



Ohio Administrative Code

Rule 901:10-1-02 General administrative requirements for permits.

Effective: January 1, 2026

(A) Requirements for an individual permit to install and an individual permit to operate:

(1) A person who is required to obtain both a permit to install pursuant to section 903.02 of the Revised Code and a permit to operate pursuant to section 903.03 of the Revised Code shall submit both applications for these permits simultaneously.

(2) A complete application for a permit to install or a permit to operate must include:

(a) All required information as set forth in Chapter 901:10-2 of the Administrative Code which shall accompany the application.

(b) An appropriate fee as stated in rule 901:10-1-04 of the Administrative Code.

(c) Any supplemental information which is completed to the satisfaction of the director.

(d) If the application and accompanying materials submitted to the department is deemed to be incomplete, the department will notify the owner or operator with instructions as to what is missing or what needs to be completed.

(3) An application for a permit to install and a permit to operate shall include information on ownership and background, including but not limited to, the following information:

(a) The name, mailing address and location of the facility for which the permit to install and permit to operate application is submitted;

(b) The name, address, telephone number and, if available, electronic mail address of the owner, of all partners if the owner is a partnership, of all members if the owner is a limited liability company, of all trustees if the owner is a trust, or all officers and directors if the owner is a corporation, and of



any other person who has a right to control or in fact controls management of the owner or the selection of officers, directors or managers of the owner;

(c) The name, mailing address, telephone number, and, if available, electronic mail address of the operator, of all partners if the operator is a partnership, of all members if the operator is a limited liability company, of all trustees if the operator is a trust, or all officers and directors if the operator is a corporation, and of any other person who has a right to control or in fact controls management of the operator or the selection of officers, director, or managers of the operator;

(d) When required by section 903.05 of the Revised Code, each application for a permit to install or permit to operate must contain information on a record of past compliance if the owner or operator has not operated a concentrated animal feeding facility in Ohio for at least two of the five years immediately preceding the submission of the application. If the permit to install application and the permit to operate application are submitted simultaneously as provided in paragraph (A)(1) of this rule, then the following information is sufficient to satisfy the requirements of the permits:

(i) A list of all animal feeding facilities, including concentrated animal feeding facilities, that the owner or operator of the proposed new or modified concentrated animal feeding facility owns, has owned, has operated or is operating in the state of Ohio. Include in the list the names of the animal feeding facilities, the names of the concentrated animal feeding facilities, facility addresses, county, permit identification if applicable, and beginning date of ownership;

(ii) A list of all animal feeding facilities, including concentrated animal feeding facilities that the owner or operator owns, has owned, has operated, or is operating elsewhere in the United States and that are regulated under the Federal Water Pollution Control Act, together with a listing of the animal feeding facilities and concentrated animal feeding facilities that the owner or operator owns, has owned, has operated, or is operating outside the United States. Include in the list the names of the animal feeding facilities, the names of the concentrated animal feeding facilities, facility addresses, county, permit identification if applicable, and beginning date of ownership;

(iii) The lists of animal feeding facilities and concentrated animal feeding facilities owned or operated by the owner or operator within or outside the state of Ohio or outside the United States shall include, respectively, all such facilities owned or operated by the owner or operator during the



five year period immediately preceding the submission of the application;

(iv) A list of all administrative enforcement orders, that includes the order title, jurisdiction, and case number, issued to the owner or operator, during the five years immediately preceding the submission of the application in connection with any violation of the "Federal Water Pollution Control Act," the "Safe Drinking Water Act," as defined in section 6109.01 of the Revised Code, or any other applicable state laws pertaining to environmental protection that was alleged to have occurred or to be occurring at any concentrated animal feeding facility that the owner or operator owns, has owned, has operated, or is operating in the United States or with any violation of the environmental laws of another country that was alleged to have occurred or to be occurring at any concentrated animal feeding facility that the owner or operator owns, has owned, has operated, or is operating outside of the United States;

(v) A list of all civil actions, that includes the action title, jurisdiction, and case number, in which the owner or operator was determined by the trier of fact to be liable in damages or was the subject of injunctive relief or another type of civil relief during the five years immediately preceding the submission of the application in connection with any violation of the "Federal Water Pollution Control Act," the "Safe Drinking Water Act," as defined in section 6109.01 of the Revised Code, or any other applicable state laws pertaining to environmental protection that was alleged to have occurred or to be occurring at any concentrated animal feeding facility that the owner or operator owns, has owned, has operated or is operating in the United States or with any violation of the environmental laws of another country that was alleged to have occurred or to be occurring at any concentrated animal feeding facility that the owner or operator owns, has owned, has operated, or is operating outside of the United States; and

