

RULE NUMBER	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
OAC 901:10-1-02(A)(1)	A person who is required to obtain both a permit to install pursuant to section 903.02 of the Revised Code and a permit to operate pursuant to section 903.03 of the Revised Code shall submit both applications for these permits simultaneously.	ORC 903.08, 903.10	Yes, state law	Yes, state law
OAC 901:10-1-02(A)(2)	A facility that is required to obtain both an NPDES permit and a permit to operate shall be issued a single permit to operate incorporating the terms and conditions established by both permits.	ORC 903.08, 903.10	Yes, state law	Yes, state law
OAC 901:10-1-02(A)(2)	The permit to operate expressly shall designate the terms and conditions required under the NPDES permit as federally enforceable.	ORC 903.08, 903.10	Yes, state law	Yes, state law
OAC 901:10-1-02(A)(2)	A person who seeks coverage by a general permit must refer to rules 901:10-3-11, and 901:10-4-01 to 901:10-4-05 of the Administrative Code for a general permit to operate, general NPDES permit or general NPDES stormwater permit.	ORC 903.08, 903.10	Yes, state law	Yes, state law
OAC 901:10-1-02(A)(3)(a)	An application for a permit to install, a permit to operate, or a NPDES permit to be deemed complete, must include:(a) All required information as set forth in Chapter 901:10-2 and, if applicable, Chapter 901:10-3 of the Administrative Code, and shall accompany the application;	ORC 903.08, 903.10	Yes, state law	Yes, state law
OAC 901:10-1-02(A)(4)	An application for a permit to install, permit to operate or NPDES permit shall include information on ownership and background, including but not limited to, the following information:	ORC 903.08, 903.10	Yes, state law	Yes, state law

OAC 901:10-1-02(A)(4)(b)	When required by section 903.05 of the Revised Code, each application for a permit to install or permit to operate must contain information on a record of past compliance if the applicant has not operated a concentrated animal feeding facility in Ohio for at least two of the five years immediately preceding the submission of the application.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-02(A)(4)(b)(iii)	The lists of concentrated animal feeding facilities operated by the owner or operator within or outside this state or outside the United States shall include, respectively, all such facilities operated by the owner or operator during the five year period immediately preceding the submission of the application.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-02(A)(7)	An application for a permit to install a concentrated animal feeding facility shall contain documentation or correspondence that verifies that the owner or operator has notified local officials, including boards of county commissioners, county engineer, and boards of township trustees to address infrastructure needs and financing of that infrastructure which includes but is not limited to:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-02(A)(7)(b)	Notwithstanding any exemptions that may be applicable under section 5577.042 of the Revised Code, the owner or operator shall provide the anticipated number and weights of motor vehicles traveling to and from the facility with an estimated maximum overall gross weight of vehicles upon the road surface;	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-02(A)(9)(a)	Any person who requires a permit shall complete, sign, and submit to the director an application for each permit required and a copy of that application for each permit required.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-02(A)(9)(b)	The director shall not begin the processing of a permit until the applicant has fully complied with the application requirements for the permit.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-02(A)(9)(c)	Permit applications must comply with the signature and certification requirements of this rule.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-1-02(B)	The owner or operator shall maintain a copy of the current permit to install, permit to operate or NPDES permit issued by the department at the facility site office.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-02(C)(1)(a)	A permit to install shall expire after twenty-four months unless the applicant has undertaken a continuing program of construction or has entered into a binding contractual obligation to undertake and complete a continuing program of construction within a reasonable time.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-02(C)(2)(a)	A permit to operate shall be valid for a period of five years.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-02(C)(2)(b)	A permit to operate may be renewed. An application for renewal of a permit to operate shall be submitted to the director at least one hundred eighty days prior to the expiration date of the permit to operate...	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-02(C)(2)(b)	and shall comply with the requirements governing application for permits to operate that are established by rules, including rules 901:10-2-07 to 901:10-2-20 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-02(D)(1)	Any person who discharges or proposes to discharge pollutants and who does not have an effective permit, except persons covered by a general permit under Chapter 901:10-4 of the Administrative Code, must submit a complete application to the director in accordance with this rule and Chapter 901:10-2 of the Administrative Code.	ORC 903.08, 903.10	Yes, state law	Yes, state law
OAC 901:10-1-02(D)(2)	Any person proposing a new discharge shall submit an application at least one hundred and eighty days before the date on which the discharge is to commence unless permission for a later date has been granted by the director.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-02(D)(2)	Facilities proposing a new discharge of storm water associated with industrial activity shall submit an application one hundred and eighty days before that facility commences industrial activity which may result in a discharge of storm water associated with that industrial activity.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-1-02(D)(4)	Facilities undergoing construction activities that include clearing, grading, excavating, grubbing and/or filling activities that result in the disturbance of one or more acres shall submit applications at least ninety days before the date on which construction is to commence. Different submittal dates may be required under the terms of applicable general permits.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-02(D)(5)	Applicants for concentrated animal feeding operations must submit form 2B.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-02(D)(6)	A NPDES permit shall be valid for a period not to exceed five years	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-02(D)(7)	An application for renewal of a NPDES permit shall be submitted to the director at least one hundred eighty days prior to the expiration date of the NPDES permit ...	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-1-02(D)(7)	and shall comply with the requirements governing applications for permit to operate and NPDES permit applications that are established in Chapters 901:10-2 and 901:10-3 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-1-02(E)	A permit to operate application that is not connected with an application for a NPDES permit or a permit to install shall be acted upon not later than ninety days after receipt of a complete application as provided by paragraph (A)(9) of this rule.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-02(E)	The director or the director's authorized representative may provide guidance and technical assistance to the applicant, provided that the owner or operator is responsible for compliance with the permit and the director shall not be estopped from enforcement.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-03(A)	Criteria for decision making by the director. The director shall deny, modify, suspend or revoke a permit to install or permit to operate if: ...	ORC 903.08, 903.10	Yes, state law	Yes, state law
OAC 901:10-1-03(B)(2)(b)	Any administrative enforcement action (including an administrative order or notice of violation), civil suit, or criminal proceeding that is:... (b) Resolved or dismissed in a settlement agreement, in a consent order or decrees, is adjudicated or otherwise dismissed and that may or may not have resulted in the imposition of:..	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-1-03(C)	In addition to the criteria set forth in paragraphs (A) and (B) of this rule, the director shall deny, modify, suspend, or revoke an NPDES permit if the director determines:...	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-04(A)	Applicants for permits and certifications shall pay non-refundable fees to the department of agriculture for each such issuance as provided by this rule and rule 901:10-1-02 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-04(B)	A late charge of thirty dollars shall be assessed for a certificate expired more than ten days.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-04(C)	The permit to install shall be submitted simultaneously with the permit to operate with applicable fees for each permit.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-04(K)	A request for a major operational change shall be assessed a fee of five hundred dollars.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-04(N)	The fees assessed under this rule shall be collected upon submission of the application for permit as required by rule 901:10-1-02 of the Administrative Code or certificates or renewals or upon application for permit transfer or permit modification.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-04(O)	If necessary to revise fees, the director shall compile revised fee schedules ...	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-04(O)	and shall make the revised schedules available to persons required to pay the fees and to the public.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-05(B)	In order to be protected, the applicant shall demonstrate to the director's satisfaction that all or part of such records, reports or other information, (including attachments that are required to be submitted), or other part thereof (other than effluent data) to which the director has access under this rule, if made public would divulge methods or processes or other information entitled to protection as trade secrets.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-05(B)	If the director determines that the claim for trade secret is satisfied, the director shall consider such records, reports, or other information or part thereof confidential and manage the records, reports or other information pursuant to this rule.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-1-05(D)	A request for confidentiality shall be submitted to the director simultaneously with submission of the specific record, report or other information.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-05(D)	The applicant shall clearly indicate the record, report or information as trade secret	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-05(D)	and shall label it "trade secret".	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-05(D)	Failure to make such request simultaneously shall constitute a waiver of the right to prevent public disclosure.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-05(D)	A request for confidentiality shall be accompanied by documents that support the request which include:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC901:10-1-05(E)	A decision as to the confidentiality request shall be made by the director within forty-five days of receipt of a request filed in accordance with this rule.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-05(E)	Until such decision is made, the record, report or other information or part thereof, shall be confidential and maintained by the director in a separate file labeled "confidential".	ORC 903.08, ORC 903.10	Yes, state law	Yes, state Law
OAC 901:10-1-05(E)	The applicant shall be notified by mail of the decision.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-06(A)(1)	The management and handling of manure at a major concentrated animal feeding facility, shall be conducted by or under the supervision of a person that has a current livestock manager certification and that is reasonably available to the facility.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-06(A)(2)	No person who is a livestock manure broker shall buy, sell, or land apply annually more than four thousand five hundred dry tons of manure or more than twenty-five million gallons of liquid manure unless the person is a certified livestock manager.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-06(A)(3)	No person who is a livestock manure applicator shall land apply and transport annually more than four thousand five hundred dry tons of manure or more than twenty-five million gallons of liquid manure unless the person is a certified livestock manager.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-1-06(A)(4)	Any person subject to this rule who is either a livestock manure broker or a livestock manure applicator shall maintain an operating record on forms provided by the department and other forms selected by the livestock manure broker or livestock manure applicator and approved by the director.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-06(A)(4)	The operating record shall be retained for a minimum period of five years,	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-06(A)(4)	shall be made available to the director upon request,	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-06(A)(4)	and shall record and document in accordance with paragraph (B) of rule 901:10-2-16 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-06(A)(5)	In order for a person to manage or handle manure at a major concentrated animal feeding facility or for a person to either transport and land apply manure or to, buy, sell or land apply annually more than four thousand five hundred dry tons of solid manure or more than twenty-five million gallons of liquid manure in this state, they shall obtain a livestock manager certification from the department.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-06(B)(1)	In order to be a certified livestock manager, the applicant must meet the requirements in paragraphs (D)(1) to (D)(5) of this rule.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-06(B)(2)	The applicant for a livestock manager certification shall file an application on a form provided by the director.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-06(B)(2)	The application shall include but not be limited to:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-06(B)(3)	All certifications issued shall expire on December thirty-first of the third year after the year in which the certificate was issued and each December thirty-first triennially thereafter, unless renewed in accordance with this rule.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-06(B)(3)	Any certification issued shall be valid for three years and thereafter be subject to renewal.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-06(B)(3)	A renewal shall be valid for three years.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-06(B)(4)	The department shall charge an appropriate fee as listed in the fee rule 901:10-1-04 of the Administrative Code for the issuance and renewal of a livestock manager certification.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-1-06(B)(5)	In order for a certification to be renewed, the holder must accumulate ten hours of continuing education credit over a three year period immediately preceding the date of application.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-06(C)(2)	If a livestock manager certification is suspended, the suspension shall be in effect for a period of not less than two hundred seventy days.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-06(C)(2)	The petition must include any relevant facts concerning changes to conditions under which suspension or revocation occurred.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-06(C)(5)	If a certified livestock manager fails to renew his certification within thirty days of its expiration, he or she must make application for certification and meet the requirements of paragraph (B) of this rule.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-06(D)(1)	The applicant shall have knowledge of information on topics that include calculating nutrient values in manure, devising and implementing a plan for the land application of manure, removing manure held in a manure storage or treatment facility and following best management practices for disposal of dead animals and manure management, including practices that control odor and protect the environment.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-06(D)(1)	The applicant shall be expected to have knowledge of how to devise and implement a manure management plan and an insect and rodent control plan.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-06(D)(1)	In addition, the applicant shall understand the laws and rules related to animal feeding facilities.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-06(D)(2)	An applicant for a livestock manager certification shall pay a fee as required by rule 901:10-1-04 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-08(B)(1)	The director shall be notified in writing by the transferor at least thirty days prior to any proposed transfer of a permit.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-08(B)(1)	The transferee shall inform the director that it will assume the responsibilities of the transferor.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-08(B)(2)	The notice shall include a written agreement between the transferor and transferee containing a specific date for transfer of permit responsibility, coverage and liability between the parties..	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-1-08(C)	In order to satisfy the requirements of paragraph (B) of this rule, the following information shall be submitted by the transferee:...	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-08(C)(1)	The transferee shall identify all partners if the transferee is a partnership or all officers and directors if the transferee is a corporation, and of any other person who has a right to control or in fact controls management of the transferee or the selection of officers, directors, or managers of the transferee.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-08(C)(1)	If the transferee is an owner or operator, the transferee must satisfy the requirements of this rule.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-08(D)	Each application to transfer a permit that is submitted by a new owner or operator who has not operated a concentrated animal feeding facility in this state for at least two of the five years immediately preceding the submission of the application for transfer shall be accompanied by all of the following:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-08(D)(3)	The lists of concentrated animal feeding facilities operated by the transferee within or outside this state or outside the United States shall include, respectively, all such facilities operated by the transferee during the five-year period immediately preceding the submission of the application.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-08(E)	In evaluating a history of substantial noncompliance the director shall consider the information required to be submitted pursuant to rule 901:10-1-03 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-08(G)	The director may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the act.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-09(A)	No permit to install, permit to operate or NPDES permit shall be modified unless the modification is in compliance with this rule.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-1-09(A)	A draft permit incorporating the proposed changes must be prepared and is subject to public notice and public participation procedures as set forth in rules 901:10-6-01 to 901:10-6-06 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-09(C)	If the director seeks to modify the permit with the consent of the owner or operator and the owner or operator does not consent to the director's modification, the director shall issue a notice of the proposed modified permit with the opportunity for an adjudication hearing in accordance with Chapter 119. of the Revised Code.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-09(D)	If the director seeks to modify the permit without seeking the consent of the owner or operator, the director shall issue a notice of the proposed modified permit with the opportunity for an adjudication hearing in accordance with Chapter 119. of the Revised Code.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-09(E)(2)	For a new source of an NPDES discharge this cause shall include any significant information derived from effluent testing required after issuance of the permit.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-09(G)	An application for permit modification shall contain the following information:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-09(G)(5)	If the director decides that the request for modification is not justified, the requestor and the owner or operator shall be notified in writing and provided the reasons for the director's determination.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-09(H)	If the owner or operator plans a type of change that is not listed in the appendix to this rule, the owner or operator shall submit the information listed in paragraph (J) of this rule to the director.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-09(H)	The director shall:	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-1-09(H)(3)	The owner or operator shall not commence any change until the director has acted in accordance with the requirements in paragraph (H)(2) of this rule.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-1-09(I)	The owner or operator shall submit to the director's authorized representative any planned major operational change listed in the appendix to this rule in accordance with paragraph (J) of this rule.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-09(I)	The owner or operator shall not commence with any changes proposed in the planned major operational change submitted to the department until:	OAC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-09(I)(2)	If the department determines the planned major operational change submitted by the owner or operator is not approved, the owner or operator shall be notified in writing and provided the reasons for the department's determination.	OAC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-09(J)	An owner or operator's application for a major operational change shall contain the following information:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-09(K)	The owner or operator shall record operational changes in the operating record to be maintained at the facility.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-09(L)	Operational changes and/or major operational changes made by the owner or operator and approved by the director in accordance with the requirements of this rule shall be recorded in the operating record as required in rule 901:10-2-16 of the Administrative Code and in the permit to install or permit to operate as applicable.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10--1-09(M)	For NPDES permits, where a permittee makes changes to the concentrated animal feeding operation's manure management plan previously approved by the director, other than as a result of calculations made in accordance with the requirements of paragraph (D)(1)(g)(ix) of rule 901:10-3-01 of the Administrative Code, the permittee must provide the director with the most current version of the manure management plan and identify changes from the previous version.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-09(M)	The director must review the revised manure management plan to ensure it meets the requirements of rules 901:10-2-08 to 901:10-2-11, 901:10-2-13 to 901:10-2-16 and rule 901:10-2-18, and any applicable provisions in rules 901:10-3-02 to 901:10-3-11 of the Administrative Code,	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-1-09(M)	and must determine whether the changes to the manure management plan necessitate revision to the terms of the manure management plan incorporated into the permit issued to the concentrated animal feeding operation pursuant to paragraph (D)(1)(g) of rule 901:10-3-01 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-09(M)	If revision to the terms of the manure management plan is not necessary, the director shall notify the permittee and upon notification the permittee may implement the revised manure management plan.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-09(M)	If revision to the terms of the manure management plan is necessary the director shall determine whether the changes are substantial changes under this provision.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-09(M)(2)	If the director determines that the changes to the terms of the manure management plan are not substantial, the director must make the revised manure management plan publicly available, revise the terms of the manure management plan incorporated into the permit, and notify the owner or operator and inform the public through the Ohio department of agriculture livestock environmental permitting program web site of any changes to the terms of the manure management plan that are incorporated into the permit.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-09(M)(3)	If the director determines that the changes to the terms of the manure management plan are substantial, the director shall notify the public and make the proposed changes and the information submitted by the permittee available for public review and comment.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-09(M)(3)	A comment period of thirty days shall be provided for public review and comment, with notice of the comment period being provided to the permittee and published on the Ohio department of agriculture livestock environmental permitting program web site.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-09(M)(3)	The grounds for a public meeting shall be the same as those provided in paragraph (D) of rules 901:10-6-01 and 901:10-6-04 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-1-09(M)(3)	Any public meeting shall be conducted as described in rule 901:10-6-04 of the Administrative Code, except that notice regarding the scheduling of the public meeting shall be provided on the Ohio department of agriculture livestock environmental permitting program web site, rather than through publication in the legal notice section of a newspaper.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-09(M)(3)	The provisions of paragraph (J) of rule 901:10-6-04 of the Administrative Code shall also apply to the public comment period.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-09(M)(3)	The director shall, if necessary, require the applicant to further revise the manure management plan in order to approve the revision to the terms of the manure management plan incorporated into the concentrated animal feeding operation's permit.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-09(M)(3)	Once the director incorporates the revised terms of the manure management plan into the permit, the director must notify the permittee and inform the public of the final decision concerning revisions to the terms and conditions of the permit	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-10(A)	No person shall modify an existing or construct a new concentrated animal feeding facility without first obtaining a permit to install issued by the director under section 903.02 of the Revised Code.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-10(B)	Except for a concentrated animal feeding facility that is operating under an installation permit issued by the director of environmental protection or a review compliance certificate issued by the director, on and after the date on which the program has been finalized under section 903.01 of the Revised Code, no person shall operate a concentrated animal feeding facility without a permit issued by the director under section 903.03 of the Revised Code.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-10(C)	No person to whom a NPDES permit has been issued shall discharge or cause to be discharged, in any waters of the state any manure, pollutants, or stormwater resulting from an animal feeding facility in excess of the permissive discharges specified under an existing permit.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-1-10(D)	On and after the date on which the United States environmental protection agency approves the NPDES program submitted by the director of agriculture under section 903.08 of the Revised Code, no person shall discharge pollutants from a concentrated animal feeding operation into waters of the state unless authorized by a valid and unexpired NPDES permit issued by the director or unless an application for renewal of such NPDES permit has been submitted by the person and is pending.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-1-10(E)	Any person who discharges or proposes to discharge pollutants shall apply for a NPDES permit.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal and state law
OAC 901:10-1-10(F)	On and after the date on which the United States environmental protection agency approves the NPDES program submitted by the director, no person shall discharge stormwater resulting from an animal feeding facility unless authorized by a NPDES permit when such a permit is required by the act and subsequently issued by the director of agriculture pursuant to section 903.08 of the Revised Code.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal and state law
OAC 901:10-1-10(G)	No person shall violate the terms and conditions of a permit to install, permit to operate, review compliance certificate, or NPDES permit.	ORC 903.08, ORC 903.10	Yes, federal and state law	Yes, federal and state law
OAC 901:10-1-10(H)	No person shall violate any effluent limits established by rule.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-1-10(I)	No person shall violate any other provision of a NPDES permit issued by the director.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-1-11	The following discharges do not require NPDES permits:(A) Discharges of dredged or fill material into waters of the state which are regulated under section 404 of the act which is codified in 33 USC 1344 (February 4, 1987) and by the director of Ohio environmental protection agency in accordance with Chapter 6111. of the Revised Code.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-1-11(F)	Discharges into a privately owned treatment works, except as the director of the Ohio environmental protection agency may otherwise require.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law

