Ohio | Department of Agriculture
Governor Ted Strickland • Lt. Governor Lee Fisher
Director Robert J. Boggs

Livestock Environmental Permitting Program
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LOCAL NOTIFICATION FOR MAJOR CONCENTRATED ANIMAL FEEDING FACILITY (MCAFF)

Purpose: This form is to be used to meet the Local Notification requirements of the Permit to Install Application (Part 9 of the General Information Form). It serves to document the required written notification of both the county commissioners and the township trustees where a proposed major concentrated animal feeding facility (MCAFF) is to be located, along with procedures for any infrastructure changes, if requested. *See Revised Code Sections 307.204 and 505.266 and Ohio Administrative Code Rule 901:10-1-02(A)(6).*

If you propose to establish a new MCAFF, expand an existing MCAFF's design capacity by ten percent or more, or expand an existing AFF or CAFF to an MCAFF, you are required to submit written statements from the Board of County Commissioners of the county and the Board of Township Trustees of the township in which the facility is or will be located, certifying that, in accordance with sections 307.204 and 505.266 Of the Ohio Revised Code, you have provided these boards with the required written notification and that final recommendations, if any, regarding improvements and costs of improvements have been made by the boards. [Rule 901:10-1-02(A)(6)]

A "Major Concentrated Animal Feeding Facility" means an animal feeding facility with a total design capacity of more than the number of animals specified in any of the following categories:

1. Seven thousand mature dairy cattle whether milked or dry;
2. Ten thousand veal calves;
3. Ten thousand cattle other than mature dairy cattle or veal calves;
4. Twenty-five thousand swine that each weigh fifty-five pounds or more;
5. One hundred thousand swine that each weigh less than fifty-five pounds;
6. Five thousand horses;
7. One hundred thousand sheep or lambs;
8. Five hundred and fifty thousand turkeys;
9. Three hundred thousand laying hens or broilers if the facility utilizes a liquid manure handling system;
10. One million two hundred fifty thousand chickens, other than laying hens, if the facility utilizes a manure handling system that is not a liquid manure handling system;
11. Eight hundred and twenty thousand laying hens if the facility uses a manure handling system that is not a liquid manure handling system;
12. Three hundred thousand ducks if the facility uses a manure handling system that is not a liquid manure handling system;
13. Fifty thousand ducks if the facility uses a liquid manure handling system.

Copies of signed and dated correspondence must be included with your Permit Application.

COUNTY COMMISSIONERS NOTIFICATION

COUNTY COMMISSIONERS _____ COUNTY

Dear County Commissioners:

This notification, sent by certified mail, shall serve as meeting the requirement in Ohio Revised Code (ORC) 307.204. This law requires any person proposing a new or expanded Major Concentrated Animal Feeding Facility (MCAFF) to notify county and township officials of potential impacts to road infrastructure.

Actions to be taken by the Board of County Commissioners and the Facility Owner and/or Operator are outlined as part of this notification.

At the request of the Board of County Commissioners, the County Engineer may review this notification and advise the Board on both of the following:

- Improvements and maintenance of improvements that are reasonably needed in order to accommodate the impact on county infrastructure that is anticipated as a result of the facility, including increased travel or the types of vehicles on county roads.

- The projected costs of the improvements and maintenance.

The law requires the Facility Owner and/or Operator to construct, modify, and maintain or finance the construction, modification and maintenance of improvements as provided in the Board of County Commissioners' final recommendations and with the approval and oversight of the County Engineer. If the Owner/Operator fails to do so, the Board may initiate mediation to resolve differences between the Board and the Applicant.

In the county of jurisdiction, I intend to: (*Check all that apply*.)

☐ Establish a new Major Concentrated Animal Feeding Facility.

