



Ohio Administrative Code

Rule 901:10-5-02 Right to enter property for investigations and inspections.

Effective: January 30, 2016

(A) Investigations and inspections.

(1) The director at reasonable times has the authority to enter the premises of an applicant for permit or the permit premises to make investigations and inspections including, but not limited to, the sampling of discharges and the inspection of discharge monitoring equipment, or to otherwise execute duties that are necessary for the administration and enforcement of this chapter.

(2) The director at reasonable times may examine and copy any records pertaining to discharges that are subject to rule or any records that are required to be maintained by the terms and conditions of a permit.

(3) If refused entry, the director may apply for and the court of common pleas having jurisdiction may issue an appropriate warrant.

(4) Any person to whom a permit has been issued is prohibited from refusing entry to the director or purposely hindering the director in the exercise of any authority granted as described in this rule.

(B) Biosecurity.

(1) Biosecurity refers to the policies and measures taken for protecting the food supply and agricultural resources from contamination.

(2) Upon entering the property of a facility, the inspector or investigator shall identify himself or herself with proper identification to prove that he or she is an agent of the Ohio department of agriculture.

(3) If an inspection is conducted prior to the application for a permit under this chapter, the inspector or investigator shall notify the owner or operator in advance. The purpose of the notice is to inform



the owner or operator of an inspection so that the inspector or investigator may be informed of the facility biosecurity procedures, if any. The director has the authority to authorize unannounced inspections or follow-up inspections of a facility as deemed necessary.

(4) If an owner or operator wants the Ohio department of agriculture to comply with its biosecurity plan, the owner or operator must submit its plan with the application for the permit to operate. If not, the department will act in accordance with its biosecurity policy.