



## Ohio Administrative Code Rule 901:5-4-07 Civil Penalties.

Effective: January 31, 2016

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(A) Minor violations are events of noncompliance with section 905.326 of the Revised Code that occur only when all of the following parameters are met:

- (1) The nutrient value of the fertilizer application is less than ten thousand pounds of nitrogen or six thousand pounds of phosphorous;
- (2) The fertilizer application does not pose a significant risk of harm to public health or the environment; and
- (3) The fertilizer application has not resulted in any discharge of fertilizer that enters the water of the state.

(B) Major violations are events of noncompliance with section 905.326 of the Revised Code that occur only when any of the following parameters are met:

- (1) The nutrient value of the fertilizer application is equal to or more than ten thousand pounds of nitrogen or six thousand pounds of phosphorous;
- (2) The fertilizer application poses a significant risk of harm to public health or the environment;
- (3) The fertilizer application has resulted in a discharge of fertilizer that enters the water of the state.

(C) Failure to take corrective action as specified by the director or the director's designated representative for any minor violation may be considered a major violation of this rule.

(D) The director may assess a civil penalty for a minor violation of up to two thousand dollars for each day of noncompliance with section 905.326 of the Revised Code.



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(E) The director may assess a civil penalty for a major violation of up to ten thousand dollars for each day of noncompliance with section 905.326 of the Revised Code.

(F) All money paid under paragraphs (D) and (E) of this rule shall be deposited into the agricultural pollution abatement fund.