

901:13-1-99

Civil penalties.

(A) Minor violations are events of noncompliance with section 939.08 of the Revised Code that occur only when all of the following parameters are met:

- (1) The total volume of the manure application is less than three hundred and fifty tons of solid manure or one hundred thousand gallons of liquid manure;
- (2) The manure application does not pose a significant risk of harm to public health or the environment; and,
- (3) The manure application has not resulted in any discharge of manure that enters the waters of the state.

(B) Major violations are events of noncompliance with section 939.08 of the Revised Code that occur when any of the following parameters are met:

- (1) The total volume of the manure application is equal to or more than three hundred and fifty tons of solid manure, or one hundred thousand gallons of liquid manure.
- (2) The manure application poses a significant risk of harm to public health or the environment.
- (3) The manure application has resulted in a discharge of manure that enters the waters of the state.

(C) Failure to take corrective action as specified by the director or the director's designated representative for any minor violation may be considered a major violation of this rule.

(D) The director may assess a civil penalty for a minor violation of up to two thousand dollars for each day of noncompliance with section 939.08 of the Revised Code.

(E) The director may assess a civil penalty for a major violation of up to ten thousand dollars for each day of noncompliance with section 939.08 of the Revised Code.

(F) All money paid under divisions (D) and (E) of this rule shall be deposited into the agricultural pollution abatement fund.

Effective: 01/31/2016

Five Year Review (FYR) Dates: 01/31/2021

CERTIFIED ELECTRONICALLY

Certification

01/21/2016

Date

Promulgated Under: 119.03
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