



**Responsiveness Summary to public comments on the
Indian Trail Pullets LLC draft Permit to Install and Permit to Operate**

March 8, 2013

On January 30, 2013, the Ohio Department of Agriculture issued a public notice of the Indian Trail Pullets LLC draft Permit to Install and draft Permit to Operate. This public notice opened the public comment period on the draft permit and informed the public that persons could submit written comments and/or request a public meeting on the draft permit. The comment period ended at 5:00 p.m. on March 1, 2013. A public comment was submitted on the draft permits but no requests for a public meeting were received.

The Director of Agriculture’s final decision on the draft permits must be made in accordance with the laws regulating and facts contained in the permit. According to rule 901:10-6-04 of the Ohio Administrative Code, persons, including applicants, who believe any condition of a draft permit is inappropriate must raise all reasonably ascertainable issues and submit all reasonably available arguments supporting their position by the close of the public comment period (including any public meeting). Ohio Revised Code Section 903.09 states that the Director is to hear comments pertinent to the draft permit. The Ohio Department of Agriculture considers pertinent comments to be comments relating to the draft permit and the way in which the draft permit complies with the ODA rules. Public comments also need to relate to issues under the regulatory control of the Director of Agriculture. The Ohio General Assembly has not given the Director of Agriculture unlimited control. The Permit to Install and Permit to Operate cover issues pertaining to water pollution control, such as manure management, containment of stormwater runoff, insect and rodent control, mortality and emergency response.

One person submitted written comments regarding the draft permits issued.

Date Received	Name	Organization, if any	City, State
2/6/2013	Theresa Dirksen		New Weston, OH

Comment #1:

“..this proposed site is not located in the Upper Wabash River Watershed. It is located in the Upper Great Miami River Watershed (05080001).

Response #1:

The incorrect watershed name was inadvertently listed in the draft permit. This typographical error is corrected in the final permit.



Comment #2:

This plan shows that all manure will be distributed and utilized. Can you be more specific on where the manure generated at this farm will be utilized? This area is already heavily populated with livestock and manure nutrients from that livestock. I would hope that this manure would be shipped out of the area, preferably out of Mercer County.

Response #2:

Chapters 901:10-2-09 and 901:10-2-11 of the Ohio Administrative Code do not require the permit application to preemptively identify the potential recipients or estimate where the manure will eventually be applied. Once the facility is operational, it will be required to maintain an operating record that will identify the manure recipients, the amount of manure received by each recipient, and the date of receipt. The facility operating record will be reviewed by ODA during regular inspections. Any manure generated by the proposed facility that might be land applied in Mercer County by a Certified Livestock Manager (CLM) would be subject to ODA regulations. Any manure generated by the proposed facility that might be land applied in Mercer County by someone *other than* a CLM would be subject to oversight by the Mercer County Soil and Water Conservation District (SWCD).

Comment 3:

Also, because of the livestock population in the area, wouldn't there be a more suitable location for this proposed operation?"

Response:

The proposed facility meets the siting criteria listed in Ohio Administrative Code Chapter 901:10-2-02.

Revisions Made to Draft Permits

- Revised watershed name to identify the Upper Great Miami River (05080001).



February 4, 2013

ODA-DLEP
AB Graham Building
8995 East Main Street
Reynoldsburg, OH 43068

RE: Indian Trail, LLC PTI/PTO

To Whom It May Concern:

I would like to take this opportunity to submit a few comments and questions regarding the Indian Trail, LLC pullet farm draft permit to install and operate. First, this proposed site is not located in the Upper Wabash River Watershed. It is located in the Upper Great Miami River Watershed (05080001).

This plan shows that all manure will be distributed and utilized. Can you be more specific on where the manure generated at this farm will be utilized? This area is already HEAVILY populated with livestock and manure nutrients from that livestock. I would hope that this manure would be shipped out of the area, preferably out of Mercer County. Also, because of the livestock population in the area, wouldn't there be a more suitable location for this proposed operation?

I look forward to your response to my questions and concerns.

Sincerely,



Theresa Dirksen
7222 Cohn Rd.
New Weston, OH 45348

RECEIVED
FEB 06 2013
LIVESTOCK PERMITTING