

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 901:13-1-02	Each owner, operator or person responsible for an animal feeding operation shall operate and maintain animal manure collection, storage, or treatment facilities so that overflow or discharge into waters of the state is prevented.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-02	Animal feeding operations found by the director or the director's designee to have failed to implement best management practices (BMPs) for animal manure collection, storage, or treatment facilities and have caused pollution to waters of the state shall develop, obtain approval, and implement modifications to facilities and operations according to the "Field Office Technical Guide" or other methods approved by the director or the director's designee.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-02(G)	A reasonable storage safety factor to accommodate unexpected conditions. However, overflow or discharge occurring due to some infrequent storm event or other condition beyond the control of such person shall not indicate non-compliance with this provision if the planned or prescribed management system is followed.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-03	Each owner, operator or person responsible for an animal feeding operation shall design, construct, operate and maintain the operation to prevent seepage from animal manure management facilities from entering waters of the state. Consideration should be given to soils, geology and ground water where animal manure management facilities are located.	ORC 939.02	Yes, State law	Yes, state law

OAC 901:13-1-03	Geologic investigations shall be made prior to design and construction of all earthen holding ponds and lagoons to identify the potential for pollution of waters of the state. Information collected from these investigations should be used in the design and construction of animal manure management facilities.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-03	Animal feeding operations found by the director or the director's designee to have failed to implement best management practices (BMPs) and have caused pollution to waters of the state shall develop, obtain approval, and implement modifications to animal manure management facilities according to the "Field Office Technical Guide" or other methods approved by the director or the director's designee.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-04	Each owner, operator or person responsible for an animal feeding operation shall prevent pollution from discharge of manure contaminated runoff from animal feedlots and animal manure management facilities.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-04	Animal feeding operations found by the director or the director's designee to have failed to implement best management practices (BMPs) to prevent manure contaminated runoff from feedlots and animal manure management facilities and have caused pollution of waters of the state shall design, construct, operate, and maintain practices to prevent runoff (from feedlots and manure management facilities), according to the "Field Office Technical Guide" or other methods approved by the director or the director's designee.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-05	Each owner, operator, animal manure applicator or person responsible shall prevent pollution from waste waters including, but not limited to, milking facility waste waters and silage drainage.	ORC 939.02	Yes, state law	Yes, state law

OAC 901:13-1-05	Animal feeding operations found by the director or the director's designee to have failed to implement best management practices (BMPs) to prevent waste water runoff and have caused pollution to waters of the state shall design, construct, operate, and maintain such facilities in accordance with the criteria in the "Field Office Technical Guide" or other methods approved by the director or the director's designee.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-06	Each owner, operator, or person responsible for an animal feeding operation shall prevent pollution caused from flooding of animal feeding operations.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-06	Animal feeding operations shall not be constructed such that animal manure will be inundated by the twenty-five-year frequency flood.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-06	If the twenty-five year frequency flood elevation is not readily known, it shall be based on the best information available or by determining the water elevation associated with the twenty-five year frequency, twenty-four hour duration rainfall event.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-07	Each owner, operator, or person responsible for agricultural operations shall prevent pollution caused by sheet and rill erosion.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-07	Agricultural operations found by the director or the director's designee to have failed to implement best management practices (BMPs) to prevent sheet and rill erosion and have caused pollution to waters of the state shall apply and maintain conservation practices such that the predicted soil loss from sheet and rill erosion under current and planned cropping and management conditions, as predicted in the "Field Office Technical Guide," when combined with the predicted soil loss from wind erosion (if applicable) as determined under rule 901:13-1-09 of the Administrative Code, is equal to or less than permissible soil loss values (soil loss tolerance "T" factors) related to the specific soil series as specified in the "Field Office Technical Guide."	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-08	Each owner, operator, or person responsible for agricultural operations shall prevent pollution caused by gully erosion.	ORC 939.02	Yes, state law	Yes, state law

