at _____ have been
[Name] [Address]
informed that a farm that is a concentrated animal feeding facility is to be constructed at:

_____ [Name of owner/operator and name/
address of facility]

- with capacity for liquid manure
- with capacity for solid manure
- with capacity for both solid and liquid manure

"I have been informed of the siting criteria for concentrated animal feeding facilities which are set forth in rule 901:10-2-02 of the Ohio Administrative Code. This rule states that a concentrated animal feeding facility with solid manure shall be no closer than 500 feet to a neighboring residence; that a concentrated animal feeding facility with liquid manure shall be no closer than 1,000 feet to a neighboring residence. A major concentrated animal feeding facility with solid manure shall be not closer than 1000 feet. A major concentrated animal feeding facility with liquid manure shall be not closer than 2000 feet.

"Based upon[_____]
describe: site map, measurements, property maps, site survey
my residence, listed above, will be closer than the distance prescribed by rule. I am aware of the proposed construction and I have no objections, as signified by my signature, below.

[signature here]"

- 6. Is information provided from the consultant that performed the Geological Exploration?
- 7. Are Recorded Water Well Logs Report provided for wells within 1000 feet of the manure storage or treatment facility?
- 8. Is a complete and accurate site map provided?
- 9. Is a complete and accurate Geological Report provided?
- 10. Is a complete and accurate Precipitation Runoff and Stormwater Grading Plan

provided? Coordinated with Ohio EPA construction stormwater permit?

- 11. Are detailed engineering drawings, designs, and plans for construction provided?
- 12. Is a public surface water intake located within 10 miles downstream of the proposed facility? Yes No (If yes, need to let public relations know so that this public works can be specially notified)
- 13. Do we have the **Signature(s) of the applicant(s)**? Is the signature in the correct location under **the certification statement, required by law: "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted."** This statement is to be followed by another statement based also on our rules.

Part C - PERMIT TO OPERATE (PTO)

These documents are required for a Permit to Operate (or PTO modification) (Engineers)

- Manure Management Plan –
Rules 901:10-2-08 to 901:10-2-14 and Rule 901:10-2-18
- Insect and Rodent Control Plan –
Rule 901:10-2-19
- Mortality Management Plan –
Rule 901:10-2-15
- Emergency Response Plan –
Rule 901:10-2-17
- Operating Record-
Rule 901:10-2-16
- [Note for future use: check inspection frequencies for IRCP and for any required weekly daily inspections on the production area for the MMP]

Once the checklist for draft Permit to Install and/or draft Permit to Operate is complete, the following procedures begin. While these steps should be completed in order, there will be much of this work done simultaneously between the Public Information Officer and the Community Relations Liaison. Completion on each item listed requires a checkmark by the person who completed task, the person's initials and the date.

Prior to release of draft permit(s)

- A "shell" fact sheet is drafted by the Community Relations Liaison (CRL) or Public Information Officer (PIO) and sent to the Engineer in charge of the permit for completion of technical and factual information
- CRL reviewed permit(s) checklist and verifies it is complete
- CRL works with Administrative Assistant (AA) to watermark draft permit(s) and number draft permit for copying
- CRL makes sure the following copies are made of the draft permit:
 1. For the applicant(s)
 2. For the county commissioners
 3. For the township trustees
 4. For the local board of health of the county where the farm is located
 5. For the local soil and water district
 6. For Ohio EPA
 7. For our files
 8. For the AGO when you have a note made on this form by Legal or by the Executive Director: _____
- Copies made and sent:** _____ [date, initials] _____
- The draft fact sheet is returned to the PIO with in three business days for editing to style and returned to engineer to assure no technical data was changed incorrectly.
- The draft fact sheet is routed to legal and the Executive Director for approval
- PIO identifies local media and newspaper for public notice, contacts paper and learns procedures for submitting a legal notice and lead time prior to printing
- PIO works with AA on any billing requirements
- PIO prints interested parties address labels for CRL
- CRL addresses interested party mailing
- CRL identifies local officials to be contacted
- CRL works with the AA to have UPS shipping labels printed
- PIO and CRL evaluate calendar and identify meeting dates

