General conditions.

1. Duty to mitigate. The permittee shall take all reasonable steps to minimize or prevent any discharge or disposal in violation of the permit, which has a reasonable likelihood of adversely affecting human health or the environment. This permit may be modified, suspended or revoked for cause.
2. Permit actions. The filing by the permittee of a request for permit modification, suspension, revocation, or a notification of planned changes or anticipated noncompliance does not stay any permit.
3. Duty to comply. The permittee shall comply with all conditions of the permit. Any permit noncompliance constitutes a violation of the act and chapter 903 of the Revised Code and is grounds for an enforcement action; for permit revocation; suspension; modification; or denial of a permit renewal application.
4. General effluent limitations. The effluent shall, at all times, comply with Ohio water quality standards.
5. Authorized discharges. All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit more frequently than, or at a level in excess of, that authorized by this permit shall constitute a violation of the terms and conditions of this permit. Such violations may result in the imposition of civil and/or criminal penalties as provided in Section 309 of the Act and Ohio Revised Code Sections 903.16, 903.17, 903.18 and 903.99
6. Duty to reapply. If any person who wishes to commence a discharge or to continue any activity regulated by the permit after the expiration date of this permit, an application for a permit or renewal of a permit shall be submitted to the Director at least one hundred eighty days prior to discharge or the expiration date of the permit.
7. Property rights. The permit does not convey any property rights of any sort or any exclusive privilege.
8. Inspection and entry. The permittee shall allow the Director or an authorized representative upon the presentation of proper identification and in compliance with Department biosecurity procedures:

   (a) To enter the facility where any records are kept under the terms and conditions of the permit;

   (b) To have access for review and copying any records that must be kept under the terms and conditions of the permit;

   (c) To inspect, at reasonable times:

      (1) Equipment, (including any monitoring and control equipment) or method;

      (2) Any manure storage or treatment facility;

(3) Practices or operations required or regulated under the permit; and

(4) To sample or monitor, at reasonable times, for the purpose of assuring permit compliance or as otherwise authorized by the Act, any substances or parameters at any location.

9. Duty to provide information. The permittee shall furnish to the Department within a reasonable time any information that the Department may request to determine whether cause exists for modifying, revoking and reissuing or terminating the permit or to determine compliance with the permit. The permittee shall also furnish to the Department, upon request, copies of records required by this permit to be kept.

10. Records retention.

(a) Records of samples and measurements taken including, but not limited to, samples and measurements of manure, soils, process wastewater and process generated water for the purpose of monitoring shall be representative of the monitored activity.

(b) The permittee shall retain records of all monitoring information, including all calibration and maintenance records and, if applicable, original strip chart recordings or continuous monitoring instrumentation. Copies of reports required by this permit and records of data used to complete the application for this permit shall be retained for a period of at least five years from the date of this permit, the sample, measurement, report or application. This period may be extended by request of the Department at any time.

11. Recording of results.

(a) The date, exact place and time of sampling or measurements;

(b) The individual(s) who performed the sampling or measurements;

(c) The date(s) analyses were performed;

(d) The analytical techniques or methods used; and

(e) The results of such analyses.

12. Sampling and analytical methods. Monitoring must be conducted according to rules 901:10-2-04 and 901:10-2-13 of the Administrative Code and according to test procedures approved under 40 C.F.R. part 136, unless other test procedures have been specified in this permit and approved by U.S. EPA. Monitoring must be conducted in accordance with any water quality analytical procedures approved by the Department. The permittee shall maintain equipment or lease the equipment or otherwise obtain access to equipment to ensure accurate measurements.

13. Signatures. All permit applications and reports required by the permit and other information submitted to the Director shall be signed and certified as follows:

(a) All permit applications shall be signed as follows:

(1) For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:

(i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or

(ii) The manager of one or more production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures; or

(b) For a partnership or sole proprietorship: by a general partner for a partnership or the proprietor, respectively.

(c) The written authorization is submitted to the Director.

(d) All reports required by permits and other information requested by the Director shall be signed by the person described above or a duly authorized representative of that person. A person is a duly authorized representative of the person described above only if:

(1) The authorization is made in writing by the person described above;

(2) The authorization specifies either an individual or a position having responsibility for the overall operation of the facility such as the position of manager, or a position of equivalent responsibility. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.) and,

(3) The written authorization is submitted to the Director.

(e) Changes to authorization. If an authorization is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying this rule must be submitted prior to or together with any reports, information, or applications to be signed by an authorized representative.

(f) Certification. Any person signing a document under this rule shall make the following certification: "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly

gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information."

14. Need to halt or reduce activity is not a defense. It shall not be a defense for an permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
15. Proper operation and maintenance. The permittee shall at all times properly operate and maintain all facilities (and related appurtenances) which are installed or used by the permittee This provision requires the operation of backup or auxiliary facilities or similar to achieve compliance with the conditions of the permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxilliary facilities or similar systems only when necessary to comply with the conditions of this permit.
16. Emergency notification. In an emergency, the permittee shall follow the facility's emergency response plan, which shall include, at a minimum, following:
    (a) The names and telephone numbers of persons who are identified by the owner or operator as responsible for implementing the plan;
    (b) Areas of the facility where potential spills can occur and their accompanying surface and subsurface drainage points; and
    (c) Procedures to be followed in the event of a spill, including actual or imminent discharge to waters of the state. These procedures shall include:
        (1) The permittee shall report a spill or discharge by telephone to the Department as soon as possible, but in no case more than twenty-four hours following first knowledge of the occurrence and shall provide the following information:
            (i) The time at which the discharge or spillage occurred, if known, was discovered;
            (ii) The approximate amount and the characteristics of the discharge or spillage;
            (iii) The waters of the state affected by the discharge or spillage;
            (iv) The circumstances, which created the discharge or spillage;
            (v) The names and telephone numbers of persons who have knowledge of these circumstances;
            (vi) Those steps being taken to clean up the discharge or spillage;
            (vii) The names and telephone numbers of the persons responsible for

the cleanup.

(2) For any emergency that requires immediate reporting after normal business hours, the permittee shall use the Ohio Department of Agriculture's emergency telephone number.

(3) If applicable, the permittee shall notify appropriate local authorities.

(4) The permittee shall also file a written report of the occurrence in letter form within five days following first knowledge of the occurrence, unless waived, in writing, by the Department. This report shall outline the actions taken, proposed to be taken to correct the problem and to ensure that the problem does not recur.

17. Noncompliance notification. The permittee shall report any noncompliance, which may endanger health or the environment. Any information shall be provided orally within twenty-four hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within five days of the time the permittee becomes aware of the circumstances. A written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate and prevent reoccurrence of the noncompliance.

    The following shall be included as information, which must be reported within twenty-four hours:

    (a) Any unanticipated bypass that exceeds any effluent limitation in the permit;
    (b) Any upset which exceeds any effluent limitation in the permit; and
    (c) Violations of discharge limitations for any of the pollutants listed by the Director in the permit to be reported within twenty-four hours.

    The Director may waive the written report on a case-by-case basis for reports if the oral report has been received within twenty-four hours.

18. Compliance schedules. Reports of compliance or noncompliance with, or any progress reports on, any compliance schedule of this permit shall be submitted fourteen days after each schedule date.
19. Anticipated noncompliance. The permittee shall give advance notice to the Director of any planned changes at the facility that may result in noncompliance
20. Bypass means the intentional diversion of manure from any portion of the production area.

(a) Bypass not exceeding limitations. The permittee may allow any bypass to occur that does not cause effluent limitations to be exceeded but only if it also is for essential maintenance to assure efficient operation.

(b) If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible, at least ten days before the date of the bypass.

21. Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass to the Director.

22. Bypasses are prohibited and the Director may take enforcement action unless:

(a) The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage. Severe property damage means substantial physical damage to property, damage to the treatment facilities that causes them to be inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

(b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of manure, or maintenance during normal periods of equipment downtime. This condition will not be satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass.

23. Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance or careless or improper operation.

(a) Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with technology-based effluent limitations. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is a final administrative action subject to judicial review.

(b) Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate through properly signed, contemporaneous operating records, or other relevant evidence that:

(1) An upset occurred and the permittee can identify the cause of the upset;

(2) The permitted operation was at the time being properly operated;

(3) The permittee submitted notice of the upset as required.

(c) In any proceeding to enforce the NDPES permit the permittee seeking

to establish the occurrence of an upset has the burden of proof.

24. Planned changes. The permittee shall give notice to the Department as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:

    (a) The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 C.F.R. section 122.29(b); or

    (b) The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants, which are not subject to effluent limitations in the permit.

25. Other information. Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information.

26. Reporting obligations.

    (a) Annual reports and information required to be submitted by the permit or by the rules may be submitted in hard copy format in the Ohio Department of agriculture [fill in #] report form pre-printed by the Ohio Department of agriculture or an approved facsimile. The original report form must be signed and mailed to:

    Ohio Department of Agriculture
    Livestock Environmental Permitting Program
    8995 East Main Street
    Reynoldsburg, Ohio 43068

    (b) Alternatively, annual reports and information may be submitted electronically using the Ohio Department of agriculture developed software, based on a memorandum in agreement signed by a responsible corporate officer, general partner, proprietor or a duly authorized representative of the permittee and submitted to the Ohio Department of agriculture to receive an authorized personal identification number (pin) prior to sending data electronically. A hard copy of the Ohio Department of agriculture form must be generated, signed and maintained on site for records retention purposes.

27. Ohio Revised Code Section 903.99 provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under the NPDES permit shall, upon conviction, be punished by a fine of not more than $25,000 per violation.

28. Ohio Revised Code Section 903.99 states that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained by the NPDES permit including monitoring reports or reports of compliance of noncompliance shall, upon conviction, be punished by a fine of not more than $25,000 per violation.

Permit No. _____

Order No: _____

Effective Date: _____

Expiration Date: _____

The Ohio Department of Agriculture
Authorization to Discharge Under the National Pollutant Discharge Elimination System

In compliance with the provisions of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et seq., hereinafter referred to as the "Act"), and the "Concentrated Animal Feeding Facilities Program" (Ohio Revised Code Chapter 903),

_____
(Name of Facility)

is authorized by the Ohio Department of Agriculture, hereinafter referred to as "ODA." to discharge from the _____(Name of Facility)_____ located at (Address—including road/street/route—City—Ohio—County) in accordance with the terms and conditions specified in Parts I, II, and III of this permit.

This permit is conditioned upon payment of applicable fees as required by Rule 9011:10-1-04 of the Ohio Administrative Code.

In accordance with Section 903.03 of the Ohio Revised Code, ODA finds that the Facilities' Manure Management Plans, Insect and Rodent Control Plans, and Mortality Management Plans described in the attached permit conforms to best management practices. This order by the Director to issue this permit does not constitute express or implied approval or agreement that if constructed and operated in accordance with the application and the plans included in the application that this operation will operate in compliance with all applicable state and federal laws and regulations.

This permit and the authorization to discharge shall expire at midnight on the expiration date shown above. In order to receive authorization to discharge beyond the above date of expiration, the permittee shall submit such information and forms as are required by the ODA no later than 180 days prior to the above date of expiration.

_____
Fred L. Dailey
Director

NPDES Special Conditions

Special conditions.

1. Manure Management Plan. The permittee shall implement the MMP approved in this Permit at the production area and at land application sites by achieving the discharge limits and specific management practices described in the MMP.

2. Duty to maintain NPDES permit coverage. The permittee must maintain coverage under this NPDES permit until the facility is properly closed. This applies to decisions by the permittee to close down or to downsize or to make other changes so that the facility no longer meets the definition of a concentrated animal feeding facility. Closure shall be performed in accordance with Rule 901:10-2-18 and requires the permittee to show there is no remaining potential for discharge of manure generated by the facility.

3. Distribution and utilization. If the permittee chooses this option for the Manure Management Plan, the permittee shall provide a copy of the most recent manure analysis for nutrient content and shall provide copies of Appendices A, B, and F of Rule 901:10-2-14. The permittee shall maintain records of each manure transfer in the Operating Record. The permittee shall report the estimated annual amount of manure transferred to other persons in the previous twelve months of the calendar year in an annual report to be filed with the Department.

4. Winter application. Surface application of manure is not recommended and the permittee is required to notify the Department and obtain approval prior to any surface application of manure. Surface application of manure during winter is limited to only such quantities of manure to be removed to address manure storage limitations until non-frozen soils are available for application.

   In addition, all of the following restrictions shall apply:

   a. The application rate is limited to 10 wet tons/acre for solid manure with more than 50% moisture and 5 wet tons for liquid manure less than 50% moisture. For liquid manure, the application rate is limited to 5,000 gallons/acre.
   b. Applications are to be made on land with at least 90% surface residue cover (e.g., good quality hay or pasture field, all corn grain residue remaining after harvest, all wheat residue cover remaining after harvest) from streams, ditches, waterways, surface water, (e.g., areas that present the least runoff potential and are furthest from surface water).
   c. Manure shall not be applied on more than 20 contiguous acres. Contiguous acres for application are to be separated by a break of at least 200 feet. Utilize those areas for manure application that are furthest from any surface waters of the State.
   d. Increase the application setback distance to 200 feet minimum from all waters of the State. The distance may be further increased due to local conditions.

e. The rate of application shall not exceed the rates specified in Appendix F of Rule 901:10-2-14.
f. Additional winter application criteria for fields with significant slopes of more than 6%: Manure shall be applied in alternating strips 60 to 200 feet wide generally on the contour, or in the case of contour strips on the alternating strips.

5. Stormwater. Spill prevention and good housekeeping practices, along with diversion of clean water, shall be used to ensure that uncontained stormwater from the production area is not contaminated by manure and to ensure that stormwater discharges from the following areas maintain Ohio Water Quality Standards in the receiving waters of the State: immediate access roads and rail lines used or traveled by carriers or raw materials, products, waste material, or by-products used or created by the facility; refuse sites, sites used for the storage and maintenance of material handling equipment; and shipping and receiving areas.

   Stormwater that is contaminated by manure or raw materials may only be discharged in accordance with Effluent Limitations for discharge described in the Manure Management Plan (MMP) of this permit.

   Stormwater management, including spill prevention, good housekeeping and maintenance of stormwater conveyances shall be recorded by the permittee in the Operating Record as required by Rules 901:10-2-08 and 901:10-2-16.

* * * * * * *

The following special condition shall be inserted for medium and small CAFOs:

There may be no discharge of manure into waters of the state except as provided below:

<u>NPDES Effluent Limitations Applicable to the Production Area</u>
Whenever precipitation causes an overflow of manure, then manure in the overflow may be discharged into waters of the state provided:

a. The production area is properly designed, constructed, operated and maintained to contain all manure and the runoff and direct precipitation from the

[the permit writer shall select one]

[25-year, 24-hour storm event for the location of the facility]
[10-year, 24-hours storm event for the location of the facility]
[100-year, 24-hour storm event for the location of the facility]

The design storage volume must reflect all wastes accumulated during the storage period; normal precipitation less evaporation during the storage period; normal runoff during the storage period; the direct precipitation from a

[the permit writer shall select one]

[25-year, 24-hour storm event]
[10-year, 24-hours storm event]
[100-year, 24-hour storm event]

from the production area; residual solids after liquid has been removed; necessary freeboard to maintain structural integrity; and in the case of manure treatment lagoons, a minimum treatment volume.

b. The production area is operated in accordance with applicable rules for the Operating Record.
c. In the event of any overflow or other discharge of manure from a manure storage or treatment facility, whether authorized by this permit, the following actions shall be taken:
    1) Record an estimate of the volume of the release and the date and time.
    2) The discharge must be analyzed by methods in 40 CFR Part 136.
    3) If conditions are not safe for sampling, the owner or operator must provide documentation of why samples could not be collected and analyzed. For example, due to dangerous weather conditions. But once these conditions have passed, samples shall be collected.
    4) Refer to **Form 1 in the Operating Record,** which may be used as part of your required Annual Report to be submitted to the Director. This form shows the information that is required for an annual report of any discharges.
    5) **<u>As required by State law and NPDES requirements</u>, spills and discharges must be reported within 24 hours of discovery as required by** the Emergency Response Plan, which is a part of the Permit to Operate. Refer to **the attached ODA Form for Emergency Response Reports or use your own approved form.** This Form shows the information that is required and this information shall be submitted for each emergency report. It is <u>not</u> part of the Operating Record.

<u>Land Application of Manure</u>
There may be no discharge of manure into waters of the state from the land application area except for where it is an agricultural stormwater discharge generated by means of runoff generated by precipitation that drains over terrain used for agriculture, provided that the manure has been applied in accordance with site specific nutrient management practices that ensure appropriate agricultural utilization of nutrients in manure in compliance with the best management practices set forth in Chapter 901:10-2 of the Administrative Code.
* * * * * *
The following special condition shall be inserted for all permits where the owner/operator chooses to discharge to waters of the State for conditions that

are not governed by the technology-based effluent limitations for CAFOs, e.g., a cooling water discharges, stormwater discharges, egg washwater discharges. The permit writer shall use all that apply.

Additional discharges. The permittee is required to perform the following:

a. Grab samples shall be taken of all discharges from the production area. Clean water that has been diverted does not need to be sampled. Date and time of sampling, the results of analysis, and information required by Rule 901:10-3-10 shall be recorded in the Operating Record.
b. Grab samples shall be taken of all discharges from
   - ❑ [the production area],
   - ❑ [the cooling water outlet],
   - ❑ [stormwater pond outlet],
   - ❑ [_____describe other],

   Based on the following frequency:

   - ❑ weekly
   - ❑ monthly
   - ❑ quarterly
   - ❑ twice per year, during the months of March and Novermber
   - ❑ annually

Clean water that has been diverted does not need to be sampled. Date and time of sampling, the results of analysis, and information required by Rule 901:10-3-10 shall be recorded in the Operating Record.

NPDES Permit for CAFOs Minimum Practices

ENSURE ADEQUATE STORAGE[1] CAPACITY

Develop and implement specific practices and associated structures to ensure adequate storage capacity to achieve permit limitations including:

- ➢ Maintain sufficient capacity in liquid manure, wastewater, or storm water storage structures to ensure compliance with all permit requirements.
- ➢ Store dry manure in production buildings or in storage facilities or otherwise storing it in such a way as to prevent polluted runoff.
- ➢ Provide adequate storage capacity to ensure compliance with the nutrient management technical standard approved by the permitting authority.
- ➢ Ensure proper operation and maintenance of all manure, wastewater, and storm water storage facilities.

[1] Storage includes but is not limited to waste ponds and lagoons and other structures such as tanks (above and below ground) and staking facilities (concrete pad, walls, and a roof.)

ENSURE PROPER MANAGEMENT OF MORTALITIES

Handle and dispose of dead animals in a manner that prevents contamination of waters of the United States.

DIVERSION OF CLEAN WATER

Develop and implement management practices to divert clean water from the production area. Clean water includes rain falling on the roofs of facilities, runoff from adjacent land, and other sources. If clean water is not diverted from coming into contact with manure or process wastewater it must be collected in accordance with permit requirements.

PREVENTION OF DIRECT CONTACT OF ANIMALS WITH WATERS OF THE UNITED STATES

Develop and implement appropriate controls to prevent access of animals to waters of the United States in the production area.

CHEMICAL HANDLING

Develop and implement controls to prevent the inappropriate introduction of chemicals into the manure, wastewater, and storm water storage and handling system. Examples include pesticides, hazardous and toxic chemicals, and petroleum products and by-products.

CONSERVATION PRACTICES TO CONTROL NUTRIENT LOSS

For land application areas under the control of the CAFO operator develop and implement practices that are sufficient to minimize the discharge of pollutants to waters of the United States. These practices may include, but are not limited to residue management, conservation crop rotation, grassed waterways, strip cropping, vegetated buffers, riparian buffers, setbacks, terracing, and diversions.

PROTOCOLS FOR MANURE AND SOIL TESTING

Identify and implement specific manure, wastewater and soil sample collection and analysis protocols to be used in developing and implementing the nutrient management plan. At a minimum the protocol is to specify the collection and analysis of manure, litter, and other process waste waters annually for nutrient content, including nitrogen and phosphorus. The protocol is to specify the collection and analysis of soil samples for phosphorus content at least once very 5 years for all fields under the control of the CAFO operator where manure and wastewater may be applied. In all cases the sampling frequency for both manure, litter and wastewater and soil is to be consistent with the technical standard for nutrient management established by the Director.

PROTOCOLS FOR THE LAND APPLICATION OF MANURE AND PROCESS WASTEWATER

Develop and implement protocols to apply manure, litter, process wastewater in accordance with the technical standard for nutrient management established by the Director.

RECORD KEEPING

Maintain all records necessary to document the development and implementation of the nutrient management plan and compliance with the minimum practices defined in the permit. In addition, records must be maintained that document compliance with the effluent limitations specified in the permit.

Part D	ADDITIONAL INFORMATION FOR CAFOS SUBJECT TO NPDES PROVISIONS

This section applies to a facility that is applying for a National Pollutant Discharge Elimination System (NPDES) permit. Please review the rules and information listed in this Part D and provide additional information to supplement Part C of this Permit Application in order to satisfy the NPDES requirements.

Section A. – General Information

1. Applying for:

____ Individual Permit ____ General Permit

2. Type of Business

_____ Concentrated Animal Feeding Operation

____ Small
____ Medium
____ Large

3. Facility Operation Status

_____ Existing
_____ Expanding
_____ Proposed

4. Watershed

- **Name:** _____
- **Address** **(8 digit code):** _____

You may find the name of your watershed on the U.S. Environmental Protection Agency Watershed Information Network website: www.epa.gov/win. For assistance please contact the Ohio Department of Agriculture, Livestock Environmental Permitting Program at (614) 387-0470 or through the ODA website at: www.state.oh.us/agr

5. Owner's/Operator's Name and Address and Signature

Note: If there is more than one owner/operator or if this is a Corporation or Limited Liability Partnership (LLP) all owner/operators, officers, directors, partners or others that have a right to control the facility must be listed below. If there are more than two names, add the names, addresses and phone numbers of all additional individuals on a separate piece of paper. At least one owner/operator must **sign and certify** the permit application. Rule 901:10-2-01) Any change in owner/operator before a final decision is made on any permit requires signature and certification by the new owner/operator.

Name:		Name:	
Address:		Address:	
City:		City:	
State:	Zip:	State:	Zip:

Phone: ( )
Fax: ( )
E-mail:

Phone ( )
Fax: ( )
E-mail:

6. Facility Name and Address

Note: Please provide address and phone information only if different from above.
Rule 901:10-2-01(C)(1) and (5)

Name of Facility:
Contact Person:
Address:
City: State: Zip:
County: Township: Section:
Phone: ( )
Fax: ( )

7. Latitude of entrance to the production area:_____
Longitude of entrance to the production area:_____

8. List other relevant existing or proposed Environmental Permits: _____
_____
_____

9. Animal Capacity

Animal Type	Minimum Population CAFF/MCAFF	1 Existing Population (leave blank if new)	2 Maximum Design Capacity
Cattle			
Slaughter and feeder cattle	1,000 / 10,000		
Mature cow (milked or dry)	700 / 7,000		
Veal	1,000 / 10,000		
Swine			
≧ Over 55 pounds	2,500 / 25,000		
≦ Less than 55 pounds	10,000 / 100,000		
Horse			
Horses	500 / 5,000		
Sheep			
Sheep or lamb	10,000 / 100,000		
Turkeys			
Turkey	55,000 / 550,000		
Chickens			
Laying hen or broiler	82,000 / 820,000		
Pullets	125,000 / 1,250,000		
Ducks			
Ducks	35,000 / 350,000		
Other			
TOTAL ANIMAL CAPACITY Add all numbers in column 1 for existing total Add all numbers in column 2 for design total		**Existing Total**	**Final Total**

*NOTE: Maximum Design Capacity means the total number of stalls or total numbers of animal confinement capacity. Maximum Design Capacity refers to buildings. Maximum Design Capacity does NOT refer to the Total Storage Volume of manure.