OAC 901:13-1-08	Agricultural operations found by the director or the director's designee to have failed to implement best management practices (BMPs) to prevent gully erosion and have caused pollution to waters of the state shall apply and maintain BMPs such that the velocity of flow does not exceed the permissible velocities listed in the "Field Office Technical Guide."	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-09	Each owner, operator, or person responsible for agricultural operations shall prevent pollution caused by wind erosion.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-09	Agricultural operations found by the director or the director's designee to have failed to implement best management practices (BMPs) to prevent wind erosion and have caused pollution to waters of the state shall apply and maintain BMPs such that the predicted soil loss from wind erosion, under a given set of cropping and management conditions is equal to or less than "T" as predicted by the "Field Office Technical Guide."	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-10(A)	An application for an exemption from the requirements in division (A) of section 939.08 of the Revised Code shall be made on a form approved by the director.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-10(A)	The application may contain any information approved by the director, but must include the following information:	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-10(B)	For an application to be deemed as having been submitted in accordance with division (D)(3) of section 939.09(D)(3) of the Revised Code, it must be received by the director.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-10(C)	For an application to be deemed complete, the application must contain all information required by that section. Any application failing to meet the requirements of this rule may be denied by the director.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-11(A)	Each owner, operator, animal manure applicator, or person responsible for land application of manure from an animal feeding operation shall minimize pollution from occurring on land application areas by following the standards in the "Field Office Technical Guide," or other appropriate methods or management practices approved by the director or the director's designee.	ORC 939.02	Yes, state law	Yes, state law

OAC 901:13-1-11(A)	In order to minimize the potential for pollution the following items shall be considered, including but not limited to: characteristics of the animal manure, available land, topography, cropping system, method of application, weather, time of the year, condition of the soil, other nutrients applied, and nutrient status of the soil.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-11(B)(1)	(B) In watersheds in distress, each owner, operator, animal manure applicator, or person responsible for land application of manure, beginning two years after designation of a watershed in distress by the director:(1) Shall not apply manure between December fifteenth and March first without prior approval for each application from director or the director's designee	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-11(B)(2)	(2) Before December fifteenth and after March first shall not surface apply manure on frozen ground or ground covered in more than one inch of snow. Before December fifteenth and after March first it is permissible to apply manure on frozen or snow covered ground only when manure is injected or incorporated within twenty-four hours of surface application;	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-11(B)(3)	(3) May land apply snowpack manure when there is greater than four inches of snow or ice accumulation around animal feeding operations providing that manure accumulation on the animal feedlot does not exceed the volume accumulated with a three day scraping interval or one inch, whichever is less. Plans for any land application of snowpack manure must be incorporated into an approved nutrient management plan or each application shall be submitted for approval by the director or the director's designee;	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-11(B)(4)	Shall keep records of manure storage volumes and ensure a minimum manure storage capacity of one hundred and twenty days on December first of each year;	ORC 939.02	Yes, state law	Yes, state law

OAC 901:13-1-11(B)(5)	Shall not surface apply manure if the local weather forecast for the land application area contains a greater than fifty per cent chance of precipitation exceeding one-half inch for a period extending twenty-four hours after the projected start of the land application of manure.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-11(B)(5)	Records of the local weather forecast shall be kept and made available upon request by the director or the director's designee. Local weather forecasts and hourly weather graph information is available at www.noaa.gov .	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-11(C)	Upon designation by the director of any watershed as distressed, each owner, operator, animal manure applicator, or person responsible for land application of manure shall minimize pollution from occurring from land application areas by following applicable standards in the "Field Office Technical Guide," or other appropriate methods or management practices approved by the director or the director's designee. Failure to install or implement appropriate standards is a violation of this rule regardless of whether pollution to waters of the state has occurred.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-12	Each owner, operator, or person responsible for agricultural operations shall prevent pollution caused by placing soil directly into or in such a position that it may readily erode or slough into waters of the state.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-12	Agricultural operations found by the director or the director's designee to have failed to implement best management practices (BMPs) to prevent sloughing of soil and have caused pollution to waters of the state shall apply and maintain BMPs to prevent soil sloughing from occurring.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-12	Agricultural operations shall not use earth disturbing practices, including tillage, immediately adjacent to waters of the state such that the disturbed soil is placed or may readily erode or slough into waters of the state, except for those practices constructed or implemented in accordance with generally accepted agricultural and engineering practices.	ORC 939.02	Yes, state law	Yes, state law

