



## REQUEST FOR PUBLIC COMMENT DLEP Five Year Rule Review

The rules in this package have been reviewed pursuant to Chapter 119 of the Revised Code and are being proposed as follows. **The comment period will remain open through August 14, 2020.** Comments may be emailed to [ecomments@agri.ohio.gov](mailto:ecomments@agri.ohio.gov) or mailed to Legal Section, Ohio Department of Agriculture, 8995 E. Main St., Reynoldsburg, Ohio 43068.

Various rules in division 901:10 of the Administrative Code are up for five-year rule review. The following rules are being filed as no change:

- Rule 901:10-1-02 sets forth the general administrative requirements for permits.
- Rule 901:10-1-03 sets forth the criteria for the Director to approve, deny, or revoke a permit under DLEP.
- Rule 901:10-1-05 sets forth the criteria for establishing a trade secret under this section.
- Rule 901:10-1-06 sets forth the standards and application procedures of a certified livestock manager.
- Rule 901:10-1-08 sets forth the process of transferring permits for concentrated animal feeding facilities and concentrated animal feeding operations.
- Rule 901:10-1-09 sets forth the criteria for modifying a permit under this chapter and is being amended to correct inappropriate formatting.
- Rule 901:10-1-10 states the prohibitions under this chapter.
- Rule 901:10-2-01 sets forth general administrative requirements for a permit to install a new concentrated animal feeding operation, concentrated animal facility, or a major concentrated animal feeding facility.
- Rule 901:10-2-02 sets forth the siting criteria for a permit to install.
- Rule 901:10-2-04 sets forth analysis and design consideration needed for a permit to install.
- Rule 901:10-2-05 sets forth the requirements for fabricated structures which hold manure.
- Rule 901:10-2-06 sets forth the requirements for manure storage ponds and manure treatment lagoons.
- Rule 901:10-2-08 sets forth specific administrative requirements that are required in a manure management plan.
- Rule 901:10-2-09 sets forth the information required to be disclosed in a nutrient budget within the manure management plan.
- Rule 901:10-2-10 sets forth the information required to be disclosed in the manure characterization portion of the manure management plan.
- Rule 901:10-2-11 sets forth the information required in a manure management plan with regards to distribution and utilization of the manure.
- Rule 901:10-2-12 sets forth the information required in a manure management plan to minimize odors.



- Rule 901:10-2-13 sets forth the information required to be disclosed in the soil characterization portion of the manure management plan.
- Rule 901:10-2-14 establishes best management practices that govern land application of manure on land application areas.
- Rule 901:10-2-16 sets forth the administrative requirements of the operating record.
- Rule 901:10-2-19 sets forth the requirements of an insect and rodent control plan and the standards for its acceptance.
- Rule 901:10-2-20 sets forth the information required to be submitted in the owner or operator's annual report to the director of agriculture. Owners/operators are required to document in the operating record an estimate of the amount of manure transferred during each transfer.
- Rule 901:10-3-01 sets forth additional requirements for the NPDES permit application.
- Rule 901:10-3-04 sets forth specific requirements for concentrated animal feeding operations that house dairy cows and cattle other than veal calves.
- Rule 901:10-3-07 sets forth the criteria for the designation of a concentrated animal feeding operation by the director.
- Rule 901:10-3-08 sets forth the criteria for the applicability and application of a variance in accordance with section 301 or 302 of the Federal Water Pollution Control Act.
- Rule 901:10-3-09 states that separate appeals of variances are possible and the order in which they are heard.
- Rule 901:10-4-02 sets forth the coverage for a general permit to operate.
- Rule 901:10-4-05 sets forth the requirements holders of general operating permits must comply with.
- Rule 901:10-5-05 sets forth the procedures for emergency enforcement.
- Rule 901:10-6-01 sets forth the notice requirements as required when the director of agriculture issues a draft permit.
- Rule 901:10-6-02 sets forth the required contents of the public notices in 901:10-6-01.
- Rule 901:10-6-03 sets forth the coordination of the Federal Water Pollution Control Act permit program with other agencies of the United States.
- Rule 901:10-6-04 sets forth the administrative process of a public meeting requested as a result of a draft permit, draft permit modification or proposed action to deny, suspend, or revoke a permit.

