

OAC Rule #	Paragraph	Restriction	Description/Quotation	Statutory Authority	State or Fed Law?	If Fed, crosswalk?	Federally delegated program?	Removal would require state or federal law change?	Requirement on the agency or director?
3745-47-01	(A)	shall	This chapter shall govern the procedure for all adjudication proceedings and other procedures relating to adjudications pursuant to Chapter 119. of the Revised Code, or any other statute or rule providing for an adjudication proceeding before the agency	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			yes	No
3745-47-01	(B)	shall	This chapter shall be construed liberally to accomplish the purposes of the chapters and sections of the Revised Code governing the functions and duties of the agency, and to afford maximum procedural fairness consistent with just, timely, and efficient resolution of disputes.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			yes	No
3745-47-02	(P)	shall	No other person shall be deemed to be a party to an adjudication proceeding.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			yes	No
3745-47-03	(A)	shall	An adjudication proceeding shall be initiated if any one or combination of the following occur:	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			yes	Yes, restriction to begin adjudication proceedings
3745-47-03	(B)	shall	All requests for an adjudication hearing, including requests pursuant to section 119.06 or 119.07 of the Revised Code, and all objections to proposed actions pursuant to section 3745.07 of the Revised Code shall be made in writing.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			yes	No
3745-47-03	(B)	shall	All requests and objections shall state the matter objected to, the questions to be considered at the requested adjudication hearing, and the basis for the request or objection.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			yes	No
3745-47-03	(B)(1)	shall	Not later than sixty days after issuance of the proposed action or such other time as the hearing examiner may order, the person who timely requests or objects in accordance with paragraph (A) of this rule shall file the specific provisions of the matter objected to that the person believes should be deleted, amended, or added if those specified provisions were not included in the adjudication hearing request or objection as initially filed.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			yes	No
3745-47-03	(B)(2)	shall	The requesting or objecting person shall include a clear and concise summary of the factual or legal basis for each request, deletion, amendment, or addition, including a reference setting forth the citation to any statute, regulation, or other legal principle that supports the person's position.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			yes	No
3745-47-03	(B)(2)	required	Filings required by this paragraph may be included in filings required under rule 3745-47-10 of the Administrative Code, as long as the filing complies with the deadline set forth in paragraph (B)(1) of this rule, and if such is acceptable to the hearing examiner.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			yes	No
3745-47-03	(B)(2)	shall	If the agency issues an amended proposed action after initiation of an adjudication proceeding, the hearing examiner shall grant all parties a reasonable time, which, notwithstanding any other provision of this chapter, may be less than thirty days, to amend their adjudication hearing requests, objections, or petitions to intervene so as to raise issues relating to the amendments.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			yes	Yes, restriction to grant time
3745-47-04	(A)(1)	shall	A notice of an adjudication hearing shall be mailed by certified mail, return receipt requested, to the parties to the adjudication proceeding not less than thirty days prior to the adjudication hearing. Service shall be completed in accordance with section 119.07 of the Revised Code and the "Ohio Rules of Civil Procedure" (2011).	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			yes	Yes, mailing by agency
3745-47-04	(A)(2)	shall	Notices of adjudication hearings shall be mailed by first class mail to all persons on the mailing list of subscribers maintained pursuant to section 3745.07 of the Revised Code not less than fourteen days prior to the adjudication hearing.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			yes	Yes, mailing by agency
3745-47-04	(B)	shall	Not later than thirty days prior to an adjudication hearing, a notice of the adjudication hearing shall be published in a newspaper of general circulation in the county in which the source, facility, or subject of the public notice is located.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			yes	Yes, notice by agency
3745-47-04	(C)	shall	Public notices of adjudication hearings shall include the following:	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			yes	Yes, notice by agency
3745-47-04	(D)	required	Where duplicate information is required in multiple notices mailed or published together, any information that is required by this rule to be contained in more than one such notice need not be repeated in each notice but may be contained in a separate document mailed or published with and referred to in each notice to which it applies.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			yes	Yes, notice by agency
3745-47-04	(D)	required	Where duplicate information is required in multiple notices mailed or published together, any information that is required by this rule to be contained in more than one such notice need not be repeated in each notice but may be contained in a separate document mailed or published with and referred to in each notice to which it applies.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			yes	Yes, notice by agency
3745-47-05	(A)	shall	An original and one copy of all documents shall be filed with the hearing clerk for each case, even when cases have been consolidated.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			yes	Yes, filing by agency
3745-47-05	(A)	shall	The hearing clerk shall do the following:	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			yes	Yes, duties of agency hearing clerk

3745-47-05	(B)	shall not	The acceptance of documents for filing <b>shall not</b> be construed as an admission by the agency of the validity or proper filing of such document or of compliance with any procedural requirements imposed by statute or rule.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			yes	No
3745-47-05	(C)	shall	All items except copies of documents filed in the proceedings <b>shall</b> be on eight-and-onehalf-inch by eleven-inch paper and shall be titled "Before the Ohio Environmental Protection Agency" and shall be styled with the name of the person to whom a final order in the case will be directed, indicating whether such person is an applicant in the case, and, if not, designating such person as respondent (i.e., "In the Matter of _____, Applicant" or "In the Matter of _____, Respondent"), and shall set forth the docket number of the case except where no docket number has been assigned.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			yes	Yes, proper document procedures
3745-47-05	(C)	shall	All items except copies of documents filed in the proceedings shall be on eight-and-onehalf-inch by eleven-inch paper and shall be titled "Before the Ohio Environmental Protection Agency" and <b>shall</b> be styled with the name of the person to whom a final order in the case will be directed, indicating whether such person is an applicant in the case, and, if not, designating such person as respondent (i.e., "In the Matter of _____, Applicant" or "In the Matter of _____, Respondent"), and shall set forth the docket number of the case except where no docket number has been assigned.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			yes	Yes, proper document procedures
3745-47-05	(C)	shall	All items except copies of documents filed in the proceedings shall be on eight-and-onehalf-inch by eleven-inch paper and shall be titled "Before the Ohio Environmental Protection Agency" and shall be styled with the name of the person to whom a final order in the case will be directed, indicating whether such person is an applicant in the case, and, if not, designating such person as respondent (i.e., "In the Matter of _____, Applicant" or "In the Matter of _____, Respondent"), and <b>shall</b> set forth the docket number of the case except where no docket number has been assigned.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			yes	Yes, proper document procedures
3745-47-05	(D)	shall	All documents filed <b>shall</b> be printed and shall include the name, address, and telephone number of the person or, if represented by an attorney, that person's attorney.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			yes	Yes, proper document procedures
3745-47-05	(D)	shall	All documents filed shall be printed and <b>shall</b> include the name, address, and telephone number of the person or, if represented by an attorney, that person's attorney.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			yes	Yes, proper document procedures
3745-47-05	(D)	shall	If a person is represented by a firm of attorneys, a particular attorney with the firm having primary responsibility for the case <b>shall</b> be indicated on such document.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			yes	Yes, proper document procedures
3745-47-05	(D)	shall	All documents filed <b>shall</b> be signed by the person or by the person's attorney.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			yes	No
3745-47-05	(E)	shall	All documents <b>shall</b> be deemed filed with the agency upon being date and time-stamped by the Ohio EPA "Legal Records Section."	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			yes	Yes, proper document procedures
3745-47-05	(F)	shall	When the time prescribed or allowed is less than seven days, days that the agency is not open for business <b>shall</b> be excluded from the computation.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			yes	No
3745-47-05	(G)	shall	Any request for an extension of time to file a document <b>shall</b> be filed within the time allowed for the filing of the document with the agency.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			yes	No
3745-47-05	(H)	shall not	Documents filed with the hearing clerk <b>shall not</b> be considered by the hearing examiner unless proof of service in accordance with paragraphs (I) and (J) of this rule is endorsed thereon.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			yes	No
3745-47-05	(H)	shall	The proof of service <b>shall</b> state the date and manner of service and shall be signed by the person filing such document or by the person's attorney.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			yes	No
3745-47-05	(H)	shall	The proof of service shall state the date and manner of service and <b>shall</b> be signed by the person filing such document or by the person's attorney.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			yes	No
3745-47-05	(I)	shall	The hearing examiner and the parties <b>shall</b> send a copy of each document they have filed with the hearing clerk to each party or, if a party is represented by an attorney, to the party's attorney.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			yes	No
3745-47-05	(J)	shall	Copies of all documents filed <b>shall</b> also be sent to any person who has been denied permission to intervene and any party who has been dismissed from a case for any reason, other than that party's voluntary withdrawal, in the same manner as this chapter requires those documents to be sent to the remaining parties.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			yes	Yes, hearing examiner duties
3745-47-05	(J)	requires	Copies of all documents filed <b>shall</b> also be sent to any person who has been denied permission to intervene and any party who has been dismissed from a case for any reason, other than that party's voluntary withdrawal, in the same manner as this chapter requires those documents to be sent to the remaining parties.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			yes	Yes, hearing examiner duties
3745-47-05	(J)	shall	If a person being served is represented by an attorney, service <b>shall</b> be made upon the attorney instead of upon the person.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			yes	Yes, hearing examiner duties