☐ Increase the number of animals in the design capacity of an existing Major Concentrated Animal Feeding Facility by ten percent or more in excess of the design capacity set forth in the current permit. Permit Number: _____

☐ Increase the number of animals in the design capacity of an existing concentrated animal feeding facility by ten percent or more in excess of the design capacity set forth in the current permit and to a design capacity of more than that defined for a Major Concentrated Animal Feeding Facility. Permit Number: _____

FACILITY INFORMATION

Facility Name: _____

Contact Person: _____

Phone Number: _____ Fax Number: _____

Email Address: _____

Mailing Address: _____

_____

The physical location of this facility is: (*Attach map or sketch*)

_____

_____

_____

_____

_____

The following are the anticipated travel routes of motor vehicles traveling to and from the facility:

_____

_____

_____

_____

_____

The following are the anticipated number and weights of motor vehicles traveling to and from the facility:

_____

_____

_____

_____

_____

SIGNATURE OF OWNER AND/OR OPERATOR OF MCAFF:

_____
Print Name

_____ _____
Signature Date Signed

COUNTY COMMISSIONERS RESPONSE

***THIS PAGE IS TO BE COMPLETED BY COUNTY COMMISSIONERS ***

Date received by Board of County Commissioners: _____

Date referred to County Engineer (optional): _____

Date of request for additional information: _____
(Commissioners must request additional information no later than 10 days after receiving the written notification. Applicant must provide such information no later than 10 days after the request is made.)

Date Board responded with recommendations: _____
(Response must be no later than 30 days after Board receives the initial written notification.)

Date Applicant responds to recommendations: _____
(Response must be no later than 15 days after receipt of the Board's recommendations.)

Response of Applicant to recommendations:

☐ Applicant agrees with recommendations and will implement them.
Date recommendations become final: _____

☐ Applicant submitted alternative recommendations.
Date alternative recommendations submitted to Board: _____
(If alternate recommendations are submitted, the Board shall select final recommendations no later than 30 days after receipt of the alternative recommendations.)

CERTIFICATION

We hereby certify that in accordance with Section 307.204 of the Ohio Revised Code that the:

Name of Owner and/or Operator:	
Of the MCAFF named:	
Whose location is:	
In the county of:	

has provided the Board with the required written notification and that final recommendations were selected regarding improvements, if any, to county infrastructure that are needed as a result of the new or expanded facility and the costs of those improvements.

SIGNATURE OF COUNTY COMMISSIONERS:

_____ _____
Signature Date Signed

_____ _____
Signature Date Signed

_____ _____
Signature Date Signed

Cc: Township Trustees

ADDITIONAL LEGAL REQUIREMENTS TO BE CONSIDERED

In the event that the facility Owner and/or Operator fails to implement the Board of County Commissioners' final recommendations, Ohio Revised Code Section 307.204(G) requires the Board to notify the person by certified mail that the Board intends to initiate mediation with the person if the person remains out of compliance with the final recommendations.

The Board shall allow sufficient time for the person to apply for and proceed to obtain, for the purpose of financing the construction, modification, or maintenance of the improvements, exemptions from taxation under Sections 5709.63, 5709.632, 5709.73, and 5709.78 of the Ohio Revised Code or state or federal grants that may be available.

If the person remains out of compliance with the final recommendations, the Board may initiate mediation with the person in order to resolve the differences between them. If mediation fails to resolve the differences, the Board and the person first shall attempt to resolve the differences through any legal remedies before seeking redress through a court of common pleas.

Also according to Ohio Revised Code Section 307.204(H), if the person subsequently submits an application under Section 903.02 of the Ohio Revised Code for a permit to modify the facility, or if the routes of travel to or from the facility change for any reason other than road construction conducted by the county, the Board or the person may request that additional information be provided in writing and shall proceed as provided in Section 307.204 for the notification and recommendation proceedings.

TOWNSHIP TRUSTEES NOTIFICATION

TOWNSHIP TRUSTEES _____ TOWNSHIP

Dear Township Trustees:

This notification sent by certified mail, shall serve as meeting the requirement stated in Ohio Revised Code (ORC) 505.266. This law requires any person proposing a new or expanded Major Concentrated Animal Feeding Facility (MCAFF) to notify county and township officials of potential impacts to road infrastructure.

Actions to be taken by the Board of Township Trustees and the Facility Owner and/or Operator are outlined as part of this notification.

At the request of the Board of Township Trustees, the County Engineer may review this notification and advise the Board on both of the following:

- Improvements and maintenance of improvements that are reasonably needed in order to accommodate the impact on township infrastructure that is anticipated as a result of the facility, including increased travel or the types of vehicles on township roads.

- The projected costs of the improvements and maintenance.

