



Ohio Administrative Code

Rule 901:10-2-19 Permit to operate: insect and rodent control plan.

Effective: February 13, 2021

(A) Purpose and applicability.

(1) This rule establishes the best management practices to minimize the presence and negative effects of insects and rodents at the concentrated animal feeding facility and in surrounding areas, including land on which the manure is stored or applied. Subject to the requirements set forth in rules 901:10-2-07 and 901:10-2-08 of the Administrative Code, and rule 901:10-1-06 of the Administrative Code no person shall own or operate a concentrated animal feeding facility unless an insect and rodent control plan for the facility has been approved by the director.

(2) An insect and rodent control plan that specifies plans to minimize the activity of insects and rodents and their presence at the facility is to be integrated with other requirements of the permit to operate in accordance as set forth in rules 901:10-2-07 to 901-10-2-19 of the Administrative Code.

(B) Contents of an insect and rodent control plan.

(1) An insect and rodent control plan shall be prepared by the owner or operator and shall be submitted to the director for approval. Upon approval by the director, the insect and rodent control plan shall be incorporated into the permit to operate. The insect and rodent control plan shall be specific to the agricultural animal species of the facility.

(2) An insect and rodent control plan shall:

(a) Include a narrative description of balanced integrated pest management to minimize the presence and negative effects of insects and rodents;

(b) Set forth with specificity the standard operating procedures for actions to minimize the activity and reduce the presence of insects and rodents at the facility; and



(c) Set forth methods of monitoring and procedures for record keeping in the operating record to document inspection results and actions performed.

(3) Standard operating procedures set forth in paragraphs (B)(3)(a) to (B)(3)(d) and paragraph (C) of this rule set forth some but not all of the necessary integrated pest management actions to minimize the activity and reduce the presence of insects and rodents at the facility.

(a) Management controls. The following management controls require regular inspections to be conducted by the owner or operator in intervals as described in the insect and rodent control plans. Monitoring records and inspection records shall be maintained in the operating record as required by rule 901:10-2-16 of the Administrative Code. Management controls consist of the following:

(i) The owner or operator shall specify inspection intervals in the insect and rodent control plan and shall conduct and document inspections as specified in the plan.

(ii) The owner or operator shall inspect for the presence or absence of watering and feeding system leaks. If any leaks are detected, appropriate repairs shall be undertaken promptly.

(iii) The owner or operator shall inspect and record observations made regarding the presence and level of pest activity. Appropriate control actions shall be undertaken promptly when activity of insects and rodents is observed that requires actions as described in the plan required by paragraph (B)(2) of this rule.

(iv) The owner or operator shall manage moisture levels in manure to minimize the activity and reduce the presence of insects and rodents at the facility. Methods to control moisture may include but are not limited to: building design; adequate ventilation; mechanical aeration; leak detection and repair; proper site grading and drainage and maintenance of watering and feeding systems.

(v) Except for manure storage ponds and manure treatment lagoons, manure storage or treatment facilities shall be covered unless the runoff and drainage is collected and stored, or directed to a specifically designed infiltration area or other adequate treatment system. Appropriate control actions shall be undertaken prior to the removal of manure to minimize the activity and reduce the presence of insects and rodents at the facility.



(vi) Except for manure storage ponds and manure treatment lagoons, the owner or operator shall inspect manure storage or treatment facilities for pest activity prior to the removal of manure. Appropriate control actions shall be undertaken prior to the removal of manure to minimize the activity and reduce the presence of insects and rodents.

(vii) The owner or operator shall inspect land application areas during and after the land application of manure.

(viii) The owner or operator shall monitor manure stockpiles for insect and rodent activity on a seasonally appropriate basis.

(b) The following management actions are required but do not require record keeping and consist of the following:

(i) Maintain sanitation procedures designed to minimize the activity and reduce the presence of insects and rodents including: maintenance of vegetation around the buildings; cleaning of the facility; removal of dead or trapped animals at a frequency that prevents their accumulation and utilization of covered receptacles for food, feed, dead animals or refuse that are durable, cleanable, inaccessible to insects or rodents, leak proof and nonabsorbent;

(ii) Buildings shall be maintained and managed in such a manner as to minimize the activity and reduce the presence of insects and rodents. The director may consider the function, purpose and age of the buildings;

(iii) The owner or operator shall maintain or have prompt access to appropriate insect and rodent control equipment;

(iv) The owner or operator shall maintain or have prompt access to suitable cleaning implements and supplies as necessary for effective cleaning of the facility; and

(v) The owner or operator shall maintain or have prompt access to insect and rodent monitoring methods and devices.



(c) Biological controls may be used to minimize the activity and reduce the presence of insects and rodents as part of integrated pest management. Biological controls shall include standard operating procedures designed to encourage the development and preservation of beneficial organisms.

Beneficial organisms may be appropriate when contained within the facility but may not be appropriate when removed from the facility. Prior to manure removal, the owner or operator is advised to evaluate the potential effects of beneficial organisms outside of the facility, e.g., at any site used for land application of manure.

(d) Chemical controls may be used to minimize the activity and reduce the presence of insects and rodents as part of integrated pest management.