3745-47-06	(A)	shall	Adjudication hearings shall be conducted before a hearing examiner.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			yes	
3745-47-06	(B)	shall	Upon receiving a request or objection pursuant to rule 3745-47-03 of the Administrative Code, a hearing examiner shall be assigned to the case.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			yes	Yes, agency duties
3745-47-06	(C)	shall	The hearing examiner shall conduct adjudication hearings in such a manner as to prevent unnecessary delay, maintain order, and ensure the development of a clear and adequate record.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			yes	Yes, hearing examiner duties
3745-47-06	(D)	shall	The authority of the hearing examiner shall include but not be limited to authority to do the following:	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			yes	Yes, hearing examiner duties
3745-47-06	(D)(1)	shall	Schedule adjudication hearings, in which consideration shall be given to the following:	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, hearing examiner duties
3745-47-06	(D)(3)	require	Issue subpoenas to require the attendance of witnesses at adjudication hearings and depositions.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, hearing examiner duties
3745-47-06	(D)(3)	require	Issue subpoenas duces tecum to require the production of documents or tangible things.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, hearing examiner duties
3745-47-06	(E)	shall	The hearing examiner shall have such other powers, duties, and authority as are granted by statute or rules.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	No
3745-47-06	(F)	shall	All rulings on evidence, motions, and other procedural matters, including dismissal of a party, shall be subject to review by the director upon review of the report and recommendation of the hearing examiner pursuant to rule 3745-47-16 of the Administrative Code.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	No
3745-47-07	(A)	shall	A motion shall be accompanied by a memorandum setting forth the matter for which intervention is sought, the grounds for proposed intervention, the position and interest of the movant in the adjudication proceeding, and any other matter that the movant deems relevant in light of the factors to be considered by the hearing examiner listed in paragraph (D) of this rule.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	No
3745-47-07	(A)	shall	The movant shall serve a copy of the motion upon each party as provided in rule 3745-47-05 of the Administrative Code.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	No
3745-47-07	(B)	shall	Except as provided in paragraph (C) of this rule, a motion to intervene in an adjudication proceeding shall be filed prior to the commencement of the first conference or not later than fifteen days prior to commencement of the adjudication hearing if no conference is held.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	No
3745-47-07	(C)	shall	Motions to intervene in an adjudication proceeding filed after the time periods set forth in paragraph (B) of this rule shall contain, in addition to the information required by paragraph (A) of this rule, a statement of good cause for the failure to timely file the motion and shall be granted only upon a finding that extraordinary circumstances justify the granting of the motion.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	No
3745-47-07	(C)	shall	Motions to intervene in an adjudication proceeding filed after the time periods set forth in paragraph (B) of this rule shall contain, in addition to the information required by paragraph (A) of this rule, a statement of good cause for the failure to timely file the motion and shall be granted only upon a finding that extraordinary circumstances justify the granting of the motion.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, agency duties
3745-47-07	(C)	required	Motions to intervene in an adjudication proceeding filed after the time periods set forth in paragraph (B) of this rule shall contain, in addition to the information required by paragraph (A) of this rule, a statement of good cause for the failure to timely file the motion and shall be granted only upon a finding that extraordinary circumstances justify the granting of the motion.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, agency duties
3745-47-07	(E)	shall	In any adjudication proceeding in which intervention is granted under this rule, the intervener shall be bound by previous rulings.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	No
3745-47-08	(A)	shall	All motions, unless made before the hearing examiner upon the record, shall be made in writing.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	No
3745-47-08	(A)	shall	A written motion shall state with particularity the relief or order sought and shall be accompanied by a memorandum setting forth the grounds therefor.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	No
3745-47-08	(A)	shall	A written motion shall state with particularity the relief or order sought and shall be accompanied by a memorandum setting forth the grounds therefor.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	No
3745-47-08	(B)	shall not	Procedural motions shall not cause delay of an adjudication hearing without a finding by the hearing examiner that good cause for such delay exists.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	No
3745-47-08	(C)	shall	Before deciding a written motion, the hearing examiner shall consider all applicable memoranda filed.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, hearing examiner duties