OAC 901:10-2-01(A)(1)	No person shall construct a new concentrated animal feeding facility without first obtaining a permit to install issued by the director.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-01(A)(2)	Any person who plans to construct a large concentrated animal feeding operation or a concentrated animal feeding facility or major concentrated animal feeding facility shall comply with applicable rules 901:10-2-01 to 901:10-2-06 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-01(A)(3)(a)	If the director has made a determination that the medium or small animal feeding facility shall be required to be permitted as a medium or small concentrated animal feeding operation; and	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-01(A)(4)	A person that is required to obtain both a permit to install pursuant to section 903.02 of the Revised Code and a permit to operate pursuant to section 903.03 of the Revised Code shall submit both applications for those permits simultaneously.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-01(B)(1)	In order to obtain a permit to install, the owner or operator shall submit:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-01(B)(3)	The owner or operator shall notify the department prior to beginning actual construction of the manure storage or treatment facility.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-01(B)(4)	Upon completion of construction of the manure storage or treatment facility, the owner or operator shall submit a notarized statement certifying that the facility was constructed in accordance with the as-built plans to the department.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-01(B)(4)	As-built plans shall be provided	ORC 903.08, ORC 903.10	Yes, state law	Yes state law
OAC 901:10-2-01(B)(4)	and signed by a professional engineer if the design plans require a professional engineer as described in paragraph (A)(1) of rule 901:10-2-05 or paragraph (A) of rule 901:10-2-06 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-01(B)(4)(a)	A copy of the completed and approved as-built plans shall be submitted to demonstrate compliance with paragraph (A) of rule 901:10-2-05 or paragraph (A) of rule 901:10-2-06 of the Administrative Code	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-01(B)(4)(a)	and shall be submitted for the permanent record.	ORC 903.08, ORC 903.10	Yes State Law	Yes, state law

OAC 901:10-2-01(B)(4)(b)	In addition to as-built plans, the following shall be submitted where applicable as part of the construction or permit to install:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-01(B)(5)	The owner or operator shall maintain a copy of the current permit to install issued by the department at the concentrated animal feeding facility's site office.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-01(B)(6)	The owner or operator shall not modify the concentrated animal feeding facility without obtaining a permit modification.	ORC 903.08, ORC 903.10	Yes, state law	yes, state law
OAC 901:10-2-01(C)	Unless otherwise indicated, an application for a permit to install shall contain the information and criteria as required in rules 901:10-1-02 and 901:10-1-03 of the Administrative Code	ORC 903.08, ORC 903.10	Yes, state law	yes, state law
OAC 901:10-2-01(C)	and shall attach and/or include all of the following information:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-01(C)	If required as a result of the subsurface geological exploration conducted pursuant to rule 901:10-2-03 of the Administrative Code, additional groundwater monitoring shall be included.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-01(C)(6)	If required as a result of the subsurface geological exploration conducted pursuant to rule 901:10-2-03 of the Administrative Code, additional groundwater monitoring shall be included.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-02(A)	Manure storage or treatment facilities shall be designed and constructed in accordance with the criteria in paragraphs of (A) to (N) of this rule.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-02(A)(1)	A fabricated structures shall be at least fifty horizontal feet from a well.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-02(A)(2)	A manure storage pond or manure treatment lagoon shall be at least three hundred horizontal feet from a well.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-02(B)(1)(a)	A fabricated structure, manure storage pond, and manure treatment lagoon shall not be located within three hundred feet of a well serving a public water system that is owned or operated by the owner or operator of the facility and is a public water system located on the property of the owner or operator of the facility.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-2-02(B)(1)(b)	A fabricated structure, manure storage pond, and manure treatment lagoon shall not be located within the one-year time-of-travel contour from a well for which the Ohio environmental protection agency has delineated or endorsed a ground water source protection area and that serves a non-community water system not listed in paragraph (B)(1)(a) of this rule.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-02(B)(1)(b)	If no ground water source protection area has been delineated or endorsed, then the fabricated structure, manure storage pond, or manure treatment lagoon shall not be located closer than three hundred feet from the well.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-02(B)(1)(c)	A fabricated structure, manure storage pond, and manure treatment lagoon shall not be located within the one-year time-of-travel contour from a well for which the Ohio environmental protection agency has delineated or endorsed a ground water source protection area and that serves a community water system not listed in paragraph (B)(1)(a) of this rule or one thousand feet from a public water well whichever is greater.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-02(B)(1)(d)	A fabricated structure, manure storage pond, and manure treatment lagoon shall not be located between the one-year and five-year time-of-travel contours from a well identified as highly susceptible unless additional ground water monitoring, or additional engineered controls or both are added, installed, and implemented as approved by the director.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-02(B)(2)(a)	A fabricated structure shall be located no closer than one thousand five hundred feet from a surface water intake.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-02(B)(2)(b)	A manure storage pond or manure treatment lagoon shall be installed no closer than one thousand five hundred feet from a surface water intake.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-02(C)(1)(a)	A fabricated structure on a concentrated animal feeding facility shall be located a minimum of one hundred twenty horizontal feet from a stream, unless additional design criteria are added, installed, and implemented as approved by the director.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-2-02(C)(1)(b)	A fabricated structure on a major concentrated animal feeding facility shall be located a minimum of three hundred horizontal feet from a stream, unless additional design criteria are added, installed, and implemented as approved by the director.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-02(C)(2)(a)	A manure storage pond or manure treatment lagoon on a concentrated animal feeding facility shall be located a minimum of three hundred horizontal feet from a stream, unless additional design criteria are added, installed, and implemented as approved by the director.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-02(C)(2)(b)	A manure storage pond or manure treatment lagoon on a major concentrated animal feeding facility shall be located a minimum of six hundred horizontal feet from a stream, unless additional design criteria are added, installed, and implemented as approved by the director.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-02(D)(1)	A fabricated structure shall be located a minimum of three hundred horizontal feet from a cold water habitat or seasonal salmonid stream, unless additional design criteria are added, installed, and implemented as approved by the director.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-02(D)(2)	A manure storage pond or manure treatment lagoon shall be located a minimum of six hundred horizontal feet from a cold water habitat and seasonal salmonid stream, unless additional design criteria are added, installed, and implemented as approved by the director.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-02(E)	A fabricated structure, manure storage pond or manure treatment lagoon shall have fifteen vertical feet of low permeability material, between the waste placement location and the uppermost aquifer, unless additional design criteria or groundwater monitoring, or both, are added, installed, and implemented as approved by the director.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-02(E)(1)	If additional design criteria or groundwater monitoring are added, installed or implemented, the manure storage pond or manure treatment lagoon shall have a minimum of five vertical feet of low permeability material, between the waste placement surface and the uppermost aquifer	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-2-02(F)	A manure storage pond or manure treatment lagoon shall not be located above a sole source aquifer without design of ground water monitoring or engineered controls or both that are installed and implemented as approved by the director.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-02(G)(1)	The production area of a facility shall not be located in a one hundred year floodplain, as those boundaries are shown on the applicable maps prepared under the "National Flood Insurance Act of 1968," 82 Stat. 572, 42 U.S.C.A. 4001, as amended, without design of additional monitoring or engineered controls or both that are installed and implemented as approved by the director and in accordance with the following.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-2-02(G)(1)(a)	The manure storage pond or manure treatment lagoon embankments and any wall of a fabricated structure shall be designed and constructed to withstand the hydrostatic pressures from a one hundred year flood that may be exerted on the embankments or walls during a flood event;	ORC 903.08, ORC 903.10	Yes state law	Yes state law
OAC 901:10-2-02(G)(1)(b)	The elevation of the top of the manure storage or treatment facility shall be at the summation of the elevation of the one hundred year flood plus a minimum freeboard height of two feet;	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-02(G)(1)(c)	Any monitoring wells installed pursuant to this rule shall be physically protected from the floodwaters.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-02(G)(2)	A manure storage pond or manure treatment lagoon or fabricated structure shall not be located in established regulator floodways as designated by the federal emergency management agency.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-02(H)	A fabricated structure, manure storage pond or manure treatment lagoon shall not be located in a karst area without design of groundwater monitoring or engineered controls or both that are installed and implemented as approved by the director.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-02(I)	A fabricated structure, manure storage pond or manure treatment lagoon shall be located a minimum of three feet, between the bottom of the waste placement location and bedrock where no aquifer is present.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-2-02(J)	A manure storage or treatment facility shall not be located in an area of potential subsidence, due to an underground mine known to be in existence prior to the date the application for a permit to install is submitted, without design of groundwater monitoring or engineered controls or both that are installed and implemented as approved by the director.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-02(K)	A fabricated structure, manure storage pond or manure treatment lagoon shall be located no closer than one hundred horizontal feet from a property line or public road.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-02(L)(1)	A manure storage or treatment facility for solid manure at a concentrated animal feeding facility shall be no closer than five hundred horizontal feet from any neighboring residence.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state
OAC 901:10-2-02(L)(2)	The manure storage or treatment facility for solid manure at a major concentrated animal feeding facility shall be no closer than one thousand horizontal feet from any neighboring residence.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-02(L)(3)	A manure storage or treatment facility for liquid manure at a concentrated animal feeding facility shall be no closer than one thousand horizontal feet from any neighboring residence.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-02(L)(4)	A manure storage or treatment facility for liquid manure at a major concentrated animal feeding facility shall be no closer than two thousand horizontal feet from any neighboring residence.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-02(L)(5)	Selected technologies are required to be fully described in detail plans and specifications, engineering drawings, and maps that shall be reviewed and approved by the director in deciding whether or not to reduce any applicable siting criteria as a reasonable exercise of the director's discretion.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-2-02(M)	The siting criteria requirements applicable to a manure storage or treatment facility shall not apply to the criteria set forth in paragraphs (K) and (L) of this rule if the applicant for a permit to install obtains a written agreement from all of the owners of neighboring residences or property owners located closer than the siting criteria.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-02(M)	The agreement shall state such owners are aware of the proposed construction and have no objections to such construction.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-02(M)	A copy of the written agreement shall be included with the permit to install application. The written agreement may be filed in the register of deeds office of the county in which the neighboring residence is located.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-02(N)	As used in this rule, additional design for engineered controls includes but is not limited to additional freeboard, secondary containment, additional treatment, increased liner thickness, synthetic liner materials, groundwater monitoring, or design and construction alternatives set forth in paragraph (A)(9)(c) of rule 901:10-2-06 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-03(A)	A subsurface geological exploration shall be completed for fabricated structures as described in this paragraph:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-03(A)(1)	The director may require on-site subsurface geological explorations depending on the soil survey, depth of the structure to be installed below existing grade and type of structural loading of the fabricated structure	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-03(A)(1)	The geological report shall meet the requirements in paragraph (C) of this rule.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-03(A)(2)	The subsurface geological exploration and report, described in paragraph (C) of this rule, shall be completed under the supervision of a professional geologist or a professional engineer	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
Oac 901:10-2-03(A)(2)	and shall be in compliance with and describe the following:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-03(A)(2)(a)	The subsurface geological exploration shall include a minimum of three test pits or borings.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-2-03(A)(2)(a)	The test pits or borings must be at regular intervals and within a reasonable distance of the boundaries of the proposed fabricated structure.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-03(A)(2)(b)	The test pits or borings shall extend a minimum of five feet below the planned bottom of the fabricated structure.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-03(A)(2)(b)	In addition, a representative number of test pits or borings shall extend deep enough to determine if the fabricated structure meets the siting criteria from the uppermost aquifer described in rule 901:10-2-02 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-03(A)(2)(b)	Upon completion, any boring or pit used for sampling shall be properly plugged and sealed.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-03(A)(2)(c)	The classification of the soil material shall be provided, as set forth in the appendix to this rule.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-03(A)(2)(d)	The in-situ hydraulic conductivity of the soil material shall be determined, based on lab results, within five feet below the planned bottom of the fabricated structure.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-03(A)(2)(e)	The subsurface geological exploration shall evaluate the suitability of the soil to provide the appropriate load bearing strength for the proposed fabricated structure as set forth in the appendix to rule 901:10-2-05 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-03(A)(2)(f)	The subsurface geological exploration shall determine soil strength values so that lateral earth pressures can be calculated as set forth in the appendix to rule 901:10-2-05 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-03(A)(2)(g)	The subsurface geological exploration shall evaluate whether the proposed fabricated structure is to be located within a karst area; and	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-03(A)(2)(h)(i)	Ground water shall be sampled from a well existing at the facility.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-03(A)(2)(h)(ii)	If no well exists as the facility, ground water shall be sampled from a well that is nearby as approved by the department.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-2-03(A)(2)(h)(iii)	A well installed or otherwise approved for use to satisfy the requirements of this rule, shall also be used to satisfy the annual ground water sampling and analysis required by rule 901:10-2-08 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-03(A)(2)(i)	In the event that the director determines that ground water monitoring shall be required to satisfy the requirements of this rule or rule 901:10-2-02 of the Administrative Code, then a ground water monitoring program shall be designed, installed, and implemented as approved by the director in a permit to install and permit to operate.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-03(A)(2)(i)	then a ground water monitoring program shall be designed, installed, and implemented as approved by the director in a permit to install and permit to operate.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-03(B)	A subsurface geological exploration shall be completed for manure storage ponds or manure treatment lagoons as described in this paragraph.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-03(B)	The subsurface geological exploration and report shall be completed under the supervision of a professional geologist or a professional engineer,	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-03(B)	and shall be in compliance with and describe the following:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-03(B)(1)	The subsurface geological exploration shall include a minimum of four test pits or borings.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-03(B)(1)	The test pits or borings must be at regular intervals and within a reasonable distance of the boundaries of the proposed manure storage pond or manure treatment lagoon.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-03(B)(2)	The test pits or borings shall extend a minimum of five feet below the planned bottom of the manure storage pond or manure treatment lagoon.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-03(B)(2)	In addition, a representative number of test pits or borings shall extend deep enough to determine if the manure storage pond or manure treatment lagoon meets the siting criteria from the uppermost aquifer described in rule 901:10-2-02 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-03(B)(2)	Upon completion, any boring or pit used for sampling shall be properly plugged and sealed.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-2-03(B)(2)	Any pit used for sampling that is within the construction boundaries of the concentrated animal feeding facility, the manure storage pond or the manure treatment lagoon shall be restored by the addition of cohesive soil compacted in lifts no greater than six inches;	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-03(B)(3)	The classification of the soil material shall be provided, as set forth in the appendix to this rule;	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-03(B)(4)	The in-situ hydraulic conductivity of the soil material shall be determined, based on lab results, within five feet below the planned bottom of the manure storage pond or manure treatment lagoon;	ORC 903.08, ORC 903.10	Yes State Law	Yes State Law
OAC 901:10-2-03(B)(5)	The subsurface geological exploration shall evaluate the suitability of the soil material to provide adequate sealing of the bottom of the manure storage pond or manure treatment lagoon and construction of the planned embankments as described in rule 901:10-2-06 of the Administrative Code;	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-03(B)(6)	The subsurface geological exploration shall evaluate whether the proposed manure storage pond or manure treatment lagoon is to be located within a karst area;	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-03(B)(7)(a)	Groundwater shall be sampled from a well existing at the facility.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-03(B)(7)(b)	If no well exists at the facility, ground water shall be sampled from a well that is nearby as approved by the department.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-03(B)(7)(c)	A well installed or otherwise approved for use to satisfy the requirements of this rule, shall also be used to satisfy the annual ground water sampling and analysis required by rule 901:10-2-08 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, state law	Yes State Law
OAC 901:10-2-03(B)(8)	In the event that the director determines that ground water monitoring shall be required to satisfy the requirements of this rule or rule 901:10-2-02 of the Administrative Code,	ORC 903.08, ORC 903.10	Yes State Law	Yes State Law
OAC 901:10-2-03(B)(8)	then a ground water monitoring program shall be designed, installed, and implemented as approved by the director in a permit to install and permit to operate.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-2-03(B)(10)	The subsurface geological exploration shall refer to the Ohio department of natural resources ground water pollution potential (DRASTIC) maps to determine the pollution potential for each site, the pathways of contamination, if any, and whether additional design is needed to protect water and ground water.	ORC 903.08, ORC 903.10	Yes State Law	Yes State law
OAC 901:10-2-03(C)	The results of subsurface geological explorations performed in accordance with paragraphs (A) and (B) of this rule shall be included in a report prepared by a professional geologist or a professional engineer and submitted with the facility design plans.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-03(C)(1)	The report shall include but not be limited to an analysis or evaluation that demonstrates that the information provided meets the requirements of rules 901:10-2-01 to 901:10-2-06 of the Administrative Code, and as follows for each applicable type of manure storage and treatment facility:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-03(C)(1)(a)	For any planned manure storage or treatment facility, the analysis or evaluation shall provide the following information:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-03(C)(1)(b)	For any planned liquid manure fabricated structure, manure storage pond, or manure treatment lagoon, the analysis or evaluation shall also provide the following additional information:	ORC 903.08, ORC 903.10	Yes State Law	Yes State Law
OAC 901:10-2-03(C)(1)(b)(ii)	Determination of the suitability of in-situ soils to provide an acceptable liner system, or lining recommendations when the in-situ soils are not suitable, which shall include remold permeability tests of planned liner material;	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-03(C)(1)(c)	For any planned manure storage pond or manure treatment lagoon, the analysis or evaluation shall also provide the following additional information:	ORC 903.08, ORC 903.10	Yes State Law	Yes State Law
OAC 901:10-2-03(C)(2)	Based on the results of the tests of this rule the professional engineer, professional geologist, or director may require additional explorations that may include laboratory testing of soils and additional ground water monitoring wells.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-2-03(D)(1)	Soil samples taken during the subsurface geological exploration shall be tested in accordance with approved or certified soil testing procedures.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-03(D)(2)	Tests and results reported shall include, but not be limited to, hydraulic conductivity, dry unit weight, Atterberg limits, and standard compaction with recompaction to achieve design hydraulic conductivity.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-03(E)	The owner or operator shall demonstrate that such changes	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-03(E)	shall be at least as protective of the ground water, surface water, and the structural integrity of the manure storage or treatment facility as requirements of this chapter.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-04(A)	An application for a permit to install shall include analysis of manure that is sampled and analyzed in accordance with paragraphs (A) to (D) of rule 901:10-2-10 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-04(B)	For the purposes of a permit to install, manure shall be quantified and characterized to allow for proper sizing and design of the proposed manure storage or treatment facility.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-04(B)	For an existing facility that submits a permit to install application for a similar type of manure storage or treatment facility with no change in treatment technology to what is currently utilized by the facility, the volume of manure and characterization of manure shall be based on manure production records and manure analysis from an actual sample from the facility.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-04(B)	If actual manure production records or manure analysis are not available or are deemed not accurate by the department, or if the permit to install application is for a new facility or treatment technology not in use by the existing facility, then the owner or operator shall use the table appended to this rule or use manure production records and manure characterization records from a similar type facility with a similar type of manure storage or treatment facility or treatment technology.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-2-04(B)	If manure data or analysis is used from a similar type facility to characterize manure, the owner or operator shall submit this alternative manure data along with the identification of the source of the data.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-04(C)(1)	An appropriate design plan shall be required for a new or expanding manure storage or treatment facility.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-04(C)(2)	A manure storage or treatment facility shall be designed and constructed to handle manure volume, precipitation and surface water runoff in a manner that prevents the discharge of manure to waters of the state, except as provided in applicable standards set forth in rules 901:10-3-02 to 901:10-3-06 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes State Law	Yes State Law
OAC 901:10-2-04(D)(1)	The total storage volume of a manure storage or treatment facility shall not be less than the volume calculated as the summation of the following, unless the owner or operator or the director determines that additional storage capacity is required to meet permit conditions.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-04(D)(1)(c)	Impermeable surfaces shall utilize a minimum factor of fifty per cent of the average precipitation;	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-04(D)(2)	In addition to the requirements in paragraph (D)(1) of this rule, the total storage volume of a manure treatment lagoon shall not be less than the volume calculated using one of the following methods set forth in the appendix to this rule.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-2-04(E)	Each owner or operator of a concentrated animal feeding operation shall prevent pollution of stormwater resulting from an animal feeding facility by submitting plans to satisfy this rule and rule 901:10-3-11 of the Administrative Code to do the following:	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-2-04(E)(1)(d)	Install systems that are designed to capture and treat contaminated runoff and prohibit discharge of contaminated discharge.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-2-04(E)(1)(d)	The owner or operator may use the following criteria, provided that in no case shall grassed filter strips satisfy effluent limitations for large facilities in rules 901:10-3-02 to 901:10-3-06 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes State Law	Yes State Law
OAC 901:10-2-04(E)(d)(i)(b)	"Constructed Wetland Conservation Practice Standard, No. 656," January 2010, but provided there shall be no discharge;	ORC 903.08, ORC 903.10	Yes State Law	Yes State Law
OAC 901:10-2-04(E)(4)	The owner or operator may submit plans that implement alternative practices to the director for approval provided that any alternative practices must be demonstrated to be equivalent to the practices listed in paragraph (F)(1) of this rule unless the owner or operator or the director determine that additional total storage capacity is required to meet permit conditions.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-05(A)	Fabricated structures shall be designed and maintained to prevent discharge to ground waters or surface waters.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-05(A)(1)	Fabricated structures for liquid manure and fabricated structures that store solid manure with a wall height of eight feet or greater (measured from the top of the footing), shall be designed by a professional engineer,	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-05(A)(1)	which shall include a signed and sealed set of design plans.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-05(A)(2)	A fabricated structure shall be designed and constructed to meet the requirements in paragraph (A) of rule 901:10-2-03 and any applicable section of the appendix to this rule.	ORC 903.08, ORC 903.10	Yes State Law	Yes State Law
OAC 901:10-2-05(A)(3)(a)	The minimum storage period for a fabricated structure storing liquid manure shall be one hundred eighty days.	ORC 903.08, ORC 903.10	Yes State Law	Yes State Law
OAC 901:10-2-05(A)(3)(b)	The minimum storage period for a fabricated structure storing solid manure shall be one hundred twenty days.	ORC 903.08, ORC 903.10	Yes State Law	Yes State Law