Section B – Supporting Information

1. Attach to this form a topographic map of the area extending at least one mile beyond property boundaries. The map must show the outline of the facility and production area and the location of any existing or proposed discharge structures. The map may be a site drawing that may be included within other PTI or PTO forms for the Ohio Department of Agriculture.

2. Attach to this form engineering drawings, design calculations and plans for construction that include an evaluation of precipitation, runoff and stormwater grading plans to be included at the production area and facility. In addition, provide with this evaluation the following:

- Design calculations based on either a 25-year/24-hour storm or 100-year/24-hour storm.
- For each discharge outfall, give the maximum daily flow, maximum 30-day flow, and the long-term average flow.
- See Rules 901:10-3-03 to 901:10-3-06 for effluent limitations for facilities by species type.
- Include the results of at least one analysis of the discharge for all pollutants for which authorization to discharge is being requested and a measurement of the daily volume (gallons per day) of process wastewater or process-generated wastewater being discharged.
- Identify and show location of receiving waters for any discharge.

A complete permit application may require the submittal of quantitative and qualitative data for pollutants contained in a facility's effluent. This will apply for those CAFOs that may plan for a discharge that is not covered by the effluent limitations for zero discharge as required in OAC Chapter 901:10-3. The effluent must be sampled and analyzed for pollutants listed in the application form. Each applicant may be required to submit, for every outfall, data on the following pollutants:

- Oil and grease
- Total suspended solids (TSS)
- pH
- biochemical oxygen demand (BODS)
- chemical oxygen demand (COD)
- total organic carbon (TOC)
- ammonia (as N)
- temperature (both winter and summer)
- fecal coliform (if believed present or if sanitary waste is, or will be discharged)
- total residual chlorine (TRC) (if chlorine is used)

3. Manure Storage or Treatment Facilities

Complete the chart below for all the manure storage or treatment facilities, both existing and proposed, that are, or are planned, to be located at the facility. Refer to the footnotes at the bottom of the chart for clarification on what is required for each column in the chart.

***Provide a detailed calculation sheet that shows annual manure produced, total manure storage volume, days of storage provided and calculation for freeboard required (if necessary) for each manure storage or treatment facility listed in the above chart.**

Instructions: Please see rule 901:10-1-01 for the three types of structures that are referred to as "manure storage or treatment facility": 1) Fabricated structures; 2) Manure storage ponds; and 3) Manure treatment lagoons.

1. Structure I.D.	2. Existing or Proposed	3. Type of Structure	4. Description of Structure	5. Total Manure Storage Volume	6. Minimum Treatment Volume	7. Dimensions of Storage Structure	8. Days of Storage	9. Freeboard Required

Notes:

1. Provide the manure structure identification that is, or will be utilized by the facility. (i.e.: Deep Pit #1, North Pond, etc.)
2. State whether the structure is existing or is proposed as part of the expansion.
3. State either Fabricated Structure, Manure Storage Pond, Manure Treatment Lagoon or Stormwater Pond.
4. Provide brief description of structure (i.e.: Deep Pit – Liquid, Deep Pit – Solid, Outside Tank – Covered, Outside Tank – Uncovered, Concrete Slab, Dry Stack, Earthen Pond, Earthen Lagoon, etc.)

5. Provide in gallons for liquid systems and cubic feet for solid systems. This volume shall be to the maximum operating level, which is the total depth minus the required freeboard.
6. Only for Manure Treatment Lagoons – Provide in gallons.
7. Provide overall dimensions of structure. For ponds/lagoons, provide dimensions at maximum operating level.
8. Days of storage provided for the number of animals that contribute to that structure.
9. Freeboard required shall be 1-foot for ponds/lagoons and 6-inches for fabricated structures containing liquid manure or solid manure, if exposed to rainfall/runoff; plus the direct precipitation and runoff received by the respective structure from the 25-year, 24-hour rainfall event or the 100-year, 24-hour rainfall event, which ever applies.

4. Manure and Nutrient Production and Use

A. How much manure is generated annually by the facility?

_____ Tons _____ Gallons

B. If manure is to be land applied, how many acres of land, under the control of the owner or operator, are available for applying the CAFO's manure?

_____ Acres

C. If manure is to be transferred to others, provide quantity of manure to be transferred annually.

_____ Tons _____ Gallons

Attach with this form a manure management plan for review and approval.

Section C. - Antidegradation Policy

1. General.

Rule 901:10-3-01, including required compliance with water quality standards and the antidegradation policy. All projects that require both an NPDES and PTI should submit these applications simultaneously to avoid going through the antidegradation review for each separate permit.

2. Anti-Degradation Applicability

a. Permit application with no direct surface water discharge (Projects that do not meet the applicability section of Rule 3745-1-05(B) such as on-site disposal, extensions of sanitary sewers, spray irrigation).

b. Renewal NPDES application with no requested increase in loading of currently permitted pollutants. Go to Section D below on this form for Agreement and Signature.

c. PTI and NPDES application for a new manure storage or treatment facility that will discharge to surface water. Complete Section 3 below.

d. An expansion or modification of an existing manure storage or

treatment facility that will result in any of the following:

- Addition of any pollutant not currently in the discharge, or
- An increase in mass or concentration of any pollutant currently in the discharge, or
- An increase in any current pollutant limitation in terms of mass or concentration.

Complete Section 3 below.

e. Renewal NPDES permit or modification to an effective NPDES permit that will result in any of the following:

- A new permit limitation for a pollutant that previously had no limitation, or
- An increase in any mass or concentration limitation of any pollutant that currently has a limitation.

Complete Section 3 below.

3. Anti-Degradation Information:

a. Identify streams or rivers into which the production area of your facility may discharge:

_____

_____

b. Do the NPDES permit and the PTI applications meet an exclusion as outlined in Rule 3745-1-05(C)?

- ▪ _____ Yes
- ▪ _____ No

If yes, then:

1. Provide justification for the exclusion.
2. Identify the substances to be discharged, including the amount of regulated pollutants to be discharged in terms of mass and concentration.

If no, are you requesting a waiver as outlined by Rule 3745-1-05(D)?

- ▪ _____No
- ▪ _____Yes

If you wish to pursue one of the waivers, please identify the waiver and submit the necessary information to support the request.

For all projects that do not qualify for an exclusion, a report must accompany this permit application evaluating the preferred design alternative, non-degradation alternatives, minimal degradation alternatives, and mitigative techniques/measure for the design and facility of the facility. The information outlined below should be addressed in this report. If a waiver is requested, this section is still required.

a. Describe the availability, cost effectiveness and technical feasibility of connecting to existing central or regional sewage collection and treatment facilities, including long range plans for sewer services outlined in state or local water quality management planning documents and applicable facility planning documents.
b. List and describe all government and/or privately sponsored conservation projects that may have been or will be specifically targeted to improve water quality or enhance recreational opportunities on the effected water resource.
c. Provide a brief description below of all treatment alternatives evaluated for this application and their respective operation and maintenance needs.

- Preferred design alternative:

_____
_____
_____
_____

- Non-degradation alternative(s):

_____
_____
_____
_____

- Minimal degradation alternative(s):

_____
_____
_____
_____

- Mitigative techniques/measure(s):

_____
_____
_____
_____
_____

At a minimum, the following information must be included in the report for each alternative evaluated.

d. Outline of the treatment evaluated, including the costs associated with the equipment, installation, and continued operation and maintenance.
e. Identify the substances to be discharged, including the amount of regulated pollutants to be discharged in terms of mass and concentration.
f. Describe the reliability of the treatment, including but not limited to the possibility of recurring operation and maintenance difficulties that would lead to increased degradation.
g. Describe any impacts to human health and the overall quality and value of the water resource.
h. Describe and provide an estimate of the important social and economic benefits to be realized through this proposed project. Include the number and types of jobs created and tax revenues generated.
i. Describe environmental benefits to be realized through this proposed project.
j. Describe and provide an estimate of the social and economic benefits that may be lost as a result of this project. Include the impacts on commercial and recreational use of the water resource.
k. Describe the environmental benefits lost as a result of this project. Include the impact on the aquatic life, wildlife threatened or endangered species.
l. Provide any other information that may be useful in evaluating this application.

4. Discharge Information

For treatment and discharge constructed pursuant to a previously issued Ohio EPA PTI or pursuant to a previously issued ODA PTI, provide the following information:

- PTI Number _____
- PTI Issuance Date _____
- Initial Date of Discharge _____

Section D. Applicant Agreement Language and Signature

Signature

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering information the information is, to the best of my knowledge and belief, true and accurate and complete. I am aware there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations." Rule 901:10-1-02(A)(8) of the Ohio Administrative Code."

Name of the owner or operator (Signature here)

_____

Date _____

Check one or both of the following:

- ❑ Name of Owner or
- ❑ Name of Operator

_____

Print name here

_____

***Important**: All reports required by permits and other information requested by the director shall be signed by the owner or operator or a duly authorized representative of the owner or operator only if:*

(a) The authorization is made in writing by the owner or operator.

(b) The authorization specifies either an individual or a position have responsibility for the overall operation of the facility such as the manager or an equivalent position.

(c) The written authorization is submitted to the Director.

(d) Changes in this authorization require notice to the Director prior to submitting reports, information, or applications.

For Department Use Only:

Date Permit Application Received: _____ Date Permit Application Complete: _____

Date Permit Application Information Entered into Data Management System: _____

Application Fee Amount Due: _____ Application Fee Amount Received: _____

Check Number: _____

Issuance Date of Permit: _____

Ohio Department of Agriculture
LIVESTOCK ENVIRONMENTAL PERMITTING PROGRAM
8995 East Main Street, Reynoldsburg, OH 43068-3399
Telephone: (614) 387-0470 (800) 282-1955 Fax: (614) 728-6335
www.ohioagriculture.gov/lepp/ Email: lepp@mail.agri.state.oh.us

OPERATING RECORD
901:10-2-16

Purpose: The Operating Record is a part of the Permit to Operate. The Operating Record documents the day-to-day functions at the facility. It is important to maintain day-to-day records of activities, inspections, measurement, weather, and other events that take place at the facility. The Operating Record will be inspected by the Ohio Department of Agriculture (ODA) to determine if the facility is in compliance with laws, rules, and permits.

In accordance with rule 901:10-2-16 of the Ohio Administrative Code (OAC) the owner or operator shall maintain the operating record on forms provided by ODA or on forms selected by the owner or operator, provided that the Director approves them. In addition, ODA Livestock Environmental Permitting staff approves the use of forms available in the Comprehensive Nutrient Management Plan (CNMP) prepared by the Natural Resources Conservation Service of the U.S. Department of Agriculture, particularly those forms in the CNMP used for the Manure Management Plan.[1]

The Operating Record may be made available to the public, unless sections are determined to be a trade secret. If the owner or operator feels that a section of the operating record should be a trade secret, they must submit a letter to ODA explaining why that section is a trade secret. ODA will then determine whether the information is a trade secret. For trade secret requirements see rule 901:10-1-05 of the OAC. Please think about the best way to organize and manage the records that you need for your operation. For example, if you distribute manure off-site to others, it may be convenient for you to keep copies of any Manure Bills of Sale with copies of other records on distribution dates, distribution quantities, and manure analysis. But the Manure Bills of Sale are no longer required to be kept in the Operating Record so you may wish to use a separate notebook. If a Form or a section of a Form does not apply to your facility, the use of "NA" (not applicable) is allowed or you may simply cross out the portions you do not use.

Keep it simple. The Operating Record should be organized so that you and the inspector can review records as efficiently as possible during the inspection. The Operating Records should help you and the inspector to quickly decide whether or not you are in compliance with the rules. The Operating Record should help you plan for inspections and plan for other activities at your facility: sampling, repairs, maintenance, and application or distribution of manure. Finally, a new rule requires you to submit an Annual Report to the Director. If your Operating Record is well organized you should be able to summarize information from the Operating Record and insert it in the Annual Report Form that is included here for your use.

A special note on records on Manure Storage Capacity and records of Insect and Rodent Control Plan. You may choose to record your inspections on any one of several forms in this package that are approved by ODA, depending on the animal species of your operation and/or the physical structure of your operation, e.g., liquid manure or solid manure. Refer to Forms 3A or

[1] Comprehensive Nutrient Management Plan, February 2002.

3B or 8A or 8B and 8C. The owner or operator is required to keep the Operating Record for a minimum of five years.

The following sections are required for the Operating Record:

1. Annual Record of Discharges
   - Form 1. Annual Discharge Information

2. Equipment Records
   - Form 2: Land Application Equipment Record

3. Inspection of Manure Storage and Treatment Facilities (choose one or both)
   - Form 3A. Manure Storage and Treatment Facilities with Liquid Storage
   - Form 3B. Fabricated Structures for Dry Manure Storage

4. Annual Ground Water Records: For annual ground water sampling, keep the actual analysis (or a copy) in the Operating Record. No separate form is required.

5. Manure Characterization Records
   - Attach or include copies of analytical sampling results for your manure. Contact your laboratory to obtain a copy. Sampling must be done annually, with a copy of the annual sample results in your Operating Record is needed.

6. Records for Implementation of Distribution and Utilization
   - Form 6: Distribution and Utilization Record

7. Land Application Records
   - Form 7A: Soil Samples and Cropping Schedule: Target, Actual Yields
   - Form 7B: Field Information: Dates, Rates, Methods, Amounts, Weather, and Best Management Practices
   - Form 7C: Nutrient Management Records (if applicable)

8. Insect and Rodent Control
   - Form 8A: Insect and Rodent Control Plan Record: Poultry
   - Form 8B: Insect and Rodent Control Plan: Non-poultry
   - Form 8C: Insect and Rodent Control Records of Inspections and Actions Taken at Manure Stockpile or Manure Transfer Sites (if an applicable part of the IRCP).

9. Mortality Management Plan
   - Form 9: Mortality Management Record

10. Daily Drinking Water Line Inspection Forms

11. Annual Report Form

Form 1. Annual Discharge Information

IN THE EVENT OF A DISCHARGE THE PERSON REPORTING THE DISCHARGE SHALL SUPPLY THE FOLLOWING INFORMATION TO THE OHIO DEPARTMENT OF AGRICULTURE. (A form is provided below).

1. **List the times at which the manure spill occurred and was discovered.**
2. **List the approximate amount and the characteristics of the manure spillage.**
3. **If applicable list the stream affected by the spillage.**
4. **List the reasons which created the spillage.**
5. **List the names and phone numbers of person who have knowledge of these circumstances.**
6. **List the steps taken to clean up the spillage.**
7. **List the names and telephone numbers of persons responsible for the cleanup.**
8. **Provide all Land Application Records that are relevant to the application period in which the spill occurred. These records should also show any weather reports and rainfall events that may attributed to the spill or discharge.**

Date and time of manure spill[1]	Steps to clean up the spill	Location[2]: Stream Effected	Description[3]: Reason which created the spill[f]	Name and phone number of persons involved	Volume[4] and characteristics of the manure spillage	Names and phone numbers of persons responsible for the cleanup.

[1] **Time**: The time of the discharge. If the discharge was detected after it happened, give an estimate of the time when the discharge occurred.
[2] **Location**: The location of the discharge to waters of the U.S. Be specific. Include the name of the water body, and a specific description of where the manure, litter, or process wastewater entered the water body. Include landmarks or other points of reference (e.g., Three Mile Creek, at southeast corner of feedlot where creek bends to the west).
[3] **Description**: Provide other relevant information about the discharge, including the source, cause, composition (e.g., emergency overflow of process wastewater from lagoon #2), and impacts observed (e.g., fish kill in waterbody).
[4] **Volume**: Give an estimate of the number of gallons or tons of manure, litter, or process wastewater discharged.
[f] This information is not required by the NPDES CAFO regulations to be included in the annual report but date, time, and volume of any discharge from the production area shall be filed in the annual report.

THE OWNER OR OPERATOR SHALL ALSO FILE A WRITTEN REPORT OF THE OCCURRENCE IN LETTER FORM WITHIN FIVE DAYS FOLLOWING FIRST KNOWLEDGE OF THE OCCURRENCE, UNLESS OTHERWISE WAIVED BY THE DIRECTOR. THIS REPORT SHALL OUTLINE THE ACTIONS TAKEN OR PROPOSED TO BE TAKEN TO CORRECT THE PROBLEM AND TO ENSURE THAT THE PROBLEM DOES NOT RE-OCCUR.

901:10-2-17(A)(4)(d)

(The written report shall be sent to the following address: Ohio Department of Agriculture, Livestock Environmental Permitting Program, 8995 East Main Street, Reynoldsburg, Ohio 43068.)

Date of occurrence: _____

Date report sent to Ohio Department of Agriculture: _____

Report written and signed by the following person:

_____

Form 2. Land Application Equipment Records

Equipment Record

Please list all equipment to be used as part of managing manure at the manure storage or treatment facility. At a minimum, this list includes land application equipment used as indicated in the chart below. Rule 901:10-2-08(A)(2) of the OAC.

Equipment Type	Date calibrated	List Maintenance performed (i.e. oil changes, beaters cleaned, end gates checked, etc.)	Date of Maintenance
Solid Spreader			
Liquid Spreader – Injected			
Liquid Spreader – Surface Spray			
Liquid Spreader – Knives up			
Hose pull – Knives up			
Hose pull – Injected			
Traveling gun			
Standing pipe			
Center pivot			
Other-			

Forms 3A and 3B: Inspection of Manure Storage and Treatment Facilities

MANURE STORAGE OR TREATMENT FACILITY

Manure Storage or Treatment Facility includes the following:

- Manure Storage Pond - earth impoundments or pits used to settle and store manure
- Manure Treatment Lagoon - earth impoundments or pits that biologically treat manure.
- Fabricated Structures - engineered, man-made tanks of concrete, steel, fiberglass, plastic, timber, or other approved/designated materials.

The following must be included in the Operating Record for the manure storage or treatment facilities:

1. Record the information at the top of the page for each manure storage pond, manure treatment lagoon, or for each fabricated structure. Include one page per each pond, lagoon, and structure. "Volume of storage" should not include the freeboard *volume*. Your permit tells you the amount of freeboard required.
2. Record the inspection dates when you inspect each manure storage pond or manure treatment lagoon, depth of manure, remaining storage capacity, and date and amount of manure removed, and the time of year when you remove manure. For fabricated structures that do not have liquid manure (e.g., hi-rise poultry, pen pack), record inspection dates, approximate depth of manure, remaining storage capacity by percentage, approximate amount of manure removed, and the time of year when you remove manure.
3. Record the inspection dates as you inspect for cracks, animal damage, and seepages in and around a pond or lagoon. Record any structural damage in ponds, lagoons, or structures.
4. Record inspections of vegetation.
5. Record the inspections of stormwater conveyances and any protective vegetative cover.
6. Under "Notes" be sure to record any corrective actions taken to repair or replace any damage, holes, cracks, etc. Routine mowing does not need to be recorded, but an ODA inspector will look for conditions that promote rodents, flies, or erosion.

- The inspections must include, but are not limited to, the date, time, and results of the inspection, as well as any comments.
- Existing facilities are required to be designed and operated for a 25-year, 24-hour storm event. New facilities for swine, poultry, and veal calves that are built after April 14, 2003 must be designed for a 100-year, 24-hour storm event. However, chronic rainfall may impact your ability to comply with the rules. Chronic rainfall means a series of wet weather conditions that preclude manure removal from an otherwise properly designed, constructed, maintained, and operated manure storage or treatment facility, precludes land application of manure in accordance with the permit, and exceeds the documented and State approved chronic rainfall design storage value used in the design of the facility in the production area of your facility. Existing facilities are required to be designed and operated for a 25-year, 24-hour storm event. New

facilities for swine, poultry, and veal are required to be designed and operated for a 100-year, 24-hour storm event.

- Chronic rainfall means a series of wet weather conditions that preclude manure removal from an otherwise properly designed and maintained manure storage or treatment facility.

Form 3A. Manure Storage Ponds, Manure Treatment Lagoons, Fabricated Structures with Liquid Manure – WEEKLY

Permit Number:

Facility Name:

Building / Storage Structure Identification:

Days of Storage:

Total Depth of Storage:

less freeboard

Volume of Storage:
Less freeboard

cubic feet	tons	gallons

	DATE							
STORAGE								
Depth of manure								
Remaining storage								
How much manure removed								
STRUCTURAL INTEGRITY								
Any Seepage								
Structural Damage								
Condition of Vegetation								
STORM WATER CONVEYANCE								
Functioning Properly								
Condition of Vegetation								
Please note any corrective action taken below:								

PLEASE NOTE ANY CORRECTIVE ACTION TAKEN BELOW:

Form 3A. Manure Storage Ponds, Manure Treatment Lagoons, and Fabricated Structures with Liquid Manure - WEEKLY

	DATE											
STORAGE												
Depth of manure												
Remaining storage												
How much manure removed												
STRUCTURAL INTEGRITY												
Any Seepage												
Structural Damage												
Condition of Vegetation												
STORM WATER CONVEYANCE												
Functioning Properly												
Condition of Vegetation												

PLEASE NOTE ANY CORRECTIVE ACTION TAKEN BELOW:

Form 3A. Manure Storage Ponds, Manure Treatment Lagoons, and Fabricated Structures with Liquid Manure - WEEKLY

	DATE											
STORAGE												
Depth of manure												
Remaining storage												
How much manure removed												
STRUCTURAL INTEGRITY												
Any Seepage												
Structural Damage												
Condition of Vegetation												
STORM WATER CONVEYANCE												
Functioning Properly												
Condition of Vegetation												

PLEASE NOTE ANY CORRECTIVE ACTION TAKEN BELOW:

Form 3A. Manure Storage Ponds, Manure Treatment Lagoons, and Fabricated Structures with Liquid Manure - WEEKLY

DATE											
STORAGE											
Depth of manure											
Remaining storage											
How much manure removed											
STRUCTURAL INTEGRITY											
Any Seepage											
Structural Damage											
Condition of Vegetation											
STORM WATER CONVEYANCE											
Functioning Properly											
Condition of Vegetation											

PLEASE NOTE ANY CORRECTIVE ACTION TAKEN BELOW:

Form 3A. Manure Storage Ponds, Manure Treatment Lagoons, and Fabricated Structures with Liquid Manure - WEEKLY

DATE									
STORAGE									
Depth of manure									
Remaining storage									
How much manure removed									
STRUCTURAL INTEGRITY									
Any Seepage									
Structural Damage									
Condition of Vegetation									
STORM WATER CONVEYANCE									
Functioning Properly									
Condition of Vegetation									

PLEASE NOTE ANY CORRECTIVE ACTION TAKEN BELOW:

Form 3A. Manure Storage Ponds, Manure Treatment Lagoons, and Fabricated Structures with Liquid Manure - WEEKLY

	DATE				
STORAGE					
Depth of manure					
Remaining storage					
How much manure removed					
STRUCTURAL INTEGRITY					
Any Seepage					
Structural Damage					
Condition of Vegetation					
STORM WATER CONVEYANCE					
Functioning Properly					
Condition of Vegetation					

PLEASE NOTE ANY CORRECTIVE ACTION TAKEN BELOW:

Form 3B. Fabricated Structures with Dry Manure Storage

Month	Day	Manure Operation Levels (approx. per cent capacity remaining)	Manure Storage Area Structural Integrity	Manure Removal Dates – See Manure Log	Grass Waterways	Vegetative Cover
January						
February						
March						
April						
May						
June						
July						
August						
September						
October						
November						
December						

4. ANNUAL GROUNDWATER RECORDS.

Annual Groundwater Analysis: Attach or include copies of analytical sampling results for groundwater well(s). Contact your laboratory to obtain a copy. Sampling must be done annually for Nitrates and Total Coliform Bacteria, with a copy of the annual sample results in your Operating Record, no separate form needed.