3745-47-08	(C)	shall	The hearing examiner shall file a written decision, including any order issued, and shall serve copies on all parties.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, hearing examiner duties
3745-47-08	(C)	shall	The hearing examiner shall file a written decision, including any order issued, and shall serve copies on all parties.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, hearing examiner duties
3745-47-08	(C)	shall	The hearing examiner's ruling on all oral motions shall be included in the stenographic record but the hearing examiner may elect to take the motion under advisement and issue a written ruling later.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, hearing examiner duties
3745-47-08	(C)	shall	The hearing examiner shall include in each written decision on a motion a short statement of the reasons for each ruling.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, hearing examiner duties
3745-47-08	(D)(1)	shall	A motion for summary disposition shall be filed not later than fifteen days before the date set for commencement of an adjudication hearing, unless leave for filing thereafter is obtained from the hearing examiner.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	
3745-47-08	(D)(2)	shall	When considering such a motion, the hearing examiner shall consider the proposed action; requests for adjudication hearing; objections; depositions; answers to interrogatories; stipulations of fact; admissions; the response to the motion and any replies to the response; affidavits accompanying the motion, response, or reply; and any argument presented at an adjudication hearing on the motion.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, hearing examiner duties
3745-47-08	(D)(2)	shall	If, after consideration of the foregoing, the hearing examiner determines that there is no genuine issue as to any material fact and that the moving party is entitled to the outcome requested as a matter of law, the hearing examiner shall submit to the director a report and recommendation pursuant to rule 3745-47-16 of the Administrative Code without holding an adjudication hearing.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, hearing examiner duties
3745-47-09	(B)	shall	Before granting any continuance, the hearing examiner shall consider any harm to public welfare or the environment which may result from delay in the adjudication proceeding.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, hearing examiner duties
3745-47-10	(A)	shall	Upon written notice by the hearing examiner to all parties, the parties or the parties' attorneys may be ordered to appear at a specified time and place for a conference, presided over by the hearing examiner, before or during the course of the adjudication hearing, to consider such matters as the hearing examiner shall direct including but not limited to the following:	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, hearing examiner duties
3745-47-10	(B)	shall	Each party shall attend the initial conference fully prepared to discuss in detail the following:	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	No
3745-47-10	(C)	shall	The proceedings at the initial conference shall be off-the-record.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	No
3745-47-10	(D)	require	Prior to or subsequent to any conference, the hearing examiner may require a party to prepare briefs covering such matters as the hearing examiner may specify.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	No
3745-47-10	(D)	shall not	All offers of settlement, proposals of adjustment, and proposed stipulations not agreed upon shall not constitute admissions, and shall not be admissible in evidence against the person making the offer or proposal.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	No
3745-47-10	(D)	shall not	All offers of settlement, proposals of adjustment, and proposed stipulations not agreed upon shall not constitute admissions, and shall not be admissible in evidence against the person making the offer or proposal.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	No
3745-47-11	(B)	shall	No adjudication hearing shall be continued to a date more than sixty days after initiation of the adjudication proceeding for the purpose of discovery unless the hearing examiner finds in writing that the party requesting the continuance diligently pursued discovery but was unable to complete discovery.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	No
3745-47-11	(C)	shall	Parties shall cooperate in conducting discovery procedures with the objective being full and complete disclosure of all relevant facts.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	No
3745-47-11	(C)	shall	Informal consultation among parties concerning discovery shall be attempted before filing of formal motions to compel discovery.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, hearing examiner duties
3745-47-11	(D)	shall	All costs of service, mileage, witness fees, and other costs of discovery shall be borne by the party requesting such discovery.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	No
3745-47-11	(D)	shall	Witness and mileage fees shall be the same as paid in the common pleas courts of Ohio in criminal cases.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	No
3745-47-12	(A)	shall	The hearing examiner shall admit all relevant and material evidence, except evidence that is unduly repetitious, even though inadmissible under the "Ohio Rules of Evidence" (2011) applicable to judicial proceedings.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	No
3745-47-12	(A)	shall not	All records maintained by the agency or the agency's duly authorized representative shall not be inadmissible for lack of authentication if the custodian of such records certifies the identity of the records in writing.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	No

3745-47-12	(A)	shall	The weight to be given evidence shall be determined by the evidence's reliability and probative value.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	No
3745-47-12	(A)	shall	In all adjudication hearings the testimony of witnesses shall be taken orally, except as provided by this chapter or by the hearing examiner.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, hearing examiner duties
3745-47-12	(A)	shall	Parties shall have the right to cross-examine witnesses.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	No
3745-47-12	(B)	shall	If a party objects to the admission or exclusion of any evidence, that party shall state briefly the grounds for such objection.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	No
3745-47-12	(B)	shall	The stenographic record shall include any argument or debate thereon, unless the hearing examiner, with the consent of all parties, orders that such argument not be recorded.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, hearing examiner duties
3745-47-12	(B)	shall	The ruling of the hearing examiner on any objection shall be part of the stenographic record.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, hearing examiner duties
3745-47-12	(C)	shall	A copy of each documentary exhibit filed with the hearing examiner shall be furnished to each other party.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	No
3745-47-12	(D)	shall	Whenever evidence is ruled inadmissible, the party offering such evidence may make an offer of proof, which shall be included in the stenographic record.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	No
3745-47-12	(D)	shall	The offer of proof for excluded oral testimony shall consist of a brief statement describing the nature and substance of the evidence excluded.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	No
3745-47-12	(D)	shall	If the evidence consists of a document or exhibit, the evidence shall be inserted in the record in total.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, hearing examiner duties
3745-47-12	(E)	shall	The parties shall be given adequate opportunity to show that such facts are erroneously noticed.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	No
3745-47-13	(A)	shall	Provided there is not another party to the adjudication proceeding who wishes the adjudication proceeding to continue, not later than forty-five days after the filing of a withdrawal of the objection or request for an adjudication hearing, the hearing examiner shall submit to the director a written report and recommendation of the action to be taken by the director.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, hearing examiner duties
3745-47-13	(C)	shall	Not later than forty-five days after the filing of a settlement agreement entered into by all parties, the hearing examiner shall submit to the director a written report setting forth findings of fact and conclusions of law, and a recommendation of the action to be taken by the director.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, hearing examiner duties
3745-47-14	(A)	shall not	Due to the duties in deciding adjudicatory matters, the director, assistant director, and deputy directors shall not be competent witnesses or deponents in any adjudication proceeding before the agency.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, restriction on the director, assistant director, and deputy directors
3745-47-14	(B)	shall not	Evidence from other persons relating to the mental processes of the director, assistant director, and deputy directors shall not be admissible.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	No
3745-47-15	(A)	shall	The burden at all adjudication hearings with respect to applications for permits, licenses, variances, certificates, or other authorizing actions shall be upon the applicant to prove entitlement to the permit, license, variance, certificate, or authorizing action.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	No
3745-47-15	(B)	shall	Except as provided in paragraph (A) of this rule, the agency shall bear the burden of proof at all adjudication hearings relating to the following:	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	No
3745-47-15	(C)	shall	A party raising an issue of fact shall have the burden of presenting a prima facie case establishing that fact; thereafter, the burden of proof on such issue is allocated according to paragraphs (A) and (B) of this rule.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	No
3745-47-15	(D)	shall	Notwithstanding paragraph (A) of this rule, there shall be a legal presumption in favor of facts asserted by a party that can be disproved by evidence available to and under the control of an opposing party.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	No
3745-47-15	(D)	shall	In order to rebut this presumption, the party having control of such evidence shall show that the nonexistence of the presumed fact is more likely than the existence of such fact.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	No
3745-47-16	(A)	shall	Except as otherwise provided in this paragraph, not later than forty-five days after receipt of the stenographic record of an adjudication hearing, and upon due consideration of the record, the hearing examiner shall file a report and recommendation and shall submit a copy of that report and recommendation to the director.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, hearing examiner duties

