

Department of Natural Resources

BASE INVENTORY OF REGULATORY RESTRICTIONS

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RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1501:1-1-01	Shall	In accordance with the provisions of Chapter 1547. of the Revised code, each of the following wild, scenic, and recreational river areas shall have a scenic river advisory council consisting of not more than ten individuals representing local interests who have been selected by the director of the department of natural resources: (A)Ashtabula scenic river area; (B)Big and Little Darby creeks scenic river areas; (C)Chagrin scenic river area; (D)Conneaut creek wild and scenic river areas; (E)Grand wild and scenic river areas; (F)Kokosing scenic river area; (G)Little Beaver creek wild and scenic river areas; (H)Little Miami scenic river area; (I)Maumee scenic and recreational river areas; (J)Mohican scenic river area; (K)Olentangy scenic river area; (L)Sandusky scenic river area; (M)Stillwater river and Greenville creek scenic river areas, and; (N)Upper Cuyahoga scenic river area.	1547.84	Yes, state law	Yes, state law
1501:1-1-03	Shall	Minutes of all scenic river advisory council meetings will be promptly recorded and shall be open for public inspection at the regional office responsible for management of the wild, scenic, or recreational river for which there is an advisory council.	1501.01 and 121.22	Yes, state law	Yes, state law

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1501:1-19-02	Shall	Notice of all public meetings of the Forestry Advisory Council shall be given in accordance with the following procedure: (A)Any person may determine (be informed of) the time and place of regularly scheduled meetings or the time, place, and purpose of any special meeting by calling on the telephone the office of the Chief of the Division of Forestry. (B)Any person may obtain advance notice of all meetings at which any specific type of public business is to be discussed by identifying the type of public business for which he desires to be notified and by supplying the Chief of the Division of Forestry with stamped self-addressed envelopes. The Chief will mail to such person a notice of the time, place, and type of business to be discussed at the meeting at least four calendar days before the meeting is scheduled unless the meeting is an emergency meeting. (C)The Chief of the Division of Forestry will maintain a list of representatives of the news media who have requested in writing notice of special or emergency meetings. The Chief shall mail such representatives notice at least four days before special meetings or shall telephone notice at least twenty-four hours before special meetings. In the event of an emergency meeting the representatives of the news media who have requested notification of emergency meetings shall be notified immediately of the time, place, and purpose of the meeting. News media requesting notice pursuant to this paragraph shall supply the Chief with the name, mailing address, and telephone number of the representative to be contacted. (D)The Forestry Advisory Council shall provide the Chief of the Division of Forestry with the time, place, and purpose of meetings requiring public notice under the provision of this rule within sufficient time to enable the Chief to comply with the provisions of this rule.	121.22	Yes, state law	Yes, state law
1501:1-19-02	Shall	The Chief shall mail such representatives notice at least four days before special meetings or shall telephone notice at least twenty-four hours before special meetings.	121.22	Yes, state law	Yes, state law
1501:1-19-02	Shall	The Chief shall mail such representatives notice at least four days before special meetings or shall telephone notice at least twenty-four hours before special meetings.	121.22	Yes, state law	Yes, state law
1501:1-19-02	Shall	In the event of an emergency meeting the representatives of the news media who have requested notification of emergency meetings shall be notified immediately of the time, place, and purpose of the meeting.	121.22	Yes, state law	Yes, state law
1501:1-19-02	Shall	News media requesting notice pursuant to this paragraph shall supply the Chief with the name, mailing address, and telephone number of the representative to be contacted.	121.22	Yes, state law	Yes, state law
1501:1-19-02	Shall	The Forestry Advisory Council shall provide the Chief of the Division of Forestry with the time, place, and purpose of meetings requiring public notice under the provision of this rule within sufficient time to enable the Chief to comply with the provisions of this rule.	121.22	Yes, state law	Yes, state law
1501:1-19-03	Shall	Minutes of all meetings of the Forestry Advisory Council will be promptly recorded and shall be open to public inspection during working hours at the Office of the Chief of the Division of Forestry.	121.22	Yes, state law	Yes, state law
1501:1-25-01	Shall	Public notice of hearing for the purpose of promulgating rules to be conducted by the Recreation and Resources Commission shall be advertised in five (5) newspapers of general circulation in the State at least thirty (30) days, but not more than sixty (60) days, prior to the hearing.	121.22	Yes, state law	Yes, state law

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1501:1-25-01	Shall	The notice shall state the commission’s intention to consider adopting, amending, or rescinding rule, shall include a synopsis of the proposed rule, amendment, or rule to be rescinded, or a general statement of the subject matter to which such rule relates, and the date, time, and place of a hearing on said proposed action.	121.22	Yes, state law	Yes, state law
1501:1-25-01	Shall	The notice shall state the commission’s intention to consider adopting, amending, or rescinding rule, shall include a synopsis of the proposed rule, amendment, or rule to be rescinded, or a general statement of the subject matter to which such rule relates, and the date, time, and place of a hearing on said proposed action.	121.22	Yes, state law	Yes, state law
1501:1-25-01	Shall	The notice shall also state the place from which copies of the propsed rule, amendment or rule to be rescinded may be obtained.	121.22	Yes, state law	Yes, state law
1501:1-25-02	Shall	Notice of all public meetings of the Recreation and Resources Commission shall be given in accordance with the following procedure: (A)Any person may determine (be informed of) the time and place of regularly scheduled meetings or the time, place and purpose of any special meeting by calling on the telephone the Office of the Director of Natural Resources. (B)Any person may obtain advance notice of all meetings at which any specific type of public business is to be discussed by identifying the type of public business for which he desires to be notified and by supplying the Director of Natural Resources with stamped self-addressed envelopes. The Director will mail to such person a notice of the time, place, and type of business to be discussed at the meeting at least four calendar days before the meeting is scheduled unless the meeting is an emergency meeting. (C)The Director of Natural Resources will maintain a list of representative of the news media who has requested in writing notice of special or emergency meetings. The Director shall mail such representatives notice at least four days before special meetings or shall telephone notice at least twenty-four hours before special meetings. In the event of an emergency meeting the representatives of the news media who have requested notification of emergency meetings shall be notified immediately of the time, place and purpose of the meeting. News media requesting notice pursuant to this paragraph shall supply the Director with the name, mailing address, and telephone number of the representative to be contacted. (D)The Recreation and Resources Commission shall provide the Director of Natural Resources with the time, place and purpose of meetings requiring public notice under the provision of this rule within sufficient time to enable the director to comply with the provisions of this rule.	121.22	Yes, state law	Yes, state law
1501:1-25-02	Shall	The Director shall mail such representatives notice at least four days before special meetings or shall telephone notice at least twenty-four hours before special meetings.	121.22	Yes, state law	Yes, state law
1501:1-25-02	Shall	The Director shall mail such representatives notice at least four days before special meetings or shall telephone notice at least twenty-four hours before special meetings.	121.22	Yes, state law	Yes, state law
1501:1-25-02	Shall	In the event of an emergency meeting the representatives of the news media who have requested notification of emergency meetings shall be notified immediately of the time, place and purpose of the meeting.	121.22	Yes, state law	Yes, state law
1501:1-25-02	Shall	News media requesting notice pursuant to this paragraph shall supply the Director with the name, mailing address, and telephone number of the representative to be contacted.	121.22	Yes, state law	Yes, state law
1501:1-25-02	Shall	The Recreation and Resources Commission shall provide the Director of Natural Resources with the time, place and purpose of meetings requiring public notice under the provision of this rule within sufficient time to enable the director to comply with the provisions of this rule.	121.22	Yes, state law	Yes, state law

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1501:1-25-03	Shall	Minutes of all meetings of the Recreation and Resources Commission will be promptly recorded and shall be open to public inspection during working hours at the Office of the Director of Natural Resources.	121.22	Yes, state law	Yes, state law
1501:1-27-01	Shall	Public notice of hearing for the purpose of promulgating rules to be conducted by the Technical Advisory Council on Oil and Gas shall be advertised in five (5) newspapers of general circulation in the State at least thirty (30) days, but not more than sixty (60) days, prior to the hearing.	121.22	Yes, state law	Yes, state law
1501:1-27-01	Shall	The notice shall state the council’s intention to consider adopting, amending, or rescinding a rule, shall include a synopsis of the proposed rule, amendment, or rule to be rescinded, or a general statement of the subject matter to which such rule relates, and the date, time, and place of a hearing on said proposed action.	121.22	Yes, state law	Yes, state law
1501:1-27-01	Shall	The notice shall state the council’s intention to consider adopting, amending, or rescinding a rule, shall include a synopsis of the proposed rule, amendment, or rule to be rescinded, or a general statement of the subject matter to which such rule relates, and the date, time, and place of a hearing on said proposed action.	121.22	Yes, state law	Yes, state law
1501:1-27-01	Shall	The notice shall also state the place from which copies of the proposed rule, amendment, or rule to be rescinded may be obtained.	121.22	Yes, state law	Yes, state law
1501:1-27-02	Shall	Notice of all public meetings of the Technical Advisory Council on Oil and Gas shall be given in accordance with the following procedure: (A)Any person may determine (be informed of) the time and place of regularly scheduled meetings or the time, place, and purpose of any special meeting by calling on the telephone the office of the Chief of the Division of Oil and Gas. (B)Any person may obtain advance notice of all meetings at which any specific type of public business is to be discussed by identifying the type of public business for which he desires to be notified and by supplying the Chief of the Division of Oil and Gas with stamped self-addressed envelopes. The Chief will mail to such person a notice of the time, place, and type of business to be discussed at the meeting at least four calendar days before the meeting is scheduled unless the meeting is an emergency meeting. (C)The Chief of the Division of Oil and Gas will maintain a list of representatives of the news media who have requested in writing notice of special or emergency meetings. The Chief shall mail such representatives notice at least four days before special meetings or shall telephone notice at least twenty-four hours before special meetings. In the event of an emergency meeting the representatives of the news media who have requested notification of emergency meetings shall be notified immediately of the time, place, and purpose of the meeting. News media requesting notice pursuant to this paragraph shall supply the chief with the name, mailing address, and telephone number of the representative to be contacted. (D)The Technical Advisory Council on Oil and Gas shall provide the Chief of the Division of Oil and Gas with the time, place, and purpose of meetings requiring public notice under the provision of this rule within sufficient time to enable the chief to comply with the provisions of this rule.	121.22	Yes, state law	Yes, state law
1501:1-27-02	Shall	The Chief shall mail such representatives notice at least four days before special meetings or shall telephone notice at least twenty-four hours before special meetings.	121.22	Yes, state law	Yes, state law
1501:1-27-02	Shall	The Chief shall mail such representatives notice at least four days before special meetings or shall telephone notice at least twenty-four hours before special meetings.	121.22	Yes, state law	Yes, state law

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1501:1-27-02	Shall	In the event of an emergency meeting the representatives of the news media who have requested notification of emergency meetings shall be notified immediately of the time, place, and purpose of the meeting.	121.22	Yes, state law	Yes, state law
1501:1-27-02	Shall	News media requesting notice pursuant to this paragraph shall supply the chief with the name, mailing address, and telephone number of the representative to be contacted.	121.22	Yes, state law	Yes, state law
1501:1-27-02	Shall	The Technical Advisory Council on Oil and Gas shall provide the Chief of the Division of Oil and Gas with the time, place, and purpose of meetings requiring public notice under the provision of this rule within sufficient time to enable the chief to comply with the provisions of this rule.	121.22	Yes, state law	Yes, state law
1501:1-27-03	Shall	Minutes of all meetings of the Technical Advisory Council on Oil and Gas will be promptly recorded and shall be open to public inspection during working hours at the office of the Chief of the Division of Oil and Gas.	121.22	Yes, state law	Yes, state law
1501:1-31-01	Shall	Public notice of hearing for the purpose of promulgating rules to be conducted by the wildlife council shall be advertised on the department of natural resources’ website at least thirty days, but not more than sixty days, prior to the hearing.	121.22	Yes, state law	Yes, state law
1501:1-31-01	Shall	The notice shall state the council’s intention to consider adopting, amending, or rescinding a rule, shall include a synopsis of the proposed rule, amendment, or rule to be rescinded, or a general statement of the subject matter to which such rule relates, and the date, time, and place of a hearing on said proposed action.	121.22	Yes, state law	Yes, state law
1501:1-31-01	Shall	The notice shall state the council’s intention to consider adopting, amending, or rescinding a rule, shall include a synopsis of the proposed rule, amendment, or rule to be rescinded, or a general statement of the subject matter to which such rule relates, and the date, time, and place of a hearing on said proposed action.	121.22	Yes, state law	Yes, state law
1501:1-31-01	Shall	The notice shall also state the place from which copies of the proposed rule, amendment, or rule to be rescinded may be obtained.	121.22	Yes, state law	Yes, state law