5. MANURE CHARACTERIZATION RECORD

For each manure storage or treatment facility (i.e., each manure storage pond, manure treatment lagoon, and fabricated structure), please provide a copy of the results of sampling and analysis of the manure as required by Rules 901:10-2-04 and 901:10-2-10 of the OAC.

Attach the manure tests to this section of the Operating Record. **Be sure to identify each specific barn or pond or lagoon or other structure per each sample taken. Identify the laboratory method used to analyze the manure, which must be either "Recommended Methods of Manure Analysis" (A3769), University of Wisconsin Extension 2003 or the appendix to rule 901:10-2-04, Midwest Plan Service-18(1) "Manure Characteristics" (2000), Iowa State University.**

FORM 5A. MANURE CHARACTERIZATION RECORD

Manure Nutrient Data

	Total N	Ammonia N	Organic N	P2O5	K2O	% Moisture
lb/ton or lb/1000 gal						
lbs						
tons						

Use the following table to calculate available nitrogen based on time of year and type of application. Determine available nitrogen by multiplying the % available for ammonia N and organic N and adding them together (i.e. 0.5 x NH4N + 0.33 x Organic N).

			ODA Appendix C, Table 6. Method of Calculating N Availability of Manures[a]			
Manure Applied	**Manure Available Nitrogen**	**Poultry Manure Available Nitrogen**	**Available Nitrogen %**		**Time of Application**	**Days Until Incorporated[b]**
Tons	**Pounds**	**Pounds**	**NH_4**	**Organic**	**Date**	**Days**
			50	33	Nov-Feb	<5
			25	33	Nov-Feb	>3
			50	33	Mar-Apr	<3
			25	33	Mar-Apr	>3
			75	33	Apr-Jun	<1
			25	33	Apr-Jun	>1
			75	15	Jul-Aug	<1
			25	15	Jul-Aug	>1
			25	33	Sep-Oct	<1
			15	33	Sep-Oct	>1

[a] The calculations are for all animal manures. It is assumed that 50% of the organic N in poultry manure is converted to NH_4 rapidly and is therefore included in the NH_4 column for calculating available N.

[b] Incorporation is the mixing of manure and soil in the tillage layer. Disking is usually enough tillage for conserving N availability.

6. DISTRIBUTION AND UTILIZATION METHODS DISTRIBUTION AND UTILIZATION.

Maintain complete records of off-site distribution of manure for use by other than the permittee. Quantify manure transferred off-site for each twelve- month period (tons/gallons). **Note: If you apply distributed manure, you are required to keep the Land Application Records in Section 6.**

1. Quantity of nutrients managed via distribution and utilization:
   Type of Distribution and Utilization

2. The date of the off-site transfer of manure.

3. The name of the recipient of manure.

4. Provide copies of the following Appendices to each recipient: Appendix A (How to use Appendices); Appendix A Table 1, Soils Prone to Flooding; Appendix A Table 2 Land Application Setbacks; Appendix B Available Water Capacity Chart (for liquid manure), and Appendix F, the Most Limiting Nutrient Chart (all Appendices included on next pages).

5. Provide copies of manure sample results

6. Other practices: On a separate piece of paper include a reference to other practices that you may use, but which are **not** required, e.g., manure bills of sale, customer lists, buyer meetings, etc.

Appendix A of rule 901:10-2-14: How to Use the Appendices to this Rule.
Refer to Appendix A, Tables 1 and 2 - Soils Prone to Flooding through Appendix F, Most Limiting Manure Application Rates of rule 901:10-2-14 of the OAC.)

1. Determine if the site has **soils** that are prone to **flooding** and **when** the expected flooding seasons are (**Appendix A, Table 1**). Note that applications **can only be made to soils prone to flooding at times outside the predicted flooding season**. All applications to soils prone to flooding must be **incorporated within 24 hours** and must follow the **setbacks in Appendix A, Table 2.**
2. Determine if a **solid or liquid** manure application will be performed. Determine if solid manure will be **stockpiled** at the land application site. Stockpiles must meet the **setbacks described in column 1** of **Appendix A Table 2.**
3. For **liquid manure** applications, follow **Appendix B, Available Water Capacity Chart, and Appendix F, Most Limiting Manure Application Rates Chart (Table 1 - tiled fields, Table 2 - non-tiled fields)**. For **solid manures**, follow **Appendix F, Most Limiting Manure Application Rates Chart**.
4. Determine the **nutrient removal** for the expected cropping sequence using **Appendix C, Tables 1-3**. Determine **residual nitrogen credits** for the expected cropping sequence using **Appendix C, Table 4**.
5. Determine the **nitrogen leaching potential** of the field based on **Appendix C, Table 5, Nitrogen Leaching Assessment Procedure**. Note that all **tiled fields** have a **high nitrogen leaching potential**. **High** nitrogen leaching potential fields must have application **rates less than or equal to 50 lb/ac as applied nitrogen (calculated by adding NH4-N to 1/3 Organic N) from June - October 1st UNLESS the field has a cover crop planted**.
6. Use the **current manure analysis** and the **relevant sections of Appendix C Tables 6-7 through Appendix D, Tables 1-5** to determine the amount of manure **nutrients available** for crop production.
7. Use **Appendix E, Table 1 (P-Index) if the Bray P1 value of the soil test is over 150 ppm**. **P-Index** may only be relied upon for a transitional period of time to allow the owner or operator an opportunity to find other fields or other methods to distribute nutrients from of the facility in order to achieve less than 150 ppm Bray P1 soil test method.
8. Use **Appendix F, Most Limiting Manure Application Rates Chart**, Nitrogen, P_2O_5, K_2O, Rate (tons or gallons per acre), or Available Water Capacity *to determine the application rate. The selected application rate* must be the **most restrictive** of the five *"Limiting Application Rate Criteria" for each Field Situation & Time of Year.*

Other Notes:

9. When using **Appendix F**, although **not recommended**, **Phosphate** manure application rates can be made between **250-500lb/ac/yr** in cases where **liquid manure exceeds 60 lbs. P_2O_5 per 1000 gallons** or **solid manure that exceed 80 lbs. P_2O_5 per ton**. The following criteria also apply: manure must be **incorporated within 24 hours** and **no applications** can be made on either **frozen or snow covered** ground or fields with **soil tests over 100 ppm Bray P1;** soil tests **less than 40 ppm Bray P1** shall have no further P additions for **3 years**; soil tests **between 40 – 100 ppm Bray P1** shall have no further additions of P for **5 years**; **no other limiting criteria can be violated**.
10. When using **legumes** as a nitrogen removal source, the **maximum legume nitrogen removal must be less than or equal to 150 lbs./ac**.
11. When applying **liquid manure** to tiled fields, the **following criteria must be followed (except for growing crops)**:

    11a. Applications must be less than or equal to 0.5" or 13,000 gal/ac.

    11b. Use a tool (**AERWAY tool or similar tool**) that can disrupt/close (using horizontal fracturing) the preferential flow paths in the soil, OR **till the surface of the soil 3-5" deep to a seedbed condition** to soak up the liquid manure and keep it out of preferential flow channels.

    11c. If **injection** is used, it should only be deep enough to cover the manure with soil. **Till the soil at least 3" below the depth of injection prior to application**. Tillage prior to application will be considered incorporation of the manure.

11d. The **outlets must be monitored** before, during, and after application AND **provisions planned to plug the tile or capture the tile flow if liquid manure reaches the tile outlets**. If **No-till or pastures** are used for applications, **tiles must be plugged**.

12. If manure is to be applied on **frozen or snow covered ground**, the field must have **at least 90% surface residue cover (e.g. good quality hay or pasture field, all corn grain residue)**. For applications to **or frozen or snow covered ground,** manure shall not be applied on more than 20 contiguous acres. Contiguous areas for application are to be separated by a break from streams, ditches, waterways, surface water, etc (areas that present the least runoff potential and are furthest from surface water The **setbacks in column 3** should be followed. **Prior approval** must be obtained from the **ODA, Livestock Environmental Permitting Program BEFORE** frozen or snow/ice covered ground surface manure applications. If manure can be **incorporated within 24 hours on frozen ground**, approval from ODA, Livestock Environmental Permitting Program **is not** required.
13. For **surface manure applications**, follow the setbacks in **column 2**. For **incorporation within 24 hours or injection**, follow the setbacks in **column 4**.

Appendix A Table 1 of rule 901:10-2-14 Soils Prone to Flooding

Soils	Months	
Abscota Variant	Feb-Jun	
Adrian	Nov-May	
Aetna	Dec-Jun	
Algansee	Nov-May	
Algiers	Nov-Jun	**Frequently flooded**
Algiers	Dec-Jun	**Occasionally flooded**
Alluvial land	Nov-Dec	**Long duration**
Alluvial land	Jan-Dec	**Very long duration**
Ashton	Dec-May	
Beaucoup	Mar-Jun	
Bonnie	Oct-Jun	
Brookston	Dec-May	
Carlisle	Nov-May	
Ceresco	Mar-May	
Chagrin	Nov-May	
Chavies	Nov-Mar	
Clifty	Nov-May	
Coblen	Nov-Jun	
Cohoctah	Nov-Apr	
Cuba	Jan-May	
Defiance	Jan-May	
Edwards	Sep-May	
Eel	Oct-Jun	
Eel variant	Jan-May	
Elkinsville	Jan-Dec	
Euclid	Dec-Jun	
Fitchville	Dec-Jun	
Flatrock	Dec-Apr	
Flatrock, limestone substratum	Nov-Apr	
Fluvaquents	Nov-Jun	
Genesee	Oct-May	
Genesee variant	Jan-May	
Gessie	Oct-May	
Glendora	Jan-Dec	
Grigsby	Dec-Apr	
Hackers	Jan-Apr	
Harrod	Nov-Jun	
Hartshorn	Nov-May	
Haymond	Dec-May	
Holly	Sep-May	**Frequently flooded, very long duration**
Holly	Nov-May	
Holton	Dec-Jun	
Huntington	Dec-May	
Joliet	Apr-Jun	
Jules	Mar-Jun	
Kerston	Mar-May	
Killbuck	Jan-Dec	
Kinn	Dec-Apr	
Knoxdale	Dec-Apr	
Kyger	Nov-May	
Landes	Jan-Jun	
Landes variant	Nov-Jun	

Lanier	Nov-Jun	
Latty	Jan-May	
Lenawee	Mar-May	
Lindside	Dec-Apr	
Linwood	Nov-Jun	
Lobdell	Jan-Apr	**Frequently flooded**
Lobdell	Nov-Apr	
Martinsville	Jan-Apr	
Martisco	Mar-Jun	
McGary variant	Jan-Dec	
Medway	Nov-Jun	
Medway variant	Nov-May	
Medway, limestone substratum	Nov-Dec	
Melvin	Sep-May	**Frequently flooded, long duration**
Melvin	Dec-May	
Mentor	Jan-Dec	
Millgrove	Nov-Jun	
Montgomery	Nov-May	
Moshannon	Dec-May	
Muskego	Nov-May	
Newark	Dec-Apr	
Newark variant	Jan-Apr	
Nolin	Feb-May	
Nolin variant	Feb-Apr	
Olentangy	Nov-Dec	
Orrville	Nov-May	
Otego	Nov-Dec-	
Papakating	Nov-Jun	
Patton	Jan-Dec	
Peoga	Jan-Dec	
Pewamo	Mar-Apr	
Philo	Dec-May	
Piopolis	Mar-Jun	
Pope	Nov-Apr	
Rockmill	Sep-Jun	
Romeo	Mar-Jun	
Ross	Nov-Jun	
Rossburg	Nov-Jun	
Sarahsville	Dec-May	
Saranac	Nov-May	
Scioto	Nov-Jun	
Sebring	Nov-Jun	**Occasionally flooded**
Senecaville	Dec-Apr	
Shoals	Oct-Jun	
Shoals variant	Nov-May	**used in Miami, Putnam, and Richland Counties**
Shoals variant	Oct-Jun	**used in Champaign County**
Shoals, till substratum	Nov-Dec	
Skidmore	Dec-May	
Sligo	Mar-Apr	
Sloan	Nov-Jun	
Sloan, till substratum	Nov-Dec	
Stanhope	Nov-Dec	
Stendal	Jan-May	
Stone	Nov-Jun	
Stonelick	Nov-Jun	
Stringley	Nov-Jun	
Taggart	Jan-Dec	

Tioga	Nov-May
Tioga Variant	Jan-Apr
Toledo	Nov-May
Tremont	Jan-Dec
Wabash	Nov-May
Wabasha	Sep-Jun
Wakeland	Jan-May
Wallkill	Sep-Jun
Wappinger	Jan-Dec
Warsaw variant	Jan-May
Wayland	Nov-Jun
Wick	Oct-Jun
Wilbur	Oct-Jun
Willette	Nov-Dec
Zepernick	Nov-Jun
Zipp	Dec-May

Appendix A Table 2 of rule 901:10-2-14 Land Application Restrictions	1	2	3	4
	Stockpiles	Surface Application	Winter Applications	Surface Incorporation
			Frozen or Snow	w/i 24 Hours OR
			Covered Ground (1)	Direct Injection
Class V wells, sinkholes	300'	300'	300'	100'
Waters of the State	300'	35' veg cover, 100' (2)	35' veg. cover, 200' (2)	35' veg. cover
Private or Public Well	300'	300'	300'	100'
Bedrock	> 3' from bedrock	none	none	none
Public Surface Drinking Water Intake	1500'	300'	300'	300'
Springs	300'	300'	300'	300'
Neighboring residences:	500'	300'	300'	100'
Flooding/flood plains/floodways (3):	do not stockpile	do not apply	do not apply	permissible (3)
Slope (4):	0-6%	>15% see note 5	If > 6% see note 1	>15% see note 5
Field Surface Drains(6)	300'	35'	200'	none
Maximum Application Rate:	Liquid Manure - Based on Appendix B (AWC Chart) & Appendix F (Most Limiting Nutrient Chart)			
	Solid Manure - Based on Appendix F (Most Limiting Nutrient Chart)			none

Note (1): Application on frozen and snow covered soil is not recommended. However, if manure application becomes necessary on frozen or snow covered soils, only limited quantities of manure shall be applied to address waste storage limitations until non frozen soils are available for manure application. If frozen or snow covered ground application becomes necessary, applications are to be applied only if ALL the following criteria are met:

a. Application rate is limited to 10 wet tons/acre for solid manure more than 50% moisture and 5 wet tons for manure less than 50% moisture. For Liquid manure the application rate is limited to 5000 gallons/acre.

b. Applications are to be made on land with at least 90% surface residue cover (e.g. good quality hay or pasture field, all corn grain residue remaining after harvest, all wheat residue cover remaining after harvest).

c. Manure shall not be applied on more than 20 contiguous acres. Contiguous areas for application are to be separated by a break of at least 200 feet. Utilize those areas for manure application that are furthest from streams, ditches, waterways, surface water, etc (areas that present the least runoff potential and are furthest from surface water).

d. Increase the application setback distance to 200 feet "minimum" from all grassed waterways, surface drainage ditches, streams, surface inlets, water bodies. This distance may need to be further increased due to local conditions.

e. The rate of application shall not exceed the rates specified in Table 4 - Determining The Most Limiting Manure Application Rates for winter application.

f. Additional winter application criteria for fields with significant slopes more than 6% - Manure shall be applied in alternating strips 60 to 200 feet wide generally on the contour, or in the case of contour strips on the alternating strips. All winter surface applications must have prior approval from the Ohio Department of Agriculture.

Note (2): The first setback refers to a vegetative buffer strip that must be maintained while the second refers to the total setback distance. Buffer strip is defined in the rule 901:10-1-01 (R)

Can use a 35' non vegetative buffer for intermittent stream / ditches or surface inlets if the manure application area has at least 50% vegetation/residue cover at the time of application.

Note (3): No applications during expected flooding season as reported in Appendix A, Table 1

Note (4): Must have < 5 ton/ac yearly average soil loss to perform surface manure applications

Note (5): Manures are not to be applied to cropland over 15% slope or to pastures/hayland over 20% slope unless ONE of the following precautions are taken:

a. Immediate incorporation or injection with operations done on the contour, UNLESS the field has 80% ground cover (residue or canopy).

b. Applications are timed during periods of lower runoff and/or rainfall (May 20th - October 15th)

c. Split applications are made (seperated by rainfall events) with single applications not exceeding 10 wet tons/ac or 5000 gal/ac.

d. The field is established and managed in contour strips with alternated strips in grass or legume.

Note (6): Applications can be through field surface drains if criteria in Appendix A, How to Use Appendicies are followed.

Source: USDA-NRCS (2003). Field Office Technical Guide-Conservation Practice Standard, 633, Columbus, Ohio.

Appendix B of rule 901:10-2-14 Available Water Capacity (AWC) This table shall be used to determine the AWC at the time of application and the liquid volume in gallons that can be applied not to exceed the AWC. To determine the AWC in the upper 8 inches use a soil probe or similar device to evaluate the soil to a depth of 8 inches. For land application, liquid manure application may also be calculated by converting acres per inch to gallons per acre. This conversion is based on the following formula: 1 acre – inch equals 27,156 gal/ac

Available Moisture in the Soil	Sands and Loamy Sands	Sandy Loam and Fine Sandy Loam	Very Fine Sandy Loam, Loam, Silt Loam, Silty Clay Loam	Sandy Clay, Silty Clay, Clay, Fine and Very Fine Textured Soils
< 25% Soil Moisture	Dry, loose and single-grained; flows through fingers.	Dry and loose; flows through fingers.	Powdery dry; in some places slightly crusted but breaks down easily into powder.	Hard, baked and cracked; has loose crumbs on surface in some places.
Amount to Reach AWC	20,000 gallons/ac	27,000 gallons/ac	40,000 gallons/ac	27,000 gallons/ac
25-50% or Less Soil Moisture	Appears to be dry; does not form a ball under pressure.	Appears to be dry; does not form a ball under pressure.	Somewhat crumbly but holds together under pressure.	Somewhat pliable; balls under pressure.
Amount to Reach AWC	15,000 gallons/ac	20,000 gallons/ac	30,000 gallons/ac	20,000 gallons/ac
50 - 75 % Soil Moisture	Appears to be dry; does not form a ball under pressure.	Balls under pressure but seldom holds together.	Forms a ball under pressure; somewhat plastic; slicks slightly under pressure.	Forms a ball; ribbons out between thumb and forefinger.
Amount to Reach AWC	10,000 gallons/ac	13,000 gallons/ac	20,000 gallons/ac	13,000 gallons/ac
75% to Field Capacity	Sticks together slightly; may form a weak ball under pressure.	Forms a weak ball that breaks easily, does not stick.	Forms ball; very pliable; slicks readily if relatively high in clay.	Ribbons out between fingers easily; has a slick feeling.
Amount to Reach AWC	5,000 gallons/ac	7,000 gallons/ac	11,000 gallons/ac	7,000 gallons/ac
100% Field Capacity	On squeezing, no free water appears on soil, but wet outline of ball on hand.	On squeezing, no free water appears on soil, but wet outline of ball on hand.	On squeezing, no free water appears on soil, but wet outline of ball on hand.	On squeezing, no free water appears on soil, but wet outline of ball on hand.
Above Field Capacity	Free water appears when soil is bounced in hand.	Free water is released with kneading.	Free water can be squeezed out.	Puddles: free water forms on surface

Note: Liquid manure applications to tiled fields must be less than or equal to 13,576 gal/ac.

Appendix F of rule 901:10-2-14 Most Limiting Manure Application Rates.
Table 1. Most Limiting Manure Application Rates for Tiled Fields.

Select the Most Limiting Application Rate Based on the Following Criteria					
Field Situation & Time of Year	**Limiting Application Rate Criteria**				
	Nitrogen	**P2O5 4/**	**K2O**	**Tons/Ac Gallons/Ac**	**AWC Table**
Subsurface Drained (Tiled) Fields					
(April - June) Subsurface Drained or High N Leaching Potential	1/ Crop Needs factoring N losses	Crop Needs or Crop Removal < 250 Lbs/ac	Crop Needs or Crop Removal < 500 Lbs/ac	13,000 gal/ac	Upper 8"
(April - June) **Pasture > 20% or Cropland > 15%** Subsurfaced Drained or High N Leaching Potential	Crop Needs factoring N losses	Crop Needs or Crop Removal < 250 Lbs/ac	Crop Needs or Crop Removal < 500 Lbs/ac	5/ 10 wet tons 5,000 gal/ac - unless contoured strips or incorporated immediately	Upper 8"
(July - Sept.) **No Growing Crop** Subsurface Drained or High N Leaching Potential	2/ 50 lbs/ac as applied N	Crop Needs or Crop Removal < 250 Lbs/ac	Crop Needs or Crop Removal < 500 Lbs/ac	13,000 gal/ac	Upper 8"
(July - Sept.) **With a Growing Cover Crop** Subsurface Drained or High N Leaching Potential	3/ Next year's crop needs as applied N	Crop Needs or Crop Removal < 250 Lbs/ac	Crop Needs or Crop Removal < 500 Lbs/ac	13,000 gal/ac	Upper 8
(July - Sept.) **No Growing Crop** **Cropland > 15%** Subsurfaced Drained or High N Leaching Potential	2/ 50 lbs/ac as applied N	Crop Needs or Crop Removal < 250 Lbs/ac	Crop Needs or Crop Removal < 500 Lbs/ac	13,000 gal/ac	Upper 8"
(Oct. - March) Subsurface Drained or High N Leaching Potential	3/ Next year's crop needs as applied N	Crop Needs or Crop Removal < 250 Lbs/ac	Crop Needs or Crop Removal < 500 Lbs/ac	13,000 gal/ac	Upper 8"
(Oct. - March) **Pasture > 20% or Cropland > 15%** Subsurfaced Drained or High N Leaching Potential	3/ Next year's crop needs as applied N	Crop Needs or Crop Removal < 250 Lbs/ac	Crop Needs or Crop Removal < 500 Lbs/ac	5/ 10 wet tons 5,000 gal/ac - unless contoured strips or incorporated immediately	Upper 8"
Frozen or Snow Cover Subsurface Drained or High N Leaching Potential	3/ Next year's crop needs as applied N	Crop Needs or Crop Removal < 250 Lbs/ac	Crop Needs or Crop Removal < 500 Lbs/ac	5/ 10 wet tons < 50% solids, 5 wet tons > 50% solids, liquid manure 5,000 gal/ac	

Note: Comments below Table 2 also pertain to this Table.

Appendix F of rule 901:10-2-14 Most Limiting Manure Application Rates.

Table 2. Most Limiting Manure Application Rates for Non-Tiled Fields.