OAC 901:13-1-13	Each owner, operator or person responsible for an animal feeding operation shall prevent pollution caused by composting of animal mortality.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-13	Animal feeding operations found by the director or the director's designee, which have failed to implement best management practices (BMPs) for composting animal mortality shall use the appropriate method, technique, or practice of composting as established in the "Field Office Technical Guide," or other such standard as approved by the director or the the director's designee.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-13	The owner or operator of any existing or planned animal feeding operation, or owner of animals raised by an owner or operator of an animal feeding operation wishing to conduct composting of animal mortality resulting from the operation shall participate in an educational course concerning composting conducted by the Ohio state university extension service and obtain a certificate of course completion	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-14	Best management practices specified as eligible for cost sharing must require expenditures that are likely to exceed the economic returns to the owner or operator.	ORC 939.02	Yes, state law	Yes, state law

OAC 901:13-1-14(A)	<p>The department may offer to share the cost of establishing eligible best management practices up to thirty thousand dollars per person per year. If other public funds are involved in cost sharing to establish an eligible best management practice or practices, state funds can be used only to the extent that the combined public funds amount to no more than seventy-five per cent of the cost of establishing the best management practice or practices, or not more than thirty thousand dollars per person per year, whichever is smaller. The maximum of thirty thousand dollars of public funds per person per year limit may be waived by majority vote of the Ohio soil and water conservation commission. (2) Restrictions on use of cost share funds include: (a) Eligible practices which, through natural causes, have lost their effectiveness, shall qualify for further financial assistance. However, cost share monies will not be awarded to reestablish previously installed practices which have deteriorated due to operator negligence or mismanagement.</p>	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-14(A)(2)(b)	<p>Surface mined lands and oil and gas well drilling areas must have been reclaimed and be in active agricultural production uses as determined by the director or the director's designee in order to be eligible for cost sharing on needed conservation practices.</p>	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-14(A)(3)	<p>The director, subject to approval of the Ohio soil and water conservation commission, shall determine best management practices eligible for cost sharing, percentage rates of cost sharing for each best management practice and the maximum amount of cost sharing for each best management practice up to a maximum of thirty thousand dollars. Information about eligible practices will be maintained by the department and included in updates of its administrative procedures handbook available in district offices.</p>	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-14(B)	<p>All practices must meet the standards and specifications listed in the "Field Office Technical Guide", or other methods approved by the director or the director's designee.</p>	ORC 939.02	Yes, state law	Yes, state law

OAC 901:13-1-14(C)	If approved by the director or the director's designee, a person may use a more elaborate or expensive practice; however, cost-share grants shall be based upon the estimated cost of the least expensive acceptable practice.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-14(D)(1)(a)	Operating procedures.(1) Practice installation.(a) Design, construction and operation and management plans shall be submitted to the director or the director's designee for approval prior to implementation.(b) The director or the director's designee shall inspect practice installation.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-14(D)(2)	Cost-share payment. Once a project has an approved cost-share application and installation is approved by the director or the director's designee, cost-share payment shall be granted.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-14(D)(3)(a)	Maintenance and management of cost-shared best management practices. (a) Best management practices installed with cost-share monies are to be maintained in good operating condition to assure continued effective control of agricultural pollution. Applicants for cost sharing must agree to care for, manage, and maintain such practices for their useful life as noted in the cost-share agreement. Failure to care for, manage, and maintain the practices shall obligate the owner or operator to full repayment to the department.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-14(D)(3)(b)	If the land on which best management practices have been established with cost-share monies is sold, the new owner shall be responsible for maintaining the practices in good operating condition for their remaining useful life.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-14(D)(3)(b)	The director or the director's designee shall inform the new owner of the responsibility to maintain and operate cost-shared practices.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-14(D)(3)(d)	The director or the director's designee shall monitor the management and maintenance of best management practices established with cost-share monies.	ORC 939.02	Yes, state law	Yes, state law

