



Ohio Administrative Code

Rule 901:10-3-02 Effluent limitations definitions and applicability.

Effective: January 30, 2016

(A) Rules 901:10-3-02 to 901:10-3-11 of the Administrative Code are applicable to concentrated animal feeding operations that are subject to a NPDES permit and establish effluent limitations for both the production area and the land application area as those terms are defined in section 903.01 of the Revised Code. The discharge of manure to waters of the state by the owner or operator of a concentrated animal feeding operation from land application areas under the control of the owner or operator, is a discharge from that concentrated animal feeding operation and subject to a NPDES permit unless the discharge is an agricultural stormwater discharge. Where 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, then a precipitation-related discharge of manure from land application areas under the control of an owner or operator is an agricultural stormwater discharge. Large concentrated animal feeding operations that lack a NPDES permit must maintain the records specified in rule 901:10-2-16 of the Administrative Code either on site or at a nearby office, and make the records readily available to the director upon request.

(B) An animal feeding facility is defined as a concentrated animal feeding operation if the specific threshold specified in division (M) of section 903.01 of the Revised Code is met for any one animal species. "Concentrated animal feeding operation" also means any animal feeding facility that meets the criteria of division (Q) or division (FF) of section 903.01 of the Revised Code. Once an operation is defined as a concentrated animal feeding operation, the NPDES requirements apply with respect to all animals in confinement at the operation and all manure generated by those animals or the production of those animals, regardless of the type of animal.

(C) Best practicable control technology currently available or BPT means the degree of effluent reduction attainable through the application of the best control measures and practices currently available which shall be determined by taking into account the total cost of application of technology in relation to the effluent reduction benefits to be achieved from such application, the age of the equipment and facilities involved, the process employed, the engineering aspects of the



application of various types of control techniques, process changes, non-water quality environmental impacts (including energy requirements) and such other factors as deemed appropriate.

(D) Best available technology economically achievable or BAT means the degree of effluent reduction attainable through the application of the best control measures and practices achievable including treatment techniques, process and procedure innovations, operating methods and other alternatives. BAT shall be determined by taking into account the age of equipment and facilities involved, the process employed, the engineering aspects of the application of various types of control techniques, process changes, the cost of achieving such effluent reduction, non-water quality environmental impacts (including energy requirements) and such other factors as deemed appropriate.

(E) Any facility or operation subject to Chapter 903. of the Revised Code that introduces manure, including process wastewater, into a publicly owned treatment works must comply with 40 CFR part 403 (2005) and Chapter 6111. of the Revised Code and rules promulgated thereunder.