Select the Most Limiting Application Rate Based on the Following Criteria					
Field Situation & Time of Year	**Limiting Application Rate Criteria**				
	Nitrogen	**P2O5 4/**	**K2O**	**Tons/Ac Gallons/Ac**	**AWC Table**
Non Subsurface Drained (Tiled) Fields					
(July - Sept.) Not Subsurface Drained	1/ Crop Needs factoring N losses	Crop Needs or Crop Removal < 250 Lbs/ac	Crop Needs or Crop Removal < 500 Lbs/ac		Upper 8"
(Oct. - March) Not Subsurface Drained	1/ Crop Needs factoring N losses	Crop Needs or Crop Removal < 250 Lbs/ac	Crop Needs or Crop Removal < 500 Lbs/ac		Upper 8"
(April - June) Not Subsurfaced Drained Pasture > 20% or Cropland > 15%	1/ Crop Needs factoring N losses	Crop Needs or Crop Removal < 250 Lbs/ac	Crop Needs or Crop Removal < 500 Lbs/ac	5/ 10 wet tons 5,000 gal/ac - unless contoured strips or incorporate immediately	Upper 8"
(July - Sept.) Not Subsurfaced Drained Pasture > 20% or Cropland > 15%	1/ Crop Needs factoring N losses	Crop Needs or Crop Removal < 250 Lbs/ac	Crop Needs or Crop Removal < 500 Lbs/ac		Upper 8"
Frozen or Snow Cover Not Subsurface Drained	1/ Next year's crop needs factoring N losses	Crop Needs or Crop Removal < 250 Lbs/ac	Crop Needs or Crop Removal < 500 Lbs/ac	5/ 10 wet tons < 50% solids, 5 wet tons > 50% solids, liquid manure 5,000 gal/ac	
(Oct. - March) Not Subsurfaced Drained Pasture > 20% or Cropland > 15%	1/ Crop Needs factoring N losses	Crop Needs or Crop Removal < 250 Lbs/ac	Crop Needs or Crop Removal < 500 Lbs/ac	5/ 10 wet tons 5,000 gal/ac - unless contoured strips or incorporate immediately	Upper 8"

1/ Crop Needs factoring N losses - Maximum total nitrogen applied to meet the succeeding crop's recommended NITROGEN requirements for non-legume crops or 150 lbs/ac NITROGEN for the succeeding legume crop. **Considers loss of N through application method and time of year.**

2/ 50 lbs/ac as applied N - Nitrogen application limited to 50 lbs/ac based on the addition of the NH4 or NH3 (ammonium/ammonia) content of the manure + 1/3 of the organic nitrogen content the manure as applied. **Considers no losses due to application method or time of year.**

3/ Next year's crop needs as applied N – Maximum total nitrogen applied to meet the succeeding crop's recommended NITROGEN requirements for non-legume crops or 150 lbs/ac NITROGEN for the succeeding legume crop. **Considers no losses due to application method or time of year.**

4/ Under special conditions and criteria the rate of P2O5 application can be increased to 500 lbs./acre (See Appendix A or rule 901:10-2-14). **Frozen or Snow covered ground and fields over 100 ppm Bray P1 soil test are exempt and are always limited to applications less than or equal to 250 lb/ac P_2O_5.**

5/ Wet tons refers to the weight of the manure as it is applied – include solids and moisture weight.

Form 6: Distribution and Utilization Record

Distribution and Utilization

Distribution and Utilization						
Quantity (tons,gallons, cubic yards)	**Date**	**Name and Address**	**Analysis given? Y/N**	**Appendix A, Setbacks, Soils Prone to Flooding, and Most Limiting Nutrient Chart? Y/N**	**Available Water Capacity (for liquid only) Y/N**	**Other**

Please note on a separate form any other practices such as manure management meetings, manure bills of sale, or other practices above and beyond rule requirements.

7. LAND APPLICATION RECORDS

The forms provided for this section of the Operating Record are to record important information regarding different aspects of land application and to comply with Rule 901:10-2-16 of the OAC. An owner or operator may select other forms for use, provided the Director approves these.

The Operating Record must be made available to the Director, or the Director's representative upon request.

ODA requires that you keep your Operating Record for a minimum of five (5) years.

NUTRIENT BUDGET

Determination of application rates. Application rates for manure shall be developed that minimize phosphorus and nitrogen transport from the field to surface water in compliance with Rule 901:10-2-14 of the OAC and several of the appendices to this rule. Application rates shall follow the nutrient budget set forth in the permit to operate's manure management plan, but with appropriate flexibilities for the implementation of specific nutrient management practices to land apply manure for the duration of the permit. The permittee must amend the nutrient budget as necessary whenever the facility makes a substantive change in how it manages the location, method, timing, or frequency of land application, provided all of the following changes to the nutrient budget are documented in the Operating Record:

(1) The field-specific assessment of the potential for nitrogen and phosphorus transport from the field to surface waters and addresses the form, source, amount, timing, and method of application of nutrient on each field to achieve realistic production goals.
(2) Document cropping plan on land that is to have manure applied. This includes crops from the past year, anticipated crops for the current year, and the next two years after the current year.
(3) List the target crop yield for each crop on each land application site based on the following information:
- Information on soil productivity
- Historical yield data
- Potential yield or
- Combinations of yield data
- An additional 10 percent may be added to potential and/or historical yields to account for improvements in management and technology.

(4) Document the results of the nitrogen leaching risk assessment procedure and the phosphorus index risk assessment procedure (if fields are over 150 ppm).
(5) Document the number of years needed to reach 150 parts per million, Bray P1, or equivalent if manure application rates exceed the phosphorus crop removal rates.

Soil sampling. List all soil tests for each field where manure is land applied. Soil tests must be conducted once every three years. The soil tests must be kept for a minimum of five years. A soil survey map of all sites must be kept in the operating record and made available to the ODA inspector upon request test methods are identified in 901:10-2-10.

LAND APPLICATION

Each time manure is applied to land it must be recorded in the Operating Record. The following information must be documented:

Record total amount of nitrogen and phosphorus actually applied to each field, including documentation of calculations for the total amount applied.

Inspection of land application equipment for leaks. Record all land application equipment that the owner or operator owns or has access to. This equipment must be properly maintained and not leak.

Sites. List or describe specific sites that are used for land application of manure. This includes land that is owned and/or leased by the owner/operator and land that the owner / operator applies manure on (i.e. distribution and utilization that the CAFF applies).

Best management practices.

(1) Record observations of the drain outlets for liquid manure flow during and after application of liquid manure to a land application site.

(2) Record the use of drain plugs or other devices when liquid manure is applied.

(3) List the dates and the best management practices to maintain vegetative cover and to protect stream channels or areas adjacent to stream channels. Review the setback requirements in Rule 901:10-2-14 of the OAC for compliance.

(4) Document the date, rate, quantity, and method of application of the nutrient, and/or form and source of manure, commercial fertilizer and/or other organic by-products.

(5) Record the condition of the soil at the time of application including, but not limited to, available water capacity and evidence of soil cracks and related information on soil conditions. Refer to the Available Water Capacity Chart Appendix B of Rule 901:10-2-14 of the OAC for liquid manures.

(6) Record the temperature conditions including weather conditions for 24-hours prior to manure application, at the time of the application, and for the 24-hours after application. Refer to Internet site: http://www.uswx.com/us/wx/oh/ and determine the percent chance of rain listed in the hour-by-hour forecast. In the alternative, record the percent chance of rain or rain forecast published in your area in a newspaper of general circulation. List any publicized weather report on rainfall accumulation.

(7) Document the implementation dates of those best management practices necessary to reduce the risk of nitrogen and phosphorus runoff by crop rotation, cover crops, or residue management. Refer to 901:10-2-14 of the OAC and several of the appendices to this rule for information on how to calculate the total amount of nitrogen and phosphorus to be applied to each field, how to calculate the rate of application, and how to comply with setbacks.

Form 7A: Land Application Target and Actual Yield/Cropping Schedule

Cropping Schedule

Soil Sample Taken*		Last Year's Crop		This Year's Crop		Next Year's Crop		Combinations of Yield Data	
Field ID/Year	Acres	Projected Yield	Actual Yield	Projected Yield	Actual Yield	Projected Yield	Actual Yield	Projected Yield	Actual Yield

1. An additional 10 percent may be added to the potential and/or historical yields to account for improvements in management and technology.
2. When historical yield data is not available a realistic yield may be based on local research or on yields from similar soils and/or cropping systems in the area.
3. For new or potential crops or varieties, industry yield estimates may be used until actual yields are available for documentation in the operating record.
   - Attach the soil tests to this section of the Operating Record. **Be sure to identify each field per each sample taken. Identify the laboratory method used to analyze the manure, which must be Publication 221, "Recommended Chemical Soil Test Procedures for the North Central Region; Published by the North Central Regional Committee on Soil Testing and Plant Analysis (NCR-13), North Dakota Agricultural Experiment Station.**

Form 7B: Field Information: Dates, Rates, Methods, Amounts, Weather, and Best Management Practices Form

Date	Manure Storage ID	Acres Covered	Application Rate	Inject Incorp. Surface	Soil Moisture Condition	Hauler's Initials	Crop/ Residue	Tile Blowout Fixed?	Tile Outlets Monitored	Setbacks Observed	Forecast	Precipitation During Application	Precip. After Application	Weather Wind speed & direction	Temperature

Form 7C: Land Application Nutrient Management Records

Nutrient Management

Application rates shall follow the nutrient budget set forth in the manure management plan approved as part of the Permit to Operate. If, however, the owner or operator needs to make substantive changes in nutrient management because of changes in the manure or other changes that effect the location, method, timing, or frequency of land application, then the owner or operator shall use this chart to record changes in the Operating Record for the duration of the permit.

Step 1. Refer to Most Recent Annual Sample Results for Soil and Manure

Number of Years to Reach 150 ppm: _____

Step 2. Projected Soil P and K Levels

1. P Level* at Start of Plan: _____
2. P Level* at End of Plan: _____
3. K Level* at Start of Plan: _____
4. K Level* at End of Plan: _____

   Indicate whether levels are in ppm or lb/A_____

Step 3. Manure Application Plan

1. Month and Year of Application: _____
2. Crop: _____
3. Source of Manure or Storage ID: _____
4. Number of Years Applied For: _____
5. Incorporated? Yes_____ or No_____
6. Rate of Application Per Acre: _____
7. Available N (Estimated amount of N remaining after losses due to application method and timing): _____
8. P2O5 Applied: _____
9. K2O Applied: _____

8. INSECT AND RODENT CONTROL PLAN [2]

Unless otherwise recorded with a separate record to document the compliance with the Insect and Rodent Control Plan, document the inspections and actions for Insect and Rodent Control inspections taken at manure stockpile or transfer sites. The Insect and Rodent Control Plan shall comply with the requirements in Rule 901:10-2-19 of the OAC.

House Number **Form 8A Weekly Insect Control Form**

	Adult House Flies (count on walls and poles)						Larvae: Observations of House Fly maggots in Manure				Beetles: Observations of Adults and Larvae in manure									
Date	Few	Moderate	Abundant	Extreme			Few	Moderate	Abundant		Few	Moderate	Abundant		No Water Leaks	Pit Fans On	Top Baited	Wall Sprayed	Poles Sprayed	Mice Stat. Baited

Flies:

Few-less than 1/sq ft.

Moderate-2-5/sq ft.

Abundant-more than 5/sq ft.

Extreme-Flies dense, clustered in 100/sq ft.

Larvae:

Few-Hard to Find, Small numbers at peek of cone.

Moderate-Found in at least1/2 of spots checked, usually small wet spots in the top 6inches.

Abundant-Heavy masses larvae observed in some spots. Breeding widespread and in at least the top 2 ft. of the cone.

Beetles:

Few-Adults are hard to find, less than 1/sq ft. found in less than 1/2 the sample locations or limited to "seed" piles. Few larve seen.

Moderate-Adults and larvae readily found, but not in heavy concentrations. 2-50 adults/sq ft. found in half or more of the sample locations.

Abundant-50 to hundreds of adults/sq ft. found in 90% or more of the sample locations: clusters of hundreds of adults and masses of larvae present.

Form 8B: Insect and Rodent Control Plan Record for Non-Poultry Operations

Insect and Rodent Control Plan

Facility Identification	Date Inspection Initials of Employee Inspecting Facility	Pest Activity Level	Water Line/Leaks Check	Repairs on leaks	Methods Used to Control Insects and Rodents[3]	Comments

[3] Sprays or baits used.

Form 8C: Land Application Pests and Stockpile Management Records

Pest Management at Stockpiles in the Field

Insect and Rodent Control Field Inspection for the Following: Manure Stockpiles, Manure Transfer Sites, and/or After Manure Application

	Comment	Date
1. Field Inspected: _____		
2. Fly Population: _____		
3. Beetle Population: _____		
4. Rodent Population: _____		
5. Other (describe): _____		
6. Corrective Measure (Spray used; thermal treatment):		

9. MORTALITY MANAGEMENT PLAN RECORD

There shall be no disposal of animal mortalities in any manure storage pond or manure treatment lagoon, unless the system is specifically designed to treat animal mortalities. Handle animal mortalities so as to prevent discharge of manure to waters of the state.

The Mortality Management Plan is contained in rule 901:10-2-15 of the OAC. Proper recording and handling of animal mortalities is important. Animals may die of disease, injury, or other causes. This is routine in the day-to-day operations at a concentrated animal feeding facility, or major concentrated animal feeding facility.

1. Record the dates and times of inspection.
2. Record the number of dead animals removed from each building.
3. Record the best management practices used to implement the proper and appropriate disposal of dead livestock.

Form 9. Mortality Management Record

Mortality Management Record

Date	Time	Initials	Number Dead	Disposal Method	BMP's Used

Disposal Methods for Mortalities B= Burial – on site I= Incineration R = Render
L = Landfill C= Compost

10. Daily Drinking Water Line Inspection Forms

Water Line Inspection Log Sheet

Instructions: Use this form to keep track of your daily water line visual inspections.
* Initial the form each day after the inspection is done.

Facility Name:

Permit #

January, 20		
Day	Initials	Leak Detected
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		
27		
28		
29		
30		
31		

February, 20		
Day	Initials	Leak Detected
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
20		
21		
22		
23		
24		
25		
26		
27		
28		
29		

March, 20		
Day	Initials	Leak Detected
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		
27		
28		
29		
30		
31		

April, 20		
Day	Initials	Leak Detected
1		
2		
3		
4		
5		
6		

7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		
27		
28		
29		
30		

May, 20

Day	Initials	Leak
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
26		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		
27		
28		
29		
30		
31		

June, 20

Day	Initials	Leak Detected
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		
27		
28		
29		
30		

July, 20

Day	Initials	Leak Detected
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		
27		
28		
29		
30		
31		

August, 20		
Day	Initials	Leak Detected
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		
27		
28		
29		
30		
31		

September, 20		
Day	Initials	Leak Detected
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		
27		
28		
29		
30		

October, 20		
Day	Initials	Leak Detected
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		
27		
28		
29		
30		
31		

November, 20		
Day	Initials	Leak Detected
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		

23		
24		
25		
26		
27		
28		
29		
30		

December, 20

Day	Initials	Leak Detected
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		
27		
28		
29		
30		
31		

ANNUAL REPORT FORM FOR
CALENDAR YEAR 20__

Instructions: The owner or operator shall submit an annual report to the Ohio Department of Agriculture, Livestock Environmental Permitting Program for the prior year. The annual report shall be submitted on this form. If the operation has had any discharges during the past year, also include the Annual Discharge Report form, which is attached. Please use the information recorded in your Operating Record to provide the summary information for this form.

Please provide the following information, as required by rule 901:10-2-20 of the Ohio Administrative Code:

Name of Facility: _____

Address: _____

_____

1. Summarize the number and type of animals, whether in open confinement or housed under roof (beef cattle, broilers, layers, swine weighing 55 pounds or more, swine weighing less than 55 pounds, mature dairy cows, dairy heifers, veal calves, sheep and lambs, horses, ducks, turkey, geese, other:

2. Summarize the estimated amount of total manure generated by this operation:

   _____ tons/gallons/both? Circle one.

3. Provide the total number of acres for land application covered by the Manure Management Plan developed with your Permit or RCC: _____

4. Provide the total number of acres under control of the owner or operator that were used for land application of manure: _____

5. Estimated amount of total manure transferred to other person by the facility:
   _____tons _____ gallons

6. Provide a summary of all manure discharges from the production area[1] that have occurred in the prior year, including date, time, and approximate volume. Use attached form, Annual Discharge Report, if the information will not fit here:

"Production area" means any of the following components of an animal feeding facility:

[1] (1) Animal confinement areas, including, but not limited to, open lots, housed lots, feedlots, confinement houses, stall barns, free stall barns, milkrooms, milking centers, cowyards, barnyards, medication pens, animal walkways, and stables; (2) Manure storage areas, including, but not limited to, manure storage or treatment facilities; (3) Raw material storage areas, including, but not limited to, feed silos, silage bunkers, commodity buildings, and bedding materials; (4) Waste containment areas, including, but not limited to, any of the following: (a) An egg washing or egg processing facility; (b) An area used in the storage, handling, treatment, or disposal of mortalities; (c) Settling basins, runoff ponds, liquid impoundments, and areas within berms and diversions that

7. Is the most current version of the owner or operator's Manure Management Plan prepared by a "certified nutrient planner[2]?" Yes _____ No_____

8. Certification: "I certify under penalty of law that this annual report was prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

By: _____

Signature

Optional: How can the ODA Livestock Environmental Permitting Program help you?

Newsletters _____

Training opportunities _____

Timeliness _____

Other suggestions or comments

_____

_____

_____

_____

_____

are designed and maintained to separate uncontaminated storm water runoff from contaminated water and to contain and treat contaminated storm water runoff.
"Discharge" means a discharge of pollutants to waters of the State.

[2] U.S.EPA regulations and ODA's rules do not require the development of Manure Management Plans or Nutrient Management Plans by a certified specialist or technical service provider. A nutrient management plan preparer certification program is only suggested by U.S.EPA. Federal guidance states that a certified specialist is a person who has a demonstrated capability to develop MMPs (or NMPs) in accordance with applicable USDA or State standards and is certified by USDA or a USDA-sanctioned organization. Certified specialists include qualified persons who have received certifications through a State or local agency, personnel from NRCS, persons who have completed certification through a State or local agency, and persons who have completed certification programs recognized as technical service providers, or other programs recognized by States. In addition, USDA has developed agreements with technical service providers to provide certified nutrient management plan development services. Third-party vendor certification programs may include, but are not limited to, (1) American Society of Agronomy's certification programs, including Certified Crop Advisors (CCA) and Certified Professional Agronomists (CPAg), Certified Professional Crop Scientists (CPSc), and Certified Professional Soil Scientists (CPSSc); (2) Land Grant University certification programs; (3) National Alliance of Independent Crop Consultants (NAICC); and (4) State Certification programs and Cooperative Extension. Generally, certification means a precertification training course, pass an examination, and receive continuing education on a variety of topics.

MANURE SPILL REPORT

NAME OF FACILITY

DATE

TIME

NAME OF PERSON RESPONSIBLE

PHONE NUMBER

WATER WAY AFFECTED

MANURE TYPE

AMOUNT

SPILL OCCURRED BECAUSE

AGENCIES CONTACTED:

EQUIPMENT USED:

Biosecurity Protocol

Animal Industry Administrative Policy Number: 045

Policy Subject: BIOSECURITY PROTOCOL
Date: March 20, 2001
Author: Dr. Dave Glauer

---

1. Arrive at premise where livestock are present or have recently been present.
2. Exit vehicle and put on clean boots or new disposable plastic boots.
3. Wash boots with an approved disinfectant.
4. If assignment involves handling of animals, wear clean coveralls.
5. These clean coveralls are to be stored in a white bag used exclusively for clean items.
6. While in boot and/or coveralls, complete the assignment.
7. Once assignment is complete, return to vehicle and wash boots with an approved disinfectant, or dispose of plastic boots in trash.[1]
8. Remove boots and place them in your vehicle.
9. Remove coveralls.
10. The dirty coveralls are to be placed in a green bag used exclusively for dirty items.
11. Depart for your next destination.[2]
12. Handling of livestock on a single day should be limited to multiple species on one farm or different species on different farms.[1] Do not work on the same species on different farms on the same day without approval by the Director or his or her representative.
13. If a different species of livestock is to be handled at a subsequent destination, clean coveralls are to be worn when handling this species of livestock.
14. These are minimum standards. Other procedures may be appropriate and/or required:
    - Proceed from younger to older animals
    - Proceed from less diseased to more diseased
    - Disposable clothing, hats, shower in/out, etc.
    - Disinfection of any physical equipment returned to the vehicle

[1] Except a Foreign Animal Disease
[2] Certain situations may require the vehicle to be washed, i.e., Avian Influenza

---

Distribution: State/Federal Field Staff 3/20/01, **Revised 9/14/01**
cc--Dr. Glauer, Dr. McPhail, Dr. Dodaro, Dan Goeglein

This replaces Policy Number
History of revisions:

Ohio Department of Agriculture
Division of Animal Industry
8995 E. Main Street
Reynoldsburg, OH 43068
614-728-6220
FAX: 614-728-6310

ROUTINE BIOSECURITY PROCEDURES FOR ODA LIVESTOCK ENVIRONMENTAL PERMITTING PROGRAM PERSONNEL VISITING FARMS, AND OTHER FACILITIES WITH LIVESTOCK AND POULTRY

SUPPLEMENTS BIOSECURITY PROTOCOL, March 20, 2001

(Dr. David Glauer)

Animal Industry Administrative Policy Number: 045.1

This guidance establishes routine procedures to minimize the risk of personnel assigned to the Ohio Department of Agriculture (ODA) Livestock Environmental Permitting Program (LEPP) from transmitting animal diseases from livestock or poultry facilities. These facilities include farms, ranches, dairies, feed yards, sale yards, swine premises, and other facilities where there are animals or unprocessed animal tissues, secretions or excretions (including saliva, manure or urine, soiled feed, bedding, water or dirt, milk) to livestock or poultry. Often, owners/producers have adopted more stringent biosecurity measures than these procedures. More stringent measures might include specific directions on site entry (e.g., showering, changing clothes to come onto or leave the premises, vehicle washing), or vehicle travel on the site, and other measures. LEPP personnel should discuss appropriate biosecurity measures with the operator prior to entering animal areas, and are encouraged to follow the more stringent measures.

Separate emergency procedures will be applicable in cases of actual outbreaks of contagious animal diseases. In such a case, LEPP generally will avoid visiting affected areas and will coordinate with the ODA Division of Animal Industry, the State Veterinarian, USDA's Animal and Plant Health Inspection Service (APHIS) and local emergency control authorities concerning activities in these areas. Periodically, LEPP will contact the offices of the appropriate APHIS Area Veterinarians in Charge and the offices of the State Veterinarian to identify any areas with existing emergency animal disease events.

LEPP personnel should be aware of personal health and safety issues when visiting livestock facilities and consult about proper procedures. Livestock facilities may include OSHA-defined "confined spaces," e.g., manure pits. If staff need to enter such areas, all appropriate safety precautions must be followed. In addition, some animal diseases can be spread to humans, such as brucellosis (bacteria) and echinococcus (parasite). Fortunately, the U.S. largely has eliminated major risk of disease transmission from animals to humans.

The following procedures are consistent with written procedures developed by APHIS for use by USDA personnel (June 12, 2001).

BIOSECURITY PROCEDURES

- Wear clean clothes to the facilities
- Drive clean vehicles to the facilities. Be certain that tires are free of dirt and debris by hosing the tires and wheel wells before entering the premises. If this does not clean the tires adequately, take the vehicle to a nearby pressure car wash. Including dates and type of vehicle washing in the vehicle log book is recommended.
- Park your vehicle on paved or concrete areas, away from farm production sites, to avoid contact with dirt, mud or manure.
- Consider using a vehicle supplied by the poultry operator for on-site travel if available.
- On entering a facility, acknowledge any and all livestock and poultry facilities visited within the previous 24 hours, including whether or not LEPP personnel entered any animal confinement or waste storage areas.
- Inform the operator of where the LEPP inspector wants to go on the site, determine what biosecurity procedures, if any, the owner/operator has for the on-site locations to be visited, and determine which biosecurity procedures will be followed for the areas to be visited.
- LEPP personnel should only enter animal production buildings if it is essential to complete the goals of the visit and should avoid contact with the livestock, poultry, or other animals (wild or domestic) on any facility. If close contact with animals is expected, including walking through narrowly confined pens or lots where animals are within reach, wearing personal protective equipment is recommended.
- Prior to entering the site, put on disinfected boots (with an approved disinfectant) or other footwear that has been cleaned or wear new disposable boot covers. The operator may have its own coveralls and boots for you to wear. However, if visiting only low-risk areas, such as offices that are away from animal areas, clean street shoes or boots are acceptable (hand washing is still needed). [Note: Boot covers may not provide sufficient traction to safely navigate slopes surrounding lagoons and pits. Personnel may want to use duct or chem tape to secure the boot cover to prevent slippage].
- Use disinfectants that have been registered (or exempted) by EPA for the intended use (see below). Keep a copy of the label and the Material Safety Data Sheet (MSDS) for any registered disinfectant used and make both available to the facility upon its request. Follow all label safety precautions and dispose of empty containers, unused disinfectant solution, and unused disinfectant in accordance with label instructions.
- If non-disposable clothing is soiled with manure, blood, milk, or other animal secretions or there has been close contact with livestock (actual handling or walking where animals were in reach) double bag clothing before leaving the site for later cleaning. Put on clean disposable clothing before entering a vehicle.
- Dispose of soiled boot covers and disposable clothing on-site if acceptable to the owner/operator. Where on-site disposal is not possible, double bag and tightly seal all contaminated clothing and gear in disposable bags.
- Designate the interior of your vehicle as a "clean area" and keep supplies in this area.
- Designate a "dirty area" of your vehicle, such as the trunk of the care or a specified enclosed area of a trunk bed for double bagged clothes or dirty equipment to be taken off-site.

