



## Ohio Administrative Code Rule 3746-1-01 Definitions: General.

Effective: February 1, 2019

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As used in Chapter 3746 of the Administrative Code, except otherwise provided:

- (A) "Action" or "Act" includes: the adoption, modification, or repeal of a rule or standard; the issuance, modification, or revocation of any lawful order other than an emergency order; the issuance, denial, modification, or revocation of a license, permit, lease, variance, or certificate; or the approval or disapproval of plans and specifications pursuant to law or rules adopted thereunder.
- (B) "Agency" means the Ohio environmental protection agency or the Ohio department of agriculture, except as used in rules 3746-3-15 to 3746-3-19 of the Administrative Code.
- (C) "Commission" means the environmental review appeals commission.
- (D) "Day" means a calendar day.
- (E) "Director" means the director of environmental protection or the director of the department of agriculture, except as used in rules 3746-3-15 to 3746-3-19 of the Administrative Code.
- (F) "Intervenor" means any person admitted as a party pursuant to a motion to intervene as a participant to a proceeding before the commission.
- (G) "Statutory agency" means any state or local governmental unit whose action is subject to review by the commission pursuant to the Revised Code.
- (H) "Party" means any person who participated in a proceeding before the director of environmental protection, the director of the department of agriculture or a statutory agency and includes, but is not limited to: (1) the director of environmental protection; (2) any branch of the state government or local governmental unit, acting under delegated authority of the director, or under its own direct statutory authority, or having been affected by the action of the director or one acting under his



proper delegation; (3) any person appealing an action of the director or one acting under the delegated authority of the director, or any person against whom an action has been taken or initiated by the director or one acting under the director's proper delegation, whether designated as an applicant, permittee, licensee, respondent, or otherwise; (4) any person filing a verified complaint with the director pursuant to section 3745.08 of the Revised Code; (5) any person who has been involved in any proceeding before the director or one acting under the delegated authority of the director; and (6) any person permitted by the commission to intervene.

(I) "Person" means any individual, any partnership, corporation, association, or other legal entity, or any political subdivision, instrumentality, or agency of a state whether or not the individual or legal entity is an applicant for or holder of a license, permit, or variance from the environmental protection agency, department of agriculture, or statutory agency, and includes any department, agency, or instrumentality of the federal government that is an applicant for or holder of a license, permit, or variance from the environmental protection agency.

(J) "Stay" means a suspension of the effect of an action of the director or statutory agency pending proceedings before the commission.