



Ohio Administrative Code Rule 901:10-1-08 Permit transfer.

Effective: January 1, 2026

(A) Transfers of permits for concentrated animal feeding facilities are permissible.

(B) In this rule, transferor means the current holder of a permit to install and/or permit to operate. Transferee means the person or persons submitting an application to acquire the existing permit.

(1) The director shall be notified in writing by the transferor at least thirty days prior to any proposed transfer of a permit. The transferee shall inform the director that it will assume the responsibilities of the transferor.

(2) The notice shall include a written agreement between the transferor and transferee containing a specific date for transfer of permit responsibility, coverage and liability between the parties.

(C) In order to satisfy the requirements of paragraph (B) of this rule, the following information shall be submitted by the transferee:

(1) The name and address of the transferor and the transferee. The transferee shall identify all partners if the transferee is a partnership, all members if the transferee is a limited liability company, all officers and directors if the transferee is a corporation, all trustees if the transferee is a trust, and any other person who has a right to control or in fact controls management of the transferee or the selection of officers, directors, or managers of the transferee. If the transferee is an owner or operator, the transferee must satisfy the requirements of this rule.

(2) In the case of an application for a transfer of a permit for a major concentrated animal feeding facility, written proof that includes copies of certificates or authenticating documentation that the owner or operator will employ a certified livestock manager.

(D) Each application to transfer a permit that is submitted by a new owner or operator who has not operated a concentrated animal feeding facility in this state for at least two of the five years



immediately preceding the submission of the application for transfer shall be accompanied by all of the information required to satisfy paragraph (A)(3)(d) of rule 901:10-1-02 of the Administrative Code.

(E) Denial of transfer of permits to install or permits to operate. The director may deny the application for transfer if the director finds from the application, the information submitted and pertinent information obtained by the director at the director's discretion that the transferee in the operation of animal feeding facilities have a history of substantial noncompliance with the "Federal Water Pollution Control Act," the "Safe Drinking Water Act," as defined in section 6109.01 of the Revised Code, any other applicable state laws pertaining to environmental protection or the environmental laws of another country that indicates that the transferee lacks sufficient reliability, expertise and competence to operate the concentrated animal feeding facility in substantial compliance with this chapter and rules adopted under it. In evaluating a history of substantial noncompliance the director shall consider the information required to be submitted pursuant to rule 901:10-1-03 of the Administrative Code. A denial by the director may be appealed by the owner or operator in accordance with Chapter 119. of the Revised Code.

(F) If the director does not notify the transferor or the transferee of an intention to deny the transfer within ninety days of receiving a completed transfer application, then the permit will be transferred. The director may also notify both the transferor and the transferee of the director's decision.