- CRL contacts local SWCD about being a local repository
- CRL contacts meeting sites to secure meeting rooms
- CRL contacts court reporter to schedule for public meeting
- PIO drafts public notice
- PIO drafts news release
- PIO routes draft public notice and draft news release to Executive Director for approval
- Fact sheet, public notice, and news release are edited by CRL or AA.
- CRL writes cover letters for local officials and interested party mailing.
- Three days prior to public notice being printed in the news paper, CRL begins to contact all local officials, with the goal of contacting all officials prior to public notice and news releases being printed (Note: There may be an exception to this step if the permit is highly controversial. Release of the draft permits to the press may correspond with initial contact of the public officials with the goal of contacting or leaving messages for all on that day.)
- Public notice faxed to newspaper
- Target date for news release is the date of the public notice being printed (Note: There may be an exception to this step if the permit is highly controversial. The news releases may correspond with the faxing of the public notice.)
- Target date for mailings to local officials and interested parties should be within two days after the public notice is issued.
- Website updated the day that the news release is faxed to local media (the day the public notice is printed).
- All copies made for interested parties mailing
- All copies made for local officials mailing
- News release faxed to local media.
- Interested parties mailing complete.
- Local officials shipping complete
- Engineer completes PowerPoint presentation and sends to PIO, CRL, and Executive Director 1 week prior to first educational meeting

Technical Meeting and First Public Education Meeting: Open House or Information Session

- CRL downloads copy of PowerPoint presentation onto disk for laptop

- CRL creates sign in sheets to record attendance at each meeting and makes copies
- CRL creates "how to comment" document for public education meetings and copies
- CRL to copy facility fact sheet for meeting
- CRL to verify copies of all other handouts are made
- CRL outlines opening comments to local officials
- CRL to verify draft permits in binders and photocopies are packed, as well as electrical cords, computer, projector, PowerPoint presentation, pointer, index cards, pencils are packed. CRL determines if portable screen is necessary to take.
- PIO to outline opening comments

Second Public Education Meeting: Information Session

- CRL to verify if more "how to comment" sheets need copied for meeting
- CRL to verify facility fact sheet copied for meeting
- CRL to create attendance sheet and verify copies are made
- CRL to verify copies of all other handouts are made
- CRL to verify draft permits in binders and photocopies are packed, as well as electrical cords, computer, projector, PowerPoint presentation, pointer, index cards, pencils are packed. CRL determines if portable screen is necessary to take.
- PIO to outline opening comments

Public Meeting

- CRL to confirm court reporter
- CRL to create attendance sheet and create oral testimony sign up sheet and verify copies made of both
- CRL to verify facility fact sheet copied for meeting
- CRL to verify copies of all other handouts are made
- CRL to verify draft permits in binders and photocopies are packed, as well as electrical cords, computer, projector, PowerPoint presentation, pointer, index cards, pencils are packed. CRL determines if portable screen is necessary to take.
- PIO to draft script
- CRL or PIO to get a target date for receipt of transcript from court reporter

End of process

- When written comments are received, CRL or PIO files original and a copy goes to the PIO
- CRL or PIO to verify name and address are on each written comment
- PIO will contact person if incomplete information is received
- PIO will start drafting responsiveness summary within two days of the receipt of the transcript
- PIO will contact via e-mail or regular mail anyone whose comment was received after the end of the comment period
- Comments received after the close of the comment period or comments without names and addresses are filed in the "correspondence" file in the permit file.
- PIO sends responsiveness summary to engineer for technical information to be added if needed
- PIO sends responsiveness summary to legal and Executive Director (after engineer review)
- PIO finalizes responsiveness summary

FINAL PERMIT:

Part A – Administrative Information

- Permit Application (Engineers)** Are there changes to the permit application?
- General Information (Engineers and Legal)** Are there changes to the General information?
- Compliance Information (Legal)** Are there changes to the compliance information?
 - Is the FINAL report on the **background check** included with this part of the Permit(s) at the portion of the permit labeled as **Compliance Information?**

- Animal Units and Types of Animal Confinement Buildings (Engineers)** Are there changes?

Part B - PERMIT TO INSTALL (PTI) – Is a PTI required for this application?