OAC 901:10-2-05(A)(4)(a)	(4) Freeboard. (a) A fabricated structure shall be designed and maintained to have an operating level that does not exceed the level that provides adequate storage to contain a precipitation event plus an additional six inches of freeboard.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-05(A)(4)(b)	Fabricated structures that contain solid manure and are not subject to precipitation or runoff do not require an additional six inches of freeboard.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-05(A)(5)	Fabricated structures for liquid manure shall have a liquid level board, staff gauge, depth marker, or other appropriate device approved by the director, installed within the interior to monitor manure levels.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-05(A)(5)	The approved device shall indicate levels every one foot in vertical elevation	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-05(A)(5)	and shall indicate levels as described in paragraph (A)(4)(b) of rule 901:10-2-08 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-06(A)	A manure storage pond or manure treatment lagoon subject to this rule shall be designed and the plans stamped by a professional engineer.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-06(A)	The following design and construction criteria shall be followed:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-06(A)(1)	An exploratory trench shall be excavated a minimum of four feet below natural grade to investigate for subsurface drainage lines in the immediate area of the manure storage pond or manure treatment lagoon.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-06(A)(1)	Any lines found shall be removed or relocated to provide for a minimum separation distance of not less than fifty feet between the top inner perimeter of the manure storage pond or manure treatment lagoon and the subsurface drainage line unless the subsurface drainage line is necessary to comply with paragraph (A)(9)(a) of this rule.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-06(A)(2)	If not already installed at the facility, a liquid level board, staff gauge, depth marker, or other appropriate device, approved by the director, shall be installed within the interior of the liquid manure storage pond or manure treatment lagoon to monitor manure levels.	ORC 903.08, ORC 903.10	Yes State Law	Yes State Law

OAC 901:10-2-06(A)(2)	This device shall indicate levels every one foot in vertical elevation	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-06(A)(2)	and shall indicate levels as described in paragraph (D)(1) of rule 901:10-2-08 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-06(A)(3)	Agitation and pump-out points shall be shown on plans for a manure storage pond and a manure treatment lagoon with scour protection required.	ORC 903.08, ORC 903.10	Yes State Law	Yes State Law
OAC 901:10-2-06(A)(4)	An emergency spillway may be included at the one foot freeboard level and shall be directed to a specifically designed filter strip or infiltration areas if the facility is constructed with an earthen embankment.	ORC 903.08, ORC 903.10	Yes State Law	Yes State Law
OAC 901:10-2-06(A)(5)(a)	The minimum embankment top width shall be eight feet for embankments less than fifteen feet, ten feet for embankments ranging in height from fifteen to less than twenty feet, and twelve feet for embankments ranging from twenty to twenty-five feet high, as measured from the low point on the downstream toe to the top of the dam.	ORC 903.08, ORC 903.10	Yes State Law	Yes State Law
OAC 901:10-2-06(A)(5)(b)	If the embankment is to be traversed by farm equipment, the minimum top width shall be twelve feet. The height of the embankment shall be no greater than twenty-five feet, as measured from the low point on the downstream toe to the top of the dam.	ORC 903.08, ORC 903.10	Yes State Law	Yes State Law
OAC 901:10-2-06(A)(5)(b)	The height of the embankment shall be no greater than twenty-five feet, as measured from the low point on the downstream toe to the top of the dam.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-06(A)(5)(c)	Embankments shall have side slopes not steeper than two horizontal to one vertical.	ORC 903.08, ORC 903.10	Yes State Law	Yes State Law
OAC 901:10-2-06(A)(5)(d)	The combined side slopes of settled embankments shall not be less than five horizontal to one vertical.	ORC 903.08, ORC 903.10	Yes State Law	Yes State Law
OAC 901:10-2-06(A)(5)(e)	Vegetative cover shall be established on any exposed embankment and mowed or otherwise maintained to control erosion or other embankment deterioration.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-06(A)(6)(a)	Inlets shall be designed to resist corrosion, plugging and freezing.	ORC 903.08, ORC 903.10	Yes State Law	Yes State Law
OAC 901:10-2-06(A)(6)(c)	All pipes for manure transfer or manure flush systems shall have watertight joints in accordance with the following ASTM standards:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-2-06(A)(7)	The minimum storage period of manure for a manure storage pond and manure treatment lagoon shall be one hundred eighty days of manure production unless alternative use and design is otherwise approved by the department.	ORC 903.08, ORC 903.10	Yes State Law	Yes State Law
OAC 901:10-2-06(A)(8)	Freeboard shall be provided for a manure storage pond and manure treatment lagoon in addition to the total storage volume such that the elevation of the emergency spillway or top of the settled embankment, if there is no designed emergency spillway	ORC 903.08, ORC 903.10	Yes State Law	Yes State Law
OAC 901:10-2-06(A)(8)	shall be less than the level that provides adequate storage to contain a precipitation event as required in rules 901:10-3-02 to 901:10-3-06 of the Administrative Code, plus an additional one foot of freeboard.	OAC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-06(A)(9)	The owner or operator shall include the use of a liner as part of the manure storage pond or manure treatment lagoon that achieves a hydraulic conductivity of at least one times ten to the minus seven centimeters per second (1×10^{-7} cm/sec) to insure the integrity of the manure storage pond or manure treatment lagoon.	ORC 903.08, ORC 903.10	Yes State Law	Yes State Law
OAC 901:10-2-06(A)(9)	A minimum of three feet of in situ soils with a hydraulic conductivity of one times ten to the minus seven centimeters per second will satisfy this requirement. The following design and construction criteria shall be followed:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-06(A)(9)(a)	Ground water seepage shall be prevented from entering the bottom of the manure storage pond or manure treatment lagoon after construction by installing and/or maintaining a liner with a minimum liner thickness of three feet of in situ soil between the top of the seasonal high ground water surface and the bottom of the manure storage pond or manure treatment lagoon.	ORC 903.08, ORC 903.10	Yes State Law	Yes State Law

OAC 901:10-2-06(A)(9)(b)	Soil liners shall be designed and constructed using procedures in section 651.1080 of the "United States Department of Agriculture, Natural Resources Conservation Service Agricultural Waste Management Field Handbook, Chapter Ten, Geotechnical Design and Construction, August 2009," and "United States Department of Agriculture, Ohio Natural Resources Conservation Service, Section IV, Field Office Technical Guide Conservation Practice Standard 521-D, Pond Sealing and Lining, Compacted Earth Treatment. January 2010."	ORC 903.08, ORC 903.10	Yes State Law	Yes State Law
OAC 901:10-2-06(A)(9)(b)	A soil liner thickness shall be a minimum of three feet.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-06(A)(9)(c)(ii)(a)	Concrete liners that have a minimum thickness of five inches and shall include non-metallic water stops for all joints;	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-06(A)(10)(b)	Any portion of a manure storage pond or manure treatment lagoon located below the pre-construction soil surface level and constructed in a karst area shall be designed and constructed utilizing a rigid material such as concrete or steel or a properly designed clay or synthetic liner, when appropriate, upon findings in the geologic exploration.	ORC 903.08, ORC 903.10	Yes State Law	Yes State Law
OAC 901:10-2-06(A)(11)	Manure treatment lagoons shall be designed in accordance with the methods set forth in the appendix to this rule.	ORC 903.08, ORC 903.10	Yes State Law	Yes State Law
OAC 901:10-2-07(A)(1)	The application for a permit to operate and for a NPDES permit shall contain the following information:	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-2-07(C)	Additional requirements for an application for a NPDES permit for a large concentrated animal feeding operation shall contain the information required in Chapter 901:10-3 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-2-07(D)	If a biosecurity plan is submitted, it shall be included with the permit to operate application.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-07(E)	The owner or operator shall maintain a copy of the current permit to operate and NPDES permit issued by the department at the concentrated animal feeding facility's site office.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law

OAC 901:10-2-08	The manure management plan shall include best management practices for reuse and recycling nutrients, prevent direct contact of confined animals with waters of the state, and ensure proper mortality management. (A) The manure management plan shall specify the frequency of inspections to be conducted by the owner or operator at the manure storage or treatment facility; and	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-08(A)	The manure management plan shall specify the frequency of inspections to be conducted by the owner or operator at the manure storage or treatment facility; and	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-08(B)	The owner or operator shall maintain a list of equipment used, including land application equipment and a written chronological record of the dates of inspections, maintenance, calibration monitoring and repairs that	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-08(B)	shall be maintained in the operating record required by rule 901:10-2-16 of the Administrative Code and be made readily available during an inspection of the facility.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-08(B)	These records shall also be made available at the request of the director.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-08(B)	All repairs shall be completed promptly.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-08(B)	The department shall inspect any major structural repairs; and	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-08(C)	The owner or operator must periodically inspect equipment used for land application of manure, litter, or process wastewater for leaks.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-08(D)	At a minimum, the following must be inspected, performed, monitored or maintained at the manure storage or treatment facility and documented in the operating record:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-08(D)(1)	The operating level of manure treatment lagoons and manure storage ponds. The operating level must not exceed the level that provides adequate storage to contain a precipitation event as required in rules 901:10-3-02 to 901:10-3-06 of the Administrative Code, plus an additional one foot of freeboard.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-2-08(D)(2)	The operating level of fabricated structures must not exceed the level that provides adequate storage to contain a precipitation event as required in rules 901:10-3-02 to 901:10-3-06 of the Administrative Code, plus an additional six inches of freeboard, unless the fabricated structure is designed and maintained for solid manure and is not subject to precipitation.	ORC 903.08, ORC 903.10	Yes State Law	Yes State Law
OAC 901:10-2-08(D)(3)	For paragraphs (D)(1) and (D)(2) of this rule, the maximum operating level shall not exceed that specified in the manure management plan.	ORC 903.08, ORC 903.10	Yes State Law	Yes State Law
OAC 901:10-2-08(D)(5)	Manure storage or treatment facilities under the control of the owner or operator shall be inspected for evidence of erosion, leakage, animal damage, cracking, excessive vegetation, or discharge.	ORC 903.08, ORC 903.10	Yes State Law	Yes State Law
OAC 901:10-2-08(D)(7)	The owner or operator shall take care to prevent damage to lagoon or pond dikes and liners when manure residuals are removed.	ORC 903.08, ORC 903.10	Yes State Law	Yes State Law
OAC 901:10-2-08(D)(8)	Inspect to determine that all stormwater conveyances are maintained to keep runoff from the surrounding property and buildings and stormwater shall be diverted away from the manure treatment lagoons and manure storage ponds to prevent any unnecessary addition to the liquid volume in these structures, unless they are designed for such runoff containment.	ORC 903.08, ORC 903.10	Yes State Law	Yes State Law
OAC 901:10-2-08(D)(11)	Ensure that any emerging vegetation such as trees, shrubs and other woody species shall not be allowed to grow on the pond or lagoon dikes or side slopes.	ORC 903.08, ORC 903.10	Yes State Law	Yes State Law
OAC 901:10-2-08(D)(12)(a)	In the event that a well does not already exist at the facility and the operation is not an operation as described in paragraph (A)(1) of rule 901:10-2-03 of the Administrative Code or is not served by a public water system as defined by paragraph XXX of rule 901:10-1-01 of the Administrative Code, then the owner or operator shall install a well at the facility that is properly located, protected and operated.	ORC 903.08, ORC 903.10	Yes State Law	Yes State Law
OAC 901:10-2-08(D)(12)(b)	The well shall be easily accessible for sampling and have an adequate water quantity for sampling.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-2-08(D)(12)(b)	The director may require additional sampling, including but not limited to, ground water samples from any additional ground water monitoring wells installed as required in paragraph (C)(2) of rule 901:10-2-03 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes State Law	Yes State Law
OAC 901:10-2-08(D)(12)(c)	The director may require samples of manure discharges from the production area that may occur.	ORC 903.08, ORC 903.10	Yes State Law	Yes State Law
OAC 901:10-2-08(D)(12)(d)	The director may require monitoring or sampling, or both, of subsurface perimeter drains around manure storage or treatment facilities; and	ORC 903.08, ORC 903.10	Yes State Law	Yes State Law
OAC 901:10-2-08(D)(12)(e)	Results of sampling and analysis shall be documented in the operating record and, for manure discharges from the production area,	ORC 903.08, ORC 903.10	Yes State Law	Yes State Law
OAC 901:10-2-08(D)(12)(e)	results shall also be recorded in the annual report submitted to the director in accordance with rule 901:10-2-20 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-08(D)(13)	Ensure proper management of dead livestock as required by rule 901:10-2-15 of the Administrative Code to ensure that there shall be no discharge of mortality to waters of the state and no disposal in a manure storage or treatment facility that is not specifically designed to treat animal mortalities.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-08(D)(15)	All liquid manure in manure storage or treatment facilities must have a depth marker or other appropriate device as approved by the director in accordance with rule 901:10-2-05 or 901:10-2-06 of the Administrative Code which clearly indicates the minimum capacity necessary to contain the runoff and direct precipitation of the twenty-five year, twenty four hour rainfall event.	ORC 903.08, ORC 903.10	Yes State Law	Yes State Law

OAC 901:10-2-08(D)(15)	In the case of new sources subject to the requirement in paragraph (D)(1) of rule 901:10-3-06 of the Administrative Code, all open surface manure storage structures associated with such sources must include a depth marker or other appropriate device as approved by the director in accordance with rule 901:10-2-05 or 901:10-2-06 of the Administrative Code which clearly indicates the minimum capacity necessary to contain the maximum runoff and direct precipitation associated with the design storm used in sizing the impoundment for no discharge.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-08(E)(1)	The owner or operator shall identify the alternative monitoring devices in the manure management plan submitted to the director. In approving the manure management plan, the director may approve the alternative monitoring devices.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-09(A)	The manure management plan shall include the nutrient budget for the land application areas and quantity of nutrients to be managed by distribution and utilization for a twelve month period as derived from rules 901:10-2-10 and 901:10-2-11 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-09(B)	The total nutrient budget to be used for the land application areas under the control of the facility for the duration of the permit shall be based on the following:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-09(C)	To the extent the manure is not managed through distribution and utilization, the manure management plan shall include the total summary of land application areas to be used for the duration of the permit and the land that is available for manure that is generated by the facility.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-09(C)	The total summary shall be further characterized as follows:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-10	The manure management plan shall contain information on manure to allow the owner or operator to plan for nutrient utilization at recommended agronomic rates and to minimize nutrient runoff that may impact waters of the state.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-2-10(A)	Manure characterization shall describe the manure by the per cent of liquid content, the per cent of solids content and/or manure density	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-10(A)	and shall follow the sampling procedures for manure sampling and analysis in "Recommended Methods of Manure Analysis" (a 3769), university of Wisconsin extension, 2003 a free copy of which can be downloaded at http://learningstore.uwex.edu/ [File Link Not Available].	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-10(A)	For an existing facility that will continue to have similar manure storage or treatment facilities with no change in treatment technology, the manure shall be characterized utilizing an actual sample from the facility.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-10(A)	If the owner or operator is proposing a new facility, new manure storage or treatment facility, or a change in treatment technology, then the manure shall be characterized by using the table appended to this rule	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-10(A)	by utilizing a representative analysis from a similar type facility with a similar type of manure storage or treatment facility to characterize manure, the owner or operator shall submit this alternative manure data along with the identification of the source of the data.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-10(A)	Manure characterization shall include the following:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-10(B)	The manure management plan shall contain an estimate, supported by calculations of the quantity and total nutrient content of manure produced, stored and treated during a twelve month period along with a schedule for manure removal or manure transfer for purposes of land application.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-10(C)	At a minimum, manure from each manure storage or treatment facility shall be analyzed annually for the following: total nitrogen; ammonium nitrogen; organic nitrogen; phosphorus; potassium; and per cent total solids.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-10(D)	In addition to the minimum requirements for annual manure analysis in paragraphs (A) to (C) of this rule, any manure with wastes that are process waste water, shall be characterized annually by the owner or operator by utilizing an actual sample from the facility...	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-2-10(E)	Results of analyses and estimates conducted in paragraphs (A) to (D) of this rule shall be recorded in the operating record	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-10(E)	and shall be submitted as part of the annual report to the director required by rule 901:10-2-20 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-10(E)	Results of the manure analysis conducted in paragraph (C) of this rule shall be recorded in the operating record.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-10(F)(3)	The owner or operator acknowledges that the director may notify the owner or operator in writing that the owner or operator shall comply with paragraph (C) if at any time the director or the director's representative find that composite sampling is no longer representative for reasons that include, but are not limited to:...	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-10(G)	The manure management plan shall contain information on manure to allow the owner or operator or the person accepting manure under rule 901:10-2-11 of the Administrative Code to plan for nutrient utilization.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-11(A)(1)	If the owner or operator decides to use livestock manure brokers or auctions or farm sales for distribution and utilization, the owner or operator shall submit distribution and utilization methods for the beneficial use of the manure as part of the manure management plan as required by rule 901:10-2-09 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-11(A)(1)	The permitted facility operating record shall include copies of the acknowledgments between the owner and operator of the facility and livestock manure brokers made pursuant to auctions or farm sales.	ORC 903.08, ORC 903.10	Yes state law	Yes, state law
OAC 901:10-2-11(A)(1)	The facility operating acknowledgment shall include the following statement:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-11(A)(2)	If the owner or operator decides to use distribution and utilization methods then the owner or operator shall provide a copy of appendices A and F to rule 901:10-2-14 of the Administrative Code, and a copy of the most recent analytical results that list the nutrient content of the manure based on an analysis consistent with the rules to the manure recipient.	ORC 903.08, ORC 903.10	Yes State Law	Yes State Law

