Ohio | Department of Agriculture

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Livestock Environmental Permitting Program
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FACT SHEET

Permit to Operate

A Permit to Operate (PTO) is a license issued by the Ohio Director of Agriculture (ODA) to farmers who are in the planning stages of developing or modifying a Concentrated Animal Feeding Facility (CAFF). This permit is the second step in the process of operating a CAFF in the state. Its purpose is to help assure the proposed facility has developed appropriate best management plans in the areas of manure management, insect and rodent control, animal mortality and emergency response.

When is a Permit to Operate required?
A farmer must submit a Permit to Install (see *"Permit to Install"* fact sheet) and a Permit to Operate at the same time to the department. A Permit to Operate is required for any existing farm that reaches a design capacity category of a Large or Major CAFF, or a new farm where a Permit to Install has been submitted.

Where Can I Find the Permit to Operate application?
Applications are available by calling the Ohio Department of Agriculture Livestock Environmental Permitting Program (LEPP) at (614) 387-0470 or visiting the LEPP office at 8995 E. Main St. in Reynoldsburg. They are also posted on the LEPP website at:
http://www.agri.ohio.gov/public_docs/forms/lepp/Lepp_3900-PTO-001.pdf.

What should a Permit to Operate include?
When submitting a Permit to Operate to the department, a farmer can expect to supply a detailed Manure Management Plan, Insect and Rodent Control Plan, Mortality Management Plan and Emergency Response Plan. If a Biosecurity Plan is used at the farm, it should be submitted as well.

What is a Manure Management Plan?
A Manure Management Plan is structured to minimize water pollution and protect waters of the state. The plan should include best management practices for the storage, reuse and recycling of manure and how the facility will address, inspect and maintain the following:

- **Inspections, maintenance and monitoring**
  - Includes requirements for the farm owner/operator to inspect the manure storage or treatment facility and how to maintain a chronological record of inspections, maintenance, monitoring and repairs.
  - Examples of what should be inspected, performed, monitored or maintained at the manure storage or treatment facility include inspecting for evidence of erosion, leakage, animal damage or discharge; inspecting and maintaining appropriate operating levels of manure treatment lagoons, manure storage ponds, and structures; and ensuring water and groundwater protection by annual sampling and analysis of ground water from a well.

- **Nutrient Budget**
  - Includes specification of a total nutrient budget for the farm based on targeted crop yields, soil productivity information, historical yield data, potential yield, or combinations of yield data; quantity of manure and manure nutrients; and a summary of acres of land to be used for land application, the total nutrient budget requirements on fields used for manure application, the quantity of commercial fertilizer nutrients to be applied, and the quantity of nutrients to be managed by the owner/operator.

- **Manure Characterization**
  - Includes manure sampling; estimated quantity and total nutrient content of manure produced, stored, and treated during a 12-month period; a schedule for manure removal or manure transfer for land application; and analyzing (annually) manure at each storage and treatment facility for nitrogen, ammonium nitrogen, organic nitrogen, phosphorus, potassium and percent total solids.

- **Distribution and Utilization Methods**
  - Farm owner or operator must require a written statement signed by the person accepting the manure showing receipt of copies of analytical results that list nutrient content of manure and total quantities and that it will be used according to best management practices.

- **Methods of Minimizing Odors**
  - Includes removing, transferring and land applying manure at optimum temperatures and when wind direction is less likely to affect neighboring residences; promptly injecting or incorporating manure to minimize odors; and using appropriate pressure and nozzles if manure is applied by spray irrigation.

- **Soil Characterization**
  - Includes specifying soil sampling frequency; taking soil samples at a uniform depth; and requiring fertility analysis be conducted in accordance with a specific publication and include pH, phosphorous, potassium, calcium, magnesium and cation exchange capacity.

- **Land Application Methods**
  - Includes procedures on how manure will be transported to land application sites; how spills will be cleaned up or removed; general land application criteria for solid and liquid manure; available access to methods to capture or stop surface drain flow if liquid manure reaches drain outlets; and manure application rate nitrogen and phosphorous criteria.

What is an Insect and Rodent Control Plan?

An Insect and Rodent Control Plan is required to minimize the presence and negative effects of insects and rodents at a Concentrated Animal Feeding Facility and in surrounding areas, including land on which manure is stored or applied.

The contents of Insect and Rodent Control Plan should include how the farm will address, inspect and maintain its individual records. It should also include a narrative description of pest management; standard operating procedures for actions to minimize insects and rodents; methods of monitoring and procedures for record keeping; and describe management controls, such as inspecting regularly for water leaks, managing moisture levels in manure and monitoring manure stockpiles.

What is a Mortality Management Plan?
A Mortality Management Plan is required and should include best management practices for the disposal of dead livestock. Approved methods for this disposal are burying, burning, rendering or composting.

What is an Emergency Response Plan?
An Emergency Response Plan is required to ensure the quick and efficient clean up of spills to maintain the safety of the environment, wildlife and water supplies.

The contents of the Emergency Response Plan should include the names and telephone numbers of those responsible for implementing the plan; areas of the farm where potential spills can occur and their accompanying surface and subsurface drainage points; procedures to be followed, such as actions to contain or manage the spill and identifying proper authorities to contact; procedures for reporting a spill, such as the times the discharge occurred and when it was discovered, approximate amount and characteristics of the spill, the stream affected, and circumstances which created the spill; and filing a written report to ODA of the occurrence in a letter within five days following the first knowledge of the occurrence which outlines actions taken to correct the problem.