



Ohio Administrative Code

Rule 4906-6-10 Automatic approval of accelerated applications.

Effective: [May 30, 2024](#)

(A) Staff shall recommend an automatic approval date for an accelerated application in its written report of investigation to the board, unless staff recommends suspension of the automatic approval date. The recommended automatic approval date shall be no sooner than seven calendar days after the filing of the written report of investigation and no later than ninety days after the filing date of the application.

(B) If the board does not act upon a letter of notification or construction notice and/or waiver request on or prior to the automatic approval date set forth in the staff report, the letter of notification or construction notice and/or waiver request shall be deemed automatically approved, subject to any conditions contained in the staff report, on the day after the date set forth in the staff report.

(C) Any conditions included in a staff report that are not objected to by an applicant prior to the automatic approval date established in paragraphs (A) and (B) of this rule, shall be deemed automatically adopted by the board, administrative law judge, or executive director as conditions on the certificate of environmental compatibility and public need. If an applicant files a written objection or proposes an alternative condition to any condition proposed in a staff report with the board at least three days prior to the automatic approval date, such condition shall only be effective if specifically recommended by the staff in an amended staff report and adopted by the board within the time permitted for consideration of the application provided in division (F) of section 4906.03 of the Revised Code. No condition proposed in the staff report that is timely objected to by an applicant shall become effective unless the board specifically adopts such condition.