- Before leaving the site, clean and disinfect boots. Scrub boots, bottom and sides to remove all dirt and debris, then wash with an approved disinfectant solution. Disinfectants are not effective on dirt, manure or other organic matter.
- Clean and disinfect equipment if contaminated.
- Inform the owner/operator of the areas of the site that were visited and the biosecurity procedures taken. This can be done at an inspection closing conference.
- Depart to your next destination.
- Handling of livestock on a single day should be limited to multiple species on one farm or different species on different farms. Do not work on the same species on different farms on the same day without the approval by the Director of agriculture or his/her representative.
- If a different species of livestock is to be handled at a subsequent destination, clean coveralls and boots are to be worn when handling the species of livestock.
- These are minimum standards. Other procedures may be appropriate and/or required:
    - Proceed from younger to older animals
    - Proceed from less diseased to more diseases
    - Disposable clothes, hats, shower in/out, etc.
    - Disinfection of any physical equipment returned to the vehicle
- Individuals should not make on-site visits to livestock operations if they have visited a foreign country and were exposed to or had contact with animals (with or without a known contagious disease) within 5 days prior to the site visit. Clothing and shoes won on foreign site visits should be cleaned before use on U.S. facilities.
- Thoroughly wash hands with soap and water. Use antibacterial wipes or gel before entering and after leaving any animal facility. Disposable latex gloves may also be used, but not as a substitute for proper hand washing.
- If personnel are on a farm during an outbreak, they should not visit another farm for a minimum of 24 hours.
- Supplies
    - Clean boots or new disposable boot covers
    - Clean change of clothing or coveralls
    - Appropriate registered or exempted disinfectant (see below)
    - Water (at least minimum required for hand washing and disinfection)
    - A bucket or tray to contain disinfectant
    - Long handled brush
    - Clean bags for trash disposal or storage of items to be cleaned
    - Liquid and/or gel antibacterial soap or wipes
    - First aid kit including an eye wash
    - Phone numbers of the state veterinarian, AVIC federal veterinarian, or other local officials available in case you suspect animal diseases are present. Share any such observations with the owner/operator.
- The following products are currently registered by EPA as being effective against a broad range of disease-causing organisms, including Foot and Mouth Disease; they are not effective against all disease causing organisms. Consult the label information and, if other diseases are a concern, consult the state veterinarian or state department of agriculture.
    - Virkon S (EPA Reg. No. 62432-1, label and MSDS)
    - Oxonia Active (EPA Reg. No. 1677-129, label and MSDS)

- There are also two household chemicals subject to EPA Section 18 "quarantine exemptions" (i.e., they are exempted from FIFRA pesticide registration requirements) for use as Foot and Mouth Disease disinfectants. They are issued to APHIS but designed so that the general public can make treatments themselves using these chemicals. One permits vinegar (acetic acid) to be applied as a 4% solution, and the other permits bleach (sodium hypochlorite) to be used in a solution of 3 parts bleach to 2 parts water.

ROUTINE BIOSECURITY PROCEDURES FOR EPA PERSONNEL VISITING FARMS, RANCHES, SLAUGHTERHOUSES AND OTHER FACILITIES WITH LIVESTOCK AND POULTRY

This guidance establishes routine procedures to minimize the risk of EP A personnel transmitting a[illegible]l diseases from livestock or poultry facilities, including farms, ranches, dairies, feed yards, sale yards, swine premises, slaughterhouses, and other facilities where there are animals or unprocessed animal tissues, secretions or excretions (including saliva, manure or urine, soiled feed, bedding, water or dirt, milk) to livestock or poultry. Often, owners/producers have adopted more stringent biosecurity measures than these procedures. More stringent measures might include specific directions on site entry (e.g., showering, changing clothes to come onto or leave the premises, vehicle washing), or vehicle travel on the site, and other measures. EP A should discuss appropriate biosecurity measures with the operator prior to entering animal areas, and are encouraged to follow the more stringent measures.

Separate emergency procedures will be applicable in cases of actual outbreaks of contagious animal diseases. In such a case, EP A generally will avoid visiting affected areas and will coordinate with USDA's Animal and Plant Health Inspection Service (APHIS) and local emergency control authorities concerning activities in these areas. Periodically, EP A will contact the offices of the appropriate APHIS Area Veterinarians in Charge and the offices of the state veterinarians to identify any areas with existing emergency animal disease events. The addresses and telephone numbers of these offices are attached.

EP A personnel should be aware of personal health and safety issues when visiting livestock facilities and consult with EP A's Health and Safety staff with questions about proper procedures. Livestock facilities may include OSHA-defined "confined spaces," e.g., manure pits. If staff need to enter s[illegible] areas, all appropriate safety precautions must be followed. In addition, some animal diseases can be s[illegible] to humans, such as brucellosis (bacteria) and echinococcus (parasite)*. Fortunately, the U.S. largely has eliminated major risk of disease transmission from animals to humans

* Brucellosis is transmitted through contaminated and untreated milk and milk products and by direct contact with infected animals (cattle, sheep, goats, pigs, camels, buffaloes, and wild ruminants) or animal carcasses. It is extremely variable in humans. The acute form (less than 8 weeks from illness onset) may result in nonspecific and "flu-like" symptoms including fever, sweats, malaise, anorexia, headache, myalgia, and back pain. Echinococcus granulosus lives on dogs and livestock, and infects humans through contact with these animals. Allergic reactions and damage to various organs from cyst formation are the most common forms of disease in humans.

by a combination of veterinary medicine and state regulation.

The following procedures are consistent with written procedures developed by APHIS for use by USDA personnel (June 12,2001).

Biosecurity Procedures

- Individuals should not make on-site visits to livestock operations if they have visited a foreign country and were exposed to or had contact with fann animals (with or without a known contagious disease) within 5 days prior to the site visit Also, clothing and shoes worn on foreign fann visits should be cleaned before use on U.S. facilities.
- Thoroughly wash hands with soap and water or antIbacterial wipes or gel before entering and after leaving any animal facility. Disposable latex gloves also may be used but not as a substitute for proper hand washing.
- Park your vehicle on paved or concrete areas, away from fann production sites, to avoid contact with dirt, mud or manure. If not possible, be certain that tires are free of dirt and debris by hosing the tires and wheel wells before leaving the premises. If this does not clean the tires adequately, take the vehicle to a nearby pressure car wash. Including dates and types of vehicle washing in the vehicle log book is recommended.
- Consider using a vehicle supplied by the facility operator for on site travel if available.
- Prior to entering the site, put on disinfected rubber boots or other footwear that has been cleaned and disinfected, or wear new disposable boot covers. The operator may have its own coveralls and boots for you to wear. However, if visiting only low-risk areas, such as offices that are located away from animal areas, clean street shoes or boots are acceptable (hand washing is still needed). [Note: Boot covers may not provide sufficient traction to safely navigate slopes surrounding lagoons and pits. Personnel may want to use tape to secure the boot cover to prevent slippage].
- On entering a facility, acknowledge any and all other livestock facilities visited within the previous 48 hours including whether or not EP A entered any animal confinement or waste storage areas.
- Inform the operator of where the EP A staff wants to go on the site, determine what biosecmity procedures, if any, the owner/operator has for the on-site locations to be visited, and determine which biosecmity procedures will be followed for the areas to be visited.
- EP A should only enter animal production buildings if it is essential to complete the goals of the visit, and should avoid contact with livestock, poultry or other animals (wild or domestic) on any facility. If close contact with animals is expected, including walking through narrowly confined pens or lots where animals are within reach, wearing coveralls is recommended.
- Designate the interior of your vehicle as a "clean area" and keep clean supplies in this area.
- Designate a "dirty area" of your vehicle, such as the tnmk of the car or a specified enclosed area of a truck bed for double bagged clothes or dirty equipment to be taken off site.

- Before leaving the site, clean and disinfect boots or tightly bag boots for later cleaning. Scrub boot bottom and sides to remove all dirt and debris, then wash with disinfectant solution. Disinfectants are not effective on dirt, manure or other organic matter.
- Clean and disinfect equipment if contaminated.
- Use disinfectants that have been registered (or exempted) by EP A for the intended use (see below). Keep a copy of the label and the Material Safety Data Sheet (MSDS) for any registered disinfectant used and make both available to the facility upon its request. Follow all label safety precautions and dispose of empty containers, unused disinfectant solution, and used disinfectant in accordance with label instructions.
- If non-disposable clothing is soiled with manure, blood, milk, or other animal secretions or there has been close contact with livestock (actual handling or walking where animals were within reach), before leaving the site, double bag clothing for later cleaning.
- Dispose of soiled boot covers, and disposable clothing on-site if acceptable to the owner/operator. Where on-site disposal is not possible, double bag and tightly seal all contaminated clothing and gear in disposable bags.
- Inform the owner/operator of the areas of the site that were visited, and the biosecurity procedures taken. This can be done at an inspection closing conference.

Supplies:

- clean boots or new disposable boot covers
- clean change of clothing or coveralls
- appropriate registered or exempted disinfectant (see below)
- water (at least minimum required for hand washing and disinfection)
- a bucket or tray to contain disinfectant
- long handled brush
- clean bags for trash disposal or storage of items to be cleaned
- liquid and/or gel antibacterial soap or wipes
- :first aid kit including an eye wash
- phone numbers of the state veterinarian or other local officials available in case you suspect animal diseases are present. Share any such observations with the owner/operator as soon as possIble

Disinfectants for Routine Biosecurity

The following products are currently registered by EP A as being effective against a broad range of disease-causing organisms, including Foot and Mouth Disease; they are not effective against all diseasecausing organisms. Consult the label information and, if other diseases are a concern, consult the state veterinarian or state department of agriculture.

Virkon S (EPA Reg. No. 62432-1, label and MSDS)

OxoniaActive (EPA Reg. No. 1677-129, label and MSDS)

There are also two household chemicals subject to EP A Section 18 "quarantine exemptions" (i.e., they exempted from FIFRA pesticide registration requirements) for use as Foot and Mouth Disease fectants. They are issued to APHIS but designed so that the general public can make treatments themselves using these chemicals. One permits vinegar (acetic acid) to be applied as a 4% solution, and the other permits bleach (sodium hypochlorite) to be used in a solution of 3 parts bleach to 2 parts water. Information on these Section 18 actions is attached.

Attachments:

1. APHIS Veterinary Series Area Offices and State Veterinarians
2. Copies of EP A-approved labels for Virkon S (April 26, 2001) and Oxonia Active (May 11,2001) and associated Material Safety Data Sheets
3. Section 18s for Acetic Acid and Sodium Hypochlorite (Bleach)

Disclaimer

The discussion in this document is intended solely as guidance. This document is not a regulation. It does not impose legally binding requirements on EP A, states, or the regulated community. This guidance does not confer legal rights or impose legal obligations upon any member of the public. The general description provided here may not apply to a particular situation based on the mstances. Interested parties are free to raise questions and objections about the substance of t uidance and the appropriateness of the application of this guidance to a particular situation. EP A retains the discretion to adopt approaches on a case-by-case basis that differ from those described in this guidance where appropriate. This document may be revised periodically without public notice. EP A welcomes public input on this document at any time.

Routine Inspection Form

Ohio Department of Agriculture
LIVESTOCK ENVIRONMENTAL PERMITTING PROGRAM
8995 East Main Street, Reynoldsburg, OH 43068-3399
Telephone: (614) 387-0470 Fax: (614) 728-6335
www.ohioagriculture.gov/lepp/ Email: lepp@mail.agri.state.oh.us

INSPECTION FORM

OHIO DEPARTMENT OF AGRICULTURE INSPECTION FORM

I. FACILITY INFORMATION

Name of Inspector:

Date of Inspection:

Inspection Start Time:

Inspection End Time:

Purpose of Inspection:
- ☐ 1st Routine
- ☐ 2nd Routine
- ☐ Partial
- ☐ Complaint
- ☐ Enforcement
- ☐ Other

Facility:
Rule 901:10-2-01(C)(1)
Name:
Address:
Phone Number:
email:

Owner/Operator:
Rule 901:10-2-01(C)(1)
Name:
Address:
Phone Number:
email:

Owner/Operator:
Rule 901:10-2-01(C)(1)
Name:
Address:
Phone Number:
email:

Contact Person:
Name:
Address:
Phone Number:
email:

Livestock Manager Name:
Rule 901:10-1-06
Address:
Phone Number:
email:

Certificate Number:

Date of Expiration of Certificate:

Biosecurity Information:
Rule 901:10-5-02(B)

Inspector followed facility or industry biosecurity plan Yes No N/A
-- whichever is more stringent.

II. FACILITY OPERATION INFORMATION

Number and Type of Animals

Rule 901:10-2-01(C)(2) and 901:10-1-07(A)(2)

	Animal Type	Existing Number of Animals (leave blank if new)	Maximum Number of Animals (for new or expanding)
	Slaughter and feeder cattle		
	Dairy heifers		
	Mature cows (milked or dry)		
	Swine Over 55 pounds		
	Swine Under 55 pounds		
	Horses		
	Sheep or lambs		
	Turkeys		
	Laying hens		
	Broilers		
	Duck		
	Pullets		
	Others:		

- **Number of employees:**

- **Type of feed system:**

Rule 901:10-2-08

III. WATER SYSTEM Water Supply Sources

▶ **Is there a well(s) located at the facility?** **Yes** **No** **N/A**
If yes, how many?

▶ **Is water treatment used:** **Yes** **No** **N/A**
If so, where does backflush water go?

Drinking Groundwater Sampling

▶ Are records of the groundwater sampling analysis properly recorded in the operating record? **Yes** **No** **N/A**

List the date of the last sample taken: _____
Rules 901:10-2-08(4)(l)(i) and 901:10-2-16(A)(1)(a)(vii)

Groundwater Sample Results

DATE	WELL	NITRATE	TCR

Groundwater Monitoring
901:10-2-08(A)(4)(l)(i)&(ii), 901:10-2-03(A)(2)(e)

▶ **Are groundwater monitoring wells required?** Yes No N/A
If so, list sample results below.

Monitoring Well Sample Results

DATE	WELL	NITRATE	TCR

▶ **Are surface water samples required?** Yes No N/A
If so, list sample results below.

Sample Results

DATE	LOCATION	AMMONIA AS N	PHOSPHOROUS, TOTAL	

Agricultural Drainage Well

Rule 901:10-2-02(A)

- **Is there indication of an agricultural drainage well (Class V well) on the property?** Yes No N/A
  - If yes, is the agricultural drainage well likely to have runoff? Yes No N/A

Wastewater

Rule: 901:10-2-08(A)(4)(d)

- **Is there a sanitary permit for this facility?** Yes No N/A
  - If yes, does the sanitary go to the manure storage and treatment facility? Yes No N/A
  - If yes, is it permitted to do so? Yes No N/A
- **Is there proper storage and containment of pesticides, fertilizers, and herbicides?** Yes No N/A
- **Is there proper storage and containment of cleaning solutions?** Yes No N/A
- **Is there proper storage and containment of vehicle fluids?** Yes No N/A
- **Is there proper storage and disposal of veterinary supplies?** Yes No N/A
- **Do any of the above go to the manure storage area?** Yes No N/A
  Rule 901:10-2-08(A)(4)(d)

IV. MANURE STORAGE AND TREATMENT FACILITIES

➢ **Type of Manure:**
Rule 901:10-2-10(A)

(Check all that apply) ☐Liquid ☐Solid

➢ **Annual manure analysis on file?** Yes No N/A
Rules 901:10-2-10(C), 901:10-2-16(A)(1)(b)

Manure Sample Results

Type	Date	Moisture %	NH_4-N	Organic N	P_2O_5	K_2O

➢ **Type of manure storage or treatment facility:**
Rule 901:10-2-04

(Check all that apply)

☐Fabricated structure ☐Manure storage pond

☐Manure treatment lagoon ☐Combination

Fabricated Structure

➢ **Type of fabricated structure:**
Rule 901:10-2-05

(Check all that apply)

☐Stacking pad/bunker/etc
☐Deep pit
☐High-rise
☐Other
☐Concrete block or stave pit.
☐Above ground tankmetal/concrete/other)
☐Manure storage barn (for belt-battery, etc.)
☐Compacted earthen floor Concrete pit

➢ **Is there a six-inch minimum of freeboard for all storage structures containing liquid manure or subject to precipitation/runoff?** Yes No N/A
Rules 901:10-2-05, 901:10-2-08(A)(4) and 901:10-2-16(A)(1)(a)(i)

➢ **Are records maintained on storage capacity or manure volume?** Yes No N/A
Rule 901:10-2-16(A)(1)(a)(iii)

Structure	Maximum Operating Level	Current Manure Level	Storage Remaining

- **Is there evidence in the operating record of regular inspections of the manure storage or treatment facilities for erosion, leakage, animal damage, or discharge?** Yes No N/A
  Rule 901:10-2-08(A)(4)(e) & 901:10-2-16(A)(1)(a)(ii)

- **Do the inspections match the frequency in the manure management plan?** Yes No N/A
  Rules 901:10-2-08(A)(1) and 901:10-2-16(A)(1)(a)(ii)

- **Are these regular inspections properly recorded in the operating record?** Yes No N/A
  Rules 901:10-2-08(A)(4) and 901:10-2-16(A)(1)

Manure Storage Pond or Manure Treatment Lagoon

- **Type of manure storage pond or manure treatment lagoon (and approximate dimensions)**
  Rule 901:10-2-06

  (Check all that apply)
  ☐Earthen manure storage pond(s) ☐Earthen manure treatment lagoon(s)

  (explain number of ponds/lagoons, type of liner system installed (plastic, recompacted soil, in-situ soil, etc.))

- **Is there twelve-inches of freeboard, plus the volume needed to contain the appropriate design storm, if the structure is subject to rainfall and runoff?** Yes No N/A
  Rules 901:10-2-06(A)(2), 901:10-2-08(A)(4)(a), 901:10-2-16(A)(1)(a)(i)

- **Are records maintained on storage capacity or manure volume?** Yes No N/A
  Rule 901:10-2-16(A)(1)(a)(iii) & 901:10-2-06(A)(8) & 901:10-2-08(A)(4)(c)

Structure	Maximum Operating Level	Current Manure Level	Storage Remaining

- **Is there evidence in the operating record of regular inspections of the manure storage or treatment facilities for erosion, leakage, animal damage, or discharge?**
  Rule 901:10-2-08(A)(4)(e) and 901:10-2-16(A)(1)(a)(ii)
  Yes No N/A

- **Is there evidence in the operating record of weekly inspections of stormwater conveyances, diversion devices, and devices channeling contaminated stormwater to the manure storage pond or manure treatment lagoon?**
  Rule 901:10-2-16(A)(1)(a)(iv)
  Yes No N/A

- **Do the inspections match the frequency in the manure management plan?**
  Rules 901:10-2-08(A)(1)
  Yes No N/A

- **Are these regular inspections properly recorded in the operating record?**
  Rules 901:10-2-08(A)(1)
  Yes No N/A

- **Is the level indicator(s) conspicuously located and properly functioning in the manure storage pond or manure treatment lagoon?**
  Rules 901:10-2-06(A)(2), 901:10-2-08(A)(4)(o) and 901:10-2-16(A)(1)(a)(i)
  Yes No N/A

- **Is the vegetation near the manure storage pond or the manure treatment lagoon properly maintained?**
  Rule 901:10-2-08(A)(4)(j) & (k)
  Yes No N/A

- **Are the maintenance inspections for stormwater conveyances, runoff diversion structures, devices channeling contaminated stormwater, etc. properly recorded in the operating record?**
  Rules 901:10-2-16(A)(1)(a)(v) & 901:10-2-08(A)(4)(i), (j)
  Yes No N/A

V. MANURE MANAGEMENT

- **Is the schedule for manure removal or manure residual removal outlined in the manure management plan?** Yes No N/A
  Rules 901:10-2-08(A)(4)(g), 901:10-2-10(B), 901:10-2-16)(A)(1)(c)&((e)

Manure Type	year		year		year	
	Tons/gals	acres	Tons/gals	acres	Tons/gals	acres
Total						

- **List the number of acres utilized for land application. (Include both land that is owned and land that is leased)**
  Rules 901:10-2-09(C), 901:10-2-16(A)(1)(c)(ii)
  - Acres owned
  - Acres leased
  - Other land
  - Total acres

- **Was manure applied on snow covered or frozen ground?** Yes No N/A
  - If so, was the application site approved for application? Yes No N/A

Distribution and Utilization

- **Is manure distributed through Distribution and Utilization methods?** Yes No N/A
- **If Distribution and Utilization method of manure removal was used were Appendices A, B, and F and the most recent manure analysis given to the recipient of the manure?** Yes No N/A
  Rule 901:10-2-16(A)(1)(e)(iv) & 901:10-2-11(A)

- **Is the record for of Distribution and Utilization of manure maintained in the operating record?**
  Rule 901:10-2-16(A)(1)(e)(i)(ii)(iii) & 901:10-2-11(B) — Yes No N/A

Soil Characteristics

- **Are all soil analysis properly recorded in the operating record for the last five years?**
  Rule 901:10-2-16(A)(1)(c)(vi) & 901:10-2-13(D) — Yes No N/A
  (The analysis records must be taken every three years)

- **Are the soil samples representative of a land application site with one composite soil sample representing no more that twenty-five acres or one composite soil sample for each land application site, whichever is less?**
  Rule 901:10-2-13(C) — Yes No N/A

- **Do any fields exceed 150 ppm of Phosphorous on the BrayP1 test?**
  Rules 901:10-2-14(D)(E)(3) & 901:10-2-16(A)(1)(c)(xiii) — Yes No N/A

  If so list those fields.