OAC 901:13-1-14(D)(3)(d)	Any failure to manage or maintain such practices, or conversion of such land to other uses than an agricultural production operation, shall immediately be reported to the department thereby subjecting a person to recovery of cost-share monies in accordance with paragraphs (D)(3)(a), (D)(3)(b) and (D)(3)(c) of this rule.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-14(D)(3)(e)	Upon discovery by the director or the director's designee, pursuant to paragraph (D)(3)(d) of this rule, the director, after any necessary investigation determines that recovery of state cost-share funds is warranted, shall proceed to recover the cost-share monies pursuant to section 131.02 of the Revised Code, or other appropriate means.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-15(B)	The director will: (B) Enter into cooperative agreements with the boards of supervisors of districts to implement the agricultural pollution abatement program. Such agreements shall spell out the responsibilities of both parties with respect to program implementation, administration and accounting, evaluation, recording accomplishments, quality control, and maintenance in obtaining compliance with rules and orders of the director pertaining to agricultural pollution abatement.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-15(B)	The terms of such agreements shall be subject to approval by the Ohio soil and water conservation commission.	ORC 939.02	Yes, State law	Yes, state law
OAC 901:13-1-16(A)	Operation and management plans. The district shall approve or disapprove operation and management plans at their regularly scheduled board meetings...	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-16(A)	and shall maintain a record of their actions as part of their meeting minutes.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-16(A)	Approved plans shall be signed by the chairman.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-16(A)	District boards of supervisors may establish such guidelines as may be needed for plan format and submission; however, all plans shall meet the standards for agricultural pollution abatement contained in rules 901:13-1-02 to 901:13-1-14 and 901:13-1-19 of the Administrative Code.	ORC 939.02	Yes, state law	Yes, state law

OAC 901:13-1-16(A)	Any portion of an operation and management plan specifying control of agricultural pollution shall allow the owner or operator to phase in installation of conservation practices under a schedule approved by the director or the director's designee until compliance with Chapter 901:13-1 of the Administrative Code is accomplished.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-16(A)(1)	If the director or the director's designee determines that any person owning or responsible for an agricultural production operation is managing such operation in accordance with an operation and management plan currently approved by the director or the director's designee, the person shall be considered in compliance with the state rules for agricultural pollution abatement.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-16(A)(2)	In the event that the district finds that an operation and management plan does not meet agricultural pollution abatement standards as contained in these rules, the district shall provide a written explanation, by certified mail listing all the deficiencies to be corrected, to the person who submitted the plan. Any person may appeal the district's decision to the director.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-16(A)(2)	Upon such appeal, the director shall review the plan for compliance with these standards, and uphold the district's action or reverse it.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-16(A)(2)	If the director reverses the district's action the plan shall be deemed approved.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-16(A)(2)	In either case, the director shall make such determination within thirty days of receiving the appeal	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-16(A)(2)	and shall inform the owner or operator and the district of his decision in writing.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-16(A)(2)	Such notification shall include the reasons for the director's decision.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-16(A)(3)	In the event that any person operating or owning an agricultural production operation in accordance with an approved operation and management plan who, in good faith, is following that plan, causes agricultural pollution, the plan shall be revised in a manner necessary to mitigate the agricultural pollution, as determined and approved by the district board.	ORC 939.02	Yes, state law	Yes, state law

OAC 901:13-1-16(B)	The district shall provide the director a copy of any complaint received.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-16(B)	The district also shall inform the department of the disposition of the complaint and provide relevant information concerning the agricultural production operation.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-16(B)	The district director or his or her designee shall gather information pertinent to the alleged violation.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-16(C)(1)(a) - (d)	When the department finds an apparent problem of agricultural pollution through its own observation, through notification by another agency, or through a complaint from a person, the department may investigate the complaint and shall inform the appropriate district of:(a) The location and nature of the problem;(b) The location and description of the agricultural production operation alleged to be causing the pollution problem;(c) The nature and extent of damage;(d) Any assistance needed from the district.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-16(C)(3)	In order to determine if there is a violation of the rules for agricultural pollution, such investigation by the department shall include but need not be limited to the following: ...	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-16(C)(3)(f)	Contacts with the operator, complainant, cooperating agencies contacted, dates and times of investigations shall be recorded and kept on file along with a copy of the complaint. Copies of all information shall be made available to the district.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-16(C)(3)(f)	Copies of all information shall be made available to the district.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-16(C)(5)	If the investigative report indicates that a violation of the rules for agricultural pollution abatement exists and the landowner or operator is interested and willing to seek a corrective solution, the department shall: ...	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-16(C)(6)(a)	The department representative shall inform the district board of supervisors and the director of the facts established by the investigative report, the succeeding action followed to seek compliance with the rules, and the action or inaction taken by the owner or operator.	ORC 939.02	Yes, state law	Yes, state law

