



Ohio Administrative Code Rule 1501:13-14-05 Informal conferences.

Effective: October 28, 2010

(A) Procedure for request for informal conference. Any person whose interests are or may be adversely affected by the issuance of a permit, the issuance of a significant revision to a permit or the renewal of a permit, or the officer or head of any federal, state or local government agency or authority, or any permittee whose performance security amount is proposed to be adjusted in accordance with paragraph (E) of rule 1501:13-7-02 of the Administrative Code, may, in writing, request that the chief hold an informal conference on the application for a permit or application for significant revision or renewal of a permit or on the proposed performance security adjustment. The request shall:

(1) Briefly summarize the issues to be raised at the conference by the person requesting the conference; and

(a) Be filed with the chief not later than thirty days after the last publication of the newspaper advertisement placed by the applicant under paragraph (A)(1) of rule 1501:13-5-01 of the Administrative Code; or

(b) Be filed with the chief not later than thirty days after receipt by the permittee of the proposed performance security adjustment.

(1) Except as provided in paragraph (C) of this rule, if an informal conference is requested in accordance with paragraph (A) of this rule, the chief shall hold an informal conference within a reasonable time not to exceed sixty days following:

(a) The close of the comment period required by paragraph (B)(1) of rule 1501:13-5-01 of the Administrative Code for a permit application, an application for significant revision to a permit or an application for renewal of a permit; or

(b) Receipt by the permittee of a performance security adjustment under paragraph (E) of rule



1501:13-7-02 of the Administrative Code.

(2) The informal conference shall be conducted as follows:

(a) The conference shall be held in the county where the largest portion of the area permitted or to be permitted is located;

(b) The date, time, and location of the informal conference shall be sent to the applicant or permittee and other parties to the conference and advertised by the chief in a newspaper of general circulation in the locality of the proposed permit or existing permit at least two weeks prior to the scheduled conference;

(c) If requested, in writing, by the person requesting the conference at a reasonable time prior to the conference, the chief may arrange with the applicant or permittee to grant parties to the conference access to the proposed permit or existing permit area and, to the extent that the applicant or permittee has the right to grant access to it, to the adjacent area, prior to the established date of the conference for the purpose of gathering information relevant to the conference; and

(d) The conference shall be conducted by the chief or a representative of the chief. The chief or his or her representative may accept oral or written statements and any other relevant information from any party to the conference. An electronic or stenographic record shall be made of the conference proceeding, unless waived by all the parties. The record shall be maintained and shall be accessible to the parties of the conference until final release of the applicant's or permittee's performance security required by Chapter 1513. of the Revised Code and these rules.

(3) If the informal conference has been held pursuant to section 1513.071 of the Revised Code, the chief shall issue and furnish the applicant for a permit, persons who participated in the informal conference, and persons who filed written objections pursuant to division (B) of section 1513.071 of the Revised Code, with the written finding of the chief granting or denying the permit in whole or in part and stating the reasons therefor within sixty days of the conference, provided that the chief shall comply with the time frames established in paragraph (D)(2)(b) of rule 1501:13-5-01 of the Administrative Code.



(C) If all persons requesting the informal conference stipulate agreement prior to the requested informal conference and withdraw their request, the informal conference need not be held.

(D) Conferences for reclamation phase approvals and performance security releases are subject to rule 1501:13-7-08 of the Administrative Code.