OAC 901:10-2-11(A)(2)	The permitted facility operating record shall include the name and address of the manure recipient, the date of distribution, and the approximate amount of manure in tons or gallons distributed on that date and an acknowledgment by the manure recipient as follows:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-11(A)(3)	In addition to the information in paragraph (A)(2) of this rule, if the owner or operator decides to use distribution and utilization methods for liquid manure, then the owner or operator shall also provide a copy of appendix B, the available water capacity chart that illustrates how to comply with the requirements of rule 901:10-2-14 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-11(B)	All of the information in paragraphs (A)(1) to (A)(3) of this rule shall be recorded in the operating record as described in rule 901:10-2-16 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-11(C)	An estimated amount of total manure transferred to other persons by the owner or operator in the previous twelve months (tons/gallons) shall be reported in the annual report required by rule 901:10-2-20 of the Administrative Code, as well as the operating record.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-11(D)	If the owner or operator is notified by the director, or otherwise becomes aware that the recipient is not in compliance with rule 901:10-1-06 of the Administrative Code or best management practices set forth in Chapter 1501:15-5 of the Administrative Code or with other applicable laws and rules, the owner or operator shall cease providing manure to the recipient until written authorization to continue is provided by the department.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-12	A manure management plan shall include best management practices to minimize odors.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-12	These best management practices shall be identified in the manure management plan and	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-12	and shall be compatible with the overall content of the manure management plan	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-13(A)	The manure management plan shall contain information on the soil of the land application areas.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-2-13	Soil samples shall be analyzed to plan for nutrient utilization at recommended agronomic rates and to minimize nutrient runoff to waters of the state	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-13	Soil shall be sampled and analyzed by utilizing the following procedures:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-13(A)	At a minimum, soil samples shall be taken to a uniform depth of eight inches	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-13(A)	and the fertility analysis shall include:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-13(B)	Soil fertility analysis shall be conducted in accordance with Publication 221	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-13(C)	Soil samples shall be representative of a land application site with one composite soil sample representing no more than twenty-five acres or one composite soil sample for each land application site, whichever is less.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-13(D)	The manure management plan shall specify the soil sampling frequency in accordance with the following requirements:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-13(D)(1)	A site that receives manure shall be soil tested, at a minimum, once every three years and	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-13(D)(2)	If any land application site is used by the owner or operator the land application site shall be sampled at least six months following application.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-13(E)	Results of the soil sampling events in paragraphs (A) to (D) of this rule shall be recorded in the operating record in accordance with rule 901:10-2-16 of the Administrative Code	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-13(E)	and shall include the location of the soil sample collection site, the depth of the sample collected and the analysis.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-13(F)	In developing appropriate manure application rates for land application methods in accordance with rule 901:10-2-14 of the Administrative Code, the owner or operator shall use the Bray P1 soil test level or equivalent appropriate phosphorus soil test, (Mehlich III, Olsen, phosphorus retention test), or other test methods approved by the director.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-2-13(F)	The owner or operator shall choose a phosphorus soil test method and identify the selected method in the manure management plan.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-14	The land application of manure at each land application area shall be conducted to utilize nutrients at agronomic rates, and to minimize nutrient runoff to waters of the state	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-14	and shall be recorded in the operating record in accordance with rule 901:10-2-16 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-14(A)	The manure management plan shall contain procedures on how manure	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-14(A)	shall be transported to land application areas in a manner that minimizes loss or spillage, and how spills will be promptly cleaned up or removed.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-14(B)(1)	The manure application rate shall be based on the land application area's soil tests conducted in accordance with rule 901:10-2-13 of the Administrative Code and that are no older than three years.	ORC 903.08, ORC 903.10	Yes, state law	Yes State Law
OAC 901:10-2-14(B)(2)	The manure application rate shall be based on the most current manure test results conducted in accordance with rule 901:10-2-10 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes State Law	Yes State Law
OAC 901:10-2-14(B)(2)	The manure test results expressed as a nutrient percentage shall be converted into either pounds per ton of dry or wet manure or pounds per one thousand gallons of liquid manure.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-14(C)	The manure application rate shall be based on the most limiting factor of rates derived from paragraphs (B) to (G) of this rule, including factors derived from all appendices to this rule, whichever factor is determined to be the most restrictive factor for purposes of protecting waters of the state.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-2-14(C)(1)(d)	The application rate shall not exceed the available water capacity of the soil as described in appendix B to this rule;	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-14(C)(1)(e)	The application rate shall be adjusted to preclude surface ponding and/or runoff from a land application area.	ORC 903.08, ORC 903.10	Yes State Law	Yes State Law
OAC 901:10-2-14(C)(3)	All land applications of manure shall comply with all restrictions contained in appendix A to this rule unless a compliance alternative is submitted and approved by the director.	ORC 903.08, ORC 903.10	Yes State Law	Yes State Law
OAC 901:10-2-14(C)(4)	For all land application of liquid manures, the owner or operator shall maintain or have access to methods or devices to capture or stop subsurface drain flow if liquid manure reaches the subsurface drain outlets.	ORC 903.08, ORC 903.10	Yes State Law	Yes State Law
OAC 901:10-2-14(C)(4)	Use of drain outlet plugs or other devices shall be recorded in the operating record in accordance with rule 901:10-2-16 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-14(C)(6)	Land application of manure by means of surface application shall not occur if the forecast contains a greater than fifty per cent chance of precipitation...	ORC 903.08, ORC 903.10	Yes State Law	Yes State Law
OAC 901:10-2-14(D)	The manure application rate for nitrogen shall be based on the following criteria:...	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-14(D)(1)	The application rate for nitrogen shall be based on utilization of crops at the recommended agronomic rates and based on minimum runoff and leaching that may impact waters of the state.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-14(D)(2)	In determining the agronomic rate for nitrogen, the owner or operator shall do the following:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-14(D)(3)	In determining how to minimize nitrogen leaching that may impact waters of the state, the owner or operator shall do the following:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-14(D)(3)(b)	If the nitrogen leaching risk assessment procedure completed in accordance with paragraph (D)(3)(a) of this rule demonstrates that the land application site has a high nitrogen leaching potential and no growing crop, then application of manure shall be limited to fifty pounds of nitrogen per acre calculated at the time of application prior to October first.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-2-14(D)(4)	In calculating the actual rate of application of nitrogen from manure, the figures in appendix C, table 6 to this rule shall be used along with the manure test results conducted according to rule 901:10-2-10 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-14(E)	(E) The manure application rate for phosphate shall be determined using the soil test analysis obtained pursuant to rule 901:10-2-13 of the Administrative Code and the following criteria:...	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-14(E)(1)	Prior to the land application of manure, land application areas shall be assessed with either the phosphorus index risk assessment procedure in appendix E, table 1 to this rule or the phosphorus soil test risk assessment procedure in appendix E, table 2 to this rule.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-14(E)(1)	The manure application rate for phosphate shall be limited in compliance with the applicable provision in the:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-14(E)(2)	The phosphate requirements for the realistic yield goals of planned crops, crop rotations, and/or plant biomass shall be determined using amounts from appendix C, table 1 to this rule;	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-14(E)(3)(a)	No manure application shall occur on land with soil tests that exceed more than one hundred parts per million Bray P1;	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-14(E)(3)(b)	No manure application shall occur on frozen or snow-covered ground;	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-14(E)(3)(c)	The manure shall be incorporated within twenty-four hours;	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-14(E)(3)(d)	No additional phosphate application shall be made for a minimum of three years on fields with soil tests that measure less than forty parts per million Bray P1 or equivalent; and	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-14(E)(3)(e)	No additional phosphate application shall be made for a minimum of five years on fields with soil tests between forty and one-hundred parts per million Bray P1 or equivalent.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-2-14(E)(4)	Notwithstanding the procedures in paragraph (E) of this rule but subject to the restrictions in appendix B to this rule, for a single phosphate application in a year, the application rate shall not exceed five hundred pounds per acre of phosphate.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-14(F)	The owner or operator shall submit existing published or documented data that is acceptable to the director.	ORC 903.08, ORC 903.10	Yes State Law	Yes State Law
OAC 901:10-2-14(G)	The owner or operator shall comply with rule 901:10-2-08 of the Administrative Code and this rule and use best efforts to avoid surface application of manure to frozen or snow covered ground by ensuring enough manure storage capacity by November of each year for a minimum of one hundred twenty to one hundred eighty days.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-14(G)	Solid manure with less than fifty per cent moisture shall be stockpiled at the land application site in lieu of manure application on frozen or snow covered ground.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-14(G)(1)(a)	Prior approval for each surface application of manure shall be obtained from the director or his designated representative.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-14(G)(1)(d)	Vegetation or residue shall not be completely covered by ice or snow at the time of application.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-14(G)(1)(e)	Manure ponding shall be prevented.	ORC 903.08, ORC 903.10	Yes, state law	Yes, State law
OAC 901:10-2-14(G)(1)(f)	Manure shall not be applied on more than twenty contiguous acres.	ORC 903.08, ORC 903.10	Yes, state law	yes, state law
OAC 901:10-2-14(G)(1)(g)	Setbacks from surface waters and conduits to surface waters, (including grassed waterways and surface drains) shall be a minimum of two hundred feet.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-14(G)(1)(g)	Setbacks shall have at least ninety per cent surface residue cover and vegetation or	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-14(G)(1)(g)	residue shall not be completely covered by ice or snow at the time of application.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-14(G)(1)(h)	For application fields with slopes greater than six percent, manure shall be applied in alternating strips sixty to two hundred feet wide generally on the contour,	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-14(G)(1)(h)	or in the case that the field is managed in contour strips with alternative strips in grass or legume, manure shall only be applied on alternative strips.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-2-14(G)(1)(h)	Manure application rates shall be determined for each separate application strip area and not the area of the entire application field.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-14(G)(2)(a)	Concentrated field surface drainage and tile outlets shall be visually monitored at the conclusion of manure application and periodically afterwards when weather, temperature increase, snowmelt and rainfall are likely to produce manure runoff.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-14(G)(2)(a)	Periodic visual monitoring shall continue until manure is assimilated into the application field and is no longer likely to discharge into waters of the state.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-14(G)(2)(b)	Upon discovering a discharge to waters of the state, the owner or operator shall notify the department within two hours of detection of the runoff event.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-14(G)(2)(c)	In addition to the visual monitoring and reporting in this paragraph, the owner or operator shall collect representative grab samples from the discharges of land applied manure into waters of the state at the point that the discharge enters waters of the state (i.e. concentrated field surface runoff or field tile outlet discharge prior to entrance to surface waters) and have the sample analyzed for ammonia nitrogen levels.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-14(G)(2)(d)(i)	(d) The owner or operator shall:(i) Collect the sample within thirty minutes of the first knowledge of the discharge; or	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-14(G)(2)(d)(ii)	If the sampling in that period is inappropriate due to dangerous weather conditions, the owner or operator shall collect the sample as soon as possible after suitable conditions occur	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-14(G)(2)(d)(ii)	and shall document the reason for delay.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-14(G)(2)(e)	The owner or operator shall report the results of the discharge event to the department within fourteen days of occurrence.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-14(G)(2)(e)	The report shall, at a minimum, contain the sample results, describe the reason for the discharge, the location, estimate of quantity and duration of the discharge, and duration of the precipitation leading up to the event, any measures taken to clean up and eliminate the discharge, and copies of land application records	ORC 903.08, ORC 903.10	Yes. State law	Yes, state law

OAC 901:10-2-14(G)(2)(e)	Laboratory results not available at the time of the report submitted shall be submitted to the department within five days of receipt.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-14(G)(2)(g)	.... then additional surface application of manure to frozen and/or snow covered ground shall be prohibited for the duration of the permit.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-14(G)(2)(h)	.... then land application on any frozen or snow-covered ground shall be prohibited for that owner or operator for the duration of the permit upon receipt of a third notice of deficiencies resulting in noncompliance pursuant to section 903.17 of the Revised Code.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-15(A)	A manure management plan shall include a plan for the disposal of dead livestock.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-15(A)	The plan shall include best management practices for	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-15(C)	Records for implementing the plan for the disposal of dead livestock shall be included in the operating record set forth in rule 901:10-2-16 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-16(A)	An operating record shall be generated as part of the permit to operate and NPDES permit.	ORC 903.08, ORC 903.10	Yes, federal and state law	Yes, federal and state law
OAC 901:10-2-16(A)	The operating records shall be maintained on forms identified by the permit and other forms approved for use by the department.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-2-16(A)	The operating record shall be retained for a minimum period of five years,	ORC 903.08, ORC 903.10	Yes State Law	Yes, state law
OAC 901:10-2-16(A)	shall be made available to the director upon request,	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-16(A)	and shall record and document the following information:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-16(A)(1)(j)	.... If actions were not taken within thirty days of discovery, then the operating record shall record the reasons explaining why corrections could not be made immediately.	ORC 903.08, ORC 903.10	Yes,federal and state law	Yes, federal and state law
OAC 901:10-2-16(A)(3)	Land application area records shall be recorded and maintained in the operating record.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-16(A)(3)	Records for each land application area shall include:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state
OAC 901:10-2-16(A)(3)(f)	Soil test results shall be maintained in the operating record with the information required in rule 901:10-2-13 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-16(A)(3)(t)	Records shall be maintained of annual calibration of land application equipment.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-2-16(A)(5)	The records for implementation of distribution and utilization methods, if used, shall include:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-16(A)(6)	The records for implementing the plan for the disposal of dead livestock shall include, but not be limited to:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-16(B)	Records shall be generated by certified livestock managers to comply with the requirements of rule 901:10-1-06 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-16(B)	The operating records shall be maintained on forms approved for use by the department.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-16(B)	The operating record for a certified livestock manager shall be retained for a minimum period of five years,	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-16(B)	shall be made available to the director upon request,	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-16(B)	and shall record and document the following information:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-16(B)(1)	Records shall be maintained for each land application area.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-16(B)(2)	The certified livestock manager shall list or otherwise describe the acres of land for land application of manure.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-16(B)(3)	When liquid manure is applied to a land application area with subsurface drains and concentrated flow areas, documentation shall be made of the periodic observations of subsurface drains, drain outlet plugs, drain outlets or other devices for liquid manure flow during and after application in the operating record.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-16(B)(3)	Monitoring of concentrated flow areas during and after application shall also be documented.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-16(B)(4)	Soil test results shall be maintained in the operating record with the information required in rule 901:10-2-13 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-16(B)(10)	Records shall be maintained of annual calibration of land application equipment.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-17(A)	(A) An emergency response plan shall include, but is not limited to the following:...	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-17(B)	The owner or operator shall report by telephone to the department as soon as possible, but in no case more than twenty-four hours following first knowledge of the occurrence of the following: ...	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-2-17(B)(3)	If applicable, the owner or operator shall notify appropriate local authorities.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-17(B)(4)	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 the director allows an extension of time or waives the reporting requirement.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-17(B)(4)	This report shall outline the actions taken or proposed to be taken to correct the problem and to ensure that the problem does not reoccur.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-18(C)	Permittees who plan to end permit coverage must submit a closure plan.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-18(C)	The owner or operator shall notify the director in writing and allow the director an opportunity to inspect the facility to verify that a permit is no longer required and that the facility is closed for purposes of Chapter 903. of the Revised Code and in accordance this rule.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-18(C)(1)	If all of a concentrated animal feeding facility or a concentrated animal feeding operation will be closed or discontinued, the owner or operator shall implement a closure plan for all of the concentrated animal feeding facility or concentrated animal feeding operation.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-18(C)(1)	At least ninety days before closure, the owner or operator shall submit a closure plan for the director's approval that provides for the following:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-18(C)(1)(e)	If a manure storage or treatment facility will be filled with soil or if it will be demolished, the director may require a complete description or outline for the plan and specifications that will be required for this type of closure.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-18(C)(2)	If the design capacity of the facility will be reduced so that the facility is no longer required to be covered under a permit to operate or an NPDES permit, because of closure of animal housing buildings, then the owner or operator shall, at least ninety days before such closure, submit for the director's approval	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-18(C)(3)	and thereafter shall implement a closure plan that provides for the following:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-2-18(C)(3)	If the design capacity of the facility will be reduced so that the facility is no longer required to be covered under a permit to operate or an NPDES permit, but there will be no actual closure of any housing buildings or of a manure storage or treatment facility, then the owner or operator shall,	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-18(C)(3)	at least ninety days before such closure, submit for the director's approval, and thereafter shall implement, a closure plan that provides for the following:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-18(C)(3)(c)	If a closure of the facility involves a part of the facility being transferred to a different owner, then the owner or operator of the permitted facility must provide the following:...	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-18(D)	If a permittee seeks to close permanently a manure storage or treatment facility or to close the entire facility temporarily without terminating permit coverage, the permittee must submit a closure plan.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-18(D)	The owner or operator shall notify the director in writing and allow the director an opportunity to inspect the facility to verify that the facility or a portion of the facility is closed for purposes of Chapter 903. of the Revised Code and in accordance this rule.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-18(D)(1)	If all or part of a manure storage or treatment facility at a concentrated animal feeding facility or a concentrated animal feeding operation will be closed or discontinued, the owner or operator shall implement a closure plan for all or part of the manure storage or treatment facility.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-18(D)(1)	At least ninety days before closure, the owner or operator shall submit such a closure plan for the director's approval that provides for the following:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-18(D)(1)(f)	If a manure storage or treatment facility will be filled with soil or if it will be demolished, the director may require a complete description or outline for the plan and specifications that will be required for this type of closure.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-2-18(D)(2)	If a concentrated animal feeding facility or a concentrated animal feeding operation is to be temporarily closed or discontinued, the owner or operator shall implement a closure plan that addresses the temporary closure of the facility.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-18(D)(2)	At least ninety days before closure, the owner or operator shall submit such a closure plan for the director's approval that provides for the following:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-18(D)(3)	If the closure would constitute a modification as defined in rule 901:10-1-01 of the Administrative Code, the owner or operator shall apply for a permit modification removing the closed portions of the facility from the permit and recalculating the storage volume for the facility.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-18(D)(3)	If applicable, the owner or operator shall also submit an application for a permit to install.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-19 (A)	Subject to the requirements set forth in rules 901:10-2-07 and 901:10-2-08 of the Administrative Code, and rule 901:10-1-06 of the Administrative Code no person shall own or operate a concentrated animal feeding facility unless an insect and rodent control plan for the facility has been approved by the director.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-19(B)(1)	An insect and rodent control plan shall be prepared by the owner or operator	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-19(B)(1)	and shall be submitted to the director for approval.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-19(B)(1)	Upon approval by the director, the insect and rodent control plan shall be incorporated into the permit to operate.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-19(B)(1)	The insect and rodent control plan shall be specific to the agricultural animal species of the facility.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-19(B)(1)	An insect and rodent control plan shall be prepared by the owner or operator	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-19(B)(2)	(2) An insect and rodent control plan shall:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-19(B)(3)(a)	The following management controls require regular inspections to be conducted by the owner or operator in intervals as described in the insect and rodent control plans.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-2-19(B)(3)(a)	Monitoring records and inspection records shall be maintained in the operating record as required by rule 901:10-2-16 of the Administrative Code. Management controls consist of the following:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-19(B)(3)(a)(i)	The owner or operator shall specify inspection intervals in the insect and rodent control plan and shall conduct and document inspections as specified in the plan.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
ORC 901:10-2-19(B)(3)(a)(i)	and shall conduct and document inspections as specified in the plan.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-19(B)(3)(a)(ii)	The owner or operator shall inspect for the presence or absence of watering and feeding system leaks.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-19(B)(3)(a)(ii)	If any leaks are detected, appropriate repairs shall be undertaken promptly.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-19(B)(3)(a)(iii)	The owner or operator shall inspect and record observations made regarding the presence and level of pest activity.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-19(B)(3)(a)(iii)	Appropriate control actions shall be undertaken promptly when activity of insects and rodents is observed that requires actions as described in the plan required by paragraph (B)(2) of this rule.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-19(B)(3)(a)(iv)	The owner or operator shall manage moisture levels in manure to minimize the activity and reduce the presence of insects and rodents at the facility.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-19(B)(3)(a)(v)	Except for manure storage ponds and manure treatment lagoons, manure storage or treatment facilities shall be covered unless the runoff and drainage is collected and stored, or directed to a specifically designed infiltration area or other adequate treatment system. .	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
ORC 901:10-2-19(B)(3)(a)(v)	Appropriate control actions shall be undertaken prior to the removal of manure to minimize the activity and reduce the presence of insects and rodents at the facility	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-19(B)(3)(a)(vi)	Except for manure storage ponds and manure treatment lagoons, the owner or operator shall inspect manure storage or treatment facilities for pest activity prior to the removal of manure.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-2-19(B)(3)(a)(vi)	Appropriate control actions shall be undertaken prior to the removal of manure to minimize the activity and reduce the presence of insects and rodents	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-19(B)(3)(a)(vii)	The owner or operator shall inspect land application areas during and after the land application of manure.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-19(B)(3)(a)(viii)	The owner or operator shall monitor manure stockpiles for insect and rodent activity on a seasonally appropriate basis.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-19(B)(3)(b)	The following management actions are required but do not require record keeping and consist of the following:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-19(B)(3)(b)	The following management actions are required but do not require record keeping and consist of the following:...	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-19(B)(3)(b)(ii)	Buildings shall be maintained and managed in such a manner as to minimize the activity and reduce the presence of insects and rodents.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-19(B)(3)(b)(iii)	The owner or operator shall maintain or have prompt access to appropriate insect and rodent control equipment;	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-19(B)(3)(b)(iv)	The owner or operator shall maintain or have prompt access to suitable cleaning implements and supplies as necessary for effective cleaning of the facility; and	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-19(B)(3)(b)(v)	The owner or operator shall maintain or have prompt access to insect and rodent monitoring methods and devices.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-19(B)(3)(c)	Biological controls shall include standard operating procedures designed to encourage the development and preservation of beneficial organisms.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-19(B)(3)(c)	Beneficial organisms may be appropriate when contained within the facility but may not be appropriate when removed from the facility.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-19(B)(3)(d)	Utilization of chemical controls may require, but not be limited to, asking the owner or operator to become a certified pest control applicator and keep accurate records on methods or products used and on dosage rates under Chapter 921. of the Revised Code	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-2-19(C) (1)	The insect and rodent control plan shall be consistent with the manure management plan in order to minimize the activity and reduce the presence of insects and rodents at the facility	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-19(C) (1)	and shall include both the manure storage or treatment facility and the land application area.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-19(C) (1)	The storing, stockpiling and land application of manure shall be done in accordance with standard operating procedures set forth in this paragraph and in the owner or operator's insect and rodent control plan in order to minimize the activity and reduce the presence of insects and rodents.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-19(C)(2)(g)	If the presence of insect and rodent activity is not minimized and/or reduced prior to the removal of manure from the manure storage or treatment facility, the owner or operator shall visually monitor and observe fields spread with that manure for pest activity during application	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-19(C)(2)(g)	and shall conduct a final inspection of those fields when applications are complete.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-19(D)	Each facility shall develop and maintain emergency procedures of action in order to minimize the activity and reduce the presence of insects and rodents at the facility.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-19(E)(1)	Before proceeding with the procedures set forth in rule 901:10-5-03 of the Administrative Code, the director shall review the operating record, together with the insect and rodent control plan, examine any records of management actions taken, records of implementation of standard operating procedures and other appropriate control actions, and any monitoring data collected in the operating record.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-19(E)(2)	The director shall determine if insect and rodent activity has been minimized and the presence of the insects and rodents reduced by evaluating the records and assessing trends and making visual observations at the facility as evidenced by implementation of the insect and rodent control plan over an appropriate period of time and during periodic inspections at the facility.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-2-19(F)(1)(b)	The director will require compliance with rule 901:10-2-15 of the Administrative Code..	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-19(F)(1)	The director shall consider the following criteria in determining an action on an insect and rodent control plan:.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-19(F)(1)(c)	In order to comply with rule 901:10-1-09 of the Administrative Code for any proposed major operational change of the insect and rodent control plan, the owner or operator shall:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-19(F)(2)	The director must act upon, approve or deny an insect and rodent control plan within ninety days of receiving it.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-20	The owner or operator of a concentrated animal feeding operation with a permit must submit an annual report to the director.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-20	The annual report must include:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-3-01(A)	Concentrated animal feeding operations must have or seek to obtain coverage under a NPDES permit within the time frame provided in accordance with 40 C.F.R. 122.23(f) and in division (J) of section 903.08 of the Revised Code.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-3-01(B)	Unless otherwise indicated, the application for an individual NPDES permit and the NPDES permit (if issued by the director) shall contain the following information:...	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-3-01(B)(3)	The operating record shall be maintained at the site office at all times. Upon approval of the NPDES permit, the operating record shall be deemed part of the NPDES permit.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-3-01(B)(3)	Upon approval of the NPDES permit, the operating record shall be deemed part of the NPDES permit.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-01(C)	Any person who discharges or proposes to discharge pollutants and who does not have an effective NPDES permit, except persons covered by a general NPDES permit, must submit a complete application to the director in accordance with this rule.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-01(C)	The director shall not issue a NPDES permit before receiving a complete application for a NPDES permit except NPDES general permits.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law

