



Ohio Administrative Code

Rule 1501:13-1-08 Petitions to initiate rule making.

Effective: June 28, 2018

(A) Any person may petition the chief to initiate a proceeding for the issuance, amendment, or repeal of any rule under Chapter 1513. of the Revised Code. The petition shall be submitted to the chief at the address of "Division of Mineral Resources Management, Ohio Department of Natural Resources, 2045 Morse Road, Building H, Columbus, Ohio 43229."

(B) The petition shall be a concise statement of the facts, technical justification, and law which require issuance, amendment, or repeal of a rule under Chapter 1513. of the Revised Code and shall indicate whether the petitioner desires a public hearing.

(C) Upon receipt of the petition, the chief shall determine if the petition sets forth facts, technical justification and law which may provide a reasonable basis for issuance, amendment or repeal of a rule. Facts, technical justification, or law previously considered in a petition or rule making on the same issue shall not provide a reasonable basis. If the chief determines that the petition has a reasonable basis, a notice shall be published one time in three newspapers published in different counties and of general circulation in the state seeking comments from the public on the proposed change. The chief may hold a public hearing, may conduct an investigation or take other action to determine whether the petition should be granted.

(D) Within ninety days from receipt of the petition, the chief shall issue a written decision either granting or denying the petition.

(1) If the petition is granted, the chief shall initiate a rule making proceeding under Chapter 119. of the Revised Code.

(2) If the petition is denied, the chief shall notify the petitioner in writing, setting forth the reasons for denial.