3745-47-16	(A)	shall	Except as otherwise provided in this paragraph, not later than forty-five days after receipt of the stenographic record of an adjudication hearing, and upon due consideration of the record, the hearing examiner shall file a report and recommendation and <b>shall</b> submit a copy of that report and recommendation to the director.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State		Yes	Yes, hearing examiner duties
3745-47-16	(A)	shall	In cases where the hearing examiner has established a post-hearing briefing schedule, the report and recommendation <b>shall</b> be filed and submitted not later than forty-five days after the completion of briefing.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State		Yes	Yes, hearing examiner duties
3745-47-16	(A)	shall	The report <b>shall</b> include findings of fact and conclusions of law, and the recommendation shall include the recommendations regarding the action to be taken by the director.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State		Yes	Yes, hearing examiner duties
3745-47-16	(A)	shall	The report <b>shall</b> include findings of fact and conclusions of law, and the recommendation <b>shall</b> include the recommendations regarding the action to be taken by the director.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State		Yes	Yes, hearing examiner duties
3745-47-16	(B)	shall	A copy of the report and recommendation <b>shall</b> be mailed to all parties or their attorneys, and to the persons entitled to receive documents pursuant to rule 3745-47-05 of the Administrative Code.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State		Yes	Yes, hearing examiner duties
3745-47-16	(B)	shall	Copies <b>shall</b> be mailed by certified mail not later than five days after the submission of the report and recommendation to the director.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State		Yes	Yes, hearing examiner duties
3745-47-16	(C)	shall	Any person to whom a copy of the report and recommendation <b>shall</b> be provided pursuant to paragraph (B) of this rule may file a written statement of objections to the report and recommendation not later than ten days after receipt of the copy.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State		Yes	No
3745-47-16	(C)	shall	All written statements of objections filed pursuant to this paragraph <b>shall</b> be considered by the director before issuance of a final action.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State		Yes	Yes, director duties
3745-47-16	(C)	shall	All objections <b>shall</b> state each legal and each factual basis for the objection.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State		Yes	No
3745-47-16	(C)	shall	Where matters of fact form a basis for the objection, a citation to the record <b>shall</b> be included.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State		Yes	No
3745-47-16	(C)	shall	Persons filing objections <b>shall</b> serve their objections upon all other persons entitled to file objections.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State		Yes	No
3745-47-16	(C)	may not	Answers to objections <b>may not</b> be filed.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State		Yes	No
3745-47-16	(D)	shall	In deciding whether to permit the taking of additional testimony, the director <b>shall</b> give consideration to harm to the public welfare or the environment that may result from delay in the adjudication proceeding.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State		Yes	Yes, director duties
3745-47-17	(A)	shall	After the initiation of an adjudication proceeding, a record of the adjudication proceeding <b>shall</b> be maintained at the expense of the agency.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State		Yes	Yes, agency duties
3745-47-17	(A)	shall	Such record <b>shall</b> include the following pertaining to the adjudication proceeding:	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State		Yes	Yes, agency duties
3745-47-17	(A)	required	The fact sheet, where the agency is <b>required</b> to prepare one.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State		Yes	Yes, agency duties
3745-47-17	(B)	shall	The record <b>shall</b> be the exclusive basis for decision by the director in an adjudication proceeding.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State		Yes	Yes, agency duties
3745-47-17	(C)	shall	The director's decision pertaining to the adjudication proceeding <b>shall</b> be added to the record.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State		Yes	Yes, agency duties
3745-47-18	(A)	shall	Not earlier than expiration of the time for submission of objections under paragraph (C) of rule 3745-47-16 of the Administrative Code, nor later than sixty days thereafter, the director <b>shall</b> approve, modify, or disapprove the hearing examiner's report and recommendation as a final action.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State		Yes	Yes, director duties
3745-47-18	(B)	shall	When the final action modifies or disapproves the hearing examiner's report and recommendation, the final action <b>shall</b> include findings of fact and conclusions of law with the reasons for such modification or disapproval.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State		Yes	Yes, agency duties
3745-47-18	(A)	shall	The decision of the director <b>shall</b> be entered in the director's journal and in the record of the adjudication proceeding.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State		Yes	Yes, agency duties
3745-47-19	(A)	shall	Notwithstanding a request for an adjudication hearing, emergency orders <b>shall</b> be effective immediately.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State		Yes	No

3745-47-19	(A)	shall	Immediately upon receipt of such request, the director shall appoint a hearing examiner who shall convene an adjudication hearing within forty-eight hours to consider the issues raised by the adjudication hearing request.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, director duties
3745-47-19	(A)	shall	To obtain necessary evidence, the hearing examiner may continue the adjudication hearing, but shall reconvene the adjudication hearing as soon as possible and not later than twenty days after the adjudication hearing request unless the subject of the adjudication hearing becomes moot.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, hearing examiner duties
3745-47-19	(A)	shall	The director shall give priority to consideration of the hearing examiner's report and recommendation and shall not await written objections of the parties before issuing a decision.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, director duties
3745-47-19	(A)	shall not	The director shall give priority to consideration of the hearing examiner's report and recommendation and shall not await written objections of the parties before issuing a decision.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, director duties
3745-47-19	(A)	shall not	To the extent that other rules of this chapter conflict with this rule or would cause delay in an emergency adjudication hearing, the other rules shall not be applicable to adjudication proceedings under this rule.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	No
3745-47-19	(B)	shall not	Proceedings pursuant to the declaration of an air pollution emergency under section 3704.032 of the Revised Code shall not be subject to this chapter.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	No
3745-47-20	(A)(1)	shall	No party to an adjudication proceeding shall engage in or encourage other persons to engage in ex parte communications with the hearing examiner about any matter that is the subject of the adjudication proceeding.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	No
3745-47-20	(A)(1)	shall not	The hearing examiner shall not entertain such communications.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, hearing examiner duties
3745-47-20	(A)(2)	shall	No persons identified in paragraphs (P)(1)(b) to (P)(1)(e) of rule 3745-47-02 of the Administrative Code shall engage in or encourage other persons to engage in ex parte communications with the director, the assistant director, or the deputy directors about any matter that is the subject of the adjudication proceeding.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	No
3745-47-20	(A)(2)	shall not	The director, the assistant director, and the deputy directors shall not entertain such communications.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, restriction on the director, assistant director, and deputy directors
3745-47-20	(B)	shall	All communications prohibited by paragraph (A) of this rule shall be reported immediately to the hearing examiner, who shall place the communication or a memorandum describing the communication in public files associated with the case, but separate from the record material upon which the agency will rely in reaching a decision.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	No
3745-47-20	(B)	prohibited	All communications prohibited by paragraph (A) of this rule shall be reported immediately to the hearing examiner, who shall place the communication or a memorandum describing the communication in public files associated with the case, but separate from the record material upon which the agency will rely in reaching a decision.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	No
3745-47-20	(B)	shall	The hearing examiner shall take such additional action as the hearing examiner deems advisable.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, hearing examiner duties
3745-47-20	(C)	shall	A hearing examiner shall be disqualified upon the hearing examiner filing an affidavit stating the reason for disqualification.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, hearing examiner duties
3745-47-20	(C)	shall	A hearing examiner shall file a disqualification affidavit for either of the following reasons:	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, hearing examiner duties
3745-47-20	(C)	may not	If for any reason the hearing examiner may not be able to preside in a fair and impartial manner and render an impartial report and recommendation to the director.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, hearing examiner duties
3745-47-20	(D)	shall	Hearing examiners shall behave in the manner prescribed for judges generally in the "Ohio Code of Judicial Conduct" (2010).	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, hearing examiner duties
3745-47-20	(E)	shall not	It shall not be deemed a violation of this rule if the director, in the performance of duties and functions other than decision-making in an adjudication proceeding, gathers information or expresses opinions on matters of fact or law that are the subject of any adjudication proceeding.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, director duties

