



Ohio Revised Code Section 3746.21 Right of entry.

Effective: September 30, 2021

Legislation: House Bill 110

(A) In addition to the authority established in sections 3746.18, 3746.19, and 3746.20 of the Revised Code, the director of environmental protection or the director's authorized representative, upon proper identification and upon stating the necessity and purpose of an inspection, may enter at reasonable times upon any of the following:

- (1) Any public or private property at which a voluntary action has been or is being conducted under this chapter and rules adopted under it;
- (2) Any public or private property, real or personal, that is owned or operated by a person who is participating or has participated in the voluntary action program under this chapter and rules adopted under it where data, information, records, or documents relating to the person's participation in the voluntary action program are kept;
- (3) Any public or private property, real or personal, upon which is located a certified laboratory, accredited laboratory, or the offices of a certified professional.

(B) The director or the director's authorized representative may enter upon any property described in division (A) of this section to do any of the following:

- (1) Inspect the credentials of the certified professional or the credentials and facilities of the certified laboratory or accredited laboratory;

To examine or copy data, information, records, or documents relating to the evaluation, investigation, or remediation of properties under this chapter and rules adopted under it or to compliance with a consolidated standards permit issued under section 3746.15 of the Revised Code;

- (3) Obtain samples of soil, water, or other environmental media at properties where voluntary actions have been or are being conducted under this chapter and rules adopted under it.



(C) The director or the director's authorized representative may apply for and any judge of a court of record may issue an administrative inspection warrant under division (F) of section 2933.21 of the Revised Code, or other appropriate search warrant, necessary to achieve the purposes of this chapter within the court's territorial jurisdiction.