

TO BE RESCINDED

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 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 paragraphs (D) and (E) of this rule shall be deposited into the agricultural pollution abatement fund.

Effective:

Five Year Review (FYR) Dates: 05/03/2017

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 939.02, 939.09
Rule Amplifies: 939.07, 9.39.08, 939.09
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