OAC 901:13-1-16(C)(6)(b)	If the owner or operator has failed to implement the corrective actions in the time specified, the director shall then decide if an order shall be issued.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-16(D)(1)	Upon receipt of the complaint the district shall give priority to conducting an investigation.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-16(D)(1)	If the district determines it is unable to initiate an investigation within three business days, the department shall be notified immediately.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-16(D)(1)	The director or the director's designee shall initiate an investigation of the complaint within three business days of notification by the district.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-16(D)(2)	In order to determine if there is a violation of the rules for agricultural pollution, such investigation shall include but need not be limited to the following:...	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-16(D)(2)(f)	Contacts with the owner, operator, person responsible, complainant, cooperating agencies contacted, dates and times of investigations shall be recorded and placed in a cooperator file or other appropriate district file.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-16(D)(2)(f)	A copy of the complaint and other relevant information shall be placed in the same file.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-16(D)(4)	If the investigative report indicates that a violation of the rules for agricultural pollution abatement exists and the landowner or operator is interested and willing to seek a corrective solution, the district representative shall: ..	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-16(D)(5)(a)	If the investigative report indicates that a violation of the rules for agricultural pollution exists, but the owner, operator, or person responsible is unwilling to cooperate in correcting the problem: (a) The district representative shall inform the district board of supervisors and the department of the facts established by the investigative report, the succeeding action followed to seek compliance with the rules, and the action or inaction taken by the owner or operator.	ORC 939.02	Yes, state law	Yes, state law

OAC 901:13-1-17(A)	When the director or the director's designee investigates a complaint and the owner, operator, or person responsible fails to implement a corrective action in accordance with paragraph (C)(6) or (D)(5) of rule 901:13-1-16 of the Administrative Code, the director or the director's designee shall decide if an order will be issued.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-17(A)(1)	When the director decides that an order shall be issued, he shall issue an order and afford each person allegedly liable an adjudication hearing pursuant to Chapter 119. of the Revised Code.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-17(A)(1)	The director shall sustain the order if deemed appropriate after each person allegedly liable has had a hearing or has waived his right to a hearing.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-17(A)(1)	Each order shall be issued in writing and contain a finding by the director of the facts upon which the order is based and the rule that is being violated. The	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-17(A)(1)	The order shall also specify the time period for correcting the problem, indicate what, if any, technical and financial assistance is available, and indicate what action will follow if the violation is not corrected.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-17(A)(3)	The attorney general of the state of Ohio, upon the written request of the director, shall bring appropriate legal action in Franklin county against any person who fails to comply with an order of the director issued pursuant to paragraph (A)(1) of this rule.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-17(B)(2)	When there is a danger to public health because of animal waste spill or discharge, the director may, without notice or hearing, issue an emergency order to correct the problem. The order shall be effective immediately.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-17(B)(2)(a)	Prior to issuing an emergency order, the director shall: (i) Determine the extent of danger to public health which may include consultation with local health departments; (ii) Determine that paragraphs (A) and (B) of this rule will not adequately protect public health and natural resources; (iii) Encourage the owner or operator causing the pollution to correct the problem voluntarily.	ORC 939.02	Yes, state law	Yes, state law

OAC 901:13-1-17(B)(2)(b)	Following receipt of the emergency order, the owner or operator shall comply with the order by stopping the pollution and removing the pollutants endangering public health.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-17(B)(2)(c)	Such hearing shall be conducted as soon as possible, but not later than twenty days following application.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-1-17(B)(2)(c)	The application shall be in writing and include the following information:(i) The probable cause of the suspected public health threat;(ii) The date when the suspected pollution started;(iii) Business or home address and phone number where the owner, operator or representative can be reached during business hours to schedule a hearing;(iv) Be signed by the owner or operator of the agricultural operation or business and dated.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-17(B)(2)(d)	On the basis of the hearing, the director or his designee shall continue, revoke or modify the order.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-17(B)(2)(e)	Reimbursed costs shall be deposited into the agricultural pollution abatement fund and used as specified in paragraph (C) of this rule.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-17(B)(2)(e)	The director shall keep accurate records of all costs to abate the agricultural pollution including personnel, equipment, and disposal.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-17(B)(2)(f)	No emergency order shall remain in effect for more than sixty days after its issuance.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-17(C)	Agricultural pollution abatement fund. Funds deposited in the agricultural pollution abatement fund authorized under section 939.10 of the Revised Code shall be used for paying the costs for emergency agricultural pollution abatement actions.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-18	Terms of the agreements shall be approved by the Ohio soil and water conservation commission.	ORC 939.02	Yes, state law	Yes, state law