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1501:1-31-02	Shall	Notice of all public meetings of the Wildlife Council shall be given in accordance with the following procedure: (A)Any person may determine (be informed of) the time and place of regularly scheduled meetings or the time, place and purpose of any special meeting by calling on the telephone the office of the Chief of the Division of Wildlife. (B)Any person may obtain advance notice of all meetings at which any specific type of public business is to be discussed by identifying the type of public business for which he desires to be notified and by supplying the Chief of the Division of Wildlife with stamped self-addressed envelopes. The Chief will mail to such person a notice of the time, place, and type of business to be discussed at the meeting at least four calendar days before the meeting is scheduled unless the meeting is an emergency meeting. (C)The Chief of the Division of Wildlife will maintain a list of representatives of the news media who have requested in writing notice of special or emergency meetings. The Chief shall mail such representatives notice at least four days before special meetings or shall telephone notice at least twenty-four hours before special meetings. In the event of an emergency meeting the representatives of the news media who have requested notification of emergency meetings shall be notified immediately of the time, place and purpose of the meetings. News media requesting notice pursuant to this paragraph shall supply the Chief with the name, mailing address, and telephone number of the representative to be contacted. (D)The Wildlife Council shall provide the Chief of the Division of Wildlife with the time, place, and purpose of meetings requiring public notice under the provision of this rule within sufficient time to enable the chief to comply with the provisions of this rule.	121.22	Yes, state law	Yes, state law
1501:1-31-02	Shall	The Chief shall mail such representatives notice at least four days before special meetings or shall telephone notice at least twenty-four hours before special meetings.	121.22	Yes, state law	Yes, state law
1501:1-31-02	Shall	The Chief shall mail such representatives notice at least four days before special meetings or shall telephone notice at least twenty-four hours before special meetings.	121.22	Yes, state law	Yes, state law
1501:1-31-02	Shall	In the event of an emergency meeting the representatives of the news media who have requested notification of emergency meetings shall be notified immediately of the time, place and purpose of the meetings.	121.22	Yes, state law	Yes, state law
1501:1-31-02	Shall	News media requesting notice pursuant to this paragraph shall supply the Chief with the name, mailing address, and telephone number of the representative to be contacted.	121.22	Yes, state law	Yes, state law
1501:1-31-02	Shall	The Wildlife Council shall provide the Chief of the Division of Wildlife with the time, place, and purpose of meetings requiring public notice under the provision of this rule within sufficient time to enable the chief to comply with the provisions of this rule.	121.22	Yes, state law	Yes, state law
1501:1-31-03	Shall	Minutes of all meetings of the Wildlife Council will be promptly recorded and shall be open to public inspection during working hours at the Office of the Chief of the Division of Wildlife.	121.22	Yes, state law	Yes, state law
1501:1-33-01	Shall	Public notice of hearing for the purpose of promulgating rules to be conducted by the Ohio water advisory council shall be advertised in five newspapers of general circulation in the state at least thirty days, but not more than sixty days, prior to the hearing.	121.22	Yes, state law	Yes, state law
1501:1-33-01	Shall	The notice shall state the council’s intention to consider adopting, amending or rescinding a rule, shall include a synopsis of the proposed rule, amendment or rule to be rescinded, or a general statement of the subject matter to which such rule relates, and the date, time and place of a hearing on said proposed action.	121.22	Yes, state law	Yes, state law

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1501:1-33-01	Shall	The notice shall state the council’s intention to consider adopting, amending or rescinding a rule, shall include a synopsis of the proposed rule, amendment or rule to be rescinded, or a general statement of the subject matter to which such rule relates, and the date, time and place of a hearing on said proposed action.	121.22	Yes, state law	Yes, state law
1501:1-33-01	Shall	The notice shall also state the place from which copies of the proposed rule, amendment or rule to be rescinded may be obtained.	121.22	Yes, state law	Yes, state law
1501:1-33-02	Shall	Notice of all public meetings of the Ohio water advisory council shall be given in accordance with the following procedure: (A)Any person may determine (be informed of) the time and place of regularly scheduled meetings or the time, place and purpose of any special meeting by calling on the telephone the office of the chief of the division of water. (B)Any person may obtain advance notice of all meetings at which any specific type of public business is to be discussed by identifying the type of public business for which he desires to be notified and by supplying the chief of the division of water with stamped self-addressed envelopes. The chief will mail to such person a notice of the time, place, and type of business to be discussed at the meeting at least four calendar days before the meeting is scheduled unless the meeting is an emergency meeting. (C)The chief of the division of water will maintain a list of representatives of the news media who have requested in writing notice of special or emergency meetings. The chief shall mail such representatives notice at least four days before special meetings or shall telephone notice at least twenty-four hours before special meetings. In the event of an emergency meeting the representatives of the news media who have requested notification of emergency meetings shall be notified immediately of the time, place and purpose of the meeting. News media representatives requesting notice pursuant to this paragraph shall supply the chief with the name, mailing address, and telephone number of the representative to be contacted. (D)The Ohio water advisory council shall provide the chief of the division of water with the time, place and purpose of meetings requiring public notice under the provision of this rule within sufficient time to enable the chief to comply with the provisions of this rule.	121.22	Yes, state law	Yes, state law
1501:1-33-02	Shall	The chief shall mail such representatives notice at least four days before special meetings or shall telephone notice at least twenty-four hours before special meetings.	121.22	Yes, state law	Yes, state law
1501:1-33-02	Shall	The chief shall mail such representatives notice at least four days before special meetings or shall telephone notice at least twenty-four hours before special meetings.	121.22	Yes, state law	Yes, state law
1501:1-33-02	Shall	In the event of an emergency meeting the representatives of the news media who have requested notification of emergency meetings shall be notified immediately of the time, place and purpose of the meeting.	121.22	Yes, state law	Yes, state law
1501:1-33-02	Shall	News media representatives requesting notice pursuant to this paragraph shall supply the chief with the name, mailing address, and telephone number of the representative to be contacted.	121.22	Yes, state law	Yes, state law
1501:1-33-02	Shall	The Ohio water advisory council shall provide the chief of the division of water with the time, place and purpose of meetings requiring public notice under the provision of this rule within sufficient time to enable the chief to comply with the provisions of this rule.	121.22	Yes, state law	Yes, state law
1501:1-33-03	Shall	Minutes of all meetings of the Ohio water advisory council will be promptly recorded and shall be open to public inspection during working hours at the office of the chief of the division of water.	121.22	Yes, state law	Yes, state law

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1501:3-1-01	Shall	Requires that the word "snowmobiles" in this OAC chapter has the same defintion as "snowmobiles" in R.C. 4519.01	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-1-01	Shall	Requires that the word "all-purpose vehicle" in this OAC chapter has the same defintion as "snowmobiles" in R.C. 4519.01	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-1-01	Require	Defines specific instances of when a special activity is deemed.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-1-02	Shall	Requires that public notices of rule hearings are to be published in the Register of Ohio.	1503.01	Yes, state law	Yes, state law
1501:3-1-02	Shall	Requires that public notices of rule hearings are to be provided at least 30 days, but not more than 60 days, prior to the hearing.	1503.01	Yes, state law	Yes, state law
1501:3-1-02	Shall	Requires that public notices of rule hearings are to state the division's intention to consider the adoption, amendment, or recession of rules.	1503.01	Yes, state law	Yes, state law
1501:3-1-02	Shall	Requires that public notices of rule hearings are to include a synopsis or full text of the proposed rules, amended rules, or rules to be rescinded, or to provide a general statement of the subject matter which such propose rules relate.	1503.01	Yes, state law	Yes, state law
1501:3-1-02	Shall	Requires that public notices of rule hearings are to state the hearing's date, time, and place of the hearing.	1503.01	Yes, state law	Yes, state law
1501:3-1-02	Shall	Requires that public notices of rule hearings are to state the place from which copies of the proposed rules, amendments, or rules to be rescinded may be obtained.	1503.01	Yes, state law	Yes, state law
1501:3-1-03	Shall not	Establishes that the validity of any rule or portion thereof adopted or amended shall not be affected by the invalidity of any other rule or portion thereof.	1503.01	Yes, state law	Yes, state law
1501:3-1-04	Shall	Establishes that the rules contained in this OAC chapter, unless expressly provided to the contrary, apply to, and are the rules of, any division or other unit of the DNR, shall succeed to the responsibility of Forestry to adminster and enforce these rules.	1503.01	Yes, state law	Yes, state law
1501:3-2-01	Shall	Establishes that besides persons authorized in 1501:3-2-02, no person shall be within or upon the state forests between 11pm and 6am.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-2-01	Shall	Establishes that target ranges and all-purpose vehicle areas in Hocking State Forest are closed daily from one-half hour after sunset until one-half hour before sunrise, except for those persons authorized in 1501:3-2-02.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-2-03	Shall	Establishes that no personal shall swim in waters contained within any state forest expected as designated by the Chief or authorized agent.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-2-04	Shall	Establishes that regardless of intent, no persons dump, throw, drop, place, or dump litter, refuse, or trash, or debris of any kind within state forests except in such places and within receptacles provided for.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-2-04	Shall	Establishes that no personal shall deposit trash, refuse, or debris accuring from property other than state forest lands in receptacles located in state forests.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-2-04	Shall	Establishes that no person shall cause a tree to be felled from private property and onto state forest lands without removing the tree from state forest lands.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-2-05	Shall	Establishes that no person shall cut, remove, or damage a tree, shrub, or pick any wildflower, or harass or collect any native wild animal, unless engaged in hunting or fishing pursuant to R.C. and Wildlife rules, except for those exemptioned provided under OAC 1501:3-2-06.	1503.01	Yes, state law	Yes, state law
1501:3-2-05	Shall	Establishes that no person shall dig, excavate, or remove any rock, sand, gravel, or any other mineral from state forest lands without first obtianing written permission from the Chief or authorized agent, except for those exemptioned provided under OAC 1501:3-2-06.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-2-06	Shall	Establishes that the harvest and removal of ginseng from state forest lands shall be goverened by R.C. 1518 and other applicable OAC rules.	1503.01	Yes, state law	Yes, state law

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1501:3-2-08	Shall	Establishes that no person shall kindle or authorize another to kindle a fire in any state forest except in designated areas or receptacles unless otherwise approved by the Chief or authorized agent.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-2-08	Shall	Establishes that no person shall leave any fire unattended or empty the contents of any furnace, stove, or other burner onto the ground before the ignited fuels have been extinguished.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-2-10	Shall	Establishes that no person shall detonate or cause to be detonated or use any commerical or homemade fireworks within state forests without written permission from the Chief or authorized agent.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-2-11	Shall	Establishes that no person shall consume, display, or possess any alcholic beverage in any state forest.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-2-13(A)	Shall	Establishes that no persons shall conduct any pubilc meeting, event, or special activity on state forest land or water without first obtaining a special use permit from Chief or authorized agent not made less than 30 days prior to the proposed event date.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-2-13	Shall	Establishes that a nonrefundable fee of \$50 shall accompany each special use permit application to pay for administrative processing.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-2-13	Shall	Establishes that a person issued a special use permit shall be responsible for any and all additional costs incurred by Forestry in connection with the event or activity.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-2-13	Shall	Establishes that the person issued a special use permit shall be responsible for paying any and all costs in excess of the performance gurantee deposit.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-2-13	Require	Establishes that Chief may require a special use permit receipient to pay a performance gurantee deposit as a condition for issuance of the permit.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-2-14	Shall	Establishes that no person shall construct, erect, or use any structure on state forest land, expect tents in designated areas, without first obtaining written approval from the Chief or authorized agent.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-2-14	Shall	Establishes that any portable deer stands temporarily installed shall have stamped or waterproof tag attached to it that states the name and mailing address of the stand's user.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-2-15	Shall	Establishes that no person shall participate in rappelling or rockclimbing in any state forest except on designated areas.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-2-15	Shall	Establishes that no person shall participate in rappelling or rockclimbing in any state forest without the use of tehcnical or specalized equipment designed for such use.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-2-15(B)	Shall	Establishes that no person shall engage in rappelling or rockclimbing, or enter a designated area to do such activities, without first registering in place and manner required.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-2-16	Shall	Establishes that no person shall operate, take off, or ascend from or within state forest lands or waters in any airplane, flying machine, balloon, glider, unmanned aerial vehicle, or other aerial apparatus except with permission of the Chief or authorized agent.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-2-16	Shall	Establishes that no person shall voluntarily bring, land, or alight upon or within state forest lands or waters in any airplane, flying machine, balloon, glider, unmanned aerial vehicle, or other aerial apparatus except with permission of the Chief or authorized agent.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-2-17	Shall	Establishes that no person shall release any wild or domestic animal, or abandon such animal, or plant or culture any seed or vegetation of any type in areas administered by Forestry except with written permission of the Chief or authorized agent.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-2-18	Shall	Establishes that no person shall bring an animal not otherwise governed by Forestry's OAC into state forests except as may be approved by and in placed designated by the Chief or authorized agent.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-2-18	Prohibit	Establishes that the tethering of any horse or other animal by picket line or any other method to a tree or any vegetation is prohibited except in designated areas.	1503.01	No, general rulemaking authority	No, general rulemaking authority