OAC Rule #	Paragraph	Restriction	Description/Quotation	Statutory Authority	State or Fed Law?	If Fed, crosswalk?	Federally delegated program?	Removal would require state or federal law change?	Requirement on the agency or director?
3745-49-01	(A)	shall	This chapter shall govern public notices, public meetings, public records, trade secret claims, verified complaints, and other administrative functions performed by the agency.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	No
3745-49-01	(B)	shall	This chapter shall be construed liberally to accomplish the purposes of the chapters of the Revised Code governing the functions and duties of the agency, and to afford maximum public involvement in the agency's efforts to protect public health, safety, and the environment.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			No	No
3745-49-02	(D)(2)	shall	A draft action that indicates an intent to issue an order, license, permit, variance, certificate, registration, or authorization shall include a draft of that order, license, permit, variance, certificate, registration, or authorization.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	No
3745-49-03	(A)	shall	A trade secret claim shall be submitted to the agency simultaneously with submission of the specific information, and such request shall be accompanied by sufficient supporting documentation.	3704.03, 3714.02, 3734.02, 3734.021, 3734.12, 3734.70, 3734.71, 3734.72, 3734.73, 3734.74, 3745.01, 3746.04, 3751.02, 3752.03, 3753.02, 6109.04, 6111.03, 6111.041	State			Yes	No
3745-49-03	(A)	shall	A trade secret claim shall be submitted to the agency simultaneously with submission of the specific information, and such request shall be accompanied by sufficient supporting documentation.	3704.03, 3714.02, 3734.02, 3734.021, 3734.12, 3734.70, 3734.71, 3734.72, 3734.73, 3734.74, 3745.01, 3746.04, 3751.02, 3752.03, 3753.02, 6109.04, 6111.03, 6111.041	State			Yes	No
3745-49-03	(A)	shall	Failure to make such timely request shall constitute a waiver of the right to prevent public disclosure.	3704.03, 3714.02, 3734.02, 3734.021, 3734.12, 3734.70, 3734.71, 3734.72, 3734.73, 3734.74, 3745.01, 3746.04, 3751.02, 3752.03, 3753.02, 6109.04, 6111.03, 6111.041	State			Yes	No
3745-49-03	(A)	shall	If a claimant does not submit the documentation and substantiation required by paragraph (B) of this rule at the time of the submission of the information claimed to constitute a trade secret, the submission shall be considered a public record of the agency.	3704.03, 3714.02, 3734.02, 3734.021, 3734.12, 3734.70, 3734.71, 3734.72, 3734.73, 3734.74, 3745.01, 3746.04, 3751.02, 3752.03, 3753.02, 6109.04, 6111.03, 6111.041	State			Yes	No
3745-49-03	(B)	shall	A claimant shall bear the burden of proving to the satisfaction of the director that the information submitted or portion thereof is a trade secret.	3704.03, 3714.02, 3734.02, 3734.021, 3734.12, 3734.70, 3734.71, 3734.72, 3734.73, 3734.74, 3745.01, 3746.04, 3751.02, 3752.03, 3753.02, 6109.04, 6111.03, 6111.041	State			Yes	No
3745-49-03	(B)(1)	shall	In order to assert a trade secret claim regarding a submission, the claimant shall, at the time of the submission, provide the following to the director:	3704.03, 3714.02, 3734.02, 3734.021, 3734.12, 3734.70, 3734.71, 3734.72, 3734.73, 3734.74, 3745.01, 3746.04, 3751.02, 3752.03, 3753.02, 6109.04, 6111.03, 6111.041	State			Yes	No
3745-49-03	(C)	shall	Upon a showing satisfactory to the director by any person that information maintained by the agency, or a particular part thereof, is a trade secret, the agency shall consider such information confidential.	3704.03, 3714.02, 3734.02, 3734.021, 3734.12, 3734.70, 3734.71, 3734.72, 3734.73, 3734.74, 3745.01, 3746.04, 3751.02, 3752.03, 3753.02, 6109.04, 6111.03, 6111.041	State			Yes	Yes, consideration by agency
3745-49-03	(D)	shall not	If the director makes a determination denying all or any portion of a trade secret claim, the director shall not disclose the information that is the subject of the trade secret claim until the expiration of the applicable time period for appealing the determination or until all appeals have been exhausted.	3704.03, 3714.02, 3734.02, 3734.021, 3734.12, 3734.70, 3734.71, 3734.72, 3734.73, 3734.74, 3745.01, 3746.04, 3751.02, 3752.03, 3753.02, 6109.04, 6111.03, 6111.041	State			Yes	Yes, restriction on director



