



## Ohio Administrative Code

### Rule 3750-75-09 Decision by emergency response commission regarding a lock box application from a local emergency planning committee.

Effective: September 1, 1998

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(A) Fourteen days prior to a meeting where commission will consider an application for the issuance of a lock box order, the commission will provide a copy of the meeting agenda, return receipt requested, to the facility, the applying fire department, and the forwarding committee.

(B) The emergency response commission shall vote to grant or deny the issuance of a lock box order within two commission meetings at which a quorum of voting members is present after the date on which a complete application for the issuance of a lock box order is received.

(1) The commission shall issue an order requiring the placement of the lock box when sixty per cent or more of the voting members of the commission determine that the application has met the criteria set forth in rule 3750-75-10 of the Administrative Code and have voted to approve the application.

(2) The commission shall issue an order denying an application for the issuance of a lock box order if voting members of the commission determine that the criteria set fourth in rule 3750-75-10 of the Administrative Code has not been met, and/or when less than sixty per cent of the voting members of the commission vote to approve the application for the issuance of an order requiring the placement of a lock box.

(3) If the commission determines that the application, or information presented at the meeting, needs further evaluation, then the commission may approve a motion to delay a vote on the application for the issuance of a lock box order until its next regularly scheduled meeting.

(4) If the commission determines that an application for the issuance of a lock box order is incomplete, the commission shall notify the committee and fire department in writing within sixty days of the nature of the deficiencies. No action shall be taken on an incomplete application until the deficiencies have been addressed.

(C) Within sixty days of the date on which the commission either voted to grant or deny the issuance



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DOCUMENT #272539

of a lock box order, the commission shall mail by certified mail, return receipt requested, a copy of the order approving or denying the placement and maintenance of a lock box, to the committee, fire department, and facility affected by the order.

(D) An order of the commission granting or denying an application for the placement of a lock box may be appealed to the environmental review appeals commission in accordance with section 3750.19 of the Revised Code.