

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

Final Permit to Operate 19-078-PTO-002

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: February 24, 2010

Name and address of facility:

Sunny Side Farms; 374 New Weston-Ft. Loramie Road; Ft. Recovery, OH 45846

Name and address of applicant:

Midwest Poultry Services, L.P.; P.O. Box 307; Mentone, IN 46539

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 Sunny Side Farms located in Darke County, Mississinawa-NW Township, at 374 New Weston-Ft. Loramie Road in Ft. Recovery, Ohio. The farm, which is in the Wabash River Watershed, is owned by Midwest Poultry Services, L.P. of Mentone, Indiana.

A Permit to Operate is drafted to regulate operations with plans for manure management, insect and rodent control, mortality management and emergency response.

The department issued Sunny Side Farms a Permit to Operate in 2005 to operate for a period of five years, after which time the owner was required to apply for a PTO renewal. Midwest Poultry Services, L.P. applied for a renewed operating permit and met the necessary Ohio Administrative Code (OAC) requirements. This PTO is also valid for a five-year period, at which time the owner would again be required to renew the operating permit.

The existing facility has a design capacity of 480,000 laying hens, which will remain the same under this Permit to Operate. The current operation manages four separate housing buildings with a design capacity of 120,000 laying hens in each building.

The Sunny Side Farms 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 March 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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