OAC 901:13-1-19(A)	Each owner, operator, or person responsible for producing, applying, or receiving in excess of three hundred fifty tons and/or one hundred thousand gallons of manure on an annual basis in watersheds in distress shall develop and operate in conformance with a nutrient management plan that addresses the methods, amount, form, placement, cropping system and timing of all nutrient applications.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-19(A)	Nutrient management plans shall be submitted to and approved by the director or the director's designee.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-19(A)	The director or the director's designee shall review and approve or disapprove nutrient management plans.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-19(C)	Nutrient management plans shall be in the form of the Ohio nutrient management workbook, USDA natural resources conservation service comprehensive nutrient management plan (CNMP),	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-19(C)	or an equivalent document approved by the director or the director's designee and shall contain the following information:	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-19(D)	Each land application area receiving manure shall be assessed with the Ohio nitrogen leaching risk assessment procedure and the phosphorus index and the soil test risk assessment procedure for phosphorus as necessary and provided for in the field office technical guide.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-19(D)	Manure application rates and setback distances shall be based on the most limiting factor of these risk assessment procedures, other criteria outlined in the "Field Office Technical Guide," or by other methods approved by the director.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-19(E)	Operating records including manure nutrient application, weather forecasts, manure and soil analysis, and manure storage volumes shall be kept a minimum of five years by the owner, operator, or person responsible and	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-19(E)	shall be made available for review by the director or the director's designee with a minimum of twenty-four hours notice.	ORC 939.02	Yes, state law	Yes, state law

OAC 901:13-1-19(E)	The director or the director's designee shall visit the animal feeding operation and review records a minimum of once every three years and provide a report of the findings to the soil and water conservation district board of supervisors and the department.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-19(F)	After plan approval, nutrient management plans shall be updated as conditions change	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-19(F)	and shall be submitted a minimum of once every three years to the soil and water conservation district board of supervisors or the director for approval.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-19(F)	This plan shall be updated prior to any expansion in the number of agricultural animals by more than ten per cent.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-19(G)	For new animal feeding operations located in watersheds in distress, plans must be submitted and approved prior to any initiation of construction of a new facility.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-20(B)	Prior to proposing to designate a watershed in distress, the director shall prepare and issue a report documenting the factors in the watershed relating to the items in paragraph (A) of this rule.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-20(C)	No designation of a watershed in distress shall be issued until the Ohio soil and water conservation commission consents by a majority vote to a proposed designation.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-99(A)	(A) The following violations shall be considered minor violations: ...	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-99(B)	(B) The following violations shall be considered moderate violations: ...	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-99(C)	(C) Events of noncompliance with section 939.08 of the Revised Code and paragraphs (B)(1), (B)(2), (B)(3), and (B)(5) of rule 901:13-1-11 of Administrative Code that meet all of the following parameters shall be considered moderate violations: ...	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-1-99(D)	(D) Events of noncompliance with section 939.08 of the Revised Code and paragraphs (B)(1), (B)(2), (B)(3), and (B)(5) of rule 901:13-1-11 of Administrative Code that meet any of the following parameters shall be considered major violations: ...	ORC 939.02	Yes, state law	Yes, state law

