

**Ohio Department of Agriculture
Final Permit to Operate**

Final Permit to Operate 76-072-PTO-001

PUBLIC NOTICE

Ohio Department of Agriculture
Livestock Environmental Permitting Program
A.B. Graham Building
8995 East Main Street
Reynoldsburg, Ohio 43068
614-387-0470

Date of Issue of Public Notice: January 15, 2010

Name and address of facility:

Horst Bros., LLC; 2280 Deerfield Ave.; Dalton, OH 44618

Name and address of applicants:

Nevin Horst; 18690 Church Rd.; Dalton, OH 44618

Robert Horst; 18690 Church Rd.; Dalton, OH 44618

Horst Bros., LLC; 18690 Church Rd.; Dalton, OH 44618

In accordance with OAC rule 901:10-6-01, public notice is hereby given that the Ohio Department of Agriculture (ODA) has issued a final Permit to Operate (PTO) for Horst Bros., LLC located in Stark County, Tuscarawas Township, at 2280 Deerfield Ave. in Dalton, Ohio. The facility, which is in the Tuscarawas Watershed, is owned and operated by Robert and Nevin Horst.

ODA issued a Review Compliance Certificate (RCC) to Horst Bros., LLC in 2004 to operate for a period of five years, after which time the facility was required to apply for a Permit to Operate. The PTO, which is drafted to regulate operations with plans for manure management, insect and rodent control, mortality management and emergency response, is also valid for a five-year period at which time the owners will be required to renew the operating permit.

Laying hens at Horst Bros., LLC are housed in two buildings with a total combined design capacity of 269,243 birds.

The Horst Bros., LLC final Permit to Operate can be appealed to the Environmental Review Appeals Commission (ERAC) at 309 South Fourth Street, Room 222, in Columbus, Ohio 43215. The appeal period ends at 5:00 p.m. on Feb. 16, 2010. A copy of the appeal must be served on the Director of Agriculture within three days after filing the appeal with ERAC.

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