(vi) A list of all criminal actions, that includes the action title, jurisdiction, and case number, in which the owner or operator pleaded guilty or was convicted during the five years immediately preceding the submission of the application in connection with any violation of the "Federal Water Pollution Control Act," the "Safe Drinking Water Act," as defined in section 6109.01 of the Revised Code or any other applicable state laws pertaining to environmental protection that was alleged to have occurred or to be occurring at any concentrated animal feeding facility that the owner or operator owns, has owned, has operated, or is operating in the United States or with any violation of the environmental laws of another country that was alleged to have occurred or to be occurring at



any concentrated animal feeding facility that the owner or operator owns, has owned, has operated, or is operating outside of the United States.

(4) In the case of an application for a major concentrated animal feeding facility, written proof that the person who would be responsible for the supervision of the management and handling of manure at the facility has been issued a livestock manager certification in accordance with section 903.07 of the Revised Code or will obtain a livestock manager certification prior to applying any manure to land.

(5) In the case of an application that meets the criteria established in sections 307.204 and 505.266 of the Revised Code, written statements from the board of county commissioners of the county and the board of township trustees of the township in which the facility will be located, certifying that, in accordance with those sections, the applicant has provided the boards with the required written notification and that final recommendations, if any, regarding improvements and costs of improvements have been made by the boards.

(6) An application for a permit to install for a concentrated animal feeding facility shall contain documentation or correspondence that verifies that the owner or operator has notified local officials, including boards of county commissioners, county engineer, and boards of township trustees to address infrastructure needs and financing of that infrastructure which includes but is not limited to:

(a) The anticipated travel routes of motor vehicles to and from the facility;

(b) Notwithstanding any exemptions that may be applicable under section 5577.042 of the Revised Code, the owner or operator shall provide the anticipated number and weights of motor vehicles traveling to and from the facility with an estimated maximum overall gross weight of vehicles upon the road surface;

(c) Operational needs of the proposed facility for access to roads and location of such access; and

(d) Operational needs of the proposed facility for access to tiles, culverts, off-site drainage, rights-of-way for manure transport.



(7) A certification statement signed by the facility owner that reads: "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."

(8) A complete application is required.

(a) Any person who requires a permit shall complete, sign, and submit to the director an application for each permit required, along with an additional copy for each permit required.

(b) The director shall not begin processing a permit application until the applicant has fully complied with the application requirements for the permit in accordance with paragraph (A)(2) of this rule.

(c) Permit applications must comply with the signature and certification requirements of this rule.

(d) If an owner or operator fails or refuses to correct deficiencies in the application, the permit may be denied in accordance with division (F) of section 903.09 of the Revised Code and appropriate enforcement actions may be taken under applicable provisions of Chapter 903. of the Revised Code and rules promulgated thereunder.

(B) The owner or operator shall maintain a copy of the current permit to install and permit to operate issued by the department.

(C) Duration and renewal.

(1) Permit to install.

(a) A permit to install shall expire after twenty-four months from the date of issuance unless the owner or operator has undertaken a continuing program of construction or has entered into a binding



contractual obligation to undertake and complete a continuing program of construction within a reasonable time.

(b) The director may extend the expiration of a permit to install upon request of the owner or operator. An extension, if approved, will be valid for twelve months from the previous expiration date of the permit to install.

(c) Any further extensions are at the discretion of the director.

(2) Permit to operate.

(a) A permit to operate shall be valid for a period of five years.

(b) A permit to operate may be renewed. An application for renewal of a permit to operate shall be submitted to the director at least one hundred eighty days prior to the expiration date of the permit to operate and comply with the requirements governing application for permits to operate that are established by rules, including rules 901:10-2-07 to 901:10-2-20 of the Administrative Code.

(c) An owner or operator who timely submits an application for renewal of a permit to operate to the director in compliance with paragraph (C)(2)(b) of this rule, may continue operating under the terms and conditions of the expired permit until the director issues a final permit to operate in accordance with section 903.09 of the Revised Code.

(D) A permit to operate application or a permit to install application will be acted upon not later than ninety days after receipt of a complete application as provided by paragraph (A)(8) of this rule. The director may provide guidance and technical assistance to the owner or operator, provided that the owner or operator is responsible for compliance with the permit and the director shall not be precluded from pursuing enforcement against the owner or operator for violations of Chapter 903. of the Revised Code and the rules promulgated thereunder.