

*****DRAFT - NOT FOR FILING*****

1501:15-05-22 **Civil penalties.**

- (A) Minor violations are events of noncompliance with section 1511.10 of the Revised Code that occur only when all of the following parameters are met:
 - (1) The total volume of the manure application is less than three hundred and fifty tons of solid manure or one hundred thousand gallons of liquid manure;
 - (2) The manure application does not pose a significant risk of harm to public health or the environment; and,
 - (3) The manure application has not resulted in any discharge of manure that enters the waters of the state.
- (B) Major violations are events of noncompliance with section 1511.10 of the Revised Code that occur when any of the following parameters are met:
 - (1) The total volume of the manure application is equal to or more than three hundred and fifty tons of solid manure, or one hundred thousand gallons of liquid manure.
 - (2) The manure application poses a significant risk of harm to public health or the environment.
 - (3) The manure application has resulted in a discharge of manure that enters the waters of the state.
- (C) Failure to take corrective action as specified by the chief or the chief's designated representative for any minor violation may be considered a major violation of this rule.
- (D) The chief may assess a civil penalty for a minor violation of up to two thousand dollars for each day of noncompliance with section 1511.10 of the Revised Code.
- (E) The chief may assess a civil penalty for a major violation of up to ten thousand dollars for each day of noncompliance with section 1511.10 of the Revised Code.
- (F) All money paid under divisions (D) and (E) of this rule shall be deposited into the agricultural pollution abatement fund.