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1501:3-2-19	Shall	Establishes that no person shall remove from, injure, disfigure, deface, destroy, or disturb any object or feature of paleontological, archeological, or geological or historical interest or value in any area administered by Forestry without first obtaining written permission from the Chief or authorized agent.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-2-20	Shall	Establishes that no person shall use or offer to use any device for the purpose of locating or removing metallic objects or any other objects of value from lands or waters administered by Forestry without obtaining written permission from the Chief or authorized agent.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-2-21	Shall	Establishes that no person shall discharge any device capable of propelling a plastic BB or capsule which upon impact with a person or object will release a dye or colorant within any state forest except as permitted by the Chief or authorized agent.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-2-22	Shall	Establishes that no person shall leave a game camera or otherwise stationary camera unless it has a durable, waterproof tag that lists the name, phone number, and mailing address of the user.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-2-22	Shall	Establishes that no person shall leave any container for use as a geocache unless given prior written permission from the Chief or authorized agent.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-3-01	Shall	Establishes that no person shall camp in a state forest except in areas, sites, or campgrounds designtated by the Chief or authorized agent.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-3-02	Shall	Establishes that any person camping designated campgrounds shall personally register the camp with Forestry and secure a camping permit and pay applicable fees immediately upon occupancy in the form and manner required.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-3-02	Shall	Establishes that no person or property shall occupy more than one campsite.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-3-02	Shall	Establishes that no person shall register or attempt to register for another person.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-3-02	Shall	Establishes that the camping permit shall be made in a conspicuous location upon the tent or trailer.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-3-02	Shall	Establishes that when numbered site posts are provided for, the camping permit shall be affixed thereto instead of in a conspicuous location upon the tent or trailer.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-3-02	Shall	Establishes that no person shall register for a campsite in a horse campground unless such person has a horse at the campground or is part of a party that has and rides a horse at the campground, except as approved by the Chief or authorized agent.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-3-02	Shall	Establishes that no person shall register for a campsite in any state forest hunters' camp except legally licensed hunters and only during the period from one day to the opening of squirrel season through one day after the closing of grouse season, and fourteen days prior to the opening of wild turkey season to one day following the closing of wild turkey season annually as established by statute, rule, or order of Widlife, except as approved by the Chief or authorized agent.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-3-03	Shall	Establishes that a person camping on any area shall remove his camp from the camping area prior to 4pm of the day on which the permit expires.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-3-04	Shall	Establishes that no person shall drain or discharge the contents of a septic tank from a mobile housing unit onto state forest lands.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-3-04	Must	Establishes that house trailers, travel trailers, camping trailers, and any other type of mobile housing unit having plumbing fixtures with provisions for outside drainage must have the follow requiring	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-3-04	Must	Establishes that mobile housing units must be provided with suitable, nonspilling holding tank which will not overflow and be connected with leakproof coupling to a drain that is controllable to allow for contents to be transported by the occupant and disposed of off state forest land.	1503.01	No, general rulemaking authority	No, general rulemaking authority

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1501:3-3-05	Shall	Establishes that no person shall walk into or drive any vehicle into or through any designated campground, camp area, or campsite or park any vehicle in a designated campground, camp area or campsite in a manner which would annoy or interfere with persons desiring to camp or in possession of a valid camping permit.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-3-06	Shall	Establishes that each campsite shall be occupied by the camper the first night of registration in family campgrounds areas.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-3-06	Shall	Establishes that no campsite shall be left unoccupied by persons for a period in excess of 24 hours in family campgrounds areas.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-3-06	Shall	Establishes that each campsite shall be maintained by the camper in a sanitary and clean manner or condition in family campgrounds areas.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-3-06	Shall	Establishes that no person shall play any electronic or musical equipment in a way to disturb the quiet of other persons nor disturb the peace and quiet of other persons in any manner between 10 p.m. and 8 a.m in family campgrounds areas.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-3-06	Shall	Establishes that each campsite shall be occupied by the camper the first night of registration in horse campground areas.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-3-06	Shall	Establishes that no campsite shall be left unoccupied by persons for a period in excess of 24 hours in horse campground areas.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-3-06	Shall	Establishes that each campsite shall be maintained by the camper in a sanitary and clean manner or condition in horse campground areas.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-3-06	Shall	Establishes that no person shall play any electronic or musical equipment in a way to disturb the quiet of other persons nor disturb the peace and quiet of other persons in any manner between 10 p.m. and 8 a.m in horse campground areas.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-3-06	Shall	Establishes that no person shall erect a portable electrified or non-electrified corral except in places designated and in the manner approved by the Chief or authorized agent.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-3-06	Shall	Establishes that camps shall be moved to another backpack camprground each day in backpack campground areas.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-3-06	Shall	Establishes that each campsite shall be maintained by the camper in a sanitary or clean manner or condition in backpack campground areas.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-3-06	Shall	Establishes that no person shall play any electronic or musical equipment in a way to disturb the quiet of other persons nor disturb the peace and quiet of other persons in any manner between 10 p.m. and 8 a.m in backpack campground areas.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-3-06	Shall	Establishes that rules governing occupancy of family campgrounds shall also apply to the designated hunter campgrounds.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-3-06	Shall not	Establishes that vehicles shall not block roads, trails, or gated access areas when roadside camping.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-3-06	Must	Establishes that a valid camping permit must be secured from the state forest office prior to camping at any designated state forest park and pack area.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-3-06	Must	Establishes that a valid camping permit must be secured from the respective state forest when roadside camping.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-3-06	Must	Establishes that vehicles must be parked sufficent distance off the roadway so as to not present a hazard to passing traffic when roadside camping.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-3-06	Require	Establishes that a permit is required for each campsite at the horse campgrounds.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-3-06	Require	Establishes that a permit is required which covers all campgrounds on the backpack trail.	1503.01	No, general rulemaking authority	No, general rulemaking authority

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1501:3-3-06	Prohibit	Establishes that fires are prohibited except in designated fire rings and/or portable liquid, gas, or solid fuel stoves in horse campground areas.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-3-07	Shall	Establishes that the fee of \$1 per night for each horse, in addition to all other camping fees, shall be collected from the owner or handler camping in a horse campground.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-3-07	Shall	Establishes that persons who hold a Golden Buckeye Membership Card issued by Ohio Dept. of Aging shall be charged for a camping permit at a rate of 50% the daily fee.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-3-07	Require	Establishes that a non-refundable deposit equal to the fee of the first night's stay is required to confirm a campsite where reservations are accepted.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-3-07	Require	Establishes that persons may be required to deposit fees at campgrounds in the manner and/or place provided.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-3-08	Shall	Establishes that no person who is the handler or owner of a domestic animal shall fail to clean up and place in a rubbish receptacle any excrement left by their pet in the campground.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-3-08	Shall	Establishes that no person shall wash any animal at a water hydrant, water pump or lake.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-3-08	Shall	Establishes that no persons shall bring any domestic animal other than a trained guide or other dog into any enclosed state owned structure in the campground.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-3-08	Shall	Establishes that no person shall bring a domestic dog or cat into the campground unless the person has proof of current rabies inoculation for the animal and a collar or tag bearing the owner's name and address is attached to the animal.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-4-01	Shall	Establishes that no person shall operate a vehicle contrary to the provisions of the rule.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-4-02	Shall	Establishes that no person shall stop or park a vehicle within state forests in any place that will obstruct traffic, or access to service roads where posted.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-4-03	Shall	Establishes that no person shall park any vehicle within state forests during the hours of closure except that registered campers may park vehicles in designated parking areas for length of time permitted by such camping, and individuals that are engaged in legal hunting and fishing and military personnel or other persons engaged in special use under authorization of the Chief or authorized agent.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-4-04	Shall	Establishes that no person shall operate any vehicle, snowmobile, bike, dog sled, or horse within any state forest except over trails, roads, or other facilities designated and provided and posted for such purpose unless authorized by the Chief or authorized agent.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-4-04	Shall	Establishes that no person shall cause a vehicle, dog sled, bike, snowmobile, or horse to operated or lead in a careless, negligent or reckless manner.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-4-04	Shall not	Establishes that this rule shall not restrict use of motorized wheelchair or scooter by persons who is non-ambulatory in any area open to the public and where not otherwise restricted for safety purposes, resource protection, or by designation of the Chief or authorized agent.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-4-05	Shall	Establishes that no person shall operate watercraft with motors on state forest lakes, except that electric motors are permitted.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-4-08	Shall	Establishes that no person shall operate any vehicle, bike, or snowmobile on a one way trail in a direction opposite to which it is posted.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-4-10	Shall	Establishes that no person shall, while operating any vehicle, bike, or snowmobile on a designated road, trail, or area, carry more passengers than the vehicle, bike, or snowmobile's designated capacity.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-4-12	Shall not	Establishes that permitted vehicles on all-purpose vehicle areas shall not possess a width greater then 62 inches.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-4-12	Must	Establishes that permitted vehicles on all-purpose vehicle areas must have a manufactured installed or equivalent spark arrestor and muffler.	1503.01	No, general rulemaking authority	No, general rulemaking authority

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1501:3-4-12	Must	Establishes that noise emitted from off-highway motorcycles, all-purpose vehicles, and utility vehicles must be less than 99 decibels at 20 inches from the exhaust outlet.	1503.01	Yes, state law	Yes, state law
1501:3-4-12	Must	Establishes that snowmobiles must be in accordance with division (A)(4) of R.C. 4519.20	1503.01	Yes, state law	Yes, state law
1501:3-4-13	Shall	Establishes that cost and risks of a removal of a vehicle, bike, or snowmobile in an area prohibited or unattended shall be borne by the owner/operator of said vehicle, bike, or snowmobile.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-4-14	Shall	Establishes that no person shall operate or ride any permitted vehicle or snowmobile on any state forest trail or designated area and provided for such use without a protective helmet and eye protection.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-4-14	Shall	Establishes that all helmets and eye protection shall conform to standards promulgated by the Director of Highway Safety.	1503.01	Yes, state law	Yes, state law
1501:3-4-15	Shall	Establishes that areas and trails provided and designated for all-purpose vehicle use at state forests shall be closed to all-purpose vehicle use annually beginning the day after the end of the deer-gun season and ending the 31st day of March, unless otherwise posted or authorized by the Chief.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-5-01	Shall	Establishes that no person shall offer for sale, sell, or have in possession with intent to sell any food, beverage, or other article or service on state forest land without written permission of the Chief or authorized agent.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-5-01	Shall	Establishes that no person shall rent or offer to rent or have in their possession with the intent to rent, any service, animal, machine or item, or any other commerical activity on state forest property, regardless if exchange of money occurred on state forest property, without obtaining a special use permit from the Chief or authorized agent and paying any applicable fee.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-5-02	Shall	Establishes that no person shall erect or post in any state forest any placard, sign, notice, poster, or billboard without permission of the Chief or authorized agent.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-5-03	Shall	Establishes that persons desiring to conduct exploration activities shall apply for a special use permit 30 days in advance of the planned activity in the form and manner prescribed by Forestry.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-5-03	Shall	Establishes that a nonrefundable fee of \$50 shall accompany each application.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-5-03	Prohibit	Establishes that commerical exploration of state forests for minerals, oil and gas is prohibited without prior permission of the Chief or authorized agent.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-5-03	Require	Establishes that if a special use permit is issued, a performance gurantee deposit may be required in the form specified by Forestry.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-6-01	Shall	No person shall take, hunt, kill, pursue, or shoot any wildlife or wild animals by any means within 400 feet of any camping area, residence, barn, service building, shelter house, latrine, or other structure, or shoot on, from, or across any road or driveway within any state forest.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:2-6-02	Shall	No person shall use a rifle, pistol, revolver, shotgun or other firearm on any state forest area at any time except while lawfully hunting wild animals or target practicing on a designated target range.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:2-6-03	Shall	No person shall hunt, trap, fish, kill, pursue or take any wildlife or wild animal by any means in any state forest area in which such is specifically prohibited by signs or on maps as designated by the chief or authorized agent.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:2-6-03	Shall	No persons shall fish in the green springs lake or the Zaleski state forest service center mill pond during the hours of darkness.	1503.01	No, general rulemaking authority	No, general rulemaking authority