3745-49-03	(E)	shall not	If a public records request encompasses records the agency possesses that are the subject of a pending claim that the records constitute a trade secret and that the release of such records is thus prohibited by law, in addition to any appropriate response otherwise required by section 149.43 of the Revised Code, within a reasonable time after receipt of the request, the requestor shall be provided with the proposed public copy of the record requested and shall be notified by the agency of the following:	3704.03, 3714.02, 3734.02, 3734.021, 3734.12, 3734.70, 3734.71, 3734.72, 3734.73, 3734.74, 3745.01, 3746.04, 3751.02, 3752.03, 3753.02, 6109.04, 6111.03, 6111.041	State			Yes	Yes, agency duties
3745-49-03	(E)	shall	If a public records request encompasses records the agency possesses that are the subject of a pending claim that the records constitute a trade secret and that the release of such records is thus prohibited by law, in addition to any appropriate response otherwise required by section 149.43 of the Revised Code, within a reasonable time after receipt of the request, the requestor shall be provided with the proposed public copy of the record requested and shall be notified by the agency of the following:	3704.03, 3714.02, 3734.02, 3734.021, 3734.12, 3734.70, 3734.71, 3734.72, 3734.73, 3734.74, 3745.01, 3746.04, 3751.02, 3752.03, 3753.02, 6109.04, 6111.03, 6111.041	State			Yes	Yes, agency duties
3745-49-03	(E)(5)	shall	If the director determines that any portion of the requested records constitute a trade secret, the requestor shall be provided with a public copy of the records.	3704.03, 3714.02, 3734.02, 3734.021, 3734.12, 3734.70, 3734.71, 3734.72, 3734.73, 3734.74, 3745.01, 3746.04, 3751.02, 3752.03, 3753.02, 6109.04, 6111.03, 6111.041	State			Yes	Yes, agency duties
3745-49-03	(E)(6)	shall	If the director determines that the requested records do not constitute a trade secret, the requestor shall be provided a copy of the records.	3704.03, 3714.02, 3734.02, 3734.021, 3734.12, 3734.70, 3734.71, 3734.72, 3734.73, 3734.74, 3745.01, 3746.04, 3751.02, 3752.03, 3753.02, 6109.04, 6111.03, 6111.041	State			Yes	Yes, agency duties
3745-49-04	(A)	shall	Not later than thirty days prior to the date set for a public hearing to consider adopting, amending, or rescinding a rule, public notice shall be published in the register of Ohio in accordance with section 119.03 of the Revised Code and in the Ohio EPA "Weekly Review."	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, agency duties
3745-49-04	(A)	shall	The public notice shall consist of a general statement of the subject matter of the proposed rule, amendment, or rule to be rescinded by the agency and the date, time, and place of the public meeting on the proposed rule.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, agency duties
3745-49-04	(B)	shall	Not later than ten days prior to the effective date of the adoption, amendment, or rescission of a rule, public notice shall be published in the register of Ohio in accordance with the requirements in section 119.03 of the Revised Code and in the Ohio EPA "Weekly Review," except when the governor, pursuant to division (F) of section 119.03 of the Revised Code, declares an emergency allowing for the immediate adoption, amendment, or rescission of a rule.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, agency duties
3745-49-04	(B)	shall	In such case, the public notice shall be published as expeditiously as practicable following the adoption, amendment, or rescission of an emergency rule in the register of Ohio and in the Ohio EPA "Weekly Review."	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, agency duties
3745-49-04	(C)	shall not	However, the failure to give notice by any means other than specified in paragraphs (A) and (B) of this rule shall not invalidate any action which may be taken by the agency.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, agency duties
3745-49-04	(D)	shall	Copies of the full text of the rule that was proposed to be adopted, amended, or rescinded shall be available prior to the effective date of such rule for any person who wishes to obtain a copy from the agency.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, agency duties
3745-49-04	(D)	shall not	However, the failure to furnish such copies to any person shall not invalidate any action of the agency in connection therewith.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, agency duties
3745-49-05	(A)	require	With respect to all actions of the agency that would require the agency to afford an opportunity for an adjudication hearing in accordance with sections 119.06 and 119.07 of the Revised Code and Chapter 3745-47 of the Administrative Code, the director shall prepare a proposed action.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, agency duties

3745-49-05	(A)	shall	With respect to all actions of the agency that would require the agency to afford an opportunity for an adjudication hearing in accordance with sections 119.06 and 119.07 of the Revised Code and Chapter 3745-47 of the Administrative Code, the director shall prepare a proposed action.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, director duties
3745-49-05	(A)(1)	shall	A proposed action shall be issued to the person who is the subject of the proposed action by certified mail, return receipt requested.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, agency duties
3745-49-05	(A)(1)	shall	Service shall be complete in accordance with section 119.07 of the Revised Code and the "Ohio Rules of Civil Procedure" (2011).	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, agency duties
3745-49-05	(A)(2)	shall	All proposed actions, except amended proposed actions, shall be accompanied by a notice that states when and how a person may request an adjudication hearing in accordance with Chapter 3745-47 of the Administrative Code.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, agency duties
3745-49-05	(B)	shall	All draft actions shall be sent by certified mail or first class mail to the person subject thereto and shall be accompanied by a statement as to when a final action may be issued.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, agency duties
3745-49-05	(B)	shall	All draft actions shall be sent by certified mail or first class mail to the person subject thereto and shall be accompanied by a statement as to when a final action may be issued.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, agency duties
3745-49-05	(C)(1)	shall not	If the draft action or proposed action bears an effective date, the date shall not be prior to the following:	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, agency duties
3745-49-05	(C)(3)	shall	If a draft action or proposed action is issued without an effective date, amendments thereto are issued, and the agency later assigns an effective date and enters the amended action in the director's journal, the agency shall mail notice to the person subject thereto informing such person of the effective date.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, agency duties
3745-49-05	(D)(2)	shall	All comments received by the agency not later than thirty days after public notice in accordance with rule 3745-49-07 of the Administrative Code, or such longer period as the public notice may specify, shall be considered by the director prior to issuance of a final action.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, agency duties
3745-49-05	(D)(3)	shall	All comments or statements presented to the agency at a public meeting held pursuant to rule 3745-49-13 of the Administrative Code shall be considered by the director prior to issuance of a final action.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, agency duties
3745-49-05	(E)(2)	may not	However, the director may not withdraw a proposed action after the initiation of an adjudication proceeding in accordance with Chapter 3745-47 of the Administrative Code unless objections made in accordance with section 3745.07 of the Revised Code and rule 3745-47-03 of the Administrative Code and all requests for an adjudication hearing have been withdrawn or dismissed.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, agency duties
3745-49-05	(F)	shall	A draft action or proposed action shall be issued as a final action in accordance with rule 3745-49-06 of the Administrative Code.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, agency duties