OAC 901:10-3-01(C)	All applicants for NPDES permits must provide the following information to the director:	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-01(C)(1)	The activities conducted by the applicant, which require it to obtain a NPDES permit;	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-01(C)(2)(f)	For operations that must seek coverage under a permit after December 31, 2006, certification that a nutrient management plan has been completed and will be implemented upon the date of permit coverage.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-3-01(D)(7)(b)	Ensure proper management of livestock mortalities as required in paragraph (A)(4)(m) of rule 901:10-2-08 and rule 901:10-2-15 of the Administrative Code to ensure that there shall be no discharge of pollutants from mortalities to waters of the state and no disposal in a manure or storm water storage or treatment facility that is not specifically designed to treat animal mortalities.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-01(D)(7)(i)	The terms must address rates of application using the approach set forth below, consistent with the requirements of rule 901:10-2-14 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-01(D)(7)(i)(i)	At a minimum, the factors that are terms must include:	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-3-01(D)(7)(i)(i)	The methodology that must be used to account for each of these factors is set forth in rules 901:10-2-13 and 901:10-2-14 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-3-01(D)(7)(i)(ii)	Where a concentrated animal feeding operation includes alternative crops in its manure management plan, the crops must be listed by land application area,	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-3-01(D)(7)(i)(ii)	in addition to the crops identified in the planned crop rotation for that land application area, and the manure management plan must include realistic crop yield goals and the nitrogen and phosphorus recommendations from appendix C, tables 1, 2, or 3 of rule 901:10-2-14 of the Administrative Code for each crop.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-3-01(D)(7)(i)(ii)	Maximum amounts of nitrogen and phosphorus from all sources of nutrients and the amounts of manure to be applied must be determined in accordance with the methodology identified in paragraph (D)(1)(g)(ix)(a).	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-3-01(D)(7)(i)(iii)	The following projections must be included in the manure management plan submitted to the director, but are not terms of the nutrient management plan:	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law

OAC 901:10-3-01(D)(7)(i)(iv)	Concentrated animal feeding operations must calculate maximum amounts of manure to be land applied at least once each year using the methodology identified in paragraph (D)(1)(g)(ix)(a) of this rule before land applying manure	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-3-01(D)(7)(i)(iv)	and must rely on the following data:	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-3-01(E)	In establishing the terms and conditions of the NPDES permit, the director, to the extent consistent with the act, shall consider technical feasibility and economic costs and shall allow a reasonable period of time for coming into compliance with the permit.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-3-01(F)	In addition to conditions required in all permits to meet the requirements of rule 901:10-3-10 of the Administrative Code, the director shall establish conditions, as required on a case-by-case basis, to provide for and assure compliance with all applicable requirements of the act and regulations.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-3-01(F)	These shall include conditions under 40 CFR sections 122.44, 122.46, 122.47, 122.48 and 40 CFR Part 132 which establishes compliance schedules and authority to set interim compliance dates.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-02(A)	Large concentrated animal feeding operations that lack a NPDES permit must maintain the records specified in rule 901:10-2-16 of the Administrative Code either on site or at a nearby office, and make the records readily available to the director upon request.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-02(C)	Best practicable control technology currently available or BPT means the degree of effluent reduction attainable through the application of the best control measures and practices currently available which shall be determined by taking into account the total cost of application of technology in relation to the effluent reduction benefits to be achieved from such application,...	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law

OAC 901:10-3-02(D)	BAT shall be determined by taking into account the age of equipment and facilities involved, the process employed, the engineering aspects of the application of various types of control techniques, process changes, the cost of achieving such effluent reduction, non-water quality environmental impacts (including energy requirements) and such other factors as deemed appropriate.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-02(E)	Any facility or operation subject to Chapter 903. of the Revised Code that introduces manure, including process wastewater, into a publicly owned treatment works must comply with 40 CFR part 403 (2005) and Chapter 6111. of the Revised Code and rules promulgated thereunder.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-03(A)(1)	Except as provided in rule 901:10-3-08 of the Administrative Code, and subject to the provisions of paragraph (A)(2) of this rule, any existing point source subject to this rule must achieve the following effluent limitations representing the application of BPT: there shall be no discharge of manure to waters of the state.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-03(A)(1)	there shall be no discharge of manure to waters of the state	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-3-03(B)(1)	Except as provided in rule 901:10-3-08 of the Administrative Code, and when the provisions of paragraph (B)(2) of this rule apply, any existing point source subject to the rule must achieve the following effluent limitations representing the application of BAT:	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-03(B)(1)	there shall be no discharge of manure into waters of the state.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-03(C)(1)	Except as provided in paragraph (C)(2) of this rule, any new source subject to this rule must achieve the following performance standards:	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-03(C)(1)	there must be no discharge of manure to waters of the state.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-04(A)(1)	Except as provided in rule 901:10-3-08 of the Administrative Code, any existing point source subject to this rule must achieve the following effluent limitations representing the application of BPT:	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law

OAC 901:10-3-04(A)(1)	(1) For the concentrated animal feeding operation production areas. Except as provided in paragraphs (A)(1) to (A)(2) of this rule, there must be no discharge of manure into waters of the state from the production area.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-04(A)(1)(b)(i)	In requesting site-specific effluent limitations to be included in the NPDES permit, the concentrated animal feeding facility owner or operator must submit a supporting technical analysis and any other relevant information and data that would support such site-specific effluent limitations within the time frame provided by the director.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-04(A)(1)(b)(i)	The supporting technical analysis must include calculation of the quantity of pollutants discharged, on a mass basis where appropriate, based on a site-specific analysis of a system designed, constructed, operated and maintained to contain all manure including the runoff from a twenty-five year, twenty-four hour rainfall event.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-04(A)(1)(b)(i)	The technical analysis of the discharge of pollutants must include:			
OAC 901:10-3-01(A)(1)(c)	The concentrated animal feeding operation shall attain the limitations and requirements of this rule as of the date of permit coverage.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-01(A)(2)(c)	The concentrated animal feeding operation shall attain the limitations and requirements of this rule by December 31, 2006.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-04(B)(1)	Effluent limitations attainable by the application of the best conventional pollutant control technology (BCT). Except as provided in rule 901:10-3-08 of the Administrative Code, any existing point source subject to this rule must achieve the following effluent limitations representing the application of BCT:	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-04(B)(1)	For the concentrated animal feeding operation production areas: the operation shall attain the requirements in paragraph (A)(1) of this rule..	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law

OAC 901:10-3-04(B)(2)	For the land application areas: The operation shall attain the same limitations and requirements set forth for the manure management plan in paragraph (A)(2) of this rule.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-04(C)(1)	Except as provided in rule 901:10-3-08 of the Administrative Code, any existing point source subject to this rule must achieve the following effluent limitations representing the application of BAT:(1) For concentrated animal feeding operation production areas:	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-04(C)(1)	The operation shall attain the same limitations and requirements set forth in paragraph (A)(1) of this rule.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-04(C)(1)	The operation shall attain the same limitations and requirements set forth in paragraph (A)(1) of this rule.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-04(C)(2)	For the operation land application areas: the facility shall attain the same limitations and requirements as those set forth for the manure management plan in paragraph (A)(2) of this rule.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-04(D)(1)	Any new point source subject to this rule must achieve the following effluent limitations representing the application of NSPS:	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-04(D)(1)	For the concentrated animal feeding operation production	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-04(D)(2)	For the land application areas, the operation shall attain the requirements as listed for the manure management plan in paragraph (A)(1) of rule 901:10-2-07 of the Administrative Code and the records required in rule 901:10-2-16 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-04(D)(3)	The facility shall attain the limitations and requirements of this rule as of the date of permit coverag	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-04(D)(4)	Any source subject to this rule that commenced discharging after April 14, 1993 and prior to April 14, 2003 which was a new source subject to the standards specified in paragraph (C) of rule 901:10-3-03 of the Administrative Code, revised as of July 1, 2002, must continue to achieve those standards for the applicable time period specified in 40 CFR 122.29(d)(1).	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-04(D)(4)	Thereafter, the source must achieve the standards specified in paragraphs (A)(1) and (A)(2) of this rule.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law

OAC 901:10-3-05(B)	Effluent limitation attainable by the application of the best practicable control technology currently available (BPT).Except as provided in rule 901:10-3-08 of the Administrative Code, any existing point source subject to this rule shall achieve the following effluent limitations representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available(BPT):	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-05(C)(1)	Except as provided in paragraph (C)(2) of this rule, any new source subject to this rule must achieve the following performance standards:	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-05(C)(1)	there must be no discharge of manure into waters of the state.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-05(D)(1)	Except as provided in paragraph (D)(2) of this rule, any new source subject to this rule must comply with paragraph (E) of rule 901:10-3-02 of the Administrative Code and must achieve the following performance standards:	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-05(D)(1)	and must achieve the following performance standards:	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-05(D)(1)	there must be no introduction of manure to a publicly owned treatment works.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-06(A)	Except as provided in rule 901:10-3-08 of the Administrative Code, any existing point source subject to this rule must achieve the following effluent limitations representing the application of BPT:	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-06(A)(1)	Except as provided in paragraph (A)(1)(a) of this rule, there must be no discharge of manure into waters of the state from the production area.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-06(A)(1)	The limitations and requirements of this paragraph must be attained as of the date of permit coverage.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-06(A)(1)(b)(i)	In requesting site-specific effluent limitations to be included in the NPDES permit, the CAFO owner or operator must submit a supporting technical analysis and any other relevant information and data that would support such site-specific effluent limitations within the time frame provided by the director.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law

OAC 901:10-3-06(A)(1)(b)(i)	The supporting technical analysis must include calculation of the quantity of pollutants discharged, on a mass basis where appropriate, based on a site-specific analysis of a system designed, constructed, operated, and maintained to contain all manure, litter, and process wastewater, including the runoff from a twenty-five-year, twenty-four-hour rainfall event.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-3-06(A)(1)(b)(i)	The technical analysis of the discharge of pollutants must include:	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-06(A)(1)	The limitations and requirements of this paragraph must be attained as of the date of permit coverage.	ORC 903.08, ORC 903.10	Yes federal law	Yes, federal law
OAC 901:10-3-06(A)(2)(a)	The operation shall attain the same limitations and requirements listed for the manure management plan in paragraph (A)(1) of rule 901:10-2-07 of the Administrative Code and record keeping requirements in rule 901:10-2-16 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal
OAC 901:10-3-06(B)(1)	Except as provided in rule 901:10-3-08 of the Administrative Code, any existing point source subject to this rule must achieve the following effluent limitations representing the application of BCT:	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-06(B)(1)(a)	For operation production areas: the operation shall attain the same limitations and requirements in paragraph (A)(1) of this rule.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-06(B)(1)(b)	For the land application areas: the operation shall attain the same limitations and requirements in paragraph (A)(2) of this rule	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-06(C)	Except as provided in rule 901:10-3-08 of the Administrative Code, any existing point source subject to this rule must achieve the following effluent limitations representing the application of BAT:	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-06(C) (1)	For production areas: the concentrated animal feeding operation shall attain the same limitations and requirements in paragraph (A)(1) of this rule.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-06(C) (2)	For land application areas: the concentrated animal feeding operation shall attain the same limitations and requirements listed in paragraph (A)(2) of this rule.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law

OAC 901:10-3-06(D)	New source performance standards (NSPS).Any new source subject to this rule must achieve the following effluent limitations representing the application of NSPS.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-06(D)(1)	For production areas: there must be no discharge of manure	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-06(D)(1)(a)	The NPDES permit best management practice effluent limitations must address the CAFO's entire production area.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-06(D)(1)(a)	The technical evaluation must address the elements established in 40 CFR 412.46(a)(1)(November 20, 2008).	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-06(D)(1)(b)	The production area shall be operated in accordance with the requirements set forth in the manure management plan in rule 901:10-2-08 of the Administrative Code and the records required by rule 901:10-2-16 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-06(D)(2)	For land application areas: the operation shall comply with the requirements listed for the manure management plan required by paragraph (A)(1) of rule 901:10-2-07 of the Administrative Code and the recordkeeping requirements of rule 901:10-2-16 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes,, federal law	Yes, federal law
OAC 901:10-3-06(D)(3)	The operation shall attain the limitations and requirements of paragraph (D) of this rule as of the date of permit coverage.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-06(D)(4)	Any source subject to this rule that commenced discharging after April 14, 1993 and prior to April 14, 2003 which was a new source subject to the standards specified in 40 CFR 412.15, (July 1, 2002), must continue to achieve those standards for the applicable time period specified in 40 CFR 122.29(d)(1)(May 15, 2000).	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-06(D)(4)	Thereafter, the source must achieve the standards specified in paragraphs (A)(1) and (A)(2) of this rule.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law

