

901:10-4-03

General permit to operate, Notification notification of coverage.

- (A) An owner or operator ~~of a concentrated animal feeding facility requesting to be covered by a~~ seeking coverage under a general permit to operate shall submit a notice of intent by the deadline specified in the general permit to operate.
- (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~~ general permit to operate.
- (C) Notices of intent shall contain:
- (1) The general permit to operate category under which the ~~applicant owner or operator of a concentrated animal feeding facility~~ 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 owner or operator~~ available for land application of manure;
 - (8) Estimated amounts of manure generated per year (tons ~~or~~ gallons);
 - (9) Estimated amounts of manure transferred to other persons per year (tons ~~or~~ gallons) in accordance with rule 901:10-2-11 of the Administrative Code;
 - (10) ~~Identification of the permit to install number, if any;~~

- ~~(11)~~(10) 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)~~(11) The name of the receiving water(s), specifically the hydrologic unit code ("HUC-12" watershed) as established by the United States geological survey ("USGS");
- ~~(13)~~(12) Any other information deemed necessary by the director found in the general permit to operate form; and,
- ~~(14)~~(13) Any other information deemed necessary to complete the notice of intent or clarify, modify, or supplement previously submitted material.
- (D) Each ~~person~~ owner or operator of a concentrated animal feeding facility eligible for a general permit to operate may provide notice that the ~~person~~ owner or operator wishes to receive an individual permit to operate instead.
- (E) The director ~~shall~~will 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~~will notify the public of the director's proposal to grant a certificate of coverage to the ~~applicant~~ owner or operator of a concentrated animal feeding facility and make available for public review and comment the notice of intent submitted by the ~~applicant~~ owner or operator, including the ~~applicant's~~ owner or operator'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~~will 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, division of livestock environmental permitting's ~~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~~will 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~~will 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~~will be provided on the Ohio department of agriculture, division of livestock environmental permitting's ~~permitting's~~ 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~~will also apply to the public comment period. The director ~~shall~~will, if necessary, require the applicant to revise the manure management plan in order to be granted permit coverage.

- (F) The director ~~shall~~will notify each affected owner or operator of a concentrated animal feeding facility in writing that ~~his or her~~their ~~facility or operation~~ is authorized pursuant to the general permit to operate by issuing a certificate of coverage. When the director authorizes coverage for the owner or operator under the general permit to operate, the terms of the manure management plan become incorporated as terms and conditions of the permit for the owner and operator. The director ~~shall~~will maintain a list of each concentrated animal feeding facility ~~or operation~~ authorized under each general permit to operate. The director ~~shall~~will 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 general permit to operate applicable to the facility or operation.
- (G) ~~Persons~~ Each owner or operator of a concentrated animal feeding facility 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: 4/23/2024

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 903.08, 903.10
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