Utilization of chemical controls may require, but not be limited to, asking the owner or operator to become a certified pest control applicator and keep accurate records on methods or products used and on dosage rates under Chapter 921. of the Revised Code.

(e) Utilization of chemical controls may include, but not be limited to the following:

(i) Insecticides, larvicides, rodenticides, space sprays, fly baits, vapor strips;

(ii) Chemical application equipment; and

(iii) Inside and outside control measures.

(C) Storing, stockpiling and land applying manure.

(1) The insect and rodent control plan shall be consistent with the manure management plan in order to minimize the activity and reduce the presence of insects and rodents at the facility and shall include both the manure storage or treatment facility and the land application area.

(2) The storing, stockpiling and land application of manure shall be done in accordance with standard operating procedures set forth in this paragraph and in the owner or operator's insect and



rodent control plan in order to minimize the activity and reduce the presence of insects and rodents. These standard operating procedures may include but are not limited to:

- (a) Treatment of pests at the land application site;
 - (b) Setback distances during land application that are consistent with the manure management plan for the facility and with rule 901:10-2-14 of the Administrative Code;
 - (c) Extended stockpiling times after removal from the facility for thermal treatment and prior to land application;
 - (d) Covering of the manure storage or treatment facility or covering the stockpile for thermal treatment;
 - (e) Implementing appropriate control measures for manure staged or stockpiled more than one week; and
 - (f) Chemical treatment of the manure at the facility prior to the removal of manure from the manure storage or treatment facility, monitoring and observing fields spread with that manure for pest activity during application, and a final inspection of those fields when applications are complete;
 - (g) If the presence of insect and rodent activity is not minimized and/or reduced prior to the removal of manure from the manure storage or treatment facility, the owner or operator shall visually monitor and observe fields spread with that manure for pest activity during application and shall conduct a final inspection of those fields when applications are complete.
- (D) Emergency procedures. Each facility shall develop and maintain emergency procedures of action in order to minimize the activity and reduce the presence of insects and rodents at the facility.
- (E) Compliance. Compliance with an insect and rodent control plan shall be determined as follows:
- (1) Before proceeding with the procedures set forth in rule 901:10-5-03 of the Administrative Code,



the director shall review the operating record, together with the insect and rodent control plan, examine any records of management actions taken, records of implementation of standard operating procedures and other appropriate control actions, and any monitoring data collected in the operating record.

(2) The director shall determine if insect and rodent activity has been minimized and the presence of the insects and rodents reduced by evaluating the records and assessing trends and making visual observations at the facility as evidenced by implementation of the insect and rodent control plan over an appropriate period of time and during periodic inspections at the facility. In making this determination for an appropriate period of time, consideration will be given, but not limited to the following: prevailing wind patterns, siting criteria, precipitation patterns, seasonal effects and weather conditions.

(3) Upon completion of the evaluation described in paragraphs (E)(1) and (E)(2) of this rule, the director may do the following:

(a) If the owner or operator is in compliance with the plan, the director may seek voluntary action by the owner or operator to modify the insect and rodent control plan including but not limited to further minimizing and reducing the activity and presence of insects and/or rodents at the facility; or

(b) If the owner or operator will not consent to modifying the plan, or if the owner or operator is not in compliance with the plan, then the director may propose to modify the insect and rodent control plan or the owner or operator may submit an application to modify the plan, in accordance with the procedures in rule 901:10-1-09 of the Administrative Code.

(4) The director is not required to comply with paragraphs (E)(1) to (E)(3) of this rule if the director determines:

(a) An emergency exists as described in rule 901:10-5-05 of the Administrative Code; or

(b) In consultation with federal, state or local health agencies, the director determines that there exists a high risk of zoonotic disease.



(F) Criteria for approving, disapproving or modifying an insect and rodent control plan including any major operational change to an insect and rodent control plan.

(1) The director shall consider the following criteria in determining an action on an insect and rodent control plan:

(a) Compliance with paragraphs (B) to (D) of this rule.

(b) Completeness and appropriateness of the methods for disposal of rodents on a daily or weekly basis or if there is an emergency. The director will require compliance with rule 901:10-2-15 of the Administrative Code.

(c) In order to comply with rule 901:10-1-09 of the Administrative Code for any proposed major operational change of the insect and rodent control plan, the owner or operator shall:

(i) Demonstrate that insect and rodent activity has been minimized; or

(ii) Demonstrate that the proposed major operational change will improve the management of pests; and

(iii) Authorize the director or the directors representative to evaluate the operating records and assess trends and make visual observations at the facility of implementation of the insect and rodent control plan over an appropriate period of time and during periodic inspections at the facility. In making a determination under this paragraph and rule 901:10-1-09 of the Administrative Code, the director may consider the following: prevailing wind patterns, siting criteria, precipitation patterns, seasonal effects, weather conditions, and applicable scientific and technical references for monitoring and control of insect and rodent populations.

(2) The director must act upon, approve or deny an insect and rodent control plan within ninety days of receiving it.

(G) Penalties. The director or his designated representative will determine civil penalties for violations of this rule in accordance with the rule 901:10-5-04 of the Administrative Code.