Nutrient Budget

- **Is commercial fertilizer used?**
  Rules 901:10-2-09(C)(2) — Yes No N/A

  If so, amount of commercial fertilizer used?
  Rule 901:10-2-16(A)(1)(c)(xiv)

- **Are the date, rate, quantity and method of application of the nutrient, and/or form and source of manure, commercial fertilizer, and/or other organic by-products properly recorded in the operating record?**
  Rule 901:10-2-16(A)(1)(c)(xiv) — Yes No N/A

Cropping Schedules

- **Is the cropping schedule for each site including past year and present year properly recorded in the operating record?** Yes No N/A
  Rule 901:10-2-16(A)(1)(c)(viii)

- **Is the crop yield for each site properly recorded in the operating record?** Yes No N/A
  Rule 901:10-2-16(A)(1)(c)(ix)

- **Is the actual crop yield for each site properly recorded in the operating record?** Yes No N/A
  Rule 901:10-2-16(A)(1)(c)(xi)

Application Records

- **If liquid manure is applied, are drain plugs being used?** Yes No N/A
  Rule 901:10-2-16(A)(1)(c)(iv)

- **If liquid manure is applied, are observations of subsurface drains properly recorded in the operating record?** Yes No N/A
  Rule 901:10-2-16(A)(1)(c)(iii) & 901:10-2-14(G)(2)(a)[Winter only]

- **Has the equipment for land application been inspected, maintained and properly recorded in the operating record?** Yes No N/A
  Rules 901:10-2-08(A)(2)

- **Are there records in the operating record on soil conditions at times of application such as soil cracks?** Yes No N/A
  Rule 901:10-2-16(A)(1)(c) (xvi)

- **Are application rates, and nutrients applied, in accordance with ODA rules for nitrogen and phosphorus?** Yes No N/A
  Rule 901:10-2-14(D),(E)

- **Are liquid application rates based on the Available Water Capacity chart?** Yes No N/A
  Rule 901:10-2-14(C)(1)(d)

- **Are there records of general weather conditions, temperature and rainfall 24-hours before and after manure applications?**
  Rules 901:10-2-12 and 901:10-2-16(A)(1)(c)(xvii) — Yes No N/A

- **Are setbacks maintained and properly recorded in the operating record?**
  Appendix A of Rule 901:10-2-14 and Rule 901:10-2-16(A)(1)(c)(vii) — Yes No N/A

- **Is there evidence of documented use of vegetative cover to protect stream channels?**
  Rules 901:10-2-14, including Appendix A and 901:10-2-16(A)(1)(c)(vii) — Yes No N/A

VI. INSECT AND RODENT CONTROL

- **Is the insect and rodent control plan properly implemented by the owner or operator or manager?** Yes No N/A
  Rule 901:10-2-19 & 901:10-2-16(A)(1)(a)(viii)

- **Does the insect and rodent control plan describe the inspection frequency to examine pest's populations and pest activities?** Yes No N/A
  Rule 901:2-19(B)(3)(a)(i)

- **Are these inspections properly recorded in the operating record?** Yes No N/A
  Rule 901:10-2-19(B)(3)(a)(iii)

- **Is proper maintenance of the watering system properly recorded in the operating record?** Yes No N/A
  Rule 901:10-2-19(B)(3)(a)(ii)

- **Are daily inspections of drinking water Lines being made and recorded in the operating record?** Yes No N/A
  Rule 901:10-2-08(A)(4)(n) & 901:10-2-19(B)(3)(a)(ii)

VII. MORTALITY MANAGEMENT

- **What type of mortality management does the facility have?**
  Rule 901:10-2-15 and 901:10-2-16(A)(1)(f)(i)

- **Are there inspection records properly recorded in the operating record on mortality?**
  Rules 901:10-2-15 and 901:10-2-16(A)(1)(f)(ii) Yes No N/A

- **Are Best Management Practices being utilized?**
  Rules 901:10-2-08(A)(4)(m) Yes No N/A

VIII. OPERATING RECORD – GENERAL

- **Are all operating records up-to-date and available for review by the inspector?** Yes No N/A
  Rules 901:10-2-08 and 901:10-2-16

- **Is a copy of the RCC, PTI, PTO and/or NPDES permit with the operating record or located in the site office?** Yes No N/A
  Rule 901:10-2-01(B)(3) for PTI
  901:10-2-07(E) for PTO & NPDES
  901:10-1-07 for RCC as being part of PTO

- **Have the operating records been retained by the owner or operator for minimum of five years?** Yes No N/A
  Rule 901:10-2-16(A)(1)

- **Since the last inspection, have any operational changes been made at the facility?** Yes No N/A
  Rule 901:10-1-09(F)

IX. VISUAL INSPECTIONS AND OUTSIDE INFORMATION

Water Quality Impacts

- **Is there evidence of actual offsite discharge?** Yes No N/A
  Rules 901:10-2-08 and 901:10-2-16(A)(1)(a)

- **Are there areas of concern for water quality impacts?** Yes No N/A
  Rules 901:10-2-08 and 901:10-2-16

- **Is the water well location maintained in a proper manner to avoid contamination?** Yes No N/A
  Rule 901:10-2-02(A)(1)&(2)

- **Facility upkeep and general appearance:**

  ☐ Above average

  ☐ Average

  ☐ Below average

  ☐ Poor

Describe the upkeep and general appearance of the following:

	Above Average	Average	Below Average	Poor	Comments
Diversion Ditches					
Diversion Dikes					
Berms					
Embankments					
Pipe Runs					
Grassed Waterways					
Vegetative Cover					
Contour Grass Strips					
Settling Basins					
Feed System					
Storage Areas					
Watering system					
Walkways or Walk Areas Inside the Building					
Walkways or Walk Areas Outside the Building					
Feed Alleys					
Chemicals					
Screens					
Ventilation Systems, i.e. Fans					
Others					

X. SUMMARY

- **Were the results of the inspection discussed with either the owner, operator, manager, representative or livestock manager?** Yes No N/A

- **The results will be sent to either the owner, operator, manager, representative, or livestock manager.**

Required Actions:

Recommended Actions:

"I certify that this information was reviewed by the inspector and/or the owner, operator, manager, representative, or livestock manager of the facility."

_____ _____

Signature of Owner, Operator, Manager, Representative or Livestock Manager — Date

_____ _____

Signature of Inspector — Date

Orders to Issue/Transfer Permits

Ohio Department of Agriculture
State of Ohio

Order No: 2006-359

Permit to Install No. REY-0002.PI002.WOOD
Permit to Operate No. REY-0002.PO002.WOOD

RE: Reyskens Dairy Leasing, LLC
Reyskens Dairy, LLC

Ladies and Gentlemen:

Based on Sections 903.02 and 903.03 of the Ohio Revised Code, the Ohio Department of Agriculture hereby issues Permit to Install No. REY-0002.PI002.WOOD and Permit to Operate No. REY-0002.PO002.WOOD.

Based upon findings that the Facilities are of correct design capacity; that the Facilities' Manure Management Plans, Insect and Rodent Control Plans, and Mortality Management Plans all conform to best management practices; and that the Facilities are operated in a manner that protects the waters of the state, the Director orders the Permit to Install and the Permit to Operate to be issued.

The Permit to Install is valid for twenty-four (24) months after the effective date shown below. The Permit to Install expires after twenty-four (24) months unless there is a continuing program for construction or the permittee has entered into a binding contractual obligation to undertake and complete construction within a reasonable time. The director may extend the expiration of the Permit to Install upon written request of the applicant in accordance with Rule 901:10-1-02 of the Ohio Administrative Code (OAC).

The Permit to Operate is valid for a period of five years but is subject to the following terms and conditions:

1. Stocking animals at an operating level authorized by Permit to Operate No. REY-0002.PO002.WOOD is prohibited until the following documents are received and construction is approved under Permit to Install No. REY-0002.PI002.WOOD in accordance with Rule 901:10-2-01 of the OAC.

   a) The notarized statement,
   b) Completed and approved as-built plans, and
   c) An inspection of the facilities after construction by the Ohio Department of Agriculture.

Reyskens Dairy may continue to stock up to 925 cattle consistent with the terms and conditions of Reyskens Permit to Operate No. REY-0001.PO001.WOOD until such time as the above documents are received and the construction under Permit to Install No. REY-0002.PI002.WOOD is approved. Upon construction approval, Permit to Operate No. REY-0001.PO001.WOOD shall be superseded by Permit to Operate No. REY-0002.PO002.WOOD.

2. In the event that the owner or operator of the facility encounter any oil and gas wells during any land application of manure performed by the owner or operator, then the owner or operator shall notify the Division of Oil and Gas, Ohio Department of Natural Resource of the well location and comply with applicable setbacks for wells as set forth in rule 901:10-2-14 of the Ohio Administrative Code until such time as the well is properly plugged.

The Permit to Operate shall expire at midnight on a date five years from the effective date shown below. In order to receive authorization to continue to operate beyond the date of expiration, the permittee shall apply to renew the Permit to Operate from the Department not later than one hundred eighty days prior to the expiration of the Permit to Operate.

Effective Date of this Order: Upon journalization.

Fred L. Dailey, Director

Fred L. Dailey (Ffr

Date 10-2-06

Entered Ohio Department of Agriculture Order Journal Oct. 2, 2006,
by Anne Ellis.

Ohio Department of Agriculture
State of Ohio

Order No: 2006-383

Permit to Install No. GRE-0001.PI001.WOOD
Permit to Operate No. GRE-0001.PO001.WOOD

RE: Green Dairy, LLC
11607 Bloomdale Road
Wayne, Ohio 43466

Ladies and Gentlemen:

Based on Sections 903.02 and 903.03 of the Ohio Revised Code, the Ohio Department of Agriculture hereby issues Permit to Install No.GRE-0001.PI001.WOOD and Permit to Operate No. GRE-0001.PO001.WOOD.

Based upon findings that the Facilities are of correct design capacity; that the Facilities' Manure Management Plans, Insect and Rodent Control Plans, and Mortality Management Plans are designed and, if implemented, will conform to best management practices; and provided that the Facilities, constructed in the manner authorized, are operated in a manner that protects the waters of the state, the Director orders the Permit to Install and the Permit to Operate to be issued. Specifically, the Director has determined that the Permit to Install shall authorize installation of additional engineered controls and ground water monitoring pursuant to Ohio Administrative Code (OAC) 901:10-2-02(N) in place of the required 15 feet separation distance required by OAC 901:10-2-02(E). The additional engineered controls are a ground water monitoring network of not fewer than six ground water monitoring wells and an increased liner thickness of four feet of recompacted clay thus exceeding by one foot the required liner depth required by OAC 901:10-2-06(A)(9). The liner for the manure storage ponds shall achieve a hydraulic conductivity of 8.77×10^{-8} cm/sec and shall be monitored with four ground water monitoring wells. The silage leachate collection pond shall achieve a hydraulic conductivity of 7.68×10^{-8} cm/sec and shall be monitored with two ground water monitoring wells

The Permit to Install is valid for twenty-four (24) months after the effective date shown below. The Permit to Install expires after twenty-four (24) months unless there is a continuing program for construction or the permittee has entered into a binding contractual obligation to undertake and complete construction within a reasonable time. The director may extend the expiration of the Permit to Install upon written request of the application in accordance with OAC 901:10-1-02.

This Permit to Operate is valid for a period of five years but is subject to the following terms and conditions:

1. Stocking animals at an operating level authorized by the Permit to Operate is prohibited until the following documents are received and construction approved in accordance with Rule 901:10-2-01 of the OAC.

   a) The notarized statement,
   b) Completed and approved as-built plans, and
   c) An inspection of the facilities after construction by Ohio Department of Agriculture.

2. In the event that the owner or operator of the facility encounter any oil and gas wells during construction or any land application of manure performed by the owner or operator, then the owner or operator shall notify the Division of Mineral Resources, Oil and Gas, Ohio Department of Natural Resource of the well location and comply with applicable setbacks for waters of the state shall apply as set forth in rule 901:10-2-14 of the Ohio Administrative Code until such time as the well is properly plugged.

3. Comply with OAC Chapter 901:10-2, including OAC 901:10-2-08(A)(4)(l) to satisfy the requirements for additional ground water monitoring in accordance with the Director's determination made in accordance with OAC 901:10-2-02(N).

The Permit to Operate shall expire at midnight on a date five years from the effective date shown below. In order to receive authorization to continue to operate beyond the date of expiration, the permittee shall apply to renew the Permit to Operate from the Department not later than one hundred eighty days prior to the expiration of the Permit to Operate.

Effective Date of this Order: Upon journalization.

Fred L. Dailey, Director

Fred L. Dailey

Date 27 October, 2006

Entered Ohio Department of Agriculture Order Journal Oct. 27, 2006, by Connie Ellis.

Ohio Department of Agriculture
State of Ohio

Order No: 2005-018

Permit to Install No. SUN-0001.PI001.DARK
Permit to Operate No. SUN-0001.PO001.DARK

Robert Krouse, CEO
Midwest Poultry Services, L.P.
PO Box 307
Mentone, IN 46539

RE: Sunny Side Farms, 374 New Weston-Ft. Loramie, Ft. Recovery, OH 45846

Dear Mr. Krouse:

Based on Sections 903.02 and 903.03 of the Ohio Revised Code, the Ohio Department of Agriculture hereby issues Permit to Install No. SUN-0001.PI001.DARK and Permit to Operate No. SUN-0001.PO001.DARK.

Based upon findings that the Facilities are of correct design capacity; that the Facilities' Manure Management Plans, Insect and Rodent Control Plans, and Mortality Management Plans all conform to best management practices; and that the Facilities are operated in a manner that protects the waters of the state, the Director orders the Permit to Install and the Permit to Operate to be issued.

The Permit to Install is valid for twenty-four (24) months after the effective date shown below. The Permit to Install expires after twenty-four (24) months unless there is a continuing program for construction or the permittee has entered into a binding contractual obligation to undertake and complete construction within a reasonable time.

The Permit to Operate is valid for a period of five years. The Permit to Operate shall expire at midnight on a date five years from the effective date shown below. In order to receive authorization to continue to operate beyond the date of expiration, the permittee shall apply to renew the Permit to Operate from the Department not later than one hundred eighty days prior to the expiration of the Permit to Operate.

Effective Date of this Order: Upon journalization.

Fred L. Dailey, Director

Fred L. Dailey

Date 1-12-05

Entered Ohio Department of Agriculture Order Journal Jan 12, 2005, by Connie Ellis.

Ohio Department of Agriculture
State of Ohio

Order No: 2006-228

Permit to Install No. SPR-0001.PI001.WILL
Permit to Operate No. SPR-0001.PO001.WILL

Arnoldus De Kleijne
17495 County Road C
Bryan, OH 43506

RE: Springfield Dairy, LLC, 17495 County Road C, Bryan, OH 43506

Dear Mr. De Kleijne:

Based on Sections 903.02 and 903.03 of the Ohio Revised Code, the Ohio Department of Agriculture hereby issues Permit to Install No.SPR-0001.PI001.WILL and Permit to Operate No. SPI-0001.PO001.WILL.

Based upon findings that the Facilities are of correct design capacity; that the Facilities' Manure Management Plans, Insect and Rodent Control Plans, and Mortality Management Plans all conform to best management practices; and that the Facilities are operated in a manner that protects the waters of the state, the Director orders the Permit to Install and the Permit to Operate to be issued, subject to the conditions enumerated below.

The Permit to Install is valid for twenty-four (24) months after the effective date shown below.

Condition 1: Of the six (6) well logs documented in the Permit to Install, one well log states that no water was found and that casing for this well was pulled and the well properly closed. Two (2) of the six well logs document proper seal and closure of wells and an additional two (2) well logs document proper development of these two wells for production at the Facilities. Before commencing construction and installation as otherwise authorized, the additional last well of six shall be located and tested. If testing demonstrates that the well may be used for production, then the well will be properly raised and capped. If the water is not to be used for production, the well casing will be pulled and the well will be properly sealed and closed.

The Permit to Install expires after twenty-four (24) months unless there is a continuing program for construction or the permittee has entered into a binding contractual obligation to undertake and complete construction within a reasonable time. The director may extend the expiration of the Permit to Install upon written request of the application in accordance with Rule 901:10-1-02 of the Ohio Administrative Code (OAC).

The Permit to Operate is valid for a period of five years but is subject to the following terms and conditions:

Condition 2: Stocking animals at an operating level authorized by the Permit to Operate is prohibited until the following documents are received and construction approved in accordance with Rule 901:10-2-01 of the OAC.

a) The notarized statement,
b) Completed and approved as-built plans, and
c) An inspection of the facilities after construction by Ohio Department of Agriculture.

The Permit to Operate shall expire at midnight on a date five years from the effective date shown below. In order to receive authorization to continue to operate beyond the date of expiration, the permittee shall apply to renew the Permit to Operate from the Department not later than one hundred eighty days prior to the expiration of the Permit to Operate.

Effective Date of this Order: Upon journalization.

Fred L. Dailey, Director

Fred L. Dailey/AKW

Date May 25, 2006

Entered Ohio Department of Agriculture Order Journal May 25, 2006, by Connie Ellis.

DEPARTMENT OF AGRICULTURE
STATE OF OHIO

Ohio Department of Agriculture
State of Ohio

Order No: 2004-121

Permit to Install No. WAR-0001.PI001.MERC
Permit to Operate No. WAR-0001.PO001.MERC

June 1, 2004

Melvin "Al" Warnock, Jr.
205 South Wayne Street
Fort Recovery, Ohio 45846

RE: Warnock Poultry Farm, 196 Fox Road, Fort Recovery, Ohio 45846

Dear Mr. Warnock:

Based on Sections 903.02 and 903.03 of the Ohio Revised Code the Ohio Department of Agriculture, hereby issues Permit to Install No. WAR-0001.PI001.MERC and Permit to Operate No. WAR-0001.PO001.MERC.

Based upon findings that the Facilities are of correct design capacity; that the Facilities' Manure Management Plans, Insect and Rodent Control Plans, and Mortality Management Plans all conform to best management practices; and that the Facilities are operated in a manner that protects the waters of the state, the Director orders the Permit to Install and the Permit to Operate to be issued.

The Permit to Install is valid for twenty-four (24) months after the effective date shown below. The Permit to Install expires after twenty-four (24) months unless there is a continuing program for construction or the permittee has entered into a binding contractual obligation to undertake and complete construction within a reasonable time.

The Permit to Operate is valid for a period of five years. The Permit to Operate shall expire at midnight on a date five years from the effective date shown below. In order to receive authorization to continue to operate beyond the date of expiration, the permittee shall apply to renew the Permit to Operate from the Department not later than one hundred eighty days prior to the expiration of the Permit to Operate.

Effective Date of this Order: Upon journalization.

Fred L. Dailey, Director

Fred L. Dailey

Date 6-1-04

Entered Ohio Department of Agriculture Order Journal June 1, 2004, by Connie Ellis.

Ohio Department of Agriculture
State of Ohio

In re: Review Compliance

Order No: 2006-072
Certificate No. RNWF-0002.RC001-SCIO

Richard and Wendy Breneman
RNW Farm, LLC
9100 Smucker Rd.
Smithville, Ohio 44677

Order

1. On May 26, 2004, the Director of the Ohio Department of Agriculture (Director and ODA) issued an Order for a Review Compliance Certificate (RCC), Order No. 2004-177, as well as RCC PINE-0001.RC001-SCIO.

2. As required by rule 901:10-1-08 of the Ohio Administrative Code (OAC), Jack Graves and Andy Hanson, the owners of Pine Creek Farm, as so identified on Order No. 2004-177, and Richard Breneman informed the Director by letters received January 25 and 26, 2006, of a proposed change of ownership such that Richard Breneman and Wendy Breneman will assume ownership and will assume responsibilities of the operations of the concentrated animal feeding facility (CAFF or Facility) which shall be known as RNW Farm, LLC.

3. As required by paragraph (C) of Section 903.05 of the Ohio Revised Code (ORC) and OAC rule 901:10-1-08, Richard Breneman provided the following information:

    a. Richard and Wendy Breneman will be the owners of RNW Farm, LLC, located at 710 A Apel Road, Franklin Furnace, Ohio.
    b. Richard Breneman will assume responsibilities as the owner and operator of RNW Farm, LLC.
    c. Richard Breneman has the right to control or in fact controls management of RNW Farm, LLC, within the meaning of paragraph (C) of ORC Section 903.05

4. Richard Breneman provided the Director with information regarding compliance history of Breneman Farms in Wayne County, Ohio.

5. The Director finds, based on the information provided by Richard Breneman pursuant to paragraph (C) of section 903.05 of the ORC and by paragraph (D) of

rule 901:10-1-08 of the OAC, that Richard Breneman has sufficient reliability, expertise, and competence to operate the Facility in substantial compliance with ORC chapter 903 and OAC 901:10-1 to 901:10-6.

6. Based on Section 903.05 of the ORC and rule 901:10-1-08 of the OAC, and based further on the information regarding compliance history submitted by RNW Farm, LLC, the Director of the Ohio Department of Agriculture hereby issues Order No. 2006-012 to transfer RCC PINE-0001.RC001-SCIO from Jack Graves and Andy Hanson of Pine Creek Farms to the owner and operator, Richard Breneman as RNWF-002.RC001-SCIO.

7. Based on the foregoing information submitted by Richard Breneman and RNW Farm, LLC, the Director hereby issues Order No. 2006-012 to supercede and modify Order No. 2004-177 and thereby approves Richard Breneman and Wendy Breneman as owners and Richard Breneman as operator of RNW Farm, LLC.

8. All other terms and conditions of Order No. 2004-117 and RCC PINE-0001.RC001-SCIO shall remain in full force and effect.

Effective Date of this Order: Upon journalization.

IT IS SO ORDERED: Fred L. Dailey

Fred L. Dailey, Director

2-21-06

Date

DEPARTMENT OF AGRICULTURE
STATE OF OHIO

Ohio Department of Agriculture
State of Ohio

In re: Permit to Operate
Permit to Install

Order No: 2005-490
Permit to Install No. REY-0001-PT001.WOOD
Permit to Operate No. REY-0001-PT001.WOOD

Reyskens Dairy Leasing LLC
Reyskens Dairy LLC
19480 Cygnet Road
Custar, Ohio 43511

Order Transferring the Permit to Install and Permit to Operate from Carolus van de Heijning to Reyskens Dairy Leasing, LLC

1. On August 6, 2004, the Director of the Ohio Department of Agriculture ("Director" and "ODA") issued an Order (Order No. 2004-264) granting a Permit to Install ("PTI") (REY-0001.PI001.WOOD) and Permit to Operate ("PTO") (REY-0001-PO001.WOOD) to Carolus F.M.Van de Heijning as the owner and operator of Reyskens Dairy.

2. As required by paragraph (B)(1) of rule 901:10-1-08 of the Ohio Administrative Code ("OAC"), on December 9, 2005, Carolus van de Heijning informed the Director that Carolus van de Heinjing intended to transfer ownership of Reyskens Dairy to Reyskens Dairy Leasing, LLC and to transfer the operation of this concentrated animal feeding facility ("Facility") to Reyskens Dairy, LLC. Accordingly, Carolus van de Heinjing requested a transfer of the PTI and the PTO from Carolus van de Heinjing to Reyskens Dairy Leasing, LLC and requested approval of transfer of operation of the facility to Reyskens Dairy, LLC.

3. As required by paragraph (C) of Section 903.05 of the ORC and paragraph (C) of rule 901:10-1-08 of the OAC, Carolus van de Heinjing provided the following information to the Director:

   a. Reyskens Dairy Leasing, LLC is owned by members Carolus (Karel) van de Heijning and Maria (Mariette) G.A. Verheijen;
   b. Carolus (Karel) van de Heijning and Maria (Mariette) G.A. Verheijen are the only members of Reyskens Dairy Leasing, LLC;
   c. Reyskens Dairy Leasing, LLC will assume responsibilities as the owner of the Facility;

d. Reyskens Dairy Leasing, LLC has a right to control or in fact controls management of the Facility within the meaning of paragraph (C) of Section 903.05 of the ORC;

e. Reyskens Dairy, LLC is owned by members Mark van de Heijning and Patrick van de Heijining;

f. Mark van de Heijning is the managing member of Reyskens Dairy, LLC;

g. Reyskens Dairy, LLC will assume responsibilities as the operator of the Facility within the meaning of OAC 901:10-1-01(PPP)(3).

4. Reyskens Dairy Leasing, LLC and Reyskens Dairy, LLC provided the Director with the information required by paragraph (C) of section 903.05 of the ORC and by paragraph (D) of rule 901:10-1-08 of the OAC regarding compliance history.

5. The Director finds, based on the information provided by Reyskens Dairy Leasing, LLC and Reyskens Dairy, LLC pursuant to paragraph (C) of section 903.05 of the ORC and by paragraph (D) of rule 901:10-1-08 of the OAC, that Reyskens Dairy Leasing, LLC and Reyskens Dairy, LLC have sufficient reliability, expertise, and competence to operate the Facility in substantial compliance with ORC chapter 903 and OAC 901:10.