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1501:3-6-04	Shall	The following shall govern use of the target ranges for rifle and trap shooting provided and designated on state forests: (A) Designated ranges are open to public use on a first come, first serve basis. (B) All rules of gun safety, firing only downrange toward the backstop and loading weapons only on the range or benches, shall be strictly observed at all times. (C) Hours of use are contained in paragraph (B) of rule 1501:3-2-01 of the Administrative Code. Signs posted at the entrance to each range shall set forth inclusive hours of use. (D) Maximum number of shooters permitted at any one time shall be determined by the capacity of the shooting lanes provided. (E) The range may be closed for maintenance or other reasons at any time as determined by the chief or authorized agent. (F) No persons shall use targets made of material other than paper or clay, without written permission from the chief or authorized agent. (G) Persons using ranges are responsible for removal of debris from the range, which includes but is not limited to, paper and cardboard targets, target stand brought by the shooter, shell casings, and litter which was generated by the shooter's activity. Excepting ranges which provide receptacles for debris disposal, shooters must remove all debris from state forest property upon completion of their activity. (H) Persons shall use or fire on ranges only those weapons permitted for legal hunting in Ohio as defined by statute, rule or order of the division of wildlife or as approved by the chief or his authorized agent. (I) No person shall use or fire centerfire rifles on ranges of fifty yards or less in length. (J) No person shall use or fire automatic weapons of any kind on a range without written permission from the chief or designated agent. (K) All tracer and explosive rounds are prohibited. (L) All shooters must wear eye and ear protection. (M) Shooters may use only ranges designated for their specific type of shooting activity (trap range, pistol range, and rifle range). (N) The use of shotgun slugs is prohibited at trap ranges. (O) Each person using a range shall register in the place and manner provided. (P) Use of explosive targets is prohibited.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-6-04	Shall	Signs posted at the entrance to each range shall set forth inclusive hours of use	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-6-04	Shall	Maximum number of shooters permitted at any one time shall be determined by the capacity of the shooting lanes provided	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-6-04	Shall	No persons shall use targets made of material other than paper or clay, without written permission from the chief or authorized agent.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-6-04	Shall	Persons shall use or fire on ranges only those weapons permitted for legal hunting in Ohio as defined by statute, rule or order of the division of wildlife or as approved by the chief or his authorized agent.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-6-04	Shall	No person shall use or fire centerfire rifles on ranges of fifty yards or less in length.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-6-04	Shall	No person shall use or fire automatic weapons of any kind on a range without written permission from the chief or designated agent	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-6-04	Shall	Each person using a range shall register in the place and manner provided.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-6-04	Shall	On any designated state forest target range, it shall be unlawful for any person to shoot in any direction other than from the firing lane down range to the target.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-6-04	Must	All shooters must wear eye and ear protection.	1503.01	No, general rulemaking authority	No, general rulemaking authority

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1501:3-6-04	Prohibit	All tracer and explosive rounds are prohibited.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-6-04	Prohibit	The use of shotgun slugs is prohibited at trap ranges.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-6-04	Prohibit	Use of explosive targets is prohibited.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-6-05	Shall	No person under 16 years of age shall use the target ranges unless accompanied by a person 18 years of age or older.	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-6-07	Shall	It shall be unlawful for any person to distribute, place, or scatter salt, grain, or other feed whatsoever capable of luring, enticing, or attracting wild birds or deer on state forests without first obtaining written permission from the chief of the division of forestry or authorized agent.	1503.01	Yes, state law	Yes, state law
1501:3-6-07	Shall	It shall be unlawful to hunt or take wild birds or deer by the use of salt, grain, or other feed whatsoever capable of luring, enticing, or attracting wild birds or deer on state forests without first obtaining written permission from the chief of the division of forestry or authorized agent.	1503.01	Yes, state law	Yes, state law
1501:3-7-01	Shall	Persons designated by the chief of the division to enforce these rules and regulations shall be appointed and be commissioned as forest officers and have authority under Sections 1503.29, 1503.30, 1503.31, and 2935.03 of the Ohio Revised Code	1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-8-01	Shall	These rules shall not suspend any rules of nature preserves which are dedicated pursuant to section 1517.05 of the Revised Code and are located within state forests.	1503.01	Yes, state law	Yes, state law
1501:3-9-01	Shall	Violators of these rules and regulations shall be subject to fine pursuant to Section 1503.99 or other applicable sections of the Ohio Revised Code.	1503.01	Yes, state law	Yes, state law
1501:3-10-01	Shall	The "BMPs for Erosion Control for Logging Practices in Ohio (The Ohio State University Extension Bulletin 916, et.seq.)" shall define the generally accepted measures and practices per this paragraph.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-01	Shall	Instructing the auditor that the certified land shall be taxed the current value for land devoted exclusively to forestry under section 5713.23 of the Revised Code.	1503.01; 5713.24	Yes, state law	Yes, state law
1501:3-10-01	Shall	"Contiguous" shall refer to an eligible parcel where forest lands are adjacent or near each other.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-01	Shall	Adjacent forest lands on two or more parcels under the same owner that together meet the qualifications specified in paragraph (A) of rule 1501:3-10-02 of the Administrative Codeand otherwise meeting the definition of this paragraph shall be considered contiguous.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-01	Shall	The forest land shall consist of a stand or stands of commercial species of forest trees which contain at least fifty square feet of basal area or at least three hundred stems per acre	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-01	Shall	Which shall be evenly distributed throughout the stand.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-01	Shall	A plantation shall have at least three hundred live stems per acre evenly distributed throughout the site one full calendar year after reforestation.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-01	Must	If not prepared by the division, the document must be developed by a professional consulting forester.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-02	Shall	Lands certified as eligible by the chief for taxation in accordance with section 5713.23 of the Revised Code prior to November 7, 1994 shall remain certified as long as those lands comply with rule 1501:3-10-07 of the Administrative Code	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-02	Shall	No lands shall be certified as eligible by the chief pursuant to section 5713.23 of the Revised Code after the effective date of these rules unless lands meet the minimum qualifications of forest land and comply with the requirements of these rules.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-02	Shall	The forest land to be certified shall consist of a minimum of ten acres on individual or contiguous parcels.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority

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1501:3-10-02	Shall	The forest land to be certified shall be: no less than one hundred and twenty feet wide; accessible for management and; meet the definition of forest land as specified in paragraph (P)of rule 1501:3-10-01 of the Administrative Code.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-02	Shall	The forest land to be certified shall have a forest management plan per rule 1501:3-10-04 of the Administrative Code.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-02	Shall	If buildings exist on the forest land, the areas that are in total occupancy by the buildings shall be excluded prior to determining classification.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-02	Shall	In the cases of a homesite, a minimum of one acre shall be deducted from the total acreage prior to classification.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-02	Shall	Acreage contained in streams, rivers, utility and railroad rights-of-way, roads, and other non-forested strips shall be deducted from the forested acreage where they exceed, on average, one hundred twenty feet in width.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-02	Shall	Natural or man-made lakes and ponds shall be deducted where said structures exceed one acre in size.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-02	Shall	Property lines and boundary lines between forest land to be classified and forest land not to be considered for classification shall be visibly marked by the owner prior to examination.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-02	Shall	The markings shall be made by one of the following: blazing of trees with paint, or installation of fence, posts or stakes or metal or plastic signs measuring at least 4 inches by 4 inches square or having a four inch diameter.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-02	Shall	Each mark shall be visible from the adjacent mark and no farther than one hundred feet apart.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-02	Must	If acreage deductions are made from forest land pursuant to this paragraph, the remaining acreage must be a minimum of ten acres.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-02	Must	Posts or stakes used to meet the requirements of this paragraph must have a height of at least four and one half feet above the ground and be of a material that has a life-span of at least ten years when subject to the natural elements including but not limited to decay and photo-degradation.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-02	Must	Before forest land can be certified eligible under this rule, the owner must affirm intent to engage in management as defined in paragraph (V) of rule 1501:3-10-01 of the Administrative Code.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-02	Must	Before forest land can be certified eligible under this rule, the owner must have completed the marking of property lines and boundary lines between forest land to be classified and forest land not to be considered for classification, as specified in paragraph (E) of this rule.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-03	Shall	Each owner of forest land desiring to have land classified under the provisions of section 5713.22 of the Revised Code shall apply to the chief, through the local division representative.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-03	Shall	The local division representative shall make available the appropriate application forms.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-03	Shall	Each application, as defined in paragraph (B) of rule 1501:3-10-01 of the Administrative Code, shall be post marked or received by July first accompanied by a nonrefundable application fee of seventy-five dollars payable to the Ohio division of forestry.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-03	Shall	The agreement and request for classification of forest land forms, signed by the owner, shall be forwarded by the owner to the chief for review and approval.	1503.01; 5713.24	Yes, state law	Yes, state law
1501:3-10-03	Shall	The chief shall forward a copy of the signed agreement form (DNR form FT-7), map, and certificate of approval to the county auditor in the county where the eligible parcel is located.	1503.01; 5713.24	Yes, state law	Yes, state law
1501:3-10-03	Shall	The auditor will then tax the property as prescribed by section 5713.23 of the Revised Code. Forest land that is certified by the chief prior to the tax listing date shall receive the tax reduction by the county auditors for that tax year.	1503.01; 5713.24	Yes, state law	Yes, state law

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1501:3-10-03	Must	The signatures on the completed forms must be that of the person(s) meeting the definition of owner as specified in paragraph (BB) of rule 1501:3-10-01 of the Administrative Code.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-03	Must	Separate applications must be made for each non-contiguous parcel of land.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-03	Must	The appeal must indicate the owner name, county in which the parcel resides, parcel number.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-03	Must	The appeal must state the reason(s) for appeal.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-04	Shall	All forest land qualifying under the provisions of section 5713.22 of the Revised Code shall be managed according to a forest management plan approved by the chief.	1503.01; 5713.24	Yes, state law	Yes, state law
1501:3-10-04	Shall	In order to be eligible under the provisions of section 5713.23 of the Revised Code, the owner shall follow the provisions of the forest management plan.	1503.01; 5713.24	Yes, state law	Yes, state law
1501:3-10-04	Shall	At a minimum of every five years, the owner shall certify to the chief that the forest is being managed according to the approved management plan.	1503.01; 5713.24	Yes, state law	Yes, state law
1501:3-10-04	Shall	Failure by the owner to comply with the provisions of the forest management plan shall constitute a violation of section 5713.26 of the Revised Code.	1503.01; 5713.24	Yes, state law	Yes, state law
1501:3-10-04	Shall	If after notification of violation from the chief, and a failure to correct the violation within a one hundred and eighty day period of time, the chief shall deem such failure cause to void the owner's declaration of intent in accordance with section 5713.26 of the Revised Code.	1503.01; 5713.24	Yes, state law	Yes, state law
1501:3-10-04	Shall	If after notification of violation from the chief, and a failure to correct the violation within a one hundred and eighty day period of time, the land shall be withdrawn from forest land tax reduction.	1503.01; 5713.24	Yes, state law	Yes, state law

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1501:3-10-04	Shall	The forest management plan shall contain the following information: (1) Identification of the owner(s) of the parcel with address(es); (2) Acres of eligible forest land and total acreage in each parcel; (3) County and township of eligible forest land or municipal incorporation; (4) Maps that include each of the following: (a) Property boundaries indicated on an aerial photo or topographic map; (b) Stands within the eligible parcel delineated as to number or letter and acreage on the aerial photo or topographic map defined in this paragraph. (c) North arrow on all maps. (5) A listing of the stands that comprise all of the forest land to be committed to forest management. The listing shall include the following information for each stand: (a) A stand number or letter; (b) Forest type or tree species composition; (c) Diameter class or classes; (d) (e) Estimated acreage; (f) Basal area or stocking level. (g) Basal area or stocking level; (6) The owner's general forest land management objectives; (7) The property's potential for: (a) Timber production, (b) Wildlife habitat, (c) Soil and water conservation concerns, and (d) Recreation and aesthetic considerations; (8) The management plan shall include provisions incorporating best management practices, as defined in paragraph (D) of rule 1501:3-10-01 of the Administrative Code, to prevent nonpoint source pollution, erosion and minimize sedimentation of waterways in all commercial and non-commercial cuttings and all forest activities that directly or indirectly impact the forest productivity. All cultural and management activities shall be executed according to accepted	1503.01; 5713.24	Yes, state law	Yes, state law
1501:3-10-04	Shall	A listing of the stands that comprise all of the forest land to be committed to forest management. The listing shall include the following information for each stand: (a) A stand number or letter; (b) Forest type or tree species composition; (c) Diameter class or classes; (d) (e) Estimated acreage; (f) Basal area or stocking level; (g) Basal area or stocking level	1503.01; 5713.24	Yes, state law	Yes, state law
1501:3-10-04	Shall	The management plan shall include provisions incorporating best management practices, as defined in paragraph (D) of rule 1501:3-10-01 of the Administrative Code, to prevent nonpoint source pollution, erosion and minimize sedimentation of waterways in all commercial and non-commercial cuttings and all forest activities that directly or indirectly impact the forest productivity	1503.01; 5713.24	Yes, state law	Yes, state law
1501:3-10-04	Shall	All cultural and management activities shall be executed according to accepted specifications that minimize nonpoint source pollution.	1503.01; 5713.24	Yes, state law	Yes, state law