OAC 901:10-3-06(D)(5)	Any source subject to this rule that commenced discharging after April 14, 2003 and prior to January 20, 2009 which was a new source subject to the standards specified in 40 CFR 412.46(a) to (d) in the July 1, 2008 edition of 40 CFR part 439, must continue to achieve those standards for the applicable time period specified in 40 CFR 122.29(d)(1)(May 15, 2000).	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-07(A)	The director may designate any animal feeding facility as a concentrated animal feeding operation in accordance with division (F)(1) of section 903.10 of the Revised Code upon determining that it is a significant contributor of manure to waters of the state. In making a designation, the director shall consider the following factors:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-3-07(B)	No animal feeding facility shall be designated under this rule unless the director has conducted an on-site inspection of the animal feeding facility and determined that the facility should and could be regulated under the permit program.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-3-07(D)	If the director determines that an animal feeding facility shall be required to be permitted as a medium or small concentrated animal feeding operation,	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-3-07(D)	then the owner or operator shall apply to the director for an NPDES permit as a concentrated animal feeding operation.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-07(D)	If the director determines that the existing facility cannot comply with best management practices in Chapter 901:10-2 or Chapter 1505:15-5 of the Administrative Code, without modifying the existing facility, the owner or operator shall apply for a permit to install.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-3-08(A)	A request for a variance will be decided upon by the director, but the director's decision shall not be incorporated into any term or condition of a NPDES permit until the United States environmental protection agency regional administrator grants or denies the request for a variance or, in the case of variances under paragraph (B)(4) or (B)(5) of this rule, the administrator grants or denies the request for a variance.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law

OAC 901:10-3-08(B)(3)	A variance based on the economic capability of the applicant provided that the variance shall meet the requirements of section 301(c) of the act.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-08(B)(3)	The owner or operator must show progress in reductions with the maximum use of technology while utilizing economic capability.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-08(B)(4)	A FDF variance shall be "no less stringent a limit than justified by fundamental differences" while also demonstrating that the existing limit will cause adverse affect.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-3-08(B)(6)	A variance does not affect or require corresponding changes to the water quality standard for the waterbody as a whole.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-08(B)(6)(b)	A water quality based variance issued under paragraph (B)(6) of this rule shall not exceed five years or the term of the NPDES permit whichever is less.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-08(B)(6)(b)	A water quality based variance shall be reviewed and modified if necessary as part of each water quality standards review pursuant to section 303(c) of the act.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-08(B)(6)(c)(i)(f)(ii)	In addition to the requirements of paragraph (B)(6)(c)(i) of this rule the owner or operator shall also:	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-08(B)(6)(d)	The owner or operator shall submit an application for a variance to the director.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-08(B)(6)(d)	The application shall include: (i) All relevant information demonstrating that attaining the water quality standard is not feasible based on one or more of the conditions in paragraphs (B)(6)(c)(i) and (B)(6)(c)(ii) of this rule.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-08(B)(6)(e)	Upon receipt of a complete application for a variance and upon making a preliminary decision regarding the variance the director shall provide public notice of the request and preliminary decision for a public comment pursuant to the procedures set forth in Chapter 901:10-6 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-08(B)(6)(e)	The director shall notify the other Great Lakes States and Tribes of the preliminary decision for discharges in the Lake Erie basin.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law

OAC 901:10-3-08(B)(7)	The director shall issue a final decision on the variance request within ninety days of the expiration of the public comment period required in paragraph (B)(6)(e) of this rule.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-08(B)(7)	If the director decides to grant or deny a variance then the director shall do so in accordance with Chapter 119. of the Revised Code.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-08(B)(7)	If all or part of the variance is approved by the director, the decision shall include all permit conditions needed to implement those parts of the variance so approved.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-08(B)(7)	Such permit conditions shall, at a minimum, require:	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-08(B)(8)	The director shall establish and incorporate into the NPDES permit all conditions needed to implement the variance as determined in paragraph (B)(7) of this rule.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-08(B)(9)	As part of any renewal application, the owner or operator shall again demonstrate that attaining a water quality standard is not feasible based on the requirements of paragraph (B)(6)(c) of this rule.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-08(B)(9)	The application shall also contain information concerning compliance with the conditions incorporated into its permit as part of the original variance pursuant to paragraphs (B)(7) and (B)(8) of this rule.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-08(B)(10)	All variances and supporting information shall be submitted by the director to the regional administrator and shall include:	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-3-08(B)(10)(e)	Information required by this paragraph shall be submitted by the director within thirty days of the date of the final variance decision.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-3-08(B)(10)(e)	The information required by paragraph (B)(6)(d) of this rule shall be submitted in accordance with the terms of the memorandum of agreement with the regional administrator pursuant to 40 CFR 123.24 .	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-08(B)(11)	All variances shall be transmitted to the Ohio environmental protection agency and appended to the water quality standard rules adopted in accordance with section 6111.041 of the Revised Code.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-08(C)	Any public notice of a draft permit for which a variance has been approved or denied shall identify the applicable procedures for appealing that decision.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law

OAC 901:10-3-08(C)	Any public notice of a draft permit for which a variance has been approved or denied shall identify the applicable procedures for appealing that decision.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-08(C)	An owner or operator shall be afforded an appeal of the decision in accordance with 40 C.F.R. section 124.64 and Chapter 119. of the Revised Code.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-10(A)	The following terms and conditions are applicable to NPDES permits. The owner or operator shall comply with all terms and conditions of the NPDES permit.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-3-10(B)	The owner or operator 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.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-3-10(E)	Any effluent shall, at all times, comply with Ohio water quality standards.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-3-10(F)	If the permittee 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.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-3-10(H)	The owner or operator shall allow the director or an authorized representative upon the presentation of proper identification, at reasonable times and in compliance with biosecurity procedures:	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-10(H)(2)	To have access for review and copying any records that must be kept under the terms and conditions of the permit;	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-3-10(I)	The owner or operator 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.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law

OAC 901:10-3-10(I)	The owner or operator shall also furnish to the department, upon request, copies of records required by this permit to be kept.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-10(J)(1)	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.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-10(J)(2)	The owner or operator shall retain records of all monitoring information, including all calibration and maintenance records and, if applicable, original strip chart recordings or continuous monitoring instrumentation.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-10(J)(2)	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.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-10(J)(3)	Records of monitoring information shall include:	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-10(K)	Monitoring must be conducted according to rules 901:10-2-10 and 901:10-2-13 of the Administrative Code and according to test procedures approved under 40 C.F.R. part 136 (2012), unless other test procedures have been specified in the permit and approved by the regional administrator.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-3-10(K)	Monitoring must be conducted in accordance with any water quality analytical procedures approved by the department.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-10(K)	The owner or operator shall maintain equipment or lease the equipment or otherwise obtain access to equipment to ensure accurate measurements.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law

OAC 901:10-3-10(L)	Additional requirements for recording and reporting monitoring results shall be established on a case-by-case basis with a frequency dependent on the nature and effect of the discharge, but in no case less than once per year.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-3-10(L)	All permits shall specify:	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-10(M)	All permit applications and reports required by the permit and other information submitted to the director shall be signed and certified as follows:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-3-10(M)(1)	All permit applications shall be signed as follows:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-3-10(M)(2)	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.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-10(M)(2)(d)	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.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-10(M)(3)	Any person signing a document under this rule shall make the following certification:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-3-10(N)	It shall not be a defense for an owner or operator 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.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-10(O)	The owner or operator shall at all times properly operate and maintain all facilities (and related appurtenances) which are installed or used by the owner or operator to achieve compliance with the conditions of the permit.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-10(P)	In an emergency, the owner or operator shall follow the facility's emergency response plan,	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-3-10(P)	which shall include, at a minimum, the following:	ORC 903.08, ORC 903.10	Yes, federal law	Yes federal law
OAC 901:10-3-10(P)(3)	These procedures shall include:	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-10(P)(3)(a)	The owner or operator shall report a spill or discharge by telephone to the department as soon as possible,	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-3-10(P)(3)(a)	but in no case more than twenty-four hours following first knowledge of the occurrence and shall provide the following information:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-3-10(P)(3)(b)	For any emergency that requires immediate reporting after normal business hours, the owner or operator shall use the Ohio department of agriculture's emergency telephone number.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-3-10(P)(3)(c)	If applicable, the owner or operator shall notify appropriate local authorities.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-3-10(P)(3)(d)	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 waived, in writing, by the department.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-3-10(P)(3)(d)	This report shall outline the actions taken, proposed to be taken to correct the problem and to ensure that the problem does not recur.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-3-10(Q)	The permittee shall report any noncompliance which may endanger health or the environment.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-3-10(Q)	Any information shall be provided orally within twenty-four hours from the time the permittee becomes aware of the circumstances.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-10(Q)	A written submission shall also be provided within five days of the time the permittee becomes aware of the circumstances.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-10(Q)	A written submission shall contain a description of the noncompliance and its cause;	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-10(Q)	The following shall be included as information which must be reported within twenty-four hours:	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-10(R)(1)	The director shall establish conditions, as required and appropriate on a case-by-case basis, to provide for and assure compliance with all applicable requirements of the act and regulations.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law

ORC 901:10-3-10(R)(1)	These shall include conditions under 40 CFR sections 122.44(1983), 122.46 (1995), 122.47 (2000), 122.48 (1985) and 40 CFR Part 132 (2011). In particular, when appropriate, the director may include in a permit a schedule of compliance leading to compliance with the CWA and its implementing regulations consistent with the requirements and conditions in 40 C.F.R. 122.47(2000) which establish compliance schedules and authority to set interim compliance dates.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-10(R)(2)	Reports of compliance or noncompliance with, or any progress reports on, any compliance schedule of the permit shall be submitted fourteen days after each schedule date.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-3-10(S)	The owner or operator shall give advance notice to the director of any planned changes at the facility that may result in noncompliance with permit requirements.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-3-10(T)	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.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-3-10(T)(2)	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.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-3-10(T)(3)	The permittee shall submit notice of an unanticipated bypass as required in paragraph (Q) of this rule.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-3-10(U)(2)	A permittee who wishes to establish the affirmative defense of upset shall demonstrate through properly signed, contemporaneous operating records, or other relevant evidence that:	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-10(V)	The owner or operator 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:	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-3-10(W)	The owner or operator shall report all instances of noncompliance not reported under paragraphs (Q) and (R) of this rule at the time monitoring reports are submitted.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-10(W)	These reports shall contain the information listed in paragraph (Q) of this rule.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law

OAC 901:10-3-10(X)	Where the owner or operator 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.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-3-10(Y)(1)	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."	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-3-10(Y)(2)	A hard copy of the Ohio department of agriculture form must be generated, signed and maintained on site for records retention purposes.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-3-10(Y)(3)	Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the director in the permit.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-3-10(Z)(1)	All permit effluent limitations, standards and prohibitions shall be established for each outfall or discharge point of the permitted operation	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-3-10(Z)(1)	unless the director determines that effluent limitations are infeasible and the best management practices shall be utilized.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-10(Z)(2)	For any continuous discharges, all permit effluent limitations, standards, and prohibitions, including those necessary to achieve water quality standards, shall unless impracticable be stated as:	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-10(Z)(3)(a)	Discharges which are not continuous shall be particularly described and limited, considering the following factors, as appropriate:	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-10(Z)(3)(a)	Frequency (for example, a batch discharge shall not occur more than once every three weeks);	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law

OAC 901:10-3-10(Z)(3)(d)	Prohibition or limitation of specified pollutants by mass, concentration, or other appropriate measure (for example, shall not contain at any time more than 0.1 mg/1 zinc or more than two hundred and fifty grams (1/4 kilogram) of zinc in any discharge).	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-11(B)(1)	No person shall discharge stormwater resulting from an animal feeding facility without first obtaining a NPDES permit issued by the director of agriculture in accordance with rules when such a permit is required by the act.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-11(B)(1)	Such a permit shall be enforced by the director of agriculture upon the transfer of authority to enforce the terms and conditions of the permit.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-3-11(B)(2)	No person shall discharge stormwater resulting from an animal feeding facility that is undergoing construction activities that include clearing, grading, excavating, grubbing and/or filling activities that result in the disturbance of one or more acres unless the person first obtains a NPDES permit issued by the director of agriculture in accordance with rules when such a permit is required by the Act. Persons that have been issued a NPDES permit by the director of the Ohio environmental protection agency for the discharge of stormwater from an animal feeding facility prior to the date on which the USEPA approved the NPDES program submitted by the director of agriculture under that section may continue to operate under that permit until it expires or is modified or revoked.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-11(B)(2)	Such a permit shall be enforced by the director of agriculture upon the transfer of authority to enforce the terms and conditions of the permit.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-3-11(C)(1)	The director may require an owner or operator to apply for and obtain either an individual NPDES permit or coverage under a NPDES general permit.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-3-11(C)(2)	The director may require the owner or operator authorized to discharge by a general permit to apply for an individual NPDES permit only if the owner or operator has been notified in writing that a permit application is required.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law

OAC 901:10-3-10(C)(2)	This notice shall include a brief statement of the reasons for this decision, an application and a statement setting a deadline for the owner or operator to file the application and a statement that on the effective date of the individual permit,	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
	coverage under this general permit shall automatically terminate.			
OAC 901:10-3-11(C)(3)	The owner or operator shall submit an individual application with reasons supporting the request to the director in accordance with the requirements of 40 CFR section 122.26(November 16, 1990).	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-11(C)(3)	The request shall be granted by issuance of an individual permit if the reasons cited by the owner or operator are adequate to support the request.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-11(D)(1)	Individuals who intend to obtain coverage for a stormwater discharge associated with construction activity shall submit an application for a permit at least thirty days prior to the commencement of new construction activity.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-11(D)(3)	The transferee must inform the department of agriculture in writing that he or she will assume the responsibilities of the original transferor.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-3-11(D)(4)(b)(ii)	Records shall include:	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-3-11(D)(4)(b)(iv)	The owner or operator shall retain records for a period of five years after the completion of the construction activity.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-3-11(D)(4)(c)	The notice of the general stormwater permit coverage card or individual stormwater permit shall be posted at any of the following locations:	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-11(D)(5)(a)	A description of control practices designed to preserve existing vegetation where attainable and revegetation of disturbed areas as soon as practicable after grading or construction shall be provided.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-11(D)(5)(a)	The owner or operator shall initiate appropriate vegetative practices on all disturbed areas within seven days if they are to remain dormant for more than forty-five days.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law

OAC 901:10-3-11(D)(5)(a)	For areas within fifty feet of any stream, first order or larger, soil stabilization practices shall be initiated within two days on all inactive, disturbed areas.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-11(D)(5)(a)	Permanent or temporary soil stabilization shall be applied to disturbed areas within seven days after final grade is reached on any portion of the site.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-3-11(D)(5)(a)	When seasonal conditions prohibit the application of temporary or permanent seeding, non-vegetative soil stabilization practices such as mulching and matting shall be used.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-11(D)(5)(b)	Sediment control structures shall be functional throughout earth disturbing activity. They shall continue to function until the upslope development area is restabilized.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-11(D)(5)(b)	Sediment ponds and perimeter sediment barriers shall be implemented as the first step of grading and within seven days from the start of grubbing.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-11(D)(5)(b)	They shall continue to function until the upslope development area is restabilized.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-11(D)(5)(c)	Concentrated stormwater runoff from disturbed areas flowing at rates which exceed the design capacity of sediment barriers shall pass through a sediment settling pond.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-11(D)(5)(c)	The facility's storage capacity shall be a minimum of sixty-seven cubic yards per acre of drainage area.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-11(D)(5)(d)	Sheet flow runoff from denuded areas shall be intercepted by sediment barriers. Sediment barriers, such as silt fences or diversions directing runoff to settling facilities, shall protect adjacent properties and water resources from sediment transported by sheet flow.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-11(D)(5)(d)	Sediment barriers, such as silt fences or diversions directing	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-11(D)(5)(e)	Structural practices shall be designed and implemented on site to protect all adjacent streams, first order and larger, from the impacts of sediment runoff.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law

OAC 901:10-3-11(D)(5)(e)	Other erosion and sediment control practices shall prevent sediment laden water from entering storm drain systems, unless the storm drain system drains to a settling pond. These practices shall divert runoff from disturbed areas and steep slopes where practicable and stabilize channels and outfalls from erosive flows.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-11(D)(5)(e)	These practices shall divert runoff from disturbed areas and steep slopes where practicable and stabilize channels and outfalls from erosive flows.	ORC 903.09, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-11(D)(6)	A description of measures that will be installed during the construction process to control pollutants in stormwater discharges that will occur after construction operations have been completed shall be provided.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-11(D)(6)(a)	(a) Where such controls are needed to prevent or minimize erosion, velocity dissipation devices shall be placed at the outfall of all detention or retention structures and along the length of any outfall channel as necessary to provide a non-erosive flow velocity from the structure to a watercourse. Justification shall be provided by the owner or operator for rejecting each practice based on site conditions.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-11(D)(8)(a)	Other Controls. (a) Waste disposal. No solid, other than sediment, or liquid waste, including building materials, shall be discharged in stormwater runoff.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-11(D)(8)(b)	Off-site vehicle tracking of sediments shall be minimized.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-11(D)(8)(c)	The plan shall ensure and demonstrate compliance with applicable state or local waste disposal, sanitary sewer or septic system regulations.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-11(D)(10)(a)	Procedures in a plan shall provide that all erosion and sediment controls on the site are inspected at least once every seven calendar days and within twenty-four hours after any precipitation event greater than one-half inch of precipitation in a twenty-four hour period.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law

OAC 901:10-3-11(D)(10)(a)	In addition, qualified inspection personnel provided by the owner or operator shall conduct a weekly inspection of the construction site to identify areas contributing to stormwater discharges associated with construction activity and evaluate whether measures associated with erosion and control of pollutant loadings identified in a stormwater pollution prevention plan are adequate and properly implemented.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-11(D)(10)(a)	Disturbed areas and areas used for storage of materials that are exposed to precipitation shall be inspected for evidence of, or the potential for, pollutants entering the drainage system.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-11(D)(10)(a)	Erosion and sediment control measures identified in the plan shall be observed to ensure that they are operating correctly.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-11(D)(10)(a)	Discharge locations shall be inspected to determine whether erosion and sediment control measures are effective in preventing significant impacts to the receiving waters	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-11(D)(10)(a)	Locations where vehicles enter or exit the site shall be inspected for evidence of off-site vehicle tracking.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-11(D)(11)(a)	Once the construction activity is completed, the permittee shall submit notice to the department of agriculture within thirty days after final site stabilization has been achieved.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-11(D)(11)(b)	The stormwater pollution prevention plan shall contain the following:	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-11(D)(11)(b)	These measures must be compatible with paragraph (F) of rule 901:10-2-04 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-11(D)(11)(c)	The owner or operator shall amend the plan whenever there is a change in design, construction, operation or maintenance, which has a significant effect on the potential for the discharge of pollutants to waters of the state and	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-11(D)(11)(c)	shall record such changes in the operating record required by rule 901:10-2-16 of the Administrative Code	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law

OAC 901:10-3-11(D)(11)(d)	The owner or operator shall inform all contractors and subcontractors who will be involved in the implementation of the stormwater pollution prevention plan of the terms and conditions of the permit that authorizes the discharges.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-11(E)(1)	A stormwater pollution prevention plan shall be developed for the production area of each facility required to have a stormwater permit.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-11(E)(1)(a)	The stormwater pollution plan shall comply with and be submitted as part of paragraph (F) of rule 901:10-2-04 of the Administrative Code and the application for a permit to install.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-11(E)(1)(a)	The stormwater pollution plan shall contain spill prevention and good housekeeping techniques, along with plans to divert clean water.		Yes, federal law	Yes, federal law
OAC 901:10-3-11(E)(1)(a)	spill prevention and good housekeeping techniques, along with diversion of clean water, shall be used to ensure that uncontained storm water from the production area	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-11(E)(1)(b)	The stormwater pollution plan shall be included with the conditions of a NPDES permit	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-11(E)(1)(b)	which shall require compliance with the stormwater pollution plan as expeditiously as practicable, but in no event later than three years after the date of issuance of the permit.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-11(E)(2)	A one-time fee must be submitted with the application in accordance with rule 901:10-1-04 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-11(E)(3)	The owner or operator shall notify the department of agriculture in writing sixty days prior to any proposed transfer.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-311(E)(3)	The transferee must inform the department of agriculture in writing that he or she will assume the responsibilities of the original transferor.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-11(E)(4)	The facility shall implement the best management practices, including inspections, in rule 901:10-2-08 of the Administrative Code	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-3-11(E)(4)	and shall maintain records specified in rule 901:10-2-16 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law