3745-49-06	(A)	shall not	The director <b>shall not</b> issue an action as a final action if an objection is received from the United States environmental protection agency and applicable law prohibits the issuance of a final action under such circumstances.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, agency duties
3745-49-06	(A)	prohibits	The director shall not issue an action as a final action if an objection is received from the United States environmental protection agency and applicable law <b>prohibits</b> the issuance of a final action under such circumstances.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, agency duties
3745-49-06	(B)	shall	Except as otherwise provided in paragraph (E)(1) or (E)(2) of rule 3745-49-05 of the Administrative Code, the director <b>shall</b> issue a draft action as the director's final action on the effective date stated or, if no effective date is included, on a date that shall not be sooner than either of the dates specified in paragraph (C)(1)(b) of rule 3745-49-05 of the Administrative Code.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, agency duties
3745-49-06	(B)	shall not	Except as otherwise provided in paragraph (E)(1) or (E)(2) of rule 3745-49-05 of the Administrative Code, the director shall issue a draft action as the director's final action on the effective date stated or, if no effective date is included, on a date that <b>shall not</b> be sooner than either of the dates specified in paragraph (C)(1)(b) of rule 3745-49-05 of the Administrative Code.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, agency duties
3745-49-06	(C)	shall	Unless an adjudication proceeding has been initiated, the director <b>shall</b> issue the proposed action as a final action on the effective date stated or after the deadline for filing an adjudication request or an objection, whichever date is later.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, director duties
3745-49-06	(C)	shall not	After the initiation of an adjudication proceeding, the director <b>shall not</b> issue a final action until the adjudication proceeding has been completed in accordance with Chapter 3745-47 of the Administrative Code.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, director duties
3745-49-06	(D)(1)	shall	The agency <b>shall</b> mail a copy of the final action to the following:	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, agency duties
3745-49-06	(D)(2)	shall	Not later than five days after a final action preceded by a proposed action is entered into the director's journal, a copy of the final action <b>shall</b> be sent by certified mail in accordance with paragraph (D)(1)(a) or (D)(1)(b) of this rule.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, agency duties
3745-49-06	(D)(3)	shall	Not later than five days after the final action preceded by a proposed action is entered into the director's journal, a copy of the final action <b>shall</b> be sent by first class mail in accordance with paragraph (D)(1)(c) or (D)(1)(d) of this rule.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, agency duties
3745-49-06	(D)(4)	shall	If applicable law grants a right to appeal the final action to the environmental review appeals commission, mailings required by this rule <b>shall</b> be accompanied by a notice stating when and how the appeal may be filed.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, agency duties
3745-49-07	(A)	shall	The agency <b>shall</b> give public notice for the following:	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, agency duties
3745-49-07	(B)	shall	Public notices <b>shall</b> be published as follows:	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, agency duties

3745-49-07	(C)	shall	All public notices required or authorized by this chapter shall be mailed by first class mail to all persons on the mailing list of subscribers maintained pursuant to section 3745.07 of the Revised Code not later than seven days after issuance of an action, receipt of verified complaint, or initiation of consideration of the issuance of a water quality certification under section 401 of the Federal Water Pollution Control Act, 33 USC 1251, et seq. (July 1, 2005), and at least fourteen days prior to a public meeting.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State and Federal			Yes	Yes, agency duties
3745-49-07	(F)	shall	If any action but a final action would issue or renew a permit to discharge sewage, industrial wastes, or other wastes to waters of the state under division (J) of section 6111.03 of the Revised Code, the agency shall, on or before the date of newspaper publication of the public notice, comply with rule 3745-49-10 of the Administrative Code.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, agency duties
3745-49-07	(G)	shall	If any person has requested to be notified of agency actions relating to an application or request for a permit, license, or variance for a particular source or facility and the agency later issues the permit, license, or variance, the agency shall send the notice required by paragraph (A)(2) of this rule to that person not later than fifteen days after issuance.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, agency duties
3745-49-08	(A)	shall	Public notices of actions shall include the following:	3734.12, 3734.021, 3734.02, 3714.02, 3704.03, 6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70	State			Yes	Yes, agency duties
3745-49-08	(B)	shall	If the public notice is for a draft action or proposed action, in addition to the information required by paragraph (A) of this rule, the public notice shall include the following:	3734.12, 3734.021, 3734.02, 3714.02, 3704.03, 6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70	State			Yes	Yes, agency duties
3745-49-08	(B)(3)	shall	If the draft action or proposed action specifies when the action will become final, a statement that the draft action or proposed action shall become final on an effective date or event specified therein unless any of the following occurs:	3734.12, 3734.021, 3734.02, 3714.02, 3704.03, 6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70	State			Yes	Yes, agency duties
3745-49-08	(C)	shall	If the public notice is for a final action, in addition to the information required by paragraph (A) of this rule, the public notice shall indicate that the final action may be appealed to the environmental review appeals commission and shall include a statement summarizing the rights to appeal, if applicable.	3734.12, 3734.021, 3734.02, 3714.02, 3704.03, 6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70	State			Yes	Yes, agency duties
3745-49-08	(C)	shall	If the public notice is for a final action, in addition to the information required by paragraph (A) of this rule, the public notice shall indicate that the final action may be appealed to the environmental review appeals commission and shall include a statement summarizing the rights to appeal, if applicable.	3734.12, 3734.021, 3734.02, 3714.02, 3704.03, 6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70	State			Yes	Yes, agency duties
3745-49-08	(D)	shall	Public notices of all public meetings relating to an action shall include the following:	3734.12, 3734.021, 3734.02, 3714.02, 3704.03, 6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70	State			Yes	Yes, agency duties
3745-49-08	(E)	shall	Public notice of verified complaints filed pursuant to section 3745.08 of the Revised Code and rule 3745-49-12 of the Administrative Code shall include, to the extent known to the agency, the following:	3734.12, 3734.021, 3734.02, 3714.02, 3704.03, 6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70	State			Yes	Yes, agency duties
3745-49-08	(F)	shall	All other public notices shall include, to the extent known to the agency, the following:	3734.12, 3734.021, 3734.02, 3714.02, 3704.03, 6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70	State			Yes	Yes, agency duties
3745-49-08	(H)	shall	Notwithstanding any other provision in this rule, notice of an action to modify any action of the director shall include a statement summarizing the modification together with references to the following:	3734.12, 3734.021, 3734.02, 3714.02, 3704.03, 6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70	State			Yes	Yes, agency duties

