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OHIO LEGISLATIVE SERVICE
COMMISSION
DOCUMENT #540353

Ohio Administrative Code

Rule 901:10-6-01 Notice.

Effective: November 1, 2026

(A) Notice by publication.

(1) Notices in general. All notices required or authorized by section 903.09 of the Revised Code shall be published once in a newspaper having general circulation in the county in which the concentrated animal feeding facility is located or proposed to be located. Publication shall be done at least thirty days prior to a public meeting. Public notice is complete upon publication.

Public notice will be given for any draft general permit to operate to be issued by the director. Since general permits to operate are written to cover one or more categories of concentrated animal feeding facilities within a geographic area, political area, or any other appropriate combination of boundaries, the director may give one or more notices in newspapers of general circulation for those geographic areas, political areas, or other appropriate combination of boundaries identified in the general permit to operate.

(2) The director shall publish notice and provide at least thirty days for public comment of the issuance of a draft permit to install or draft permit to operate once in a newspaper of general circulation in the county in which the facility is located or proposed to be located.

(3) The director shall publish notice of the issuance of a final permit once in a newspaper of general circulation in the county in which the facility is located or proposed to be located.

(4) The director shall give public notice and provide at least thirty days for public comment of the proposed action to deny, modify, revoke and reissue, or terminate a permit to install or permit to operate.

(B) Notice by mail.

(1) The director shall mail notice of the issuance of a draft permit to install or draft permit to operate, a copy of the draft permit to install or draft permit to operate, and applicable fact sheet to the following:

(a) The owner or operator;

(b) The board of county commissioners of the county, the board of township trustees of the township, the local board of health, and the local soil and water conservation district in which the facility is located or proposed to be located;

(c) The owners or operators of public water systems, as that term is defined in section 6109.01 of the Revised Code, that have a surface water intake

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structure located within ten miles downstream of the facility or proposed facility described in the draft permit to install or draft permit to operate; and,

(d) To any person on the state or county interested parties list described in rule 901:10-6-06 of the Administrative Code.

(2) The director shall mail notice of the proposed action to deny, modify, revoke and reissue, or terminate a permit to install or permit to operate and a copy of the proposed action to the following:

(a) The owner and operator;

(b) The board of county commissioners of the county, the board of township trustees of the township, the local board of health, and the local soil and water conservation district in which the facility is located or proposed to be located;

(c) The owners or operators of public water systems, as that term is defined in section 6109.01 of the Revised Code, that have a surface water intake structure located within ten miles downstream of the facility or proposed facility described in the draft permit to install or draft permit to operate; and,

(d) To any person on the state or county interested parties list described in rule 901:10-6-06 of the Administrative Code.

(3) The director shall mail notice of any public meeting required under division (C) of section 903.09 of the Revised Code to the following:

(a) The owner and operator;

(b) The board of county commissioners of the county, the board of township trustees of the township, the local board of health, and the local soil and water conservation district in which the facility is located or proposed to be located;

(c) The owners or operators of public water systems, as that term is defined in section 6109.01 of the Revised Code, that have a surface water intake structure located within ten miles downstream of the facility or proposed facility described in the draft permit to install or draft permit to operate; and

(d) To any person on the state or county interested parties list described in rule 901:10-6-06 of the Administrative Code.

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(4) Notices shall be mailed by certified mail, return receipt requested, to the person subject thereto. Notices shall state the time and method by which the applicant or permit holder may request public meeting.

(a) If a draft permit or proposed action is issued with an effective date and the permit is later signed by the director without being changed further, the department need not, at the time of entry, provide notice or a copy of the permit to the person subject thereto.

(b) If a draft permit or proposed action is issued without an effective date, and the department later assigns an effective date without changing the action further, the department shall mail notice to the person subject thereto informing the person of the effective date.

(5) If the applicable law grants a right to appeal the final permit or order of the director to the environmental review appeals commission, mailings required by this paragraph shall be accompanied by a notice stating the time and method by which the appeal must be filed.

(C) Notice of a public meeting is not required for the modification of a permit made with the consent of the permittee for the correction of typographical errors.

(D) The director may also hold a public meeting at the director's discretion, whenever, for example, such a public meeting might clarify one or more issues involved in the permit decision.