OAC 901:13-1-99(H)	(H) All money paid under paragraph (E) of this rule shall be deposited into the agricultural pollution abatement fund.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-2-01	Public notice of hearing for the purpose of promulgating rules to be conducted by the Ohio soil and water conservation commission shall be advertised in five newspapers of general circulation in the state at least thirty days, but not more than sixty days, prior to the hearing.	ORC 939.02	Yes, state law	Yes, state law
OAC 901:13-2-01	The notice shall state the commission's intention to consider adopting, amending, or rescinding a rule, shall include a synopsis of the proposed rule, amendment, or rule to be rescinded, or a general statement of the subject matter to which such rule relates, and the date, time, and place of a hearing on said proposed action	ORC 121.22	Yes, state law	Yes, state law
OAC 901:13-2-01	The notice shall also state the place from which copies of the proposed rule, amendment, or rule to be rescinded may be obtained.	ORC 121.22	Yes, state law	Yes, state law
OAC 901:13-2-02	Notice of all public meetings of the Ohio soil and water conservation commission shall be given in accordance with the following procedure:	ORC 121.22	Yes, state law	Yes, state law
OAC 901:13-2-02(C)	The Ohio department of agriculture shall mail such representatives notice at least four days before special meetings ...	ORC 121.22	Yes, state law	Yes, state law
OAC 901:13-2-02(C)	shall telephone notice at least twenty-four hours before special meetings.	ORC 121.22	Yes, state law	Yes, state law
OAC 901:13-2-02(C)	In the event of an emergency meeting the representatives of the news media who have requested notification of emergency meetings shall be notified immediately of the time, place, and purpose of the meeting.	ORC 121.22	Yes, state law	Yes, state law
OAC 901:13-2-02(C)	News media requesting notice pursuant to this paragraph shall supply the Ohio department of agriculture with the name, mailing address, and telephone number of the representative to be contacted.	ORC 121.22	Yes, state law	Yes, state law

OAC 901:13-2-02(D)	The Ohio soil and water conservation commission shall provide the director of the Ohio department of agriculture with the time, place, and purpose of meetings requiring public notice under the provision of this rule within sufficient time to enable the director of the Ohio department of agriculture to comply with the provisions of this rule.	ORC 121.22	Yes, state law	Yes, state law
OAC 901:13-2-03	Minutes of all meetings of the Ohio soil and water conservation commission will be promptly recorded and shall be open to public inspection during working hours at the Ohio department of agriculture.	ORC 121.22	Yes, state law	Yes, state law
OAC 901:13-3-01(A)	Nominations of candidates for election of successors to fill expired terms of district supervisors, or unexpired terms, where an election is required pursuant to section 940.04 of the Revised Code, shall be declared valid upon meeting one of the following: ...	ORC 121.22	Yes, state law	Yes, state law
OAC 901:13-3-01(A)(1)	The nominating committee shall consist of a continuing member of the existing district board and two other persons who are knowledgeable of the district.	ORC 940.02	Yes, state law	Yes, state law
OAC 901:13-3-01(B)	Candidates nominated by the nominating committee and all candidates with valid candidate petitions shall be listed in alphabetical order on the ballot provided by the Ohio soil and water conservation commission.	ORC 940.02	Yes, state law	Yes, state law
OAC 901:13-3-01(C)	Nominees duly elected shall be administered an oath of office, as prescribed by the Ohio soil and water conservation commission, preceding or upon taking office.	ORC 940.02	Yes, state law	Yes, state law
OAC 901:13-3-02(A)	All candidates for successor election shall be at least eighteen years of age at the time of the official election and reside within the boundaries of the district wherein such election is conducted.	ORC 940.02	Yes, state law	Yes, state law
OAC 901:13-3-02(B)	Eligible voters in elections of successors shall be at least eighteen years of age at the time of the official election and own or occupy land within the boundaries of the district wherein such election is conducted.	ORC 940.02	Yes, state law	Yes, state law
OAC 901:13-3-02(B)	Voters shall register by placing their name, address, and additional information as deemed appropriate by the Ohio soil and water conservation commission on the prescribed registration forms.	ORC 940.02	Yes, state law	Yes, state law