3745-49-09	(A)	shall	In all instances where a federal statute or rule requires a fact sheet to be prepared, the agency shall, prior to issuance of an action, prepare a fact sheet.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, agency duties
3745-49-09	(A)	shall	The fact sheet shall include such information as may be required by federal statute or rule and may include such additional information as the agency deems desirable.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, agency duties
3745-49-09	(B)	shall	The agency shall maintain a mailing list of persons or groups requesting fact sheets prepared for any specified application for issuance or renewal of a permit under division (J) of section 6111.03 of the Revised Code and notice of further proceedings relating to such application, copies of additional fact sheets prepared, or other information relating to such application.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, agency duties
3745-49-09	(B)	shall	The agency shall add any person or group to any such list upon receipt from the person or group of a request for inclusion thereon specifying the application or proceedings about which notices, additional fact sheets, or other information is desired.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, agency duties
3745-49-10	(A)	shall	Any action, other than a final action, that would issue or renew a permit to discharge sewage, industrial waste, or other wastes to waters of the state under division (J) of section 6111.03 of the Revised Code shall be provided to the following entities having jurisdiction over waters that may be affected by the discharge:	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, agency duties
3745-49-10	(B)	shall	The notice required to be provided in paragraph (A) of this rule shall include the following:	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, agency duties
3745-49-11	(A)	shall	Upon the director's issuance of a draft action or proposed action on an application to issue, modify, or renew a permit to discharge sewage, industrial waste, or other wastes to waters of the state under division (J) of section 6111.03 of the Revised Code, the agency shall transmit by certified mail a copy of the permit to the regional administrator of the United States environmental protection agency, unless by written agreement the regional administrator has waived the right to receive, review, object to, or comment upon such draft action or proposed action.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, agency duties
3745-49-11	(A)	shall not	If the regional administrator makes timely objection in writing to the issuance of such permit as being outside the requirements of the Federal Water Pollution Control Act, the permit shall not be issued as a final action.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	Federal			Yes	Yes, agency duties
3745-49-11	(B)	shall	Immediately following final issuance, modification, or renewal of a permit to discharge sewage, industrial waste, or other wastes to waters of the state under division (J) of section 6111.03 of the Revised Code, the agency shall transmit by first class mail a copy thereof to the regional administrator of the United States environmental protection agency.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	Federal			Yes	Yes, agency duties
3745-49-11	(C)	shall	At the time of public notice of an application for issuance, modification, or renewal of a permit to discharge sewage, industrial waste, or other wastes to waters of the state pursuant to division (J) of section 6111.03 of the Revised Code, for a discharge for which a fact sheet is prepared pursuant to rule 3745-49-09 of the Administrative Code, the agency shall transmit a copy of the fact sheet to the district engineer of the United States army corps of engineers, for the district in which the discharge is located, unless by written agreement such district engineer has waived the right to receive a fact sheet for such discharge.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	Federal			Yes	Yes, agency duties
3745-49-12	(B)	shall	A verified complaint shall be in writing and shall contain the following:	3714.02, 3704.03, 6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02	State			Yes	No

3745-49-12	(B)	shall	A verified complaint shall be in writing and shall contain the following:	3714.02, 3704.03, 6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02	State			Yes	No
3745-49-12	(B)(2)	shall	The complaint shall set forth specific facts to support the complaint.	3714.02, 3704.03, 6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02	State			Yes	No
3745-49-12	(B)(2)	shall	If the complainant is a person described in paragraph (A)(2) of this rule, the complaint shall also explain how the complainant is or will be affected by the alleged violation.	3714.02, 3704.03, 6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02	State			Yes	No
3745-49-12	(C)	shall	An affidavit verifying a complaint authorized by this rule shall be filed along with the complaint.	3714.02, 3704.03, 6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02	State			Yes	No
3745-49-12	(C)	shall	The affidavit shall comply with the following:	3714.02, 3704.03, 6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02	State			Yes	No
3745-49-12	(D)	shall	The person before whom the affidavit in paragraph (C) of this rule is taken shall certify that it was sworn to or affirmed and signed in that person's presence, and the signed certificate shall be evidence that the affidavit was made by or on behalf of the complainant.	3714.02, 3704.03, 6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02	State			Yes	No
3745-49-12	(D)	shall	The person before whom the affidavit in paragraph (C) of this rule is taken shall certify that it was sworn to or affirmed and signed in that person's presence, and the signed certificate shall be evidence that the affidavit was made by or on behalf of the complainant.	3714.02, 3704.03, 6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02	State			Yes	No
3745-49-12	(E)	shall not	A written complaint received by the agency that fails to comply with the requirements of this rule shall not be treated by the director as a verified complaint, but the director may conduct any further investigations or make any other inquiries that are necessary and appropriate to address the violations alleged in the complaint.	3714.02, 3704.03, 6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02	State			Yes	No
3745-49-13	(B)	shall	If the director determines that there is significant public interest in a draft action or proposed action, or if required to do so by statute or rule, the director shall hold a public meeting in the county where the source, facility, or subject of the draft action or proposed action is located, or in a contiguous county.	3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03, 6111.041, 6111.03, 6109.04, 3753.02	State			Yes	No
3745-49-13	(C)	shall	On the date and at the time and place specified in the notice, the public meeting shall be held, and any person may do any the following:	3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03, 6111.041, 6111.03, 6109.04, 3753.02	State			Yes	No
3745-49-14		shall	The agency shall maintain a journal in which all final actions of the director shall be entered.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, agency duties
3745-49-14		shall	The agency shall maintain a journal in which all final actions of the director shall be entered.	6111.041, 6111.03, 6109.04, 3753.02, 3752.03, 3751.02, 3746.04, 3745.01, 3734.74, 3734.73, 3734.72, 3734.71, 3734.70, 3734.12, 3734.021, 3734.02, 3714.02, 3704.03	State			Yes	Yes, agency duties

3745-49-53	(D)	shall	"Conversion parts and equipment" means those used to convert a traditional fuel vehicle into an alternative fuel vehicle, and <b>shall not</b> include parts and equipment that have previously been used to modify or retrofit another traditional fuel vehicle.	122.076	State			Yes	No
3745-49-54	(B)(1)	shall	To be eligible for grant funding under section 122.076 of the Revised Code, the new alternative fuel vehicle to be purchased <b>shall</b> conform to the following:	122.076	State			Yes	No
3745-49-54	(B)(2)	shall	To be eligible for grant funding under section 122.076 of the Revised Code, the traditional fuel vehicle being converted to alternative fuel operation <b>shall</b> conform to the following:	122.076	State			Yes	No
3745-49-54	(B)(2)	shall	In awarding grants the director <b>shall</b> make an eligibility determination for each new application received, and award grants to those whose applications are deemed to be eligible in the order in which applications were received after the initial application date and time specified in the "Alternative Fuel Vehicle Request for Proposals," until all available funds have been allocated.	122.076	State			Yes	Yes, director duties
3745-49-55	(A)	shall	Applicants <b>shall</b> prepare and submit grant applications in a format approved by the director.	122.076	State			Yes	No
3745-49-55	(A)	shall	The certification statement in the application <b>shall</b> be signed by an official with the authority to enter into contracts on behalf of the applicant company, organization or local government agency.	122.076	State			Yes	No
3745-49-55	(B)(1)	shall require	Grants awarded <b>shall require</b> the purchase of the new alternative fuel vehicle, or conversion of the traditional fuel vehicle to alternative fuel operation, to be completed within eighteen months from the date the grant contract was executed. The director may grant one six-month time extension for cause, such as the lack of availability of vehicles or equipment, after which the grant may be revoked and the funds offered to the next eligible applicant.	122.076	State			Yes	Yes, agency duties
3745-49-55	(B)(2)	shall require	Grants awarded <b>shall require</b> the implementation of an adequate program for routine maintenance and repair of the purchased or converted alternative fuel vehicle.	122.076	State			Yes	Yes, agency duties
3745-49-55	(B)(3)	shall	Grants awarded <b>shall</b> include provisions for periodic reporting and verification that over half the miles driven by the purchased or converted alternative fuel vehicle were within this state.	122.076	State			Yes	Yes, agency duties