

901:10-4-03      **Notification of coverage.**

- (A) An owner or operator requesting to be covered by a general permit to operate shall submit a notice of intent.
- (B) Notices of intent shall be filed on forms approved by the director and, where applicable to a NPDES operation, shall be considered and processed as an application for coverage under a NPDES permit.
- (C) Notices of intent shall contain:
- (1) The general permit to operate category under which the applicant requests to be covered;
  - (2) Name, address, telephone number, contact person and title of owner or operator;
  - (3) Location, including the latitude and longitude of the production area (entrance to production area);
  - (4) Topographic map of the geographic area in which the facility is located showing the specific location of the production area;
  - (5) Specific information about the number and type of animals, whether in open confinement or housed under roof (beef cattle, broilers, layers, swine weighing fifty-five pounds or more, swine weighing less than fifty-five pounds, mature dairy cows, dairy heifers, veal calves, sheep and lambs, horses, ducks, turkeys, other);
  - (6) The type of manure storage or treatment facility (anaerobic lagoon, fabricated structure, manure storage ponds, underfloor pits, above ground storage tanks, below ground tanks, concrete pad, impervious soil pad, other) and total capacity for manure (tons/gallons);
  - (7) The total number of acres under control of the applicant available for land application of manure;
  - (8) Estimated amounts of manure generated per year (tons/gallons);
  - (9) Estimated amounts of manure transferred to other persons per year (tons/gallons);
  - (10) Identification of the permit to install number, if any;

- (11) A manure management plan that complies with 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 of the Administrative Code, and any applicable provisions in rules 901:10-3-02 to 901:10-3-11 of the Administrative Code;
  - (12) The name of the receiving water(s);
  - (13) Any other information deemed necessary by the director found in the general permit to operate form; and,
  - (14) Any other information deemed necessary to complete the notice of intent or clarify, modify, or supplement previously submitted material.
- (D) Each person eligible for a general permit may provide notice that the person wishes to receive an individual permit instead.
- (E) The director shall review the notice of intent to ensure that the notice of intent includes all information required by this rule. 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 and make available for public review and comment the notice of intent submitted by the applicant, including the applicant's manure management plan and the draft terms of the manure management plan to be incorporated into the permit. 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. During the comment period any interested person may submit written comments on the notice and may request a public meeting. 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. 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's web site, rather than through publication in the legal notice section of a newspaper. The provisions of paragraph (J) of rule 901:10-6-04 of the Administrative Code shall also apply to the public comment period. The director shall, if necessary, require the applicant to revise the manure management plan in order to be granted permit coverage.
- (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. When the director authorizes coverage for the owner or

operator under the general permit, the terms of the manure management plan become incorporated as terms and conditions of the permit for the owner and operator. The director shall maintain a list of each facility or operation authorized under each general permit. 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.

- (G) Persons that receive a certificate of coverage for a category from the director will be deemed covered under that general permit to operate. 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.

Effective:

Five Year Review (FYR) Dates: 02/17/2017

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: 903.08, 903.10  
Rule Amplifies: 903.01, 903.08, 903.09, 903.10  
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