6. Based on Section 903.05 of the ORC and rule 901:10-1-08 of the OAC, and based further on the foregoing additional information regarding compliance history submitted by Reyskens Dairy Leasing, LLC and Reyskens Dairy, LLC, the Director of the Ohio Department of Agriculture hereby issues Order No. 2005-490 to transfer PTI REY-0001.PI001.WOOD and PTO REY-0001-PO001.WOOD from Carolus van de Heijning to the owner Reyskens Dairy Leasing, LLC and operator, Reyskens Dairy, LLC as PTI REY-0001.PT001.WOOD and PTO REY-0001-PT001.WOOD.

7. All terms and conditions of Order No. 2004-264 and PTI REY-0001.PI001.WOOD and PTO REY-0001-PO001.WOOD shall remain in full force and effect and are hereby incorporated in full into permits for Reyskens Dairy Leasing, LLC as PTI REY-0001.PT001.WOOD and PTO REY-0001-PT001.WOOD.

Effective Date of this Order: Upon journalization.

IT IS SO ORDERED: Fred L. Dailey

Fred L. Dailey, Director

12-15-05

Date

TRANSFER AGREEMENT

The transferor, Carolus van de Heijning, agrees to transfer the ownership of Reyskens Dairy, located at 19480 Cygnet Road, Custar, OH 43511, to Reyskens Dairy Leasing, LLC. Carolus van de Heijning agrees to transfer the operation of this dairy to Reyskens Dairy, LLC. The transfer date for both ownership and operation shall be January 15, 2006, at which time the responsibility, coverage, and liability under the Ohio Department of Agriculture's permits for the dairy will be transferred.

Reyskens Dairy Leasing, LLC agrees to assume all responsibilities of Carolus van de Heijning for ownership of the dairy, and Reyskens Dairy, LLC agrees to assume all responsibilities of Carolus van de Heijning for operation of the dairy, including all responsibilities for compliance with the permits issued by the Ohio Department of Agriculture for the dairy.

IT IS SO AGREED:

On Behalf of the Transferor:

Carolus (Karel) van de Heijning
316 Rudolph Road
North Baltimore OH 45872
On Behalf of Transferee

Reyskens Dairy Leasing, LLC

Carolus (Karel) van de Heijning
Member
316 Rudolph Road
North Baltimore OH 45872

On Behalf of Transferee
Reyskens Dairy, LLC

Mark van de Heijning
316 Rudolph Road
North Baltimore OH 45872

Carolus (Karel) van de Heijning
316 Rudolph Road
North Baltimore OH 45872

December 9, 2005

DEC 15 2005

Mr. Fred L. Dailey, Director
Ohio Department of Agriculture
8995 E. Main Street
Reynoldsburg, OH 43068-3399

Re: Reyskens Dairy
PTI: REY-0001-P1001.WOOD
PTO: REY-0001-P1001.WOOD

Dear Director Dailey:

Pursuant to OAC 901:10-1-08, I am notifying you of my intent to transfer the ownership of Reyskens Dairy, located at 19480 Cygnet Road, Custar, OH 43511. The new owner will be Reyskens Dairy Leasing, LLC, and the new operator will be Reyskens Dairy, LLC. The address for both transferee companies will be the same as the dairy's address.

Maria (Mariette) G.A. Verheijen and I are the members of Reyskens Dairy Leasing, LLC. Mark van de Heijning and Patrick van de Heijning are the members of Reyskens Dairy, LLC. Mark is the Manager of Reyskens Dairy, LLC. More information about the ownership of the two companies is provided in the enclosed compliance information.

As stated in the enclosed transfer agreement, the transfer date will be January 15, 2006. The transfer agreement also contains the transferees' commitment to assume all responsibilities of the transferor.

Truly yours,

Carolus van de Heijning

cc: Kevin Elder

Ohio Department of Agriculture
Draft Permit to Install and Draft Permit to Operate
Draft Permit to Install No. EAS-0001.PI001.CLAR
Draft Permit to Operate No. EAS-0001.PO001.CLAR

PUBLIC NOTICE

Ohio Department of Agriculture
Livestock Environmental Permitting Program
8995 East Main Street
Reynoldsburg, Ohio 43068
614-387-0470

Date of Issue of Public Notice: October 4, 2004
Name and address of applicant: Dirk Winkel, 3053 Summerford Rd., South Charleston, Ohio, 45368
Name and address of facility: Eastwood Dairy LLC, 9235 Wildman Rd., South Charleston, Ohio, 45368

Public notice is hereby given that the Ohio Department of Agriculture is accepting comments on Eastwood Dairy's draft Permit to Install. The draft Permit to Install is for two, 600-cow free stall dairy barns; one, 300 dry cow dairy barn attached to a new milking parlor; two earthen storage ponds; and two concrete settling basins. This is a new dairy farm, and the owner intends to construct a 1,500-cow dairy facility, which is a design capacity of 2,100 animal units.

Public comments are also being accepted on Eastwood Dairy's draft Permit to Operate for the entire farm. The draft Permit to Operate is to regulate operations with plans for manure management, insect and rodent control, mortality management, and emergency response. It would be valid for a five-year period, at which time the owner would be required to renew the operating permit.

In accordance with rule 901:10-6-01 of the Ohio Administrative Code, ODA will provide an opportunity for public comment concerning these permits. The permit applicant has already made a request for a public meeting. Oral comments can be made on the record at the public meeting on November 10, 2004, at 7 p.m. in the Auditorium at South Eastern High School, 195 East Jamestown St., South Charleston. Any person may submit written comments on the draft permits at any time within 30 days. Written comments must be received by ODA no later than 5 p.m. on November 18, 2004, which is 5 business days after the date of the public meeting. Comments must be delivered or mailed to ODA Livestock Environmental Permitting Program, 8995 East Main Street, Reynoldsburg, Ohio 43068. The Director will not consider comments received after November 18, 2004, before making a determination on the final permits.

Copies of the draft Permit to Install and draft Permit to Operate may be reviewed and/or copies made at the ODA Livestock Environmental Permitting Program, 8995 East Main Street, Reynoldsburg, Ohio 43068, by first calling 614-387-0470 to make an appointment.

– end –

Deb Abbott

From: Deb Abbott [abbott@mail.agri.state.oh.us]
Sent: Wednesday, September 29, 2004 4:22 PM
To: 'mjpowell@coxohio.com'
Subject: legal notice for Monday, Oct. 4, 2004

The attached document is a legal notice for publication Monday, October 4, 2004. Please call or reply to this e-mail that this has been received and will be published. And please call immediately with any questions. Billing address is below and should be directed to Peggy Jackson.

Ohio Department of Agriculture
Livestock Environmental Permitting Program
89995 East Main Street
Reynoldsburg, OH 43068

Thank you!

Deborah Abbott
Public Information Officer 2
Ohio Department of Agriculture
Livestock Environmental Permitting Program
direct phone: 614-387-0914
fax: 614-728-6335
website: www.ohioagriculture.gov
Program's page: www.ohioagriculture.gov/lepp

Eastwood-Public-Notice.doc

Deb Abbott

From: Powell, Melissa [mjpowell@coxohio.com]
Sent: Wednesday, September 29, 2004 4:44 PM
To: abbott@mail.agri.state.oh.us
Subject: RE: legal notice for Monday, Oct. 4, 2004

Your ad will run as requested.
Thanks,
Melissa Powell
Classified Advertising
Springfield News Sun
Phone 937-328-0316
E-Mail
mjpowell@coxohio.com

-----Original Message-----
From: Deb Abbott [mailto:abbott@mail.agri.state.oh.us]
Sent: Wednesday, September 29, 2004 4:22 PM
To: Powell, Melissa
Subject: legal notice for Monday, Oct. 4, 2004

The attached document is a legal notice for publication Monday, October 4, 2004. Please call or reply to this e-mail that this has been received and will be published. And please call immediately with any questions. Billing address is below and should be directed to Peggy Jackson.

Ohio Department of Agriculture
Livestock Environmental Permitting Program
9995 East Main Street
Reynoldsburg, OH 43068

Thank you!

Deborah Abbott
Public Information Officer 2
Ohio Department of Agriculture
Livestock Environmental Permitting Program
direct phone: 614-387-0914
fax: 614-728-6335
website: www.ohioagriculture.gov
Program's page: www.ohioagriculture.gov/lepp

Deb Abbott

From: Powell, Melissa [mjpowell@coxohio.com]
Sent: Wednesday, September 29, 2004 4:44 PM
To: abbott@mail.agri.state.oh.us
Subject: RE: legal notice for Monday, Oct. 4, 2004

Your ad will run as requested.
Thanks,
Melissa Powell
Classified Advertising
Springfield News Sun
Phone 937-328-0316
E-Mail
mjpowell@coxohio.com

-----Original Message-----
From: Deb Abbott [mailto:abbott@mail.agri.state.oh.us]
Sent: Wednesday, September 29, 2004 4:22 PM
To: Powell, Melissa
Subject: legal notice for Monday, Oct. 4, 2004

The attached document is a legal notice for publication Monday, October 4, 2004. Please call or reply to this e-mail that this has been received and will be published. And please call immediately with any questions. Billing address is below and should be directed to Peggy Jackson.

Ohio Department of Agriculture
Livestock Environmental Permitting Program
9995 East Main Street
Reynoldsburg, OH 43068

Thank you!

Deborah Abbott
Public Information Officer 2
Ohio Department of Agriculture
Livestock Environmental Permitting Program
direct phone: 614-387-0914
fax: 614-728-6335
website: www.ohioagriculture.gov
Program's page: www.ohioagriculture.gov/lepp

NEWS RELEASE: Ohio Department of Agriculture
LIVESTOCK ENVIRONMENTAL PERMITTING PROGRAM

OHIO PROUD

Governor Bob Taft
Lieutenant Governor Jennette B. Bradley
Director Fred L. Dailey

Livestock Environmental Permitting Program
8995 East Main Street • Reynoldsburg, Ohio 43068
Phone: 614-387-0470 • Fax 614-728-6335
ODA home page: www.ohioagriculture.gov • e-mail: lepp@mail.agri.state.oh.us

FOR IMMEDIATE RELEASE
October 4, 2004
Contact: Deborah Abbott, Livestock Environmental Permitting Program, 614-387-0914

ODA Issues Public Notice for Draft Permit to Install and Draft Permit to Operate for Eastwood Dairy: Information Sessions and Public Meeting Scheduled

REYNOLDSBURG – The Ohio Department of Agriculture has issued a public notice that it is accepting comments on a draft Permit to Install and draft Permit to Operate for Eastwood Dairy. ODA has scheduled two opportunities for the public to ask questions about the draft permits and one opportunity to provide oral comments about the draft permits.

Eastwood Dairy LLC is located in Clark County, Madison Township, 9235 Wildman Road, South Charleston, Ohio. It is owned and would be operated by Dirk Winkel. This is a new dairy farm, and Winkel intends to construct a 1,500-cow dairy facility, which is a design capacity of 2,100 animal units.

Eastwood Dairy's draft Permit to Install is for two, 600-cow free stall dairy barns; one, 300 dry cow dairy barn attached to a new milking parlor; two earthen storage ponds; and two concrete settling basins.

Eastwood Dairy's draft Permit to Operate is for the entire farm. The draft Permit to Operate is to regulate operations with plans for manure management, insect and rodent control, mortality management, and emergency response. It would be valid for a five-year period, at which time the owner would be required to renew the operating permit.

Two opportunities for the public to ask questions about the Eastwood Dairy's draft Permit to Install and draft Permit to Operate are scheduled. ODA staff will hold an information session on ~~Thursday, October 21~~, 2004, from 7 to 9 p.m. in the Auditorium at South Eastern High School, 195 East Jamestown St. in South Charleston where a presentation about the draft permits will be made, followed by a question and answer session.

A second public information session is scheduled for Monday, November 1, 2004, from 7 to 9 p.m. also in the Auditorium at South Eastern High School in South Charleston. Both meetings will be identical in content and format and are opportunities for the public to ask ODA's Livestock Environmental Permitting Program technical staff questions about the draft Permit to Install, draft Permit to Operate, and the public participation process.

(more)

The public meeting on Wednesday, November 10, 2004, at 7 p.m. also in the Auditorium at South Eastern High School in South Charleston will be a time where interested persons can submit oral or written comments on the record concerning the draft Permit to Install and draft Permit to Operate for the Eastwood Dairy. Oral comments may have time restrictions depending upon the number of people at the meeting. Written comments are accepted now until 5 p.m. on Monday, November 18, 2004, five business days after the public meeting, but will not be considered if they are received after that date. Written comments can be turned in at the public meeting or sent to ODA's Livestock Environmental Permitting Program.

Copies of the draft permits can be viewed at the ODA Livestock Environmental Permitting Program offices, 8995 East Main Street, Reynoldsburg, 614-387-0470 or at the Clark Soil and Water Conservation District office, 4400 Gateway Blvd., Suite 103, Springfield, 937-328-4600. Those interested should call ahead and make an appointment to view the documents. Written comments cannot be submitted to the Clark SWCD office.

On August 19, 2002, the ODA Livestock Environmental Permitting Program began implementing rules regulating Ohio's large livestock and poultry farms with more than 1,000 animal units. These rules established construction standards for all new and existing large livestock and poultry farms; all aspects of manure storage, handling, transportation, and land-application by these farms; the farms' insect and rodent control plans; and compliance and enforcement procedures. You can find more information on ODA's Livestock Environmental Permitting Program at www.ohioagriculture.gov/lepp.

– 30 –

FAX COVER SHEET

Ohio Department of Agriculture
Livestock Environmental Permitting Program
8995 East Main Street, Reynoldsburg, Ohio 43068
phone: 614-387-0470 fax: 614-728-6335

TO: Newsroom – Springfield News-Sun **FROM:** _____ Deborah Abbott

Phone: 937-328-0300 _____ Phone: 614-387-0914 _____

Fax: 937-328-0328 _____ Fax: 614-728-6335

Subject: attached press release _____

Number of pages (including cover sheet): 3 _____

Note to editors
You can find more information on ODA's Livestock Environmental Permitting Program's website at www.ohioagriculture.gov/lepp

Transmission Report

Date/Time	10- 4-04; 8:39AM
Local ID	61472863335
Local Name	livestock permits
Company Logo	

is document was confirmed.
(reduced sample and details below)
Document Size Letter-S

FAX COVER SHEET

Ohio Department of Agriculture
Livestock Environmental Permitting Program
8995 East Main Street, Reynoldsburg, Ohio 43068
phone: 614-387-0470 fax: 614-728-6335

TO: Newsroom – Springfield News-Sun **FROM:** _____Deborah Abbott

Phone: 937-328-0300 _____ Phone: 614-387-0914 _____

Fax: 937-328-0328 _____ Fax: 614-728-6335

Subject: attached press release _____

Number of pages (including cover sheet): 3_____

Note to editors
You can find more information on ODA's Livestock Environmental Permitting Program's website at www.ohioagriculture.gov/lepp

Total Pages Scanned : 3 Total Pages Confirmed : 3

o.	Doc	Remote Station	Start Time	Duration	Pages	Mode	Comments	Results
1	119	919373280328	10- 4-04; 8:37AM	1'22"	3/ 3	EC		CP 14.4

es :
: Error Correct
Broadcast Send
Completed
Host Scan
Host Fax

RE: Resend
MP: Multi-Poll
RM: Receive to Memory
HP: Host Print
HR: Host Receive

PD: Polled by Remote
PG: Polling a Remote
DR: Document Removed
FO: Forced Output
FM: Forward Mailbox Doc.

MB: Receive to Mailbox
PI: Power Interruption
TM: Terminated by user
WT: Waiting Transfer
WS: Waiting Send

FAX COVER SHEET

Ohio Department of Agriculture
Livestock Environmental Permitting Program
8995 East Main Street, Reynoldsburg, Ohio 43068
phone: 614-387-0470 fax: 614-728-6335

TO: NEWSROOM _____ **FROM:** Deborah Abbott_____
Enon Messenger & New Carlisle Sun

Phone: 937-864-1136 & 845-3861 Phone: 614-387-0914 _____

Fax: 937-845-3577 _____ Fax: 614-728-6335

Subject: attached press release _____

Number of pages (including cover sheet): 3 _____

Note to editors
You can find more information on ODA's Livestock Environmental Permitting Program's website at www.ohioagriculture.gov/lepp

Transmission Report

Date/Time	10- 4-04; 8:41AM
Local ID	61472863335
Local Name	livestock permits
Company Logo	

This document was confirmed.
(reduced sample and details below)
Document Size Letter-S

FAX COVER SHEET

Ohio Department of Agriculture
Livestock Environmental Permitting Program
8995 East Main Street, Reynoldsburg, Ohio 43068
phone: 614-387-0470 fax: 614-728-6335

TO: NEWSROOM _____ **FROM:** Deborah Abbott_____
Enon Messenger & New Carlisle Sun

Phone: 937-864-1136 & 845-3861 Phone: 614-387-0914 _____

Fax: 937-845-3577 _____ Fax: 614-728-6335

Subject: attached press release _____

Number of pages (including cover sheet): 3_____

Note to editors
You can find more information on ODA's Livestock Environmental Permitting Program's website at www.ohioagriculture.gov/lepp

Total Pages Scanned : 3 Total Pages Confirmed : 3

No.	Doc	Remote Station	Start Time	Duration	Pages	Mode	Comments	Results
1	121	919378453577	10- 4-04; 8:39AM	1'22"	3/ 3	EC		CP 14.4

Modes :

Error Correct	RE: Resend	PD: Polled by Remote	MB: Receive to Mailbox
Broadcast Send	MP: Multi-Poll	PG: Polling a Remote	PI: Power Interruption
Completed	RM: Receive to Memory	DR: Document Removed	TM: Terminated by user
Host Scan	HP: Host Print	FO: Forced Output	WT: Waiting Transfer
Host Fax	HR: Host Receive	FM: Forward Mailbox Doc.	WS: Waiting Send

FAX COVER SHEET

Ohio Department of Agriculture
Livestock Environmental Permitting Program
8995 East Main Street, Reynoldsburg, Ohio 43068
phone: 614-387-0470 fax: 614-728-6335

TO: NEWSROOM _____ **FROM:** Deborah Abbott_____
WBLY

Phone: 937-390-1693 _____ Phone: 614-387-0914 _____

Fax: 937-399-8767 _____ Fax: 614-728-6335

Subject: attached press release _____

Number of pages (including cover sheet): 3 _____

Note to editors
You can find more information on ODA's Livestock Environmental Permitting Program's website at www.ohioagriculture.gov/lepp

Transmission Report

Date/Time 10- 4-04; 8:42AM
Local ID 61472863335
Local Name livestock permits
Company Logo

This document was confirmed.
(reduced sample and details below)
Document Size Letter-S

FAX COVER SHEET

Ohio Department of Agriculture
Livestock Environmental Permitting Program
8995 East Main Street, Reynoldsburg, Ohio 43068
phone: 614-387-0470 fax: 614-728-6335

TO: NEWSROOM WBLY _____ **FROM:** Deborah Abbott _____

Phone: 937-390-1693 _____ **Phone:** 614-387-0914 _____

Fax: 937-399-8767 _____ **Fax:** 614-728-6335

Subject: attached press release _____

Number of pages (including cover sheet): 3 _____

Note to editors
You can find more information on ODA's Livestock Environmental Permitting Program's website at www.ohioagriculture.gov/lepp

Total Pages Scanned : 3 Total Pages Confirmed : 3

.	Doc	Remote Station	Start Time	Duration	Pages	Mode	Comments	Results
1	122	919373998767	10- 4-04; 8:41AM	49"	3/ 3	EC		CP 24.0

es :

Error Correct	RE: Resend	PD: Polled by Remote	MB: Receive to Mailbox
Broadcast Send	MP: Multi-Poll	PG: Polling a Remote	PI: Power Interruption
Completed	RM: Receive to Memory	DR: Document Removed	TM: Terminated by user
Host Scan	HP: Host Print	FO: Forced Output	WT: Waiting Transfer
Host Fax	HR: Host Receive	FM: Forward Mailbox Doc.	WS: Waiting Send

FAX COVER SHEET

Ohio Department of Agriculture
Livestock Environmental Permitting Program
8995 East Main Street, Reynoldsburg, Ohio 43068
phone: 614-387-0470 fax: 614-728-6335

TO: NEWSROOM _____
WEEC

FROM: Deborah Abbott_____

Phone: 937-399-7837 _____

Phone: 614-387-0914 _____

Fax: 937-399-7802 _____

Fax: 614-728-6335

Subject: attached press release _____

Number of pages (including cover sheet): 3 _____

Note to editors
You can find more information on ODA's Livestock Environmental Permitting Program's website at www.ohioagriculture.gov/lepp

Transmission Report

Date/Time	10- 4-04; 8:46AM
Local ID	61472863335
Local Name	livestock permits
Company Logo	

This document was confirmed.
(reduced sample and details below)
Document Size Letter-S

FAX COVER SHEET

Ohio Department of Agriculture
Livestock Environmental Permitting Program
8995 East Main Street, Reynoldsburg, Ohio 43068
phone: 614-387-0470 fax: 614-728-6335

TO: NEWSROOM WEEC _____ **FROM:** Deborah Abbott _____

Phone: 937-399-7837 _____ Phone: 614-387-0914 _____

Fax: 937-399-7802 _____ Fax: 614-728-6335

Subject: attached press release _____

Number of pages (including cover sheet): 3 _____

Note to editors
You can find more information on ODA's Livestock Environmental Permitting Program's website at www.ohioagriculture.gov/lepp

Total Pages Scanned : 3 Total Pages Confirmed : 3

.	Doc	Remote Station	Start Time	Duration	Pages	Mode	Comments	Results
1	123	919373997802	10- 4-04; 8:42AM	3'26"	3/ 3	G3		CP 9600

es :

Error Correct	RE: Resend	PD: Polled by Remote	MB: Receive to Mailbox
Broadcast Send	MP: Multi-Poll	PG: Polling a Remote	PI: Power Interruption
Completed	RM: Receive to Memory	DR: Document Removed	TM: Terminated by user
Host Scan	HP: Host Print	FO: Forced Output	WT: Waiting Transfer
Host Fax	HR: Host Receive	FM: Forward Mailbox Doc.	WS: Waiting Send

FAX COVER SHEET

Ohio Department of Agriculture
Livestock Environmental Permitting Program
8995 East Main Street, Reynoldsburg, Ohio 43068
phone: 614-387-0470 fax: 614-728-6335

TO: NEWSROOM _____
WKSW

FROM: Deborah Abbott_____

Phone: 937-653-5477 _____

Phone: 614-387-0914 _____

Fax: 937-399-3661 _____

Fax: 614-728-6335

Subject: attached press release _____

Number of pages (including cover sheet): 3 _____

Note to editors
You can find more information on ODA's Livestock Environmental Permitting Program's website at www.ohioagriculture.gov/lepp

Transmission Report

Date/Time	10- 4-04; 8:48AM
Local ID	61472863335
Local Name	livestock permits
Company Logo	

This document was confirmed.
(reduced sample and details below)
Document Size Letter-S

FAX COVER SHEET

Ohio Department of Agriculture
Livestock Environmental Permitting Program
8995 East Main Street, Reynoldsburg, Ohio 43068
phone: 614-387-0470 fax: 614-728-6335

TO: NEWSROOM WKSW _____ **FROM:** Deborah Abbott _____

Phone: 937-653-5477 _____ Phone: 614-387-0914 _____

Fax: 937-399-3661 _____ Fax: 614-728-6335

Subject: attached press release _____

Number of pages (including cover sheet): 3 _____

Note to editors
You can find more information on ODA's Livestock Environmental Permitting Program's website at www.ohioagriculture.gov/lepp

Total Pages Scanned : 3 Total Pages Confirmed : 3

No.	Doc	Remote Station	Start Time	Duration	Pages	Mode	Comments	Results
1	124	919373993661	10- 4-04; 8:46AM	1'47"	3/ 3	EC		CP 9600

Notes :

Error Correct	RE: Resend	PD: Polled by Remote	MB: Receive to Mailbox
Broadcast Send	MP: Multi-Poll	PG: Polling a Remote	PI: Power Interruption
Completed	RM: Receive to Memory	DR: Document Removed	TM: Terminated by user
Host Scan	HP: Host Print	FO: Forced Output	WT: Waiting Transfer
Host Fax	HR: Host Receive	FM: Forward Mailbox Doc.	WS: Waiting Send

FACT SHEET: Ohio Department of Agriculture
LIVESTOCK ENVIRONMENTAL PERMITTING PROGRAM

OHIO PROUD

Governor Bob Taft
Lieutenant Governor Jennette B. Bradley
Director Fred L. Dailey

Livestock Environmental Permitting Program
8995 East Main Street • Reynoldsburg, Ohio 4306
Phone: 614-387-0470 • Fax 614-728-633
ODA home page: www.ohioagriculture.gov • e-mail: lepp@mail.agri.state.oh.u

FOR IMMEDIATE RELEASE
October 4, 2004
Contact: Deborah Abbott, Livestock Environmental Permitting Program, 614-387-0914

FACT SHEET: Eastwood Dairy LLC
Draft Permit to Install and Draft Permit to Operate

General overview of the farm
Eastwood Dairy LLC is located in Clark County, Madison Township, 9235 Wildman Road, South Charleston, Ohio. It is owned and would be operated by Dirk Winkel. This is a new dairy farm, and Winkel intends to construct a 1,500-cow dairy facility, which is a design capacity of 2,100 animal units. Eastwood Dairy is located in the Little Miami Watershed.