OAC 901:13-3-02(C)	Only official ballots, cast in absence or at the time and place of the conduct of the official election, containing votes for candidates nominated in accordance with paragraphs (A)(1) and (A)(2) of rule 901:13-3-01 of the Administrative Code shall be valid.	ORC 940.02	Yes, state law	Yes, state law
OAC 901:13-3-03(A)	Due notice of annual elections of successors shall be given the public and contain the names and addresses of the nominees as certified by the Ohio soil and water conservation commission, the time and place for casting absentee ballots, and the time and place of the official election.	ORC 940.02	Yes, state law	Yes, state law
OAC 901:13-3-03(B)	Due notice is given and shall have been achieved when such notice has been published once not more than three weeks and not less than one week prior to the conduct of the election within one or more newspapers of general circulation within the boundaries of the district in which such election is being conducted.	ORC 940.02	Yes, state law	Yes, state law
OAC 901:13-3-03(B)	Such notices shall conform to the prescribed form provided by the Ohio soil and water conservation commission.	ORC 940.02	Yes, state law	Yes, state law
OAC 901:13-3-04(A)	Elections shall be conducted by the Ohio soil and water conservation commission or its officially designated agents in accordance with procedures set forth by such commission.	ORC 940.02	Yes, state law	Yes, state law
OAC 901:13-3-04(B)	Results of elections of successors shall be entered upon the election result form prescribed by the Ohio soil and water conservation commission.	ORC 940.02	Yes, state law	Yes, state law
OAC 901:13-3-04(B)	The form shall provide a tally of votes cast for each eligible candidate, total number of voters registered, designation of successful candidates and certification by the tellers of the election results as recorded on the election report form.	ORC 940.02	Yes, state law	Yes, state law
OAC 901:13-3-04(B)	All ballots cast and registration forms shall be delivered to the commission by the officially-designated agent conducting the election.	ORC 940.02	Yes, state law	Yes, state law

OAC 901:13-3-04(B)	Such ballots and registration forms shall be held at least sixty days after such election, after which they may be destroyed, provided a challenge of such election has not been filed with the Ohio soil and water conservation commission.	ORC 940.02	Yes, state law	Yes, state law
OAC 901:13-3-04(C)	The breaking of a tie, resulting from two or more candidates receiving an equal number of votes for one of the expired terms shall be accomplished by lot (flip of a coin).	ORC 940.02	Yes, state law	Yes, state law
OAC 901:13-3-04(C)	The Ohio soil and water conservation commission or its designated agent shall break the tie by lot in the presence of the affected candidates and two of the designated tellers for the election.	ORC 940.02	Yes, state law	Yes, state law
OAC 901:13-3-04(C)	The lot result shall be certified by the commission or its agent and attested to by the tellers witnessing the lot.	ORC 940.02	Yes, state law	Yes, state law
OAC 901:13-3-04(D)	The commission or its designated agent shall set a time and place for conducting such a recount and so inform the concerned parties and election tellers.	ORC 940.02	Yes, state law	Yes, state law
OAC 901:13-3-04(D)	Recounts shall be open to public observance.	ORC 940.02	Yes, state law	Yes, state law
OAC 901:13-3-04(D)	Recount notice does not require giving a due notice.	ORC 940.02	Yes, state law	Yes, state law
OAC 901:13-3-04(D)	Recount results will be utilized by the commission in the determination of the official election results and the commission's determination shall be final.	ORC 940.02	Yes, state law	Yes, state law
OAC 901:13-3-05	A challenge of an election at the time and place of the official election shall cause the ballots and registration records to be placed in the office of the local county sheriff under seal by the designated agent of the Ohio soil and water conservation commission conducting the election and until such commission or its executive officer authorizes the removal of such seal.	ORC 940.02	Yes, state law	Yes, state law
OAC 901:13-3-05	Such commission or its executive officer shall investigate the validity of the appeal as represented by the sealed records and declare the appeal valid or invalid.	ORC 940.02	Yes, state law	Yes, state law
OAC 901:13-3-05	A valid appeal finding shall give cause for such commission to conduct another election of successors.	ORC 940.02	Yes, state law	Yes, state law
OAC 901:13-3-05	An invalid appeal finding shall cause such commission to certify the election as being valid.	ORC 940.02	Yes, state law	Yes, state law

OAC 901:13-3-05	A discrepancy between the number of ballots cast and the number of registered voters shall not constitute grounds for an invalid election except where such difference is sufficient to potentially alter the certification of the elected candidate or candidates.	ORC 940.02	Yes, state law	Yes, state law
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