OAC 901:10-4-01(A)(1)	The director shall develop general permits to operate that relate to the following areas:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-01(A)(1)(c)	The facilities are regulated by a NPDES permit and have similar discharge characteristics and require the same operating conditions to meet either effluent limitations or water quality standards.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-4-01(C)	If the director decides to issue a general permit to operate the director shall follow the notice procedures in Chapter 901:10-6 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-01(D)	No provision in any general permit to operate issued under this rule shall be interpreted as allowing the owner or operator to violate state water quality standards or other applicable environmental standards.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-01(E)	Public notice requirements as found in Chapter 901:10-6 of the Administrative Code shall be satisfied prior to renewal of general permits.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-01(E)	If the director chooses not to renew a general permit to operate, all facilities or operations covered under that general permit to operate, shall be notified to submit applications for individual permits.	ORC 903.08, ORC 903.10	Yes state law	Yes, state law
OAC 901:10-4-01(E)(3)	The director may require any discharging facility authorized by a NPDES general permit to operate to apply for and obtain an individual NPDES permit to operate.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-01(E)(3)	Cases where an individual NPDES permit to operate may be required shall be as set forth in the criteria of paragraph (E)(2) of this rule.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-01(F)	Each general NPDES permit to operate for NPDES operations must be approved by the United States environmental protection agency before the permit becomes effective.	ORC 903.08, ORC 903.10	Yes, State law	Yes, State Law
OAC 901:10-4-01(G)	The owner or operator shall be afforded the opportunity to request a hearing in accordance with Chapter 119. of the Revised Code.	ORC 903.08, ORC 903.10	Yes, State Law	Yes, State Law
OAC 901:10-4-02(B)	Each person eligible for a general permit to operate shall follow the requirements in rule 901:10-4-03 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, State Law	Yes, State Law

OAC 901:10-4-02(C)	Upon issuance of a general permit to operate and issuance of an individual certificate of coverage, the individual permit to operate shall be terminated.	ORC 903.08, ORC 903.10	Yes, State Law	Yes, State Law
OAC 901:10-4-03(A)	An owner or operator requesting to be covered by a general permit to operate shall submit a notice of intent.	ORC 903.08, ORC 903.10	Yes, State Law	Yes, State Law
OAC 901:10-4-03(B)	Notices of intent shall be filed on forms approved by the director and, where applicable to a NPDES operation,	ORC 903.08, ORC 903.10	Yes, State Law	Yes, State Law
OAC 901:10-4-03(B)	shall be considered and processed as an application for coverage under a NPDES permit.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-03(C)	Notices of intent shall contain:	ORC 903.08, ORC 903.10	Yes, State Law	Yes, State Law
OAC 901:10-4-03(E)	The director shall review the notice of intent to ensure that the notice of intent includes all information required by this rule.	ORC 903.08, ORC 903.10	Yes, State Law	Yes, State Law
OAC 901:10-4-03(E)	If the director makes a preliminary determination that the notice of intent meets the requirements of this rule, the director shall notify the public of the director's proposal to grant a certificate of coverage to the applicant...	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-03(E)	A comment period of thirty days shall be provided for public review and comment, with notice of the comment period being provided to the applicant and published on the Ohio department of agriculture, livestock environmental permitting program web site.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-03(E)	The grounds for a public meeting shall be the same as those provided in paragraph (D) of rules 901:10-6-01 and 901:10-6-04 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-03(E)	Any public meeting shall be conducted as described in rule 901:10-6-04 of the Administrative Code,	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-03(E)	except that notice regarding the scheduling of the public meeting shall be provided on the Ohio department of agriculture,	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-03(E)	The provisions of paragraph (J) of rule 901:10-6-04 of the Administrative Code shall also apply to the public comment period.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-03(E)	The director shall, if necessary, require the applicant to revise the manure management plan in order to be granted permit coverage.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-4-03(F)	The director shall notify each affected owner or operator in writing that his or her facility or operation is authorized pursuant to the general permit by issuing a certificate of coverage.	ORC 903.08, ORC 903.10	Yes, State Law	Yes, State Law
OAC 901:10-4-03(F)	The director shall maintain a list of each facility or operation authorized under each general permit.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-03(F)	The director shall notify the applicant and inform the public that coverage has been authorized and of the terms of the manure management plan incorporated as terms and conditions of the permit applicable to the facility or operation.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-03(G)	Owners or operators covered under general permits to operate shall be subject to the same limits, management practices, enforcement authorities and rights and privileges specified in the general permit to operate.	ORC 903.08, ORC 903.10	Yes, State Law	Yes, State Law
OAC 901:10-4-04(A)(1)(d)	The director shall issue a NPDES general permit to operate.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal
OAC 901:10-4-04(A)(2)	The director shall not issue a NPDES general permit to operate or renewal thereof if the United States environmental protection agency regional administrator objects in writing to the issuance or renewal of a NPDES general permit to operate in accordance with section 402 of the Act.	ORC 903.08, ORC 903.10	Yes, State Law	Yes, State Law
OAC 901:10-4-04(B)	A general NPDES permit to operate shall be effective for a fixed term not to exceed five years.	ORC 903.08, ORC 903.10	Yes, State Law	Yes, State Law
OAC 901:10-4-04(C)	The director shall prepare for each general NPDES permit to operate a fact sheet that sets forth the principal facts and significant factual, legal, methodological and policy questions considered in preparing the general permit.	ORC 903.08, ORC 903.10	Yes, State Law	Yes, State Law
OAC 901:10-4-04(D)	The general NPDES permit to operate shall comply with paragraphs (D)(1) to (D)(7) of rule 901:10-3-01 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, State Law	Yes, State Law
OAC 901:10-4-05	A general permit to operate shall be effective from the date of issuance for a fixed term not to exceed five years.	ORC 903.08, ORC 903.10	Yes, State Law	Yes, State Law
OAC 901:10-4-05	Holders of certificates of coverage under this permit shall comply with the following specified conditions and limitations.	ORC 903.098, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-4-05(A)(5)	The operating record shall be maintained at the site office at all times.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-05(A)(5)	Upon approval of the NPDES permit, the operating record shall be deemed part of the NPDES permit;	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-05(B)(2)	The facility permitted under a general permit shall be effectively maintained and operated to prevent the discharge of pollutants to waters of the state.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-05(B)(3)	For new and existing facilities, the operating level of manure treatment lagoons and manure storage ponds in rule 901:10-2-06 of the Administrative Code must have at a minimum containment capacity at the prospective operating level that can also contain adequate storage for a twenty-five year, twenty-four hour storm event, one foot of freeboard and any additional storage required in the MMP.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-05(B)(4)	For new and expanding facilities, the operating level of fabricated structures in rule 901:10-2-05 of the Administrative Code must have at a minimum storage volume at the prospective operating level that can also contain adequate storage for a twenty-five year, twenty-four hour storm event and six inches of freeboard and any additional storage required in the MMP.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-05(B)(5)	The permittee shall maintain compliance with an approved MMP, the operating record rules and insect and rodent control plan as required under state law.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-05(B)(6)	A facility may be expanded by not more than ten per cent in excess of the design capacity set forth in the current design capacity, provided that in no case during a five year period shall the facility's capacity be increased by more than ten per cent in the aggregate and further,	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-05(B)(6)	that in no case shall the capacity be increased so as to exceed the number of animal units authorized in the category of the general permit.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-4-05(B)(8)	A copy of the certificate of coverage ("COC"), general permit, distribution and utilization records, the insect and rodent control plan, the operating record and the MMP shall be maintained at the site office where manure management activities are being conducted for the life of the general permit.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-05(B)(8)	These documents shall be kept in good condition	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-05(B)(8)	and shall be maintained in an orderly fashion	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-05(B)(9)	When removal of manure residuals from the manure storage or treatment facilities is necessary, provisions must be taken to prevent damage.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-05(B)(11)	The owner or operator must have at all times: adequate manure application and handling equipment on site; an agreement to acquire or have use of the necessary equipment; a third party applicator capable of providing adequate manure application equipment; or a distribution and utilization plan.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
ORC 901:10-4-05(B)(11)	The equipment must be capable of land applying the manure on the sites specified in the MMP, including compliance with the agronomic rate, available water capacity for the land application sites and incorporation of manure, where required.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-05(C)(1)	The manure storage or treatment facilities and equipment shall be properly maintained at all times.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-05(C)(2)	The manure land application sites and setbacks as required in appendix A of rule 901:10-2-14 of the Administrative Code shall be properly maintained at all times.	ORC 903.08, ORC 903.10	Yes, State Law	Yes, State Law
OAC 901:10-4-05(C)(3)	The phosphorus and nitrogen application rates shall be maintained as set forth in paragraphs (B) to (E) rule 901:10-2-14 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, State Law	Yes, State Law
OAC 901:10-4-05(C)(3)	Available water capacity identified in the MMP shall be maintained in accordance with appendix B of rule 901:10-2-14 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-05(C)(4)	Unless designed and permitted to do so, domestic and/or industrial wastewater from showers, toilets, sinks, etc. shall not be discharged into the manure storage or treatment facility.	ORC 903.08, ORC 903.10	Yes, State Law	Yes, State Law

OAC 901:10-4-05(C)(5)	Disposal of dead animals shall be done in accordance with specified best management practices and rule 901:10-2-15 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, State Law	Yes, State Law
OAC 901:10-4-05(C)(6)	All stormwater conveyances shall be inspected and maintained to keep runoff from the surrounding property and buildings	ORC 903.08, ORC 903.10	Yes, State Law	Yes, State Law
OAC 901:10-4-05(C)(6)	and shall be diverted away from the manure treatment lagoons and/or manure storage ponds to prevent any unnecessary addition to the liquid volume in these structures unless the lagoons and/or ponds are designed for such runoff containment.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-05(C)(7)	(7) A protective vegetative cover shall be maintained on all disturbed areas (manure treatment lagoon or manure storage pond embankments, berms, pipe runs, erosion control areas, etc.).	ORC 903.08, ORC 903.10	Yes, State Law	Yes, State Law
OAC 901:10-4-05(C)(7)	Emerging vegetation such as trees, shrubs and other woody species shall not be allowed to grow on the dikes or side slopes of manure treatment lagoons or manure storage ponds.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-05(C)(8)	Management of the manure residuals shall be in accordance with the MMP.	ORC 903.08, ORC 903.10	Yes, State Law	Yes, State Law
OAC 901:10-4-05(C)(10)	Solid materials including, but not limited to, bottles, light bulbs, gloves, syringes or any other solid waste from the facility shall be prevented from entering the manure storage or treatment facility.	ORC 903.08, ORC 903.10	Yes, State Law	Yes, State Law
OAC 901:10-4-05(C)(11)	The owner or operator must have at all times: adequate manure application and handling equipment on site; an agreement to acquire or have use of the necessary equipment; a third party applicator capable of providing adequate manure application equipment; or a distribution and utilization plan. The equipment must be capable of land applying the manure on the sites specified in the MMP, including compliance with the agronomic rate, available water capacity for the land application sites and incorporation of manure, where required.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-4-05(C)(11)	The equipment must be capable of land applying the manure on the sites specified in the MMP, including compliance with the agronomic rate, available water capacity for the land application sites and incorporation of manure, where required.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-05(C)(11)	Records shall be maintained in the operating record as	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-05(D)(1)	Manure treatment and storage facilities under the control of the owner or operator shall be inspected for evidence of erosion, leakage, damage or discharge.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-05(D)(1)	A written chronological record of maintenance and repairs shall be maintained in the operating record and be made readily available during a scheduled inspection of the facility.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-05(D)(1)	These records shall also be made available at the request of the director.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-05(D)(1)	All repairs shall be completed promptly.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-05(D)(1)	The department shall inspect any major structural repairs.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-05(D)(2)	If not already installed at a facility, a liquid level board or staff gauge or other appropriate device, as approved by the director, shall be installed within sixty days of issuance of the COC under a general permit to monitor manure levels.	ORC 903.08, ORC 903.10	Yes, State Law	Yes, State Law
OAC 901:10-4-05(D)(2)	This board or gauge or other appropriate device, as approved by the director, shall have readily visible permanent markings indicating the summation of the residual manure volume and minimum storage or treatment design volume	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-05(D)(2)	and shall be designated as the "stop pumping" elevation.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-05(D)(2)	The liquid level board, staff gauge or other appropriate device, as approved by the director, shall also indicate the elevation corresponding to the summation of the maximum storage volume,	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-05(D)(2)	residual solids minimum storage, volume, runoff and wash down volumes and manure volume and shall be designated as "start pumping" elevation.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-05(D)(2)	Caution must be taken not to damage the integrity of the liner when installing the gauge.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-4-05(D)(2)	Levels shall be recorded in the operating record that must be maintained at the facility, in compliance with the MMP.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-05(D)(3)	Soil testing shall be conducted as described in the MMP on each land application site receiving manure. The results of these tests shall be maintained in the operating record by the owner or operator for a minimum of five years and shall be made available to the director.	ORC 903.08, ORC 903.10	Yes, State Law	Yes, State Law
OAC 901:10-4-05(D)(3)	The results of these tests shall be maintained in the operating record by the owner or operator for a minimum of five years	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-05(D)(3)	and shall be made available to the director.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-05(D)(4)	An analysis of the manure from the manure storage or treatment facility shall be conducted initially after issuance of the COC and thereafter as described in the MMP.	ORC 903.08, ORC 903.10	Yes, State Law	Yes, State Law
OAC 901:10-4-05(D)(5)	This analysis shall include the parameters listed in the MMP.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-05(D)(5)	Proper records, including maintenance, repairs and the operating record, shall be maintained on site and in chronological and legible form for a minimum of five years.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-05(D)(5)	These records shall be readily available for inspection in the operating record.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-05(E)	An emergency response plan must be developed that shall include the following:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-05(E)(4)	The owner or operator shall report by telephone to the department as soon as possible, but in no case more than twenty-four hours following first knowledge of the occurrence of the following:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-05(E)(5)	For any emergency that requires immediate reporting after normal business hours, the owner or operator shall contact the Ohio department of agriculture's emergency telephone number.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-05(E)(6)	If applicable, the owner or operator shall notify the appropriate local authorities.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-4-05(E)(7)	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 waived by the director permitting an extension of time.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-05(E)(7)	This report shall outline the actions taken or proposed to be taken to correct the problem and to ensure that the problem does not recur.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-05(F)	Any duly authorized officer, employee or representative of the department may inspect the permitted site at any reasonable time upon presentation of credentials and in accordance with reasonable and appropriate biosecurity measures, for the purpose of determining compliance with this permit; may inspect or obtain a copy of any records that must be kept under the terms and conditions of this permit; and may obtain samples of the manure, soil, groundwater or surface water.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-05(G)	In addition to the general conditions set forth in this paragraph, the owner or operator of an NPDES operation shall comply with the standard terms and conditions set forth in rule 901:10-3-10 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, federal and state law	Yes, federal and state law
OAC 901:10-4-05(G)	Such monitoring, including its scope, frequency, duration and any sampling, testing and reporting systems, shall meet all applicable requirements, including records maintained in the operating record.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-05(G)(2)	Such monitoring, including its scope, frequency, duration and any sampling, testing and reporting systems, shall meet all applicable requirements, including records maintained in the operating record.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-4-05(G)(5)	If animal production is to be suspended or terminated, the owner or operator is responsible for developing, implementing and completing a closure plan in accordance with rule 901:10-2-18 of the Administrative Code which will eliminate the possibility of an illegal discharge, pollution and the potential for environmental degradation to waters of the state and shall be in accordance with applicable closure standards in effect when the closure plan is developed and implemented.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-5-01(B)(1)	The complaint may be made orally or in writing. (1) Complaint in writing: If the complaint is made in writing, the person making the complaint must sign and date the complaint.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-5-01(B)(1)	In addition, the following shall be included:...	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-5-01(B)(2)	Oral Complaint: If a complaint is made orally to the director or to one of the director's representatives the following shall be included:...	ORC 903.08, ORC 903.10	Yes, State Law	Yes, State Law
OAC 901:10-5-01(C)	After receiving a written, signed and dated complaint, the director shall cause an investigation to be conducted to determine if a concentrated animal feeding facility is in compliance or to determine if a discharge is occurring or has occurred at an animal feeding operation.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-5-01(E)	If, upon completion of the investigation, the director determines that the concentrated animal feeding facility or animal feeding operation is in compliance with applicable requirements, the director shall dismiss the complaint and notify the complainant and the owner or operator of the dismissal.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-5-01(F)	If the director determines that the concentrated animal feeding facility or animal feeding operation is not in compliance with applicable requirements, the director shall proceed in accordance with section 903.16 or section 903.17 of the Revised Code, or both sections as applicable.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-5-01(G)	If the director determines that any person owning or operating a concentrated animal feeding facility is managing the facility in accordance with a permit currently approved by the director, the person shall be considered in compliance with the state rules.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-5-02(B)(2)	Upon entering the property of a facility, the inspector or investigator shall identify himself or herself with proper identification to prove that he or she is an agent of the Ohio department of agriculture.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-5-02(B)(3)	If an inspection is conducted prior to the application for a permit under this chapter, the inspector or investigator shall notify the owner or operator in advance.	ORC 903.08, ORC 903.10	Yes, State Law	Yes, State Law

