

901:10-3-06

Swine, poultry, and veal calves.

This rule applies to operations defined as concentrated animal feeding operations and includes the following animals: swine; chickens; turkeys; and veal calves. This rule does not apply to such operations with less than the following capacities: two thousand five hundred swine each weighing fifty-five pounds or more; ten thousand swine each weighing less than fifty-five pounds; thirty thousand laying hens or broilers if the facility uses a liquid manure handling system; one hundred twenty-five thousand chickens other than laying hens if the facility uses other than a liquid manure handling system; eighty-two thousand laying hens if the facility uses other than a liquid manure handling system; fifty-five thousand turkeys; and one thousand veal calves.

(A) Effluent limitations 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 must achieve the following effluent limitations representing the application of BPT:

(1) For operation production areas. Except as provided in paragraphs (A)(1)(a) of this rule, there must be no discharge of manure into waters of the state from the production area. The limitations and requirements of this paragraph must be attained as of the date of permit coverage.

(a) Whenever precipitation causes an overflow of manure, pollutants in the overflow may be discharged into waters of the state provided:

(i) The production area is designed, constructed, operated and maintained to contain all manure including the runoff and the direct precipitation from a twenty-five year, twenty-four hour rainfall event;

(ii) The production area is 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.

(2) For the land application areas.

(a) The operation shall attain the same limitations and requirements listed for the manure management plan in rule 901:10-2-07(A)(1) of the Administrative Code and record keeping requirements in rule 901:10-2-16 of the Administrative Code.

(b) The operation shall attain the limitations and requirements of this paragraph by December 31, 2006.

(B) Effluent limitations attainable by the application of the best conventional pollutant control technology (BCT).

(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:

(a) For operation production areas: the operation shall attain the same limitations and requirements in paragraph (A)(1) of this rule.

(b) For the land application areas: the operation shall attain the same limitations and requirements in paragraph (A)(2) of this rule.

(C) Effluent limitations attainable by the application of the best available technology economically achievable (BAT).

(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:

(a) For production areas: the concentrated animal feeding operation shall attain the same limitations and requirements in paragraph (A)(1) of this rule.

(b) For land application areas: the concentrated animal feeding operation shall attain the same limitations and requirements listed in paragraph (A)(2) of this rule.

(D) New source performance standards (NSPS).

Any new source subject to this rule must achieve the following effluent limitations representing the application of NSPS.

(1) For production areas: there must be no discharge of manure into waters of the state from the production area, subject to paragraphs (D)(1)(a) through (D)(1)(b) of this rule.

(a) Manure storage and treatment facilities designed, constructed, operated, and maintained to contain all manure including the runoff and the direct precipitation from a one-hundred year, twenty-four hour rainfall event and operated in accordance with the manure management plan and records required by rules 901:10-2-08 and 901:10-2-16 of the Administrative Code, will fulfill the requirements of paragraph (D) of this rule.

(b) Provisions for upset/bypass, as provided in paragraphs (T) and (U) of rule 901:10-3-10 of the Administrative Code apply to a new source subject to paragraph (D) of this rule.

- (2) For land application areas: the operation shall comply with the requirements listed for the manure management plan required by rule 901:10-2-07(A)(1) of the Administrative Code and the recordkeeping requirements of rule 901:10-2-16 of the Administrative Code.
- (3) The operation shall attain the limitations and requirements of paragraph (D) of this rule as of the date of permit coverage.
- (4) Voluntary superior environmental performance standards. Any new source concentrated animal feeding operation subject to this rule may request the director to establish alternative NPDES permit limitations based upon a demonstration that site-specific innovative technologies will achieve overall environmental performance across all media which is equal to or superior to the reductions achieved by baseline standards as provided by paragraph (D)(1)(a) of this rule. The quantity of pollutants discharged from the production area must be accompanied by an equivalent or greater reduction in the quantity of pollutants released to other media from the production area (e.g., air emissions from housing and storage) and/or land application areas for all manure at on-site and off-site locations. The comparison of quantity of pollutants must be made on a mass basis where appropriate. The director has the discretion to request supporting information to supplement such a request.
- (5) 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, 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). Thereafter, the source must achieve the standards specified in paragraph (A)(1) and (A)(2) of this rule.

Replaces: 901:10-3-06
Effective: 09/15/2005
R.C. 119.032 review dates: 08/15/2010

CERTIFIED ELECTRONICALLY

Certification

08/17/2005

Date

Promulgated Under: 119.03
Statutory Authority: 903.08, 903.10
Rule Amplifies: 903.01, 903.08, 903.09, 903.10
Prior Effective Dates: 07/02/2002