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1501:3-10-04	Shall	Any activity deviating from the best management practices shall first be approved by the chief.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-04	Shall	A work schedule for the duration of the plan, which shall contain all commercial and non-commercial cuttings and practices, road construction and other treatments needed for continued certification.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-04	Shall	The approved management plan shall prescribe non-commercial cuttings necessary to attain the production of the selected merchantable forest products specified in paragraph (X) of rule 1501:3-10-01 of the Administrative Code.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-04	Shall	Non-commercial cuttings scheduled in the management plan shall be completed on a timeline approved by the chief.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-04	Shall	The owner shall submit a timber harvest notice of intent and timber harvest plan according to the procedure outlined in rule 1501:3-12-05 of the Administrative Code relating to forestry pollution abatement before any commercial cuttings are implemented.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-04	Shall	Notice of intent to harvest and a copy of the timber plan shall also be provided to the division prior to initiation of the practice.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-04	Shall	The owner shall take necessary precautions to protect the forest land from wildfires including adherence to all practices proposed by the division of forestry to prevent wildfires.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-04	Shall	The owner shall use cutting prescriptions under the advice of the division or a professional consulting forester provided they are consistent with the approved forest management plan and designed to assure the continuing production of merchantable forest products.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-04	Shall	The owner of certified forest land so certified after April 1, 2004 shall use a master logger to perform any commercial cuttings.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-04	Shall	The forest management plan will be submitted to the chief who shall check the plan for compliance with the provisions of this rule.	1503.01; 5713.24	Yes, state law	Yes, state law
1501:3-10-04	Shall	If the management plan written by a professional consulting forester is disapproved, the reasons for such disapproval shall be supplied to the owner or owner's representative.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-04	Shall	Owner may appeal the chief's denial of the management plan written by a professional consulting forester, and if so, the chief shall supply their decision to the owner in writing.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-04	Shall	Owner may appeal the district coordinator's denial of the management plan written by a professional consulting forester, and if so, he chief shall supply their decision to the owner in writing.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-04	Shall	The chief will determine the acceptability of the proposed change in the approved forest management plan and shall inform the owner, in writing, of its determination within thirty days of receipt of the request.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-04	Shall	When a request for change in an approved forest management plan is approved, the chief shall inform the owner of the necessary administrative and technical procedures to follow.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-04	Prohibit	Grazing in certified forest lands by domestic animals is prohibited.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-05	Shall	As specified in section 5713.26 of the Revised Code, if an owner violates rules 1501:3-10-01 to 1501:3-10-06 of the Administrative Code, the chief shall issue a notice of violation to the owner at least one hundred eighty days prior to notifying the county auditor of such violation.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-05	Shall	The chief shall offer the owner an opportunity to meet with division representatives informally for the purpose of resolving alleged violations.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-05	Shall	If the parties can agree to a resolution of the alleged violations, then a written memorandum setting forth the terms of the agreement shall be prepared and signed by the owner and the chief.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-05	Shall	The resolution outlined in this memorandum shall be executed before the end of the one hundred eighty day period.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority

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1501:3-10-06	Shall	In the event a portion of the certified forest land is converted to a use for a purpose other than production of a merchantable forest product the owner shall be required to obtain an amended forest management plan and revised certification of the portion not converted.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-06	Shall	The amended forest management plan and revised certification of the portion not converted shall be subject to the requirements of forest land eligibility of rule 1501:3-10-02 of the Administrative Code.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-06	Shall	Failure to obtain an amended forest management plan and a revised certificate shall result in the issuance of a notice of violation to the owner as specified in paragraphs (A) and (B)(1) of rule 1501:3-10-05 of the Administrative Code.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-06	Shall	If the portion of forest land not converted no longer meets the requirements of forest land eligibility of rule 1501:3-10-02 of the Administrative Code, the certification shall be canceled.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-06	Shall not	The owner of a certified parcel shall not be subject to a notice of violation under this rule by reason of the fact that a merchantable forest product on the certified parcel or portion is, through no fault of the owner, damaged or destroyed by: fire, infestation, disease, storm, flood, or other natural disaster, accident, trespass or war.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-06	Shall	The owner shall, as soon as practicable, provide the division with notice of such disaster, the emergency steps taken to cope with the same, and steps taken to ensure the future productivity of the forest.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-06	Shall	The forest management plan shall be amended as necessary.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-06	Shall	If a merchantable forest product is to be cut or removed in connection with necessary salvage operations resulting from any such event, the owner shall give prior notice of cutting to the chief.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-06	Shall	Nothing in this rule shall be construed to subject any person to a notice of violation for immediate action taken in good faith in the event of an emergency.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-06	Shall not	When ownership of certified forest land changes through sale, deed transfer or any other means, the certification is canceled except that an ownership change to affect the transfer of a certified property to new owner, shall not result in cancellation of certification upon the affirmation by the new owner to the original agreement terms (FT-7) and a forest management plan.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-06	Shall	A new owner affirmation shall be accompanied by a non-refundable application fee of seventy-five dollars payable to the division, and a forest management plan approved by the chief.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-06	Shall	The owner shall notify the chief when an ownership change as described in this paragraph occurs.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-06	Shall	Certification for certified forest land shall be canceled if the owner authorizes a lessee, a purchaser under a land installment contract or any other person to manage such land in a manner that is not fully consistent with the forest management plan approved under rule 1501:3-10-04 of the Administrative Code.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-06	Shall	The owner shall notify the chief when a conversion of ownership as described in this paragraph occurs.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-06	Shall	A revised map shall be supplied for inclusion with the original application.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-06	Shall	Together with existing certified forest land, modified acres must meet forest land eligibility requirements of rule 1501:3-10-02 of the Administrative Code.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-06	Shall	The forest management plan and agreement form (FT-7) for the certified acres must be amended to incorporate the modified acres as per paragraph (D) of rule 1501:3-10-04 of the Administrative Code	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-06	Require	In the event a portion of the certified forest land is converted to a use for a purpose other than production of a merchantable forest product the owner shall be required to obtain an amended forest management plan and revised certification of the portion not converted which shall be subject to the requirements of forest land eligibility of rule 1501:3-10-02 of the Administrative Code.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority

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1501:3-10-07	Shall not	Forest land certified as eligible by the division for taxation in accordance with section 5713.23 of the Revised Code prior to November 7, 1994 shall not be subject to rules 1501:3-10-02 to 1501:3-10-06 of the Administrative Code.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-07	Shall	These forest lands shall be subject to the following provisions. (A) The forest land certified under this rule shall consist of a minimum of five contiguous acres and shall be no less than one hundred and twenty feet wide. It shall be accessible for management and meet the definition of forest land as specified in paragraph (P) of rule 1501:3-10-01 of the Administrative Code, except that no management plan will be required. For the purposes of forest land acreage determination, a minimum of one acre will be deducted for any house or building site. (B) Forest land certified under this rule shall be protected from: (1) Grazing; and (2) Wildfire (C) Additions and deletions from certified forest land: (1) Forest land acreage may be added to forest land certified under this rule only if together the total forest land meets all eligibility requirements of paragraphs (C), (D), and to (F) of rule 1501:3-10-02 of the Administrative Code. The minimum acreage eligible for certification shall be as specified in paragraph (A) of this rule. (2) Forest land certified under this rule may not be converted to a use other than for production of a merchantable forest product. In the event of such a conversion, a notice of violation will be forwarded to the county auditor and the certification shall be canceled for the forest land. (D) Changes in ownership: (1) Any change in ownership shall result in the cancellation of forest land certification except that an ownership change to affect the transfer of a certified property to one or more family members as defined in paragraph (O) of rule 1501:3-10-01 of the Administrative Codeshall not result in the cancellation of certification upon the affirmation by the family member or members to the original agreement terms (FT-7) and forest management plan if applicable. (2) When certified forest land is divided or split into two or more ownerships, the certification is canceled except when certified forest land is divided or split by the owner to effect the transfer to one or more family member(s) as defined in paragraph (O) of rule 1501:3-10-01 of the Administrative Code. A family member or members, including the original owner, may request one revision to certified forest land meeting the provisions in paragraphs (A) and (B) of this rule, upon the affirmation by the family member or members to the original agreement terms (FT-7) and forest management plan if applicable. Each new owner may apply for certification as specified in rule 1501:3-10-02 of the Administrative Code.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-07	Shall	The forest land certified under this rule shall consist of a minimum of five contiguous acres.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-07	Shall	The forest land certified under this rule shall be no less than one hundred and twenty feet wide.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-07	Shall	It shall be accessible for management and meet the definition of forest land as specified in paragraph (P) of rule 1501:3-10-01 of the Administrative Code, except that no management plan will be required	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-07	Shall	Forest land certified under this rule shall be protected from: (1) Grazing; and (2) Wildfire	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-07	Shall	The minimum acreage eligible for certification shall be as specified in paragraph (A) of this rule.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority

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1501:3-10-07	Shall	Any change in ownership shall result in the cancellation of forest land certification except that an ownership change to affect the transfer of a certified property to one or more family members as defined in paragraph (O) of rule 1501:3-10-01 of the Administrative Codeshall not result in the cancellation of certification upon the affirmation by the family member or members to the original agreement terms (FT-7) and forest management plan if applicable.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-07	Shall not	Any change in ownership shall result in the cancellation of forest land certification except that an ownership change to affect the transfer of a certified property to one or more family members as defined in paragraph (O) of rule 1501:3-10-01 of the Administrative Codeshall not result in the cancellation of certification upon the affirmation by the family member or members to the original agreement terms (FT-7) and forest management plan if applicable.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-10-07	May not	Forest land certified under this rule may not be converted to a use other than for production of a merchantable forest product.	1503.01; 5713.24	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-01	Shall	Technical determinations by a district, chief, or chief's designee shall be considered prima facie evidence of forestry pollution.	1503.51; 1503.01.	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-02	Shall	Each owner, operator, or person responsible for a silvicultural operation shall prevent pollution caused by wind or water erosion.	1503.51; 1503.01.	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-02	Shall	Silvicultural operations shall apply conservation practices in accordance with "BMPs for Erosion Control For Logging Practices in Ohio," which are available to all Ohio county soil and water conservation districts, or other appropriate methods or management practices approved by the chief or the chief's designee.	1503.51; 1503.01.	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-03	Shall	Eligible practices which, through natural causes, have lost their effectiveness, shall qualify for further financial assistance.	1503.51; 1503.01.	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-03	Shall	The chief shall determine best management practices eligible for cost sharing, percentage rates of cost sharing for each best management practice and the maximum amount of cost sharing for each best management practice.	1503.51; 1503.01.	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-03	Shall	Cost-share grants shall be based upon the estimated cost of the least expensive acceptable practice.	1503.51; 1503.01.	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-03	Shall	Design, construction and operation and maintenance plans shall be submitted to the chief or the chief's designee for approval prior to implementation.	1503.51; 1503.01.	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-03	Shall	The chief or the chief's designee shall inspect practice installation.	1503.51; 1503.01.	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-03	Shall	Once a project has an approved cost-share application and installation is approved by the chief or the chief's designee, cost-share payment shall be granted.	1503.51; 1503.01.	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-03	Shall	Failure to care for, manage, and maintain the practices shall obligate the owner or operator to full repayment to the division.	1503.51; 1503.01.	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-03	Shall	If the land on which best management practices have been established with cost-share monies is sold, the new owner shall be responsible for maintaining the practices in good operating condition for their remaining useful life.	1503.51; 1503.01.	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-03	Shall	The chief or the chief's designee shall inform the new owner of the responsibility to maintain and operate cost-shared practices.	1503.51; 1503.01.	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-03	Shall	The chief or the chief's designee shall monitor the management and maintenance of best management practices established with cost-share monies	1503.51; 1503.01.	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-03	Shall	Any failure to manage or maintain such practices, or conversion of such land to other uses than a silvicultural operation, shall immediately be reported to the division thereby subjecting a person to recovery of cost-share monies in accordance with paragraphs (D)(3)(a), (D)(3)(b) and (D)(3)(c) of this rule.	1503.51; 1503.01.	No, general rulemaking authority	No, general rulemaking authority

RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1501:3-12-03	Shall	Upon discovery by the chief or chief's desingee, the chief shall proceed to recover the cost-share monies pursuant to section 131.02 of the Revised Code, or other appropriate means.	1503.51; 1503.01.	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-03	Must	Best management practices specified as eligible for cost sharing must require expenditures that are likely to exceed the economic returns to the owner or operator.	1503.51; 1503.01.	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-03	Require	Best management practices specified as eligible for cost sharing must require expenditures that are likely to exceed the economic returns to the owner or operator.	1503.51; 1503.01.	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-03	Must	Surface mined lands and oil and gas well drilling areas must have been reclaimed and be in active silvicultural uses as determined by the chief or the chief's designee in order to be eligible for cost sharing on needed best management practices.	1503.51; 1503.01.	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-03	Must	All practices must meet the standards and specifications listed in the "BMPs for Erosion Control for Logging Practices in Ohio" or other methods approved by the chief or the chief's designee.	1503.51; 1503.01.	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-03	Must	Applicants for cost sharing must agree to care for, manage, and maintain such practices for their useful life as noted in the cost-share agreement.	1503.51; 1503.01.	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-04	Shall	Such agreements shall spell out the responsibilities of both parties with respect to program implementation, administration and accounting, evaluation, recording accomplishments, quality control, and maintenance in obtaining compliance with rules and orders of the chief pertaining to forestry pollution abatement.	1503.51; 1503.01.	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-05	Shall	The district shall approve or disapprove timber harvest plans.	1503.51	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-05	Shall	The district shall approve or disapprove timber harvest plans and shall maintain a record of their actions.	1503.51	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-05	Shall	All plans shall be developed using a timber harvest plan form approved by the chief and meet the standards for forestry pollution abatement contained in rules 1501:3-12-02 to 1501:3-12-08 of the Administrative Code.	1503.51	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-05	Shall	Any portion of a timber harvest plan specifying control of forestry pollution shall allow the owner or operator to phase in installation of best management practices under a schedule approved by the chief or the chief's designee until compliance with rules 1501:3-12-02 to 1501:3-12-08 of the Administrative Code is accomplished.	1503.51	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-05	Shall	If the chief or the chief's designee determines that any person owning or responsible for a silvicultural operation is managing such operation in accordance with a timber harvest plan currently approved by the chief or the chief's designee, the person shall be considered in compliance with the state rules for forestry pollution abatement.	1503.51	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-05	Shall	In the event that the district finds that a timber harvest plan does not meet forestry pollution abatement standards as contained in these rules, the district shall provide a written explanation, by certified mail, listing all the deficiencies to be corrected, to the person who submitted the plan.	1503.51	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-05	Shall	Upon such appeal, the chief shall review the plan for compliance with those standards, and uphold the district's action or reverse it.	1503.51	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-05	Shall	If the chief reverses the district's action the plan shall be deemed approved.	1503.51	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-05	Shall	In either case, the chief shall make such determination within thirty days of receiving the appeal .	1503.51	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-05	Shall	In either case, the chief shall inform the owner or operator and the district of his decision in writing.	1503.51	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-05	Shall	Such notification shall include the reasons for the chief's decision.	1503.51	No, general rulemaking authority	No, general rulemaking authority

Rule Number	Regulatory Restriction	Description of Regulatory Restriction	Statute Under Which the Regulatory Restriction Was Adopted	Is the Regulatory Restriction Expressly or Specifically Required by State or Federal Law?	Is a Law Change Required in Order to Remove the Restriction?
1501:3-12-05	Shall	In the event that any person operating or owning a silvicultural operation in accordance with an approved timber harvest plan who, in good faith, is following that plan, causes forestry pollution, the plan shall be revised in a manner necessary to mitigate the forestry pollution, as determined and approved by the district board or chief.	1503.51	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-06	Shall	The district shall provide the chief a copy of any complaint received.	1503.51	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-06	Shall	The district also shall inform the division of the complaint and provide relevant information concerning the silvicultural operation.	1503.51	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-06	Shall	The district chief or his designee shall gather information pertinent to the alleged violation.	1503.51	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-06	Shall	When the division funds an apparent problem of forestry pollution through its own observation, through notification by another agency, or through a complaint from a person, the division may investigate the complaint and shall inform the appropriate district of: (a) The location and nature of the problem; (b) The location and description of the silvicultural operation alleged to be causing the pollution problem; (c) The nature and extent of damage; (d) Any assistance needed from the district.	1503.51	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-06	Shall	In order to investigate if there is a violation of the rules for forestry pollution, such investigation by the division shall include but not need to be limited to the following: (a) Identification of property boundaries, streams, water courses, wetlands, ponds, lakes, water wells, the general topography, and the general storm water runoff patterns if applicable, including roof water; (b) Observation and documentation of the nature and extent of existing or potential forestry pollution damage; documentation may include photographs, video recording and physical measurements; and/or (c) Records of contact with the operator, complainant, cooperating agencies. The dates and times of all investigations shall be recorded and kept on file along with a copy of the complaint. Copies of all information shall be made available to the district.	1503.51	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-06	Shall	The dates and times of all investigations shall be recorded and kept on file along with a copy of the complaint.	1503.51	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-06	Shall	Copies of all information shall be made available to the district.	1503.51	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-06	Shall	The division representative shall inform the district board of supervisors and the chief of the facts established by the investigative report, the succeeding action followed to seek compliance with the rules, and the action or inaction taken by the owner or operator.	1503.51	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-06	Shall	If the owner or operator has failed to implement the corrective actions in the time specified, the chief shall then decide if an order shall be issued.	1503.51	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-06	Shall	the chief shall then decide if an order shall be issued.	1503.51	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-06	Shall	Upon receipt of the complaint, the district shall give priority to conducting an investigation.	1503.51	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-06	Shall	If the district determines it is unable to initiate an investigation within three business days, the division shall be notified immediately.	1503.51	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-06	Shall	The chief or the chief's designee shall initiate an investigation of the complaint within three business days of notification by the district.	1503.51	No, general rulemaking authority	No, general rulemaking authority

Rule Number	Regulatory Restriction	Description of Regulatory Restriction	Statute Under Which the Regulatory Restriction Was Adopted	Is the Regulatory Restriction Expressly or Specifically Required by State or Federal Law?	Is a Law Change Required in Order to Remove the Restriction?
1501:3-12-06	Shall	In order to determine if there is violation of the rules for forestry pollution, such investigation shall include but need not be limited to following: (a) Identification of property boundaries, streams, water courses, wetlands, ponds, lakes, water wells, the general topography, and the general storm water runoff patterns if applicable, including roof water; (b) Observation and documentation of the nature and extent of existing or potential forestry pollution damage; documentation may include photographs, video recording and physical measurements; and/or (c) Records of contacts with the owner, operator, person responsible, complainant, and cooperating agencies. The dates and times of all investigations shall be recorded and on file along with a copy of the complaint. Copies of all information related to the complaint shall be maintained in accordance with the guidelines provided by the chief or designee.	1503.51	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-06	Shall	The dates and times of all investigations shall be recorded and on file along with a copy of the complaint.	1503.51	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-06	Shall	Copies of all information related to the complaint shall be maintained in accordance with the guidelines provided by the chief or designee.	1503.51	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-06	Shall	If the investigation report indicates that a violation of the rules for forestry pollution abatement exists and the landowner or operator is interested and willing to seek a corrective solution, the district representative shall: (a) Offer information and technical assistance for developing and evaluating alternative solutions; (b) Provide information on financial assistance available; (c) Offer to develop a timber harvest plan which complies with the rules of forestry pollution abatement; and (d) Secure district or chief approval of the timber harvest plan to provide assurance that the operation is considered in compliance with the rules for forestry pollution abatement. (e) Inform the owner, operator, or person responsible that if a corrective action is not implemented within six months of the investigation, the district will review the complaint and determine if adequate progress has been made towards a solution. If adequate progress has not been made, then the division will request that the district refer the complaint to the division for resolution or possible further enforcement action.	1503.51	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-06	Shall	The district representative shall inform the district board of supervisors and the division of the facts established by the investigative report, the succeeding action followed to seek compliance with the rules, and the action or inaction taken by the owner or operator.	1503.51	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-07	Shall	When the chief or the chief's designee investigates a complaint and the owner, operator, or person responsible fails to implement a corrective action in accordance with paragraph (B)(C) or (C)(5) of rule 1501:3-12-05 of the Administrative Code, the chief or the chief's designee shall decide if an order will be issued.	1503.01; 1503.51	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-07	Shall	When the chief decides that an order shall be issued, he shall issue an order and afford each person allegedly liable an adjudication hearing pursuant to Chapter 119. of the Revised Code.	1503.01; 1503.51	Yes, state law	Yes, state law
1501:3-12-07	Shall	The chief shall issue an order and afford each person allegedly liable an adjudication hearing pursuant to Chapter 119. of the Revised Code.	1503.01; 1503.51	Yes, state law	Yes, state law
1501:3-12-07	Shall	The chief shall sustain the order if deemed appropriate after each person allegedly liable has had a hearing or has waived his right to a hearing.	1503.01; 1503.51	Yes, state law	Yes, state law
1501:3-12-07	Shall	Each order shall be issued in writing and contain a finding by the chief of the facts upon which the order is based and the rule that is being violated.	1503.01; 1503.51	Yes, state law	Yes, state law
1501:3-12-07	Shall	The order shall also specify the time period for correcting the problem, indicate what, if any, technical and financial assistance is available, and indicate what action will follow if the violation is not corrected.	1503.01; 1503.51	Yes, state law	Yes, state law

RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1501:3-12-07	Shall	All fines and monies assessed as damages under this section shall be credited to the forestry pollution abatement fund created in section 1503.55 of the Revised Code.	1503.01; 1503.51	Yes, state law	Yes, state law
1501:3-12-07	Shall	The attorney general of the state of Ohio, upon the written request of the chief, shall bring appropriate legal action in franklin county against any person who fails to comply with an order of the chief issued pursuant to paragraph (A)(1) of this rule.	1503.01; 1503.51	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-07	Shall	The order shall be effective immediately.	1503.01; 1503.51	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-07	Shall	Prior to issuing an emergency order, the chief shall: (i) Determine the extent of danger to public health and safety which may include consultation with local health and public safety authorities; (ii) Determine that paragraphs (A) and (B) of this rule will not adequately protect public health, public safety, or natural resources; and (iii) Encourage the owner or operator causing the forestry pollution to correct the problem voluntarily.	1503.01; 1503.51	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-07	Shall	Following receipt of the emergency order, the owner and operator shall comply with the order by stopping the pollution and removing the pollutants endangering public health or safety.	1503.01; 1503.51	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-07	Shall	Such hearing shall be conducted as soon as possible, but not later than twenty days following application.	1503.01; 1503.51	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-07	Shall	The application shall be in writing and include the following information: (i) The probable cause of the suspected public health or safety threat; (ii) The date when the suspected pollution started; (iii) Business or home address and phone number where the owner, operator, or person responsible can be reached during business hours to schedule a hearing; and (iv) Be signed by the owner or operator of the silvicultural operation or business and dated.	1503.01; 1503.51	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-07	Shall	On the basis of the hearing, the chief or designee shall continue, revoke, or modify the order. If no hearing is requested and/or the order is not complied with as determined by the chief, the chief or the chief's designee may enter upon private or public lands and take action to mitigate, minimize, remove, or abate the forestry pollution.	1503.01; 1503.51	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-07	Shall	Reimbursed costs shall be deposited into the forestry pollution abatement fund and used as specified in rule 1501:3-12-07 of the Administrative Code.	1503.01; 1503.51	Yes, state law	Yes, state law
1501:3-12-07	Shall	The chief shall keep accurate records of all costs to abate the forestry pollution including personnel, equipment, and disposal.	1503.01; 1503.51	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-07	Shall	No emergency order shall remain in effect for more than sixty days after its issuance.	1503.01; 1503.51	No, general rulemaking authority	No, general rulemaking authority
1501:3-12-07	Shall	Funds deposited in the forestry pollution abatement fund authorized under section 1503.55 of the Revised Code shall be used for paying the costs for emergency forestry pollution abatement actions.	1503.01; 1503.51	No, general rulemaking authority	No, general rulemaking authority

RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1501:3-12-08	Shall not	Except as provided in paragraph (B) of this rule, the chief of the division of forestry, an employee of the division of forestry, the supervisors of the soil and water conservation district, an employee of the district, and a contractor of the division or district shall not disclose either of the following: (1) Information, including data from geographical information systems and global positioning systems, provided by a person who owns or operates a silvicultural operation that is operated under a timber harvest plan; (2) Information gathered as a result of an inspection to determine whether the person who owns or operates the operation is in compliance with a timber harvest plan; (B) The chief or the supervisors of a district may release or disclose information specified in paragraph (A)(1) or (A)(2) of this rule to a person of a federal, state, or local agency working in cooperation with the chief or the supervisors in the development of a timber harvest plan or an inspection to determine compliance with such a plan. If the chief or supervisors determine compliance with such a plan, the person of a federal, state, or local agency will not subsequently disclose the information to another	1503.01; 1503.51	Yes, federal law	Yes, federal law
1501:3-13-01	Shall	The site plan shall include a description of the site demonstrating its suitability for natural resource planning, including: (a) The fuel types to be burned (e.g., grass, leaves, brush, etc.); (b) The equipment and personnel to be used; (c) Site monitoring plans from the time when the kindled fire is prepared to when it is fully extinguished; (d) Worker and general public safety considerations; (e) Notification plan for emergency services in the event of an emergency; and (f) Any contingency plans.	1503.18, 1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-13-01	Shall	Once issued a certification number, an Ohio certified prescribed fire manager shall be issued a waiver under paragraphs (A)(1) of this rule if the person: (a) Serves as the manager for at least two prescribed fires on at least two separate days over a five-year rotating schedule that begins after initial certification; (b) Participates in an operational role for at least five prescribed fires on at least five separate days over a five-year rotating schedule that begins after initial certification; or (c) Maintains a prescribed fire burn boss type 2 national qualification as certified by a nationalWildfire coordinating group member agency.	1503.18, 1503.01	No, general rulemaking authority	No, general rulemaking authority

RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1501:3-13-01	Shall	Ohio certified prescribed fire managers shall: (a) Within one-hundred and twenty days of a completed burn, provide the chief of the division of forestry with a report of the results of any burn activities using a form approved by the chief of the division of forestry; and (b) Within thirty days of a completed burn, provide the chief of the division of forestry with a report about any escaped fires resulting in a response from emergency service personnel or that could result in any criminal or civil actions.	1503.18, 1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-13-01	Shall	The chief of the division of forestry shall issue any decision regarding waiver denial or withdraw in writing.	1503.18, 1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-13-01	Shall	The decision regarding wavier deinal shall include: (a) An explanation of the evidence examined and reason for denial or withdraw of the waiver; (b) In the case of an Ohio prescribed fire manager, requirements for obtaining recertification; and (c) In all other cases, the necessary steps to obtain a waiver.	1503.18, 1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-13-01	Must	After meeting at least one of the three eligibility criteria in paragraph (A) of this rule, persons must then submit a completed request for a kindled fire waiver to the chief of the division of forestry that includes the following: (1) The date of the request; (2) The person's name and residential address; (3) The address or geographical coordinates where the person wishes to kindle a fire; and (4) The person's certification that the site where the kindled fire is to take place has a site plan that includes required weather parameters. The site plan shall include a description of the site demonstrating its suitability for natural resource planning, including: (a) The fuel types to be burned (e.g., grass, leaves, brush, etc.); (b) The equipment and personnel to be used; (c) Site monitoring plans from the time when the kindled fire is prepared to when it is fully extinguished; (d) Worker and general public safety considerations; (e) Notification plan for emergency services in the event of an emergency; and (f) Any contingency plans.	1503.18, 1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:3-13-01	Require	The person's certification that the site where the kindled fire is to take place has a site plan that includes required weather parameters	1503.18, 1503.01	No, general rulemaking authority	No, general rulemaking authority

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1501:3-13-01	Require	Certification as an Ohio certified prescribed fire manager requires a person to submit to the chief of the division of forestry adequate documentation, as determined by the chief of the division of forestry, demonstrating that the applicant has: (a) A minimum of six hours of training in wildland fire suppression; (b) A minimum of twenty-four hours of training in prescribed fire management; and (c) Prior professional experience in the amount of at least ten wildfires on at least ten days, ten prescribed fires on at least ten days, or a combination thereof.	1503.18, 1503.01	No, general rulemaking authority	No, general rulemaking authority
1501:7-1-01	Shall	Public notice of hearing to be conducted by the department of natural resources shall be advertised in the register of Ohio at least thirty days, but not more than forty days, prior to the hearing.	119.03	Yes, state law	Yes, state law
1501:7-1-01	Shall	The notice shall include: a synopsis of the proposed rule, amendment or rule to be rescinded, or a general statement of the subject matter to which the proposed rule, amendment, or recession relate; a statement of the reason or purpose for adopting, amending, or rescinding the rule and the date, time and place of a hearing on said proposed action.	119.03	Yes, state law	Yes, state law
1501:7-1-01	Shall	The notice shall also state the place from which copies of the proposed rule, amendment, or rule to be rescinded may be obtained.	119.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-01	Shall	Public notices of hearings to adopt, amend, or rescind rules, to be conducted by the division of oil and gas resources management, department of natural resources, state of Ohio, shall be given in the register of Ohio	119.03	Yes, state law	Yes, state law
1501:9-1-01	Shall	At least thirty days notice of the time and place of a public hearing shall be given by said notice	119.03	Yes, state law	Yes, state law
1501:9-1-01	Shall	...notice which shall state the division's intention to consider adopting, amending, or rescinding a rule; a synopsis or the full text of the proposed rule, amendment, or rule to be rescinded or a general statement of the subject matter to which such proposed rule relates; and the date, time, and place of the hearing on said proposed action	119.03	Yes, state law	Yes, state law
1501:9-1-01	Shall	The division shall prescribe forms required under these rules and regulations and, upon request, furnish such forms to any interested person requiring use of same	1509.03	Yes, state law	No, general rulemaking authority
1501:9-1-02	Require	Date of Application	1509.03, 1509.06	Yes, state law	No, general rulemaking authority
1501:9-1-02	Require	Designation of the well by name and number	1509.03, 1509.06	Yes, state law	No, general rulemaking authority
1501:9-1-02	Require	The plan for disposal of water and other waste substances resulting from, obtained, or produced in connection with exploration, drilling, or production of oil or gas	1509.03, 1509.06, 1509.17, 1509.23	Yes, state law	No, general rulemaking authority
1501:9-1-02	Shall	The plan for disposal of salt water shall include identification of any disposal well or disposal wells to be used	1509.03, 1509.06, 1509.17, 1509.23	Yes, state law	No, general rulemaking authority
1501:9-1-02	Shall	Where the applicant finds that the disposal well to be used is different from that indicated on the permit, the applicant shall so notify the division immediately in writing	1509.03, 1509.06, 1509.17, 1509.23	Yes, state law	No, general rulemaking authority
1501:9-1-02	Shall	Such plan shall include the name of the person or company disposing of the salt water and the ultimate location of its disposal.	1509.03, 1509.06, 1509.17, 1509.23	Yes, state law	No, general rulemaking authority
1501:9-1-02	Shall	Any change in the plan for disposal shall be timely submitted to the chief.	1509.03, 1509.06, 1509.17, 1509.23	Yes, state law	No, general rulemaking authority
1501:9-1-02	Require	Affidavit that applicant is owner	1509.03, 1509.06, 1509.17, 1509.23	Yes, state law	No, general rulemaking authority
1501:9-1-02	Require	A map showing:(a) The subject tract of land or drilling unit upon which the well is to be drilled and property lines with surface and mineral owner name(s) within;	1509.03, 1509.06, 1509.17, 1509.23	Yes, state law	No, general rulemaking authority

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1501:9-1-02	Require	(b) The location of the proposed well on the subject tract of land or drilling unit established by a field survey showing the distances in feet from the proposed well site to the boundary lines of the subject tract or drilling unit, and to the nearest permanent geographic subdivision boundaries;	1509.03, 1509.06, 1509.17, 1509.23	Yes, state law	No, general rulemaking authority
1501:9-1-02	Require	(c) Location of drilling or producing wells, which are within the distances required according to depth of drilling as set forth in rule 1501:9-1-04 of the Administrative Code, and a showing of the distances between such drilling or producing wells and the proposed well;	1509.03, 1509.06, 1509.17, 1509.23	Yes, state law	No, general rulemaking authority
1501:9-1-02	Require	(d) The location of all buildings, public roads, railroads and streams within two hundred feet of the proposed well site, and their distances from the proposed well site; (e) A title block to the map certifying the above information and including the applicants name, well name, county, civil township, permanent geographic subdivisions (section, lot and/or tract) and surface elevation for the well location, USGS quadrangle name, date map prepared, name of surveyor preparing the map and phone number, and map scale;	1509.03, 1509.06, 1509.17, 1509.23	Yes, state law	No, general rulemaking authority
1501:9-1-02	Shall	The proposed well location also shall be designated by plane coordinates as provided by Chapter 157. of the Revised Code	1509.03, 1509.17, 1509.23	Yes, state law	No, general rulemaking authority
1501:9-1-02	Shall	If the proposed well is to be in an urbanized area, the map shall include the name of the urbanized area in addition to the original civil township name;	1509.03, 1509.17, 1509.23	Yes, state law	No, general rulemaking authority
1501:9-1-02	Shall	An additional color map (three copies) based on aerial photography, where available, at a scale of one inch to one hundred feet or one inch to two hundred feet showing the location of the tank battery, access road, and gas sales line and a five hundred foot radius around the well location;	1509.03, 1509.06, 1509.17, 1509.23	Yes, state law	No, general rulemaking authority
1501:9-1-02	Require	As an overlay on the base aerial map, include three additional copies of the map including topographic contours (where available)	1509.03, 1509.06, 1509.17, 1509.23	Yes, state law	No, general rulemaking authority
1501:9-1-02	Require	A casing plan and cementing plan showing how the owner proposes to drill and construct the well consistent with the best available geologic information in the vicinity of the proposed wellbore and with the requirements of rule 1501:9-1-08 of the Administrative Code, including at least the following: (a) The name and anticipated depth of all zones to be tested or produced;	1509.03, 1509.06, 1509.17, 1509.23	Yes, state law	No, general rulemaking authority
1501:9-1-02	Require	(b) The estimated total depth of the wellbore;	1509.03, 1509.06, 1509.17, 1509.23	Yes, state law	No, general rulemaking authority
1501:9-1-02	Require	(c) The anticipated diameter of each wellbore segment;	1509.03, 1509.06, 1509.17, 1509.23	Yes, state law	No, general rulemaking authority
1501:9-1-02	Require	(d) The proposed casing type, outside diameter, and setting depth for each proposed casing string;	1509.03, 1509.06, 1509.17, 1509.23	Yes, state law	No, general rulemaking authority
1501:9-1-02	Require	(e) Proposed cement volumes for each casing string;	1509.03, 1509.06, 1509.17, 1509.23	Yes, state law	No, general rulemaking authority
1501:9-1-02	Require	and (f) Whether the owner plans to stimulate any permitted hydrocarbon zone by hydraulic fracturing.	1509.03, 1509.06, 1509.17, 1509.23	Yes, state law	No, general rulemaking authority
1501:9-1-02	Shall	All complete applications shall be date-stamped upon receipt by the division	1509.03, 1509.06, 1509.17, 1509.23	Yes, state law	No, general rulemaking authority
1501:9-1-02	Shall	Within twenty-one days of filing of the application the chief shall either issue the permit or notify the applicant of objections to the application	1509.03, 1509.06, 1509.17, 1509.23	Yes, state law	No, general rulemaking authority
1501:9-1-02	Shall	Any record of telephoning or mailing the notice, made in the normal course of business by the division, shall constitute notice of objection to the applicant	1509.03, 1509.06, 1509.17, 1509.23	Yes, state law	No, general rulemaking authority
1501:9-1-02	Shall	If an application does not contain required information, the division shall notify the applicant of the omitted data by mail or telephone	1509.03, 1509.06, 1509.17, 1509.23	Yes, state law	No, general rulemaking authority
1501:9-1-02	Shall	When the chief finds that efforts to cure objections to an application will be unavailing and that the application is not in accordance with the requirements of Chapter 1509. of the Revised Code and applicable rules, or that the applicant failed to respond to objections within thirty days of notice, the chief shall issue an order denying the application for permi	1509.03, 1509.06, 1509.17, 1509.23	Yes, state law	No, general rulemaking authority