The law requires the Facility Owner and/or Operator to construct, modify, and maintain, or finance the construction, modification and maintenance of improvements as provided in the Board of Township Trustees' final recommendations and with the approval and oversight of the County Engineer. If the Owner/Operator fails to do so, the Board may initiate mediation to resolve differences between the Board and the Applicant.

In the township of jurisdiction, I intend to: (*Check all that apply*.)

☐ Establish a new Major Concentrated Animal Feeding Facility.

☐ Increase the number of animals in the design capacity of an existing Major Concentrated Animal Feeding Facility by ten percent or more in excess of the design capacity set forth in the current permit. Permit Number: _____

☐ Increase the number of animals in the design capacity of an existing concentrated animal feeding facility by ten percent or more in excess of the design capacity set forth in the current permit and to a design capacity of more than that defined for a Major Concentrated Animal Feeding Facility. Permit Number: _____

FACILITY INFORMATION

Facility Name: _____

Contact Person: _____

Phone Number: _____ Fax Number: _____

Email Address: _____

Mailing Address: _____

_____

The physical location of this facility is: (*Attach map or sketch*)

_____

_____

_____

_____

_____

The following are the anticipated travel routes of motor vehicles traveling to and from the facility:

_____

_____

_____

_____

_____

The following are the anticipated number and weights of motor vehicles traveling to and from the facility:

_____

_____

_____

_____

_____

SIGNATURE OF OWNER AND/OR OPERATOR OF MCAFF:

_____

Print Name

_____ _____

Signature Date Signed

TOWNSHIP TRUSTEES' RESPONSE

***THIS PAGE IS TO BE COMPLETED BY THE TOWNSHIP TRUSTEES ***

Date received by Board of Township Trustees: _____

Date referred to County Engineer (optional): _____

Date of request for additional information: _____
(Trustees must request additional information no later than 10 days after receiving the written notification.
Applicant must provide such information no later than 10 days after the request is made.)

Date Board responded with recommendations: _____
(Response must be no later than 30 days after Board receives the initial written notification.)

Date Applicant responds to recommendations: _____
(Response must be no later than 15 days after receipt of the Board's recommendations.)

Response of Applicant to recommendations:

☐ Applicant agrees with recommendations and will implement them.
Date recommendations become final: _____

☐ Applicant submitted alternative recommendations.
Date alternative recommendations submitted to Board: _____
(If alternate recommendations are submitted, the Board shall select final recommendations no later than 30 days after receipt of the alternative recommendations.)

CERTIFICATION

We hereby certify that in accordance with Section 505.266 of the Ohio Revised Code that the:

Name of Owner and/or Operator:	
Of the MCAFF named:	
Whose location is:	
In the township of:	

has provided the Board with the required written notification and that final recommendations were selected regarding improvements, if any, to township infrastructure that are needed as a result of the new or expanded facility and the costs of those improvements.

SIGNATURE OF TOWNSHIP TRUSTEES:

_____ _____
Signature Date Signed

_____ _____
Signature Date Signed

_____ _____
Signature Date Signed

Cc: County Commissioners

ADDITIONAL LEGAL REQUIREMENTS TO BE CONSIDERED

In the event that the facility Owner and/or Operator fails to implement the Board of Township Trustees' final recommendations, Ohio Revised Code Section 505.266(G) requires the Board to notify the person by certified mail that the Board intends to initiate mediation with the person if the person remains out of compliance with the final recommendations.

The Board shall allow sufficient time for the person to apply for and proceed to obtain, for the purpose of financing the construction, modification, or maintenance of the improvements, exemptions from taxation under Sections 5709.63, 5709.632, 5709.73, and 5709.78 of the Ohio Revised Code or state or federal grants that may be available.

If the person remains out of compliance with the final recommendations, the Board may initiate mediation with the person in order to resolve the differences between them. If mediation fails to resolve the differences, the Board and the person first shall attempt to resolve the differences through any legal remedies before seeking redress through a court of common pleas.

Also according to Ohio Revised Code Section 505.266(H), if the person subsequently submits an application under Section 903.02 of the Ohio Revised Code for a permit to modify the facility, or if the routes of travel to or from the facility change for any reason other than road construction conducted by the county or township, the Board or the person may request that additional information be provided in writing and shall proceed as provided in Section 505.266 for the notification and recommendation proceedings.