YES

NO (If no, proceed to the PTO section)

These documents are required for a Permit to Install (or PTI modification) (Engineers)

- 1. Manure Storage or Treatment Facilities – Are there changes?
- 2. Water Quantity – Are there changes?
- 3. Ground Water Quality - Are there changes?
- 4. Construction and Operation Dates - Are there changes?
- 5. Siting Criteria - Are there changes?
- 6. Are there changes to the Geological Exploration?
- 7. Are Recorded Water Well Logs Report provided for wells within 1000 feet of the manure storage or treatment facility? Are there changes?
- 8. Is a complete and accurate site map provided? Are there changes?
- 9. Is a complete and accurate Geological Report provided? Are there changes?
- 10. Is a complete and accurate Precipitation Runoff and Stormwater Grading Plan provided? Are there changes?
- 11. Are detailed engineering drawings, designs, and plans for construction provided? Are there changes? **Are they stamped by the project engineer with the required P.E. stamp—for manure storage ponds, manure treatment lagoons, and fabricated structures, especially fabricated structures holding liquid?**
- 12. Do we have the **Signature(s) of the applicant(s)?** Are there changes?

Part C - PERMIT TO OPERATE (PTO)

These documents are required for a Permit to Operate (or PTO modification) (Engineers)

- Manure Management Plan –
Rules 901:10-2-08 to 901:10-2-14 and Rule 901:10-2-18

Are there changes?

- Insect and Rodent Control Plan –
Rule 901:10-2-19

Are there changes?

- Mortality Management Plan –
Rule 901:10-2-15

Are there changes?

- Emergency Response Plan –
Rule 901:10-2-17

Are there changes?

- Operating Record-
Rule 901:10-2-16

Are there changes?

- Cover sheets.** PIO drafts two cover sheets must be prepared in letter form for the Director's signature as an original signature on both documents. Final signature signifies a final decision of the permit(s) at such time as a permit is decided upon. This letter must include a line that will list the issuance date of the decision on the permit(s), the expiration date (as applicable) for the permit(s), an entry for the order number (top right hand of the page), and a line for the certification to be made for the Director's Journal. One original signed letter shall be retained by the Office of Chief Counsel in the Director's Journal and the other original signed letter shall be retained in the facility's files for use in authenticating the permits in the event of any appeal to ERAC.
- PIO takes final order and responsiveness summary to Director's office for signature
- PIO and CRL identify date for final notice
- PIO prints an interested parties address label list for CRL
- CRL works with AA to enter attendees at meetings into label list for final mailing.
- CRL works with Administrative Assistant (AA) to watermark final permit(s) and number final permit for copying
- CRL makes sure the following copies are made of the final permit:
 1. For the applicant(s)
 2. For the county commissioners
 3. For the township trustees
 4. For the local board of health of the county where the farm is located

5. For the local soil and water district
6. For Ohio EPA
7. For our files
8. For the AGO when you have a note made on this form by Legal or by the Executive Director: _____

Copies made and sent: _____ [date, initials]_____

- CRL creates final notification letters for interested parties
- CRL creates final notification letters to local officials
- CRL creates final notification letter to meeting attendees and those who commented
- PIO drafts final notice
- PIO drafts final news release
- PIO sends final order and final news release to Executive Director for approval
- PIO has CRL or AA edit final order and final news release
- PIO faxes final public notice to the newspaper
- Target date for news release is the date of the public notice being printed (Note: There may be an exception to this step if the permit is highly controversial. The news releases may correspond with the faxing of the public notice.)
- Target date for mailings to local officials and interested parties should be within two days after the public notice is issued.
- Website updated the day that the news release is faxed to local media (the day the public notice is printed).
- All copies made for interested parties mailing
- All copies made for attendees mailing
- All copies made for local officials mailing
- CRL works with AA to make UPS labels
- News release faxed to local media.
- Interested parties mailing complete.
- Attendees mailing complete.
- Local officials shipping complete
- When affidavit for public notices come with the billing information, AA gives a copy to CRL, who files it in the permit file
- Copies of all original documents are filed in the permit file by PIO and CRL