Under state law, the construction of a 1,500-cow dairy requires its owner to obtain a Permit to Install and a Permit to Operate from the Ohio Department of Agriculture. Vreba-Hoff Dairy Development of Wauseon prepared the permit applications, Clark Soil and Water Conservation District prepared the manure management plan, and North Point Engineering of North Canton prepared the engineering plans.

Overview of Permit to Install
Eastwood Dairy's draft Permit to Install is for two, 600-cow free stall dairy barns, one, 300 dry cow dairy barn attached to a new milking parlor, two earthen storage ponds, and two concrete settling basins. One earthen storage pond would be for contaminated storm water from the site, and the other storage pond would be used for manure storage. The storm water pond would have storage for approximately 4.9 million gallons of contaminated storm water, providing approximately 183 days of storage. The manure storage structure is proposed to store approximately 15.2 million gallons of manure, providing 366 days of storage. The two concrete settling basins would be located adjacent to each of the freestall barns and would be used to settle out the sand portion of the bedding before it is pumped to the manure storage pond. Each basin would be built with a stacking pad for the sand solids, and together they would provide 371 days of sand storage.

Overview of Permit to Operate
Eastwood Dairy's draft Permit to Operate is for the entire farm. The draft Permit to Operate would regulate farm operations with plans for manure management, insect and rodent control, mortality management, and emergency response. It would be valid for a five-year period, at which time the owner would be required to renew the operating permit.

(more)

Upon completion of the proposed construction, Eastwood Dairy would be capable of housing 1,500 mature dairy cows. The annual predicted manure production would be approximately 15 million gallons, which includes 9.4 million gallons of manure, 160,600 gallons of bedding, and 3.3 million gallons of wash water. An estimated 2.2 million gallons of wastewater would be collected annually from precipitation that falls directly on the manure storage structures and other areas, such as the silage pad, that would contribute contaminated storm water. Therefore, the total amount of liquid that would be stored annually is approximately 15.1 million gallons. In addition to liquid waste, the sand bedding would contribute approximately 11,000 dry tons of waste, of which 90 percent would be separated out.

All milking parlor wash water would flow into one of the two settling basins, and manure from the freestall barns would be scraped to their respective concrete settling basins where about 90 percent of the sand bedding is settled out and stored, while the liquid manure would then be pumped into a manure storage structure.

A storm water pond would be installed to collect contaminated storm water from the silage pads and areas around the commodities building. This wastewater would be used to irrigate crops as needed or pumped to the manure pond, which is designed to accept the excess liquid when land application is not practical.

The Eastwood Dairy has approximately 1,494 acres available for the application of the manure and wastewater from the dairy. The liquid waste stored in the manure storage ponds would be applied with a drag-hose injection system predominantly during the spring and fall, as weather permits, by a custom applicator. The sand solids would be applied throughout the year as weather permits.

A 5-year cropping rotation was evaluated for this permit with 186 acres of alfalfa with an expected yield of 6 tons per acre, 282 acres of corn with and expected yield of 175 bushels per acre, 701 acres of corn silage with an expected yield of 25 tons per acre, 275 acres of soybeans with an expected yield of 50 bushels per acre, and 50 acres of wheat with an expected yield of 80 bushels per acre.

The manure nutrient analysis for this facility was calculated based on actual manure samples from a similar facility. Total sand bedding was estimated to be 5,420 tons per year. The nutrient analysis utilized for this operation is as follows:

Total N per dry ton of manure = 3.2 lbs.
P_2O_5 per dry ton of manure = 5.5 lbs.
K_2O per dry ton of manure = 4.9 lbs.

The standard annual rate of solid manure would be applied at a rate of 20 dry tons per acre on available ground throughout the year.

The liquid manure nutrient analysis utilized for this operation was provided by a similar type operation and is follows:

Total N per 1000 gallons of manure = 10.2 lbs.
P_2O_5 per 1000 gallons of manure = 8.0 lbs.
K_2O per 1000 gallons of manure = 15.0 lbs.

The standard annual rate of liquid manure would be 9,000 – 25,000 gallons per acre on all the acreage. Final rates would vary depending on crop nutrient requirements, and one-time rates would not exceed 13,000 gallons per acres.

An Insect and Rodent Control plan is required as part of the draft Permit to Operate to minimize the presence and negative effects of insects and rodents. Eastwood Dairy's Insect and Rodent Control Plan includes monitoring the barns on a weekly basis for flies and rodents. Speck cards or sticky tapes would be used to monitor for flies. Weekly visual inspections would be made for rodents. Rodent traps would be set and monitored by a pest control firm at least twice per month. A pest control firm would also routinely spray around the facility. Trends would be tracked by reviewing the speck card data both weekly and quarterly. More detail on the Insect and Rodent Control Plan would be found in the draft Permit to Operate.

A Mortality Management Plan is also required for the disposal of dead animals. Approved methods for disposal are burying, burning, rendering, or composting. Eastwood Dairy has selected rendering as their method of disposal.

An Emergency Response Plan is the last plan required by the draft Permit to Operate to ensure accidents or emergencies are handled quickly and efficiently to maintain the safety of the environment, wildlife, and water supplies. Any spills would be halted and contained, the proper authorities would be notified, and the area would be cleaned and restored to the original condition. Prearranged emergency access agreements with neighbors are in place. Prearranged emergency equipment and supplies, such as an irrigation pump, bulldozer, backhoe, and vacuum slurry tank, are also in place. In case of fire, there is a fire emergency response information sheet to assist farm personnel in contacting local fire protection districts.

Finally, an Operating Record is contained in the draft Permit to Operate that includes all forms and information that must be maintained by the facility to show compliance with ODA's rules. These records include inspection of the manure storage structures, manure characterization, land applications, insect and rodent control, distribution and utilization of manure, and mortality management. These records would be inspected by the ODA at least twice annually.

– 30 –

Livestock Environmental Permitting Program
Ohio Department of Agriculture

8995 East Main Street - Reynoldsburg, OH 43068
toll-free: 1-800-282-1955 or direct: 614-387-0470
lepp@mail.agri.state.oh.us

Deborah Abbott — *Public Information Officer*
Kelly Harvey — *Community Relations Liaison*

Web site address: *http://www.ohioagriculture.gov/lepp*

Information Session #1
Date: October 18, 2004
Time: 7:00-9:00 p.m.
Location: Southeastern High School

Information Session #2
Date: November 1, 2004
Time: 7:00-9:00 p.m.
Location: Southeastern High School

Pubic Meeting
Date: November 10
Time: 7:00 p.m.
Location: Southeastern High School

How can I comment on the draft permits?

The Livestock Environmental Permitting Program is accepting written comments on Eastwood Dairy draft permit to install and draft permit to operate until November 18, 2004 **(written comments must be received by 5 p.m., November 18)**. To submit written comments, you must include your name and address. Please send your comments via e-mail to lepp@mail.agri.state.oh.us or via regular mail to the Livestock Environmental Permitting Program's office at the address above.

FAX COVER SHEET

Ohio Department of Agriculture
Livestock Environmental Permitting Program
8995 East Main Street, Reynoldsburg, Ohio 43068
phone: 614-387-0470 fax: 614-728-6335

TO: Newsroom – Springfield News-Sun **FROM:** _____Deborah Abbott

Phone: 937-328-0300 _____ Phone: 614-387-0914 _____

Fax: 937-328-0328 _____ Fax: 614-728-6335

Subject: attached press release _____

Number of pages (including cover sheet): 2 _____

Note to editors
You can find more information on ODA's Livestock Environmental Permitting Program's website at www.ohioagriculture.gov/lepp

Transmission Report

Date/Time	12- 8-04;12:37PM
Local ID	61472863335
Local Name	livestock permits
Company Logo	

is document was confirmed.
(reduced sample and details below)
Document Size Letter-S

FAX COVER SHEET

Ohio Department of Agriculture
Livestock Environmental Permitting Program
8995 East Main Street, Reynoldsburg, Ohio 43068
phone: 614-387-0470 fax: 614-728-6335

TO: Newsroom – Springfield News-Sun **FROM:** Deborah Abbott

Phone: 937-328-0300 Phone: 614-387-0914

Fax: 937-328-0328 Fax: 614-728-6335

Subject: attached press release

Number of pages (including cover sheet): 2

Note to editors
You can find more information on ODA's Livestock Environmental Permitting Program's website at www.ohioagriculture.gov/lepp

Total Pages Scanned : 2 Total Pages Confirmed : 2

No.	Doc	Remote Station	Start Time,	Duration	Pages	Mode	Comments	Results
1	31	919373280328	12- 8-04;12:35PM	1'02"	2/ 2	EC		CP 14.4

tes :
:: Error Correct
:: Broadcast Send
: Completed
: Host Scan
: Host Fax

RE: Resend
MP: Multi-Poll
RM: Receive to Memory
HP: Host Print
HR: Host Receive

PD: Polled by Remote
PG: Polling a Remote
DR: Document Removed
FO: Forced Output
FM: Forward Mailbox Doc.

MB: Receive to Mailbox
PI: Power Interruption
TM: Terminated by user
WT: Waiting Transfer
WS: Waiting Send

FAX COVER SHEET

Ohio Department of Agriculture
Livestock Environmental Permitting Program
8995 East Main Street, Reynoldsburg, Ohio 43068
phone: 614-387-0470 fax: 614-728-6335

TO: NEWSROOM
Enon Messenger & New Carlisle Sun

FROM: Deborah Abbott

Phone: 937-864-1136 & 845-3861

Phone: 614-387-0914

Fax: 937-845-3577

Fax: 614-728-6335

Subject: attached press release

Number of pages (including cover sheet): 2

Note to editors
You can find more information on ODA's Livestock Environmental Permitting Program's website at www.ohioagriculture.gov/lepp

Transmission Report

Date/Time	12- 8-04;12:35PM
Local ID	61472863335
Local Name	livestock permits
Company Logo	

This document was confirmed.
(reduced sample and details below)
Document Size Letter-S

FAX COVER SHEET

Ohio Department of Agriculture
Livestock Environmental Permitting Program
8995 East Main Street, Reynoldsburg, Ohio 43068
phone: 614-387-0470 fax: 614-728-6335

TO: NEWSROOM _____ **FROM:** Deborah Abbott _____
Enon Messenger & New Carlisle Sun

Phone: 937-864-1136 & 845-3861 Phone: 614-387-0914 _____

Fax: 937-845-3577 _____ Fax: 614-728-6335

Subject: attached press release _____

Number of pages (including cover sheet): 2 _____

Note to editors
You can find more information on ODA's Livestock Environmental Permitting Program's website at www.ohioagriculture.gov/lepp

Total Pages Scanned : 2 Total Pages Confirmed : 2

No.	Doc	Remote Station	Start Time	Duration	Pages	Mode	Comments	Results
1	33	919378453577	12- 8-04;12:34PM	52"	2/ 2	EC		CP 14.4

Notes :
EC: Error Correct
BC: Broadcast Send
CP: Completed
HS: Host Scan
HF: Host Fax
RE: Resend
MP: Multi-Poll
RM: Receive to Memory
HP: Host Print
HR: Host Receive
PD: Polled by Remote
PG: Polling a Remote
DR: Document Removed
FO: Forced Output
FM: Forward Mailbox Doc.
MB: Receive to Mailbox
PI: Power Interruption
TM: Terminated by user
WT: Waiting Transfer
WS: Waiting Send

FAX COVER SHEET

Ohio Department of Agriculture
Livestock Environmental Permitting Program
8995 East Main Street, Reynoldsburg, Ohio 43068
phone: 614-387-0470 fax: 614-728-6335

TO: NEWSROOM
WBLY

FROM: Deborah Abbott

Phone: 937-390-1693

Phone: 614-387-0914

Fax: 937-399-8767

Fax: 614-728-6335

Subject: attached press release

Number of pages (including cover sheet): 2

Note to editors
You can find more information on ODA's Livestock Environmental Permitting Program's website at www.ohioagriculture.gov/lepp

Transmission Report

Date/Time	12- 8-04;12:41PM
Local ID	61472863335
Local Name	livestock permits
Company Logo	

is document was confirmed.
(reduced sample and details below)
Document Size Letter-S

FAX COVER SHEET

Ohio Department of Agriculture
Livestock Environmental Permitting Program
8995 East Main Street, Reynoldsburg, Ohio 43068
phone: 614-387-0470 fax: 614-728-6335

TO: NEWSROOM WBLY _____ **FROM:** Deborah Abbott_____

Phone: 937-390-1693 _____ **Phone:** 614-387-0914 _____

Fax: 937-399-8767 _____ **Fax:** 614-728-6335

Subject: attached press release _____

Number of pages (including cover sheet): 2_____

Note to editors
You can find more information on ODA's Livestock Environmental Permitting Program's website at www.ohioagriculture.gov/lepp

Total Pages Scanned : 2 Total Pages Confirmed : 2

o.	Doc	Remote Station	Start Time	Duration	Pages	Mode	Comments	Results
1	35	919373998767	12- 8-04;12:37PM	20"	-/ 2			0535
2	35	919373998767	12:40PM	46"	2/ 2	EC	RE	CP 26.4

tes :

: Error Correct	RE: Resend	PD: Polled by Remote	MB: Receive to Mailbox
: Broadcast Send	MP: Multi-Poll	PG: Polling a Remote	PI: Power Interruption
: Completed	RM: Receive to Memory	DR: Document Removed	TM: Terminated by user
: Host Scan	HP: Host Print	FO: Forced Output	WT: Waiting Transfer
ost Fax	HR: Host Receive	FM: Forward Mailbox Doc.	WS: Waiting Send

FAX COVER SHEET

Ohio Department of Agriculture
Livestock Environmental Permitting Program
8995 East Main Street, Reynoldsburg, Ohio 43068
phone: 614-387-0470 fax: 614-728-6335

TO: NEWSROOM
WEEC

FROM: Deborah Abbott

Phone: 937-399-7837

Phone: 614-387-0914

Fax: 937-399-7802

Fax: 614-728-6335

Subject: attached press release

Number of pages (including cover sheet): 2

Note to editors
You can find more information on ODA's Livestock Environmental Permitting Program's website at www.ohioagriculture.gov/lepp

Transmission Report

Date/Time 12- 8-04;12:40PM
Local ID 61472863335
Local Name livestock permits
Company Logo

is document was confirmed.
(reduced sample and details below)
Document Size Letter-S

FAX COVER SHEET

Ohio Department of Agriculture
Livestock Environmental Permitting Program
8995 East Main Street, Reynoldsburg, Ohio 43068
phone: 614-387-0470 fax: 614-728-6335

TO: NEWSROOM WEEC _____ **FROM:** Deborah Abbott _____

Phone: 937-399-7837 _____ **Phone:** 614-387-0914 _____

Fax: 937-399-7802 _____ **Fax:** 614-728-6335

Subject: attached press release _____

Number of pages (including cover sheet): 2 _____

Note to editors
You can find more information on ODA's Livestock Environmental Permitting Program's website at www.ohioagriculture.gov/lepp

Total Pages Scanned : 2 Total Pages Confirmed : 2

No.	Doc	Remote Station	Start Time	Duration	Pages	Mode	Comments	Results
1	36	919373997802	12- 8-04;12:37PM	2'14"	2/ 2	G3		CP 9600

Notes :
E: Error Correct
B: Broadcast Send
C: Completed
S: Host Scan
F: Host Fax
RE: Resend
MP: Multi-Poll
RM: Receive to Memory
HP: Host Print
HR: Host Receive
PD: Polled by Remote
PG: Polling a Remote
DR: Document Removed
FO: Forced Output
FM: Forward Mailbox Doc.
MB: Receive to Mailbox
PI: Power Interruption
TM: Terminated by user
WT: Waiting Transfer
WS: Waiting Send

FAX COVER SHEET

Ohio Department of Agriculture
Livestock Environmental Permitting Program
8995 East Main Street, Reynoldsburg, Ohio 43068
phone: 614-387-0470 fax: 614-728-6335

TO: NEWSROOM
WKSW

FROM: Deborah Abbott

Phone: 937-653-5477

Phone: 614-387-0914

Fax: 937-399-3661

Fax: 614-728-6335

Subject: attached press release

Number of pages (including cover sheet): 2

Note to editors
You can find more information on ODA's Livestock Environmental Permitting Program's website at www.ohioagriculture.gov/lepp

Transmission Report

Date/Time	12- 8-04;12:43PM
Local ID	61472863335
Local Name	livestock permits
Company Logo	

is document was confirmed.
(reduced sample and details below)
Document Size Letter-S

FAX COVER SHEET

Ohio Department of Agriculture
Livestock Environmental Permitting Program
8995 East Main Street, Reynoldsburg, Ohio 43068
phone: 614-387-0470 fax: 614-728-6335

TO: NEWSROOM WKSW _____ **FROM:** Deborah Abbott _____

Phone: 937-653-5477 _____ Phone: 614-387-0914 _____

Fax: 937-399-3661 _____ Fax: 614-728-6335

Subject: attached press release _____

Number of pages (including cover sheet): 2 _____

Note to editors
You can find more information on ODA's Livestock Environmental Permitting Program's website at www.ohioagriculture.gov/lepp

Total Pages Scanned : 2 Total Pages Confirmed : 2

lo.	Doc	Remote Station	Start Time	Duration	Pages	Mode	Comments	Results
1	37	919373993661	12- 8-04;12:41PM	1'04"	2/ 2	EC		CP 9600

tes :

:: Error Correct	RE: Resend	PD: Polled by Remote	MB: Receive to Mailbox
:: Broadcast Send	MP: Multi-Poll	PG: Polling a Remote	PI: Power Interruption
': Completed	RM: Receive to Memory	DR: Document Removed	TM: Terminated by user
.: Host Scan	HP: Host Print	FO: Forced Output	WT: Waiting Transfer
: Host Fax	HR: Host Receive	FM: Forward Mailbox Doc.	WS: Waiting Send

NEWS RELEASE: Ohio Department of Agriculture
LIVESTOCK ENVIRONMENTAL PERMITTING PROGRAM

OHIO PROUD

Governor Bob Taft
Lieutenant Governor Jennette B. Bradley
Director Fred L. Dailey

Livestock Environmental Permitting Progr
8995 East Main Street • Reynoldsburg, Ohio 43(
Phone: 614-387-0470 • Fax 614-728-63
ODA home page: www.ohioagriculture.gov • e-mail: lepp@mail.agri.state.oh

FOR IMMEDIATE RELEASE
December 8, 2004
Contact: Deborah Abbott, Livestock Environmental Permitting Program, 614-387-0914

ODA Issues Final Permits to Eastwood Dairy

REYNOLDSBURG – Ohio Agriculture Director Fred L. Dailey issued a final Permit to Install and final Permit to Operate to Eastwood Dairy on December 7, 2004.

Eastwood Dairy LLC is located in Clark County, Madison Township, 9235 Wildman Road, South Charleston, Ohio. It is owned and will be operated by Dirk Winkel. This is a new dairy farm, and Winkel will construct a 1,500-cow dairy facility, which is a design capacity of 2,100 animal units.

Eastwood Dairy's final Permit to Install is for two, 600-cow free stall dairy barns; one, 300 dry cow dairy barn attached to a new milking parlor; two earthen storage ponds; and two concrete settling basins.

Eastwood Dairy's final Permit to Operate is for the entire farm. It will regulate operations with plans for manure management, insect and rodent control, mortality management, and emergency response. It will be valid for a five-year period, at which time the owner would be required to renew the operating permit.

The final permits can be appealed within 30 days to the Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, Ohio 43215. A copy of the appeal must also be forwarded to the Director of Agriculture within three days of filing the appeal with the Environmental Review Appeals Commission.

– 30 –

Deb Abbott

From: Deb Abbott [abbott@mail.agri.state.oh.us]
Sent: Wednesday, December 08, 2004 11:36 AM
To: 'mjpowell@coxohio.com'
Subject: Legal notice for Dec. 13, 2004

The attached document is a legal notice for publication Monday, December 13, 2004. Please call or reply to this e-mail that this has been received and will be published. And please call immediately with any questions. Billing address is below and should be directed to Peggy Jackson.

Ohio Department of Agriculture
Livestock Environmental Permitting Program
89995 East Main Street
Reynoldsburg, OH 43068

Eastwood-final-Notice.doc

Deborah Abbott
Public Information Officer 2
Ohio Department of Agriculture
Livestock Environmental Permitting Program
direct phone: 614-387-0914
fax: 614-728-6335
website: www.ohioagriculture.gov
Program's page: www.ohioagriculture.gov/lepp

Ohio Department of Agriculture
Permit to Install and Permit to Operate
Permit to Install No. EAS-0001.PI001.CLAR
Permit to Operate No. EAS-0001.PO001.CLAR

PUBLIC NOTICE

Ohio Department of Agriculture
Livestock Environmental Permitting Program
8995 East Main Street
Reynoldsburg, Ohio 43068
614-387-0470

Date of Issue of Public Notice: December 13, 2004
Name and address of applicant: Dirk Winkel, 3053 Summerford Rd., South Charleston, Ohio, 45368
Name and address of facility: Eastwood Dairy LLC, 9235 Wildman Rd., South Charleston, Ohio, 45368

Public notice is hereby given that the Ohio Department of Agriculture has issued Eastwood Dairy a final Permit to Install. The final Permit to Install is for two, 600-cow free stall dairy barns; one, 300 dry cow dairy barn attached to a new milking parlor; two earthen storage ponds; and two concrete settling basins. This is a new dairy farm, and the owner will construct a 1,500-cow dairy facility, which is a design capacity of 2,100 animal units.

Public notice is hereby given that the Ohio Department of Agriculture has issued Eastwood Dairy a final Permit to Operate with plans for manure management, insect and rodent control, mortality management, and emergency response for the entire farm. The Ohio Agriculture Director approved the final permit on December 7, 2004.

The final permit can be appealed within 30 days to the Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, Ohio 43215. A copy of the appeal must be served on the Director of Agriculture within three days after filing the appeal with Environmental Review Appeals Commission.

– end –