



Ohio Administrative Code

Rule 3745-50-505 Modification, revocation, or termination of permits.

Effective: [March 7, 2025](#)

(A) Permits may be modified, revoked, or terminated either at the request of any interested person, including the permittee, or upon the director's initiative. However, permits may only be modified, revoked, or terminated for the reasons specified in rule 3745-50-51 or 3745-50-53 of the Administrative Code. All requests shall be in writing and shall contain facts or reasons supporting the request.

(B) If the director decides the request is not justified, the director shall send the requester a brief written response giving a reason for the decision. Denials of requests for modification, revocation, or termination are not subject to public notice, comment, or hearings. Denials by the director may be informally appealed to the "Environmental Review Appeals Commission" (ERAC) by a letter briefly providing the relevant facts. The ERAC may instruct the director to begin modification, revocation, or termination proceedings under paragraph (C) of this rule. The appeal is considered denied if the ERAC takes no action on the letter within sixty days after receiving the letter. This informal appeal is a prerequisite to seeking judicial review of Ohio EPA's action in denying a request for modification, revocation, or termination.

(C)

(1) If the director tentatively decides to modify or revoke a permit under rule 3745-50-51 of the Administrative Code [other than paragraph (A)(5) of rule 3745-50-51 of the Administrative Code] or paragraph (D)(3) of rule 3745-50-51 of the Administrative Code, the director shall prepare a draft permit under rule 3745-50-506 of the Administrative Code incorporating the proposed modifications. The director may request additional information, and, in the case of a modified permit, may require the submittal of an updated permit application.

(a) In the case of revoked permits other than under paragraph (A)(5) of rule 3745-50-51 of the Administrative Code, the director shall require the submittal of a new permit application.



(b) In the case of revoked permits under paragraph (A)(5) of rule 3745-50-51 of the Administrative Code, the director and the permittee shall comply with the appropriate requirements in Chapter 3745-50 of the Administrative Code, and rules 3745-50-700 to 3745-50-711 of the Administrative Code for standardized permits.

(2)

(a) In a permit modification under this rule, only those conditions to be modified may be reopened when a new draft permit is prepared. All other aspects of the existing permit remain in effect for the duration of the unmodified permit.

(b) When a permit is revoked and a new draft permit is prepared under this rule, the entire permit is reopened just as if the permit had expired. During any revocation and new draft permit proceeding, the permittee shall comply with all conditions of the existing permit until a new final permit is in effect.

(3) "Minor modifications" as defined in "Class 1" and "Class 2" modifications as defined in rule 3745-50-51 and the appendix to rule 3745-50-51 of the Administrative Code are not subject to the requirements of this rule.

(D)

(1) If the director tentatively decides to terminate a permit under rule 3745-50-53 of the Administrative Code, the director shall issue a notice of intent to terminate. A notice of intent to terminate is a type of draft permit which follows the same procedures as any draft permit prepared under rule 3745-50-506 of the Administrative Code.

(2) [Reserved.]

(3) [Reserved.]

(E) [Reserved.]



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DOCUMENT #331736

(F) [Reserved.]

(G) [Reserved.]