



Ohio Administrative Code Rule 901:10-5-01 Complaints.

Effective: January 1, 2025

(A) A person may submit a complaint to the director regarding a concentrated animal feeding facility or a certified livestock manager.

(B) The complaint may be made orally or in writing.

(1) Complaint in writing: If the complaint is made in writing, the person making the complaint must sign and date the complaint and provide a return address. In addition, the following shall be included:

(a) The address of the concentrated animal feeding facility or the location of the activities that led to the complaint.

(b) A description of the nature of the complaint.

(2) Oral complaint: If a complaint is made orally to the director, the following shall be included:

(a) The address of the concentrated animal feeding facility or the location of the activities that led to the complaint.

(b) A description of the nature of the complaint.

(c) The name and address of the person reporting the oral complaint is optional so that the person reporting the oral complaint may be notified of the dismissal of the complaint or notified if the director determines that the director is proceeding with enforcement in accordance with section 903.16 or 903.17 of the Revised Code, or both sections as applicable.

(C) After receiving a written, signed and dated complaint, the director will conduct an investigation and make inquiries as are necessary to determine if the owner or operator of a concentrated animal



feeding facility or a certified livestock manager is in compliance with chapter 903 of the Revised Code and any rules adopted thereunder, any terms or conditions of a permit to install or permit to operate issued under this chapter, or any certificate issued under this chapter.

(D) After receiving an oral complaint, the director may conduct an investigation and make inquiries as are necessary to determine if the owner or operator of a concentrated animal feeding facility or a certified livestock manager is in compliance with chapter 903 of the Revised Code and any rules adopted thereunder, any terms or conditions of a permit to install or permit to operate issued under this chapter, or any certificate issued under this chapter.

(E) If, upon completion of an investigation, the director determines that the owner or operator of a concentrated animal feeding facility or a certified livestock manager is in compliance with chapter 903 of the Revised Code and any rules adopted thereunder, any terms or conditions of any permit to install or permit to operate issued under this chapter, or any certificate issued under this chapter, the director will dismiss the complaint and notify the complainant, if known, the owner or operator of a concentrated animal feeding facility, or the certified livestock manager of the dismissal in writing.

(F) If, upon completion of an investigation, the director determines that the owner or operator of a concentrated animal feeding facility or a certified livestock manager is not in compliance with chapter 903 of the Revised Code and any rules adopted thereunder, or any terms and conditions of any permit to install or permit to operate issued under this chapter, or any certificate issued under this chapter, the director will proceed with enforcement in accordance with section 903.16 or section 903.17 of the Revised Code, or both sections as applicable.

The director will provide a written response to all complainants, if known, concerning any alleged violation of Chapter 903 of the Revised code and any rules adopted thereunder, any terms or conditions of any permit to install or permit to operate issued under this chapter, or any certificate issued under this chapter.

(G) If the director determines that any person owning or operating a concentrated animal feeding facility is managing the concentrated animal feeding facility in accordance with a permit currently approved by the director, the person shall be considered in compliance with chapter 901:10 of the Administrative Code. In a private civil action for nuisances involving activities conducted under this



chapter, it is an affirmative defense if the person owning, operating or otherwise responsible for or in control of a concentrated animal feeding facility is operating under and in compliance with an approved permit.