OAC 901:10-5-02(B)(4)	If an owner or operator wants the Ohio department of agriculture to comply with its biosecurity plan, the owner or operator must submit its plan with the application for the permit to operate.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-5-03(B)	An agent or employee of the department shall conduct inspections and determine if the owner or operator is not in compliance ...	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-5-03(B)	Violations shall be described in an inspection report.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-5-03(C)	Violations shall be described in an inspection report.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-5-03(D)	If the inspection report indicates a violation, the director shall do the following: (1) Evaluate the facts established by the inspection report.(2)Commence enforcement action commensurate with the nature and degree of the violation and consistent with the requirements of sections 903.16, 903.17, and 903.99 of the Revised Code.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-5-03(E)	Penalties. Penalties assessed by the director shall be commensurate with the nature and degree of the violation.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-5-03(E)	Penalties shall be assessed in accordance with rule 901:10-5-04 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-5-04(C)	All adjudication hearings concerning violations cited in accordance with section 903.16 and section 903.17 of the Revised Code shall be conducted in accordance with Chapter 119. of the Revised Code.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-5-04(D)	The amount of a civil penalty shall be determined by the reasonable exercise of the director's discretion in considering the following factors	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-5-04(E)(3)	Penalty matrix. (3) Gravity. The gravity of effect of the violation shall be determined by consideration of the individual or cumulative possibility of harm to the public health or the environment caused by a violation or violations.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-5-04(E)(3)	Gravity of effect shall be classified as high, medium or low.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-5-04(E)(3)	The existence of one or more factors determined to be high level shall result in the gravity of effect considered to be of high level.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-5-04(E)(3)	Lacking any factor determined to be of high level, the existence of one or more factors of medium level shall result in the gravity of effect to be considered to be of medium level.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-5-04(E)(3)	Lacking any factor of high or medium level shall result in the gravity being of low level:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-5-04(F)	(F) Civil penalty matrix for first violation of Chapter 903. of the Revised Code except violations of requirements for insect and rodent control plans which shall be assessed in accordance with division (B)(2) of section 903.16 of the Revised Code or violations of requirements for certified livestock managers which shall be assessed in accordance with division (B)(3) of section 903.16 of the Revised Code shall be assessed per day per violation.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-5-04(G)	(G) Civil penalty matrix in the event of past violations of Chapter 903. of the Revised Code (except violations of requirements for insect and rodent control plans which shall be assessed in accordance with division (B)(2) of section 903.16 of the Revised Code or violations of requirements for certified livestock managers which shall be assessed in accordance with division (B)(3) of the Revised Code) shall be assessed per day per violation.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-5-04(G)	or violations of requirements for certified livestock managers which shall be assessed in accordance with division (B)(3) of the Revised Code) shall be assessed per day per violation.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-5-04(H)	Civil penalty matrix for insect and rodent control plans. As set forth in division (C) of section 903.10 of the Revised Code, the director may use this penalty matrix to assess a preliminary penalty amount for enforcement of section 903.06 of the Revised Code and shall exercise reasonable discretion in accordance with paragraph (D) of this rule.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-5-05(A)	The order shall take effect immediately.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-5-05(A)	A person to whom the order is directed shall comply immediately.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-5-05(B)	(B) Following receipt of the emergency order, the owner or operator shall comply with the order.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-5-05(B)	The order shall take effect immediately	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-5-05(B)	however, the owner or operator shall be afforded the opportunity for a hearing in accordance with paragraph (C) of this rule.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-5-05(C)	On application to the director, the owner or operator shall be afforded an adjudication hearing in accordance with Chapter 119. of the Revised Code as soon as possible and not later than thirty days after application.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-5-05(C)	The applicant shall provide the following information to the director in writing or by telephone:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-5-05(D)	On the basis of the hearing, the director or his designee shall continue, revoke or modify the order.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-5-05(D)	An order issued following an adjudicatory hearing shall not be considered an emergency order.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-5-05(D)	The appeal provisions described in paragraph (C) of this rule shall apply.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-5-05(E)	Reimbursed costs shall be deposited into the livestock management fund.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-5-05(F)	Livestock management fund. Funds deposited in the livestock management fund created under section 903.19 of the Revised Code shall be used for paying the costs for emergency actions.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-6-01(A)(1)	Notice by publication.(1) Notices in general. All notices required or authorized by section 903.09 of the Revised Code shall be published once in a newspaper having general circulation in the county in which the facility is located or proposed to be located.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-6-01(A)(1)	Publication shall be done at least thirty days prior to a public meeting,	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-6-01(A)(1)	provided that publication shall be done at least forty-five days prior to a public meeting for any draft permit to install or draft NPDES permit subject to an antidegradation review.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-6-01(A)(2)	The department shall publish a public notice within thirty days regarding receipt of a NPDES permit application and permit to install for which an antidegradation review is applicable.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law

OAC 901:10-6-01(A)(2)	The purpose of public notice for a draft permit to install and a draft NPDES permit for which an antidegradation review is applicable shall be	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-6-01(A)(3)	The department shall give public notice of the issuance of a review compliance certificate issued pursuant to division (F) of section 903.04 of the Revised Code only to persons who own property that is contiguous to the facility for which the review compliance certificate is issued.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-6-01(A)(4)	The director shall publish notice of the issuance of a final permit once in a newspaper of general circulation in the county in which the facility is located.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-6-01(A)(5)	The director shall give public notice of the proposed action to deny, suspend, or revoke a permit to install, permit to operate, or NPDES permit, or for any actions pursuant to section 903.17 of the Revised Code.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-6-01(B)(1)	(1) The director shall mail notice of the issuance of a draft permit and a copy of the draft permit to the applicant or owner or operator and to the board of county commissioners of the county, the board of township trustees of the township, the local board of health and the local soil and water conservation district in which the facility is located or proposed to be located.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-6-01(B)(1)	The director shall also notify owners or operators of public water systems as that term is defined in section 6109.01 of the Revised Code that have a surface water intake structure located within ten miles downstream of the facility or proposed facility described in the draft permit.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-6-01(B)(2)	In addition, if an antidegradation review of a NPDES permit application indicates the potential to lower water quality, the director shall provide notice by mail to the Ohio department of natural resources, the United States fish and wildlife service, any affected local areawide planning agencies and the Ohio department of development.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law

OAC 901:10-6-01(B)(3)	The director shall mail notice of the proposed action to deny, suspend, or revoke a permit to install, permit to operate, or NPDES permit to the applicant or owner or operator and a copy of the proposed action to the board of county commissioners of the county and the board of township trustees of the township in which the facility is located or proposed to be located.	ORC 903.08, ORC 903.10	Yes, state and federal law	yes state and federal
OAC 901:10-6-01(B)(3)	The director shall also provide notice of the proposed action to deny, suspend, or revoke a NPDES permit to any other persons that are entitled to notice under the Federal Water Pollution Control Act.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-6-01(B)(4)	Notices shall be mailed by certified mail, return receipt requested, to the person subject thereto.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-6-01(b)(4)	Notices shall state the time and method by which the applicant or permit holder may request public meeting.	ORC903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-6-01(B)(5)	If the applicable law grants a right to appeal the final permit or order of the director to the environmental review appeals commission, mailings required by this paragraph shall be accompanied by a notice stating the time and method by which the appeal must be filed.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-6-02(A)	Public notices shall include the following information:	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-6-02(A)(6)(a)	A request for a public meeting shall be in writing	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-6-02(A)(6)(a)	and shall state the nature of the issues proposed to be raised in the public meeting; and	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-6-02(A)(6)(c)	That one public meeting shall be held prior to issuance of any final permit decision when required by paragraph (C) of rule 901:10-6-04 and may be held where authorized by paragraph (D) of rule 901:10-6-01 of the Administrative Code.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-6-02(A)(7)	In addition, if the public notice is for an NPDES permit application or a draft permit on an NPDES permit the public notice shall contain the following information:	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-6-02(A)(7)(d)	A statement that the draft permit shall become final on an effective date or event specified therein unless:...	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law

OAC 901:10-6-02(B)	Notice of NPDES permit applications to government agencies. The notice required by paragraph (A) of rule 901:10-6-01 of the Administrative Code to be given to state and governmental agencies shall include: (1) The information required in this rule and may include a copy of such public notices.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-6-02(B)(2)(b)	If an army corps of engineers district engineer submits written recommendations to the director advising that anchorage and navigation of any of the waters of the United States would be substantially impaired by the granting of the NPDES permit, the director shall propose to deny the NPDES permit in accordance with division (F) of section 903.09 of the Revised Code,	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-6-02(B)(2)(b)	and the applicant shall be so notified.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal
OAC 901:10-6-02(B)(2)(b)	If the army corps of engineers district engineer advised the director that imposing specified conditions upon the permit is necessary to avoid any substantial impairment of anchorage or navigation, then the director shall include the specified conditions in the permit.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-6-02(C)	The notice required by paragraph (B) of this rule shall also be given, when applicable, to:...	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-6-03(A)	Upon the director's issuance of a draft permit for an application to issue or modify a permit, the department shall transmit by certified mail a copy of the permit application and the draft NPDES permit to the regional administrator of the United States environmental protection agency, unless by written agreement the regional administrator has waived the right to receive, review, object, or comment upon a draft permit.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-6-03(A)	If the regional administrator makes timely objection in writing to the issuance of the NPDES permit as being outside the requirements of the Federal Water Pollution Control Act, the permit shall not become final.	ORC 903.08, ORC 903.10	Yes, stat and federal law	Yes, stat and federal law
OAC 901:10-6-03(A)	The director may issue an amended draft permit after consideration of written comments or recommendations of the regional administrator, or may withdraw a draft permit.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law

OAC 901:10-6-03(A)(1)	The director shall also transmit to the regional administrator of the United States environmental protection agency a copy of any significant comments presented in writing pursuant to the public notice of a draft permit and a summary of any significant comments presented at any public meeting on any permit if:	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-6-03(A)(2)	Immediately following final issuance or modification or renewal of a permit under division (D) of section 903.09 of the Revised Code, the department shall transmit by first class mail a copy to the regional administrator.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-6-03(B)	(B) At the time of issuance of public notice of an application for issuance or modification of a permit pursuant to division (A) of section 903.09 of the Revised Code, for a discharge for which a fact sheet is prepared pursuant to rule 901:10-6-05 of the Administrative Code, the department shall transmit a copy of the fact sheet to the district engineer of the United States army corps of engineers for the district in which the discharge is located, unless by written agreement the district engineer has waived his right to receive a fact sheet for the discharge.	ORC 903.08, ORC 903.10	Yes, stat and federal law	Yes, state and federal law
OAC 901:10-6-03(C)	The department shall, on or before the date of newspaper publication of a NPDES permit, provide the information specified in rule 901:10-6-02 of the Administrative Code to any affected state, interstate, federal, or local government agency having jurisdiction over fish, shellfish, and wildlife resources or over coastal zone management plans, the relevant state historic preservations office, and any affected Indian tribe.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law

OAC 901:10-6-04(B)(1)	Within ninety days of receipt of the application for any permit to install with a NPDES permit, the director shall hold a public meeting where an antidegradation review is required for any category three wetland, a designated outstanding national resource water, outstanding high quality water, state resource water or superior high quality water. The public meeting shall be for the purpose of evaluating issues related to lower water quality.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-6-04(B)(1)	The public meeting shall be for the purpose of evaluating issues related to lower water quality.	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-6-04(B)(2)	Within ninety days of receipt of the application, the director shall hold a public meeting for any permit to install application and any NPDES permit application where the application indicates that an antidegradation review is required for general high quality waters other than category three wetlands and for limited quality waters, and the director also determines that there is significant public interest.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-6-04(C)	the director shall hold one public meeting in the county where the facility is located or in a contiguous county.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-6-04(C)	When allowed by the antidegradation policy, the director shall hold the public meeting on antidegradation issues concurrently with any public meeting held for the draft permit.	ORC 903.08, ORC 903.10	Yes, federal law	Yes, federal law
OAC 901:10-6-04(E)	Public notice of the public meeting shall be published at least thirty days prior to the public meeting in a newspaper of general circulation and shall include:	ORC 903.08, ORC 903.10	Yes, state and federal law	Yes, state and federal law
OAC 901:10-6-04(E)	and shall include:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-6-04(F)	The officer shall state at the beginning of the meeting the manner in which the meeting will be conducted, time limits for testifying, and any other procedures for conducting the meeting. On the date and at the time and place specified in the notice, the public meeting shall be held at which any person:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-6-04(F)	On the date and at the time and place specified in the notice, the public meeting shall be held at which any person:	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-6-04(F)(2)	All comments whether written or oral shall be considered equally in making a final decision, provided that comments are submitted with the name and address of the person presenting the statements for the record.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-6-04(G)	Any person requesting time to make an oral comment at the meeting must register their name and address prior to the beginning of the meeting.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-6-04(G)	Persons shall be called to provide a statement for the record in the order of registration, unless the presiding officer determines otherwise.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-6-04(H)	Information presented by any person shall be limited to the criteria and information that are applicable to the permit application that is the subject of the public meeting.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-6-04(J)(1)	Persons, including applicants, who believe any condition of a draft permit is inappropriate or that the director's tentative decision to deny, issue, or terminate a permit is inappropriate, must raise all reasonably ascertainable issues and submit all reasonably available arguments supporting their position by the close of the public comment period (including any public meeting).	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-6-04(J)(1)	Any supporting materials which are submitted shall be included in full and may not be incorporated by reference, unless they are already part of the record in the same action, or consist of state or federal statutes and regulations, or other generally available reference materials.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-6-04(J)(1)	Commenters shall make supporting materials not already included in the record available to the director.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-6-04(J)(2)	At the time that any final permit action is issued the director shall issue a response to comments or "responsiveness summary."	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-6-04(J)(3)	No final action shall be issued until after the director has considered the responsiveness summary.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law

OAC 901:10-6-04(J)(3)	The responsiveness summary shall briefly describe and respond to all significant comments raised during the public comment period or during the public meeting on the draft permit action or, in the case of a NPDES permit with antidegradation applicability, the permit application.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-6-04(J)(3)	The responsiveness summary shall specify which provisions, if any, of the draft permit have been changed in the final permit decision and the reasons for the change.	ORC 903.08, ORC 903.10	Yes, state law	Yes, state law
OAC 901:10-2-02 Appendix	The technologies listed in this appendix are required to be fully described in detailed plans and specifications, engineering drawings, and maps that shall be reviewed and approved by the director in deciding whether or not to reduce any applicable siting criteria as a reasonable exercise of the director's discretion.	ORC 903.10	No, general rule making authority	No, general rule making authority
OAC 901:10-2-03 Appendix	If an identification is based on visual-manual procedures, it must be clearly stated so in reporting.	ORC 903.10	No, general rule making authority	No, general rule making authority
OAC 901:10-2-05 Appendix	If the facility is to have a roof, snow and wind loads shall be as specified in ASCE 7-05, using "C" Exposure and Occupancy Category.	ORC 903.10	No, general rule making authority	No, general rule making authority
OAC 901:10-2-05 Appendix	If the facility is to serve as part of a foundation or support for a building, consider the total load in the structural design. Type S-2 concrete slabs shall be used where the subgrade material is non-uniform or has variable density, and it is not economical or feasible to improve the subgrade	ORC 903.10	No, general rule making authority	No, General rule making authority
OAC 901:10-2-05 Appendix	Type S-3 concrete slabs shall be used when the contraction joint spacing is to be more than 15 feet, when no contraction joints are wanted, when reduced seepage is required, or when a water - tight slab is required.	ORC 903.10	No, general rule making authority	No, general rule making authority
OAC 901:10-2-06 Appendix	As used in this appendix the term "lagoon" refers to "manure treatment lagoon" as defined rule 901:10-1-01 of the Administrative Code. The total storage volume shall be based on the storage period selected by the owner or operator which shall be a minimum of 180 days as required by paragraph (A)(7) of rule 901:10-2-06 of the Administrative Code.	ORC 903.10	No, general rule making authority	No, general rule making authority

OAC 901:10-2-06 Appendix	Precipitation plus liquid inputs shall be added to the larger of the two volumes to arrive at the total volume of the lagoon.	ORC 903.10	No, general rule making authority	No, general rule making authority
OAC 901:10-2-06 Appendix	The minimum manure residual accumulation period shall be 7 years, preferably 20 years, or the expected life of the facility.	ORC 903.10	No, general rule making authority	No, general rule making authority
OAC 901:10-2-06 Appendix	Manure residual volume is based on the total solids (TS) entering the lagoon multiplied by the manure residual accumulation ration (mrAR) multiplied by the number of years: $mrV = (TS/yr) \times mrAR \times YEARS$.The OCV for dairy and beef lagoons shall be equal to the MTV	ORC 903.10	No, general rule making authority	No, general rule making authority
OAC 901:10-2-14 Appendix	All applications to soils prone to flooding must be incorporated within 24 hours	ORC 903.10	No, general rule making authority	No, general rule making authority
OAC 901:10-2-14 Appendix	and must follow the setbacks in Appendix A, Table 2. 2.	ORC 903.10	No, general rule making authority	No, general rule making authority
OAC 901:10-2-14 Appendix	Stockpiles must meet the setbacks described in column 1 of Appendix A Table 2.	ORC 903.10	No, general rule making authority	No, general rule making authority
OAC 901:10-2-14 Appendix	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.	ORC 903.10	No, general rule making authority	No, general rule making authority
OAC 901:10-2-14 Appendix	The selected application rate must be the most restrictive of the five "Limiting Application Rate Criteria" for each Field Situation & Time of Year.	ORC 903.10	No, general rule making authority	No, general rule making authority
OAC 901:10-2-14 Appendix	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;	ORC 903.10	No, general rule making authority	No, general rule making authority
OAC 901:10-2-14 Appendix	soil tests less than 40 ppm Bray P1 shall have no further P additions for 3 years;	ORC 903.10	No, general rule making authority	No, general rule making authority
OAC 901:10-2-14 Appendix	soil tests between 40 – 100 ppm Bray P1 shall have no further additions of P for 5 years; no other limiting criteria can be violate. 10.	ORC 903.10	No, general rule making authority	No, general rule making authority
OAC 901:10-2-14 Appendix	When using legumes as a nitrogen removal source, the maximum legume nitrogen removal must be less than or equal to 150 lbs./ac.	ORC 903.10	No, general rule making authority	No, general rule making authority

OAC 901:10-2-14 Appendix	When applying liquid manure to tiled fields, the following criteria must be followed (except for growing crops): Applications must be less than or equal to 0.5" or 13,576 gal/ac.	ORC 903.10	No, general rule making authority	No, general rule making authority
OAC 901:10-2-14 Appendix	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.	ORC 903.10	No, general rule making authority	No, general rule making authority
OAC 901:10-2-14 Appendix	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).	ORC 903.10	No, general rule making authority	No, general rule making authority
OAC 901:10-2-14 Appendix	For applications to or frozen or snow covered ground, manure shall not be applied on more than 20 contiguous acres.	ORC 903.10	No, general rule making authority	No, general rule making authority
OAC 901:10-2-14 Appendix	Prior approval must be obtained from the ODA, Livestock Environmental Permitting Program before frozen or snow/ice covered ground surface manure applications.	ORC 903.10	No, general rule making authority	No, general rule making authority
OAC 901:10-2-14 Appendix A	(1): All winter surface applications must have prior approval from the Ohio Department of Agriculture.	ORC 903.10	No, general rule making authority	No, general rule making authority
OAC 901:10-2-14 Appendix A	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	ORC 903.10	No, general rule making authority	No, general rule making authority
OAC 901:10-2-14 Appendix A	Solid manure with less than 50% manure shall be stockpiled at the land application site in lieu of land application on frozen or snow covered ground.	ORC 903.10	No, general rule making authority	No, general rule making authority
OAC 901:10-2-14 Appendix A	Manure shall not be applied on more than 20 contiguous acres.	ORC 903.10	No, general rule making authority	No, general rule making authority
OAC 901:10-2-14 Appendix A	The rate of application shall not exceed the rates specified in Table 4 – Determining The Most Limiting Manure Application Rates	ORC 903.10	No, general rule making authority	No, general rule making authority
OAC 901:10-2-14 Appendix A	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.	ORC 903.10	No, general rule making authority	No, general rule making authority

OAC 901:10-2-14 Appendix A	Staging areas and stockpiles shall not discharge to waters of the State.	ORC 903.10	No, general rule making authority	No, general rule making authority
OAC 901:10-2-14 Appendix A	Either a 35' wide vegetative buffer strip must be present or a total setback of 100' must be maintained.	ORC 903.10	No, general rule making authority	No, general rule making authority
OAC 901:10-2-14 Appendix A	Must have <5 ton/ac yearly average soil loss to perform surface manure applications.	ORC 903.10	No, general rule making authority	No, general rule making authority
OAC 901:10-2-14 Appendix A	The first setback refers to a vegetative buffer strip that must be maintained while the second refers to the total setback distance.	ORC 903.10	No, general rule making authority	No, general rule making authority
OAC 901:10-2-14 Appendix B	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. Liquid manure applications to tiled fields must be less than or equal to 13,576 gal/ac. .	ORC 903.10	No, general rule making authority	No, general rule making authority
OAC 901:10-2-14 Appendix B	Liquid manure applications to tiled fields must be less than or equal to 13,576 gal/ac. .	ORC 903.10	No, general rule making authority	No, general rule making authority
OAC 901:10-2-14 Appendix E	VERY HIGH potential for P movement from the field and an adverse impact on surface water. Remedial action is required to reduce the risk of P loss. A complete soil and water conservation system is needed. Apply no additional P.	ORC 903.10	No, general rule making authority	No, general rule making authority
OAC 901:10-2-14 App. E	Manure shall be applied in accordance with the restrictions and setbacks in Appendix A Table 2 of this rule.	ORC 903.10	No, general rule making authority	No, general rule making authority