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1501:9-1-02	Shall	If, as a result of this meeting, the chief believes the application meets, or if the application is amended to meet, the requirements of Chapter 1509. of the Revised Code and applicable rules, he shall within ten days vacate or modify his order as appropriate	1509.03, 1509.06, 1509.17, 1509.23	Yes, state law	No, general rulemaking authority
1501:9-1-02	Shall	No well site construction shall commence in an urbanized area until a permit is issued, received by the applicant and is available on-site unless the chief waives this requirement	1509.03, 1509.06, 1509.17, 1509.23	Yes, state law	No, general rulemaking authority
1501:9-1-02	Shall	Site construction shall comply with the division's best management practices (BMPs) for oil and gas well site construction manual, as defined in paragraph (A) of rule 1501:9-1-01 of the Administrative Code.	1509.03, 1509.06, 1509.17, 1509.23	Yes, state law	No, general rulemaking authority
1501:9-1-02	Shall	Site clearing and surface affectment shall be minimized	1509.03, 1509.06, 1509.17, 1509.23	Yes, state law	No, general rulemaking authority
1501:9-1-02	Shall	For wells permitted after September 15, 2004, in urbanized areas or where there is no reasonable emergency response access to the wellhead or tank battery at the ingress point to the access road, an apron of durable material shall be placed	1509.03, 1509.06, 1509.17, 1509.23	Yes, state law	No, general rulemaking authority
1501:9-1-02	Shall	The apron shall be sufficient in width and length to enable unobstructed access to the access road.	1509.03, 1509.06, 1509.17, 1509.23	Yes, state law	No, general rulemaking authority
1501:9-1-02	Shall	The access road shall be constructed and maintained in a manner to permit the ingress and egress for fire and emergency response.	1509.03, 1509.06, 1509.17, 1509.23	Yes, state law	No, general rulemaking authority
1501:9-1-02	Shall	Mud and debris deposited on public roads from the well site during drilling, production, and restoration operations shall be immediately removed by the well owner or their authorized representative.	1509.03, 1509.06, 1509.17, 1509.23	Yes, state law	No, general rulemaking authority
1501:9-1-02	Shall	Where the well head/tank battery is in excess of one hundred fifty feet from the ingress point to the access road, the access road to the well head/tank battery shall be reasonably passable by any equipment expected to access the well head/tank battery.	1509.03, 1509.06, 1509.17, 1509.23	Yes, state law	No, general rulemaking authority
1501:9-1-02	Shall	Where the access road is in excess of one hundred fifty feet in length, turnaround areas shall be located as practical based on the existing site conditions (topography, land use, forest cover, and natural drainage -perennial/intermittent streams)	1509.03, 1509.06, 1509.17, 1509.23	Yes, state law	No, general rulemaking authority
1501:9-1-02	Shall	All equipment and vehicles used in the site construction, drilling, production and restoration shall not be parked on public roads without the approval of the local road authority	1509.03, 1509.17, 1509.23	Yes, state law	No, general rulemaking authority
1501:9-1-02	Shall	The well owner shall sample all water wells within three hundred feet of the proposed well location in urbanized areas prior to drilling under the guidelines provided in the division's best management practices (BMPs) for pre-drilling water sampling manual, as defined in paragraph (A) of rule 1501:9-1-01 of the Administrative Code	1509.03, 1509.06, 1509.17, 1509.23	Yes, state law	No, general rulemaking authority
1501:9-1-02	Shall	A permit issued pursuant to these rules and regulations shall not be transferable	1509.03, 1509.06, 1509.17, 1509.23	Yes, state law	No, general rulemaking authority
1501:9-1-02	Shall	The maximum point at which a well penetrates the producing formation shall not vary unreasonably from the vertical drawn from the center of the hole at the surface, with the exception of approved directional drilling	1509.03, 1509.06, 1509.17, 1509.23	Yes, state law	No, general rulemaking authority
1501:9-1-02	Shall	Once a permit to drill has been issued pursuant to this rule, actual drilling of the well authorized by the permit shall be commenced within twelve months of the date of issuance of such permit or the permit shall expire	1509.03, 1509.06, 1509.17, 1509.23	Yes, state law	No, general rulemaking authority
1501:9-1-02	Shall	if drilling is commenced but not completed within said twelve month period, drilling shall be continued with due diligence following the twelve month period or the permit shall expire	1509.03, 1509.06, 1509.17, 1509.23	Yes, state law	No, general rulemaking authority
1501:9-1-02	Must	The post drilling map required by conditions of the permit must be accompanied by a non-refundable fifty dollar fee	1509.03, 1509.06, 1509.17, 1509.23	Yes, state law	No, general rulemaking authority
1501:9-1-02	Require	One fee is required if revising a subject tract with multiple wells	1509.03, 1509.06, 1509.17, 1509.23	Yes, state law	No, general rulemaking authority
1501:9-1-02	Require	an original revised map is required for each well within the subject tract	1509.03, 1509.06, 1509.17, 1509.23	Yes, state law	No, general rulemaking authority

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1501:9-1-03	Shall	The surety bond provided for in section 1509.07 of the Revised Code shall be executed by a surety company authorized to do business in the state of Ohio	1509.03	Yes, state law	No, general rulemaking authority
1501:9-1-03	Shall	shall be in the following amount: For an individual bond covering a single well, five thousand dollars; for a blanket bond covering all such wells operated by the principal, fifteen thousand dollars	1509.03	Yes, state law	No, general rulemaking authority
1501:9-1-03	Shall	If the oil or gas well owner, permittee, or his agent fails to complete the initial restoration as required under division (A) of section 1509.072 of the Revised Code, the chief, prior to issuing a bond forfeiture order for such failure, shall issue to such person a written notice of violation.	1509.03	Yes, state law	No, general rulemaking authority
1501:9-1-03	Shall	The notice of violation shall: Set forth with reasonable specificity: (1) (a) The nature of the failure;	1509.03	Yes, state law	No, general rulemaking authority
1501:9-1-03	Shall	(b) The remedial action required;	1509.03	Yes, state law	No, general rulemaking authority
1501:9-1-03	Shall	(c) A reasonable time for completion of the restoration	1509.03	Yes, state law	No, general rulemaking authority
1501:9-1-03	Shall	(d) a description of the area to be restored.	1509.03	Yes, state law	No, general rulemaking authority
1501:9-1-03	Shall	State that if the notice is not complied with withing the time allowed in the notice and any extensions given for good cause, the chief will forfeit the total amount of the performance bond	1509.03	Yes, state law	No, general rulemaking authority
1501:9-1-03	Shall	The chief shall forfeit the total amount of the performance bond when he or she finds that the oil or gas well owner or permittee has: (1) Failed to comply with a notice of violation issued under paragraph (B) of this rule; (2) Failed to comply with the final restoration requirements of division (B) of section 1509.072 of the Revised Code; (3) Failed to comply with the plugging requirements of section 1509.12 of the Revised Code, the permit provisions of section 1509.13 of the Revised Code or rules adopted thereunder.	1509.03	Yes, state law	No, general rulemaking authority
1501:9-1-03	Shall	When performance bond is to be forfeited, the chief shall issue an order to the owner or permittee, which order shall be referred to in this rule as the bond forfeiture order.	1509.03	Yes, state law	No, general rulemaking authority
1501:9-1-03	Shall	The bond forfeiture order shall: (1) Set forth the violation giving rise to the order;	1509.03	Yes, state law	No, general rulemaking authority
1501:9-1-03	Shall	(2) Declare that the entire amount of the bond is forfeited;	1509.03	Yes, state law	No, general rulemaking authority
1501:9-1-03	Shall	(3) If the performance bond filed with the division is supported by or in the form of cash or negotiable certificates of deposit, declare the cash or certificates property of the state;	1509.03	Yes, state law	No, general rulemaking authority
1501:9-1-03	Shall	If the performance bond filed with the division is in the form of a surety bond, the chief shall also issue a bond forfeiture order to the surety involved	1509.03	Yes, state law	No, general rulemaking authority
1501:9-1-03	Shall	in addition to the requirements of paragraphs (C)(1) and (C)(2) of this rule, the order shall also inform the surety of its rights and the extent of its obligations and liability.	1509.03	Yes, state law	No, general rulemaking authority
1501:9-1-03	Shall	(1) Within thirty days after it receives a bond forfeiture order, each surety shall notify the chief that it will: (a) Not correct the violation or violations resulting in the issuance of the bond forfeiture order and shall make payment for the full amount of the bond; or, (b) Correct the violation or violations and shall submit to the chief a plan, including a time frame for performance for accomplishing the required work; or, (c) Pay to the treasurer of the state that amount of money which it would cost the state of Ohio as determined by the chief to complete the required work.	1509.03	Yes, state law	No, general rulemaking authority
1501:9-1-03	Shall	The rights of the surety to correct the violation or violations resulting in the issuance of the bond forfeiture order shall be terminated if the surety fails to: (a) Notify the chief within thirty days after receipt of the bond forfeiture order that it will or will not correct the violation; (b) Submit a timetable at the same time it notifies the chief that it will perform the required work; or, (c) Commence, continue, or complete the required work in a manner and in accordance with its timetable and the provisions of Chapter 1509. of the Revised Code.	1509.03	Yes, state law	No, general rulemaking authority

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1501:9-1-03	Shall	When the chief determines that the rights of a surety shall be terminated, the chief shall issue an order terminating the rights of the surety and demanding payment from the surety for the entire amount of performance bond filed with the chief by the surety.	1509.03	Yes, state law	No, general rulemaking authority
1501:9-1-03	Must	New exempt domestic well owners requesting the ownership of more than one well and existing exempt domestic well onwers requesting to receive additional wells must file a certificate of deposit, surety bond or cash bond in the amount required for the total number of wells to be owned	1509.03	Yes, state law	No, general rulemaking authority
1501:9-1-03	Shall	Exempt domestic well owners shall demonstrate financial responsibility at least once every two years under a schedule established by the division	1509.03	Yes, state law	No, general rulemaking authority
1501:9-1-03	Must	To demonstrate financial responsibility, exempt domestic well owners must show sufficient assets and income to operate, maintain, and abandon the well.	1509.03	Yes, state law	No, general rulemaking authority
1501:9-1-03	Shall	Exempt domestic well owners shall submit the following information to the division: (i) Personal financial statement on a form provided by the division;	1509.03	Yes, state law	No, general rulemaking authority
1501:9-1-03	Shall	(ii) Statement of estimated well operating, maintenance, and abandonment expenses and source of funds to use in paying for these costs;	1509.03	Yes, state law	No, general rulemaking authority
1501:9-1-03	Require	(iii) Other information required by the chief.	1509.03	Yes, state law	No, general rulemaking authority
1501:9-1-03	Must	The exempt domestic well owner must attest to the material accuracy of the information provided.	1509.03	Yes, state law	No, general rulemaking authority
1501:9-1-03	Shall	The forms shall prescribe penalties for submission of a false statement.	1509.03	Yes, state law	No, general rulemaking authority
1501:9-1-03	Shall	Each owner with a previously approved financial statement shall demonstrate financial responsibility annually under a schedule established by the division	1509.03	Yes, state law	No, general rulemaking authority
1501:9-1-03	Shall	To demonstrate financial responsibility, and receive approval of the financial statement, each owner shall show the following:	1509.03	Yes, state law	No, general rulemaking authority
1501:9-1-03	Must	The owner must have a sufficient capital structure to show a net financial worth in Ohio of twice the required bonding amount	1509.03	Yes, state law	No, general rulemaking authority
1501:9-1-03	Must	The owner must not be found to be in material or substantial violation of section 1509.01, ET SEQ., of the Ohio Revised Code or section 1501:9-1-01, ET SEQ., of the Ohio Administrative Code during the preceding year;	1509.03	Yes, state law	No, general rulemaking authority
1501:9-1-03	Must	The owner must be in compliance with sections 1509.10 and 1509.11 of the Revised Code.	1509.03	Yes, state law	
1501:9-1-03	Shall	In order to verify the accuracy of the financial statement each owner shall submit the following information when requested by the chief of the Division of Mineral Resources Management: (i) Income statement;	1509.03	Yes, state law	No, general rulemaking authority
1501:9-1-03	Shall	(ii) Balance sheet;	1509.03	Yes, state law	No, general rulemaking authority
1501:9-1-03	Shall	(iii) Copy of corporate franchise tax filing for previous year (if applicable);	1509.03	Yes, state law	No, general rulemaking authority
1501:9-1-03	Shall	(iv) List of fixed assets and their current market or book value;	1509.03	Yes, state law	No, general rulemaking authority
1501:9-1-03	Shall	(v) Copy of independent appraisal or copy of the county auditor's assessed value of all real estate listed if the book value exceeds twenty-thousand dollars;	1509.03	Yes, state law	No, general rulemaking authority
1501:9-1-03	Shall	(vi) Proof of payment of oil and gas severance tax for previous year;	1509.03	Yes, state law	No, general rulemaking authority

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1501:9-1-03	Shall	(vii) List of all producing wells including type of equipment and percentage of equipment owned	1509.03	Yes, state law	No, general rulemaking authority
1501:9-1-03	Require	; (viii) Other information required by the chief	1509.03	Yes, state law	No, general rulemaking authority
1501:9-1-03	Shall	Financial statements submitted under (F)(2)(c) pursuant to this rule shall be compilations and prepared according to generally accepted accounting principles	1509.03	Yes, state law	No, general rulemaking authority
1501:9-1-03	Must	All financial statements must be sworn as to the material accuracy by the owner or authorized representative of the owner	1509.03	Yes, state law	No, general rulemaking authority
1501:9-1-03	Must	a certified public accountant must certify that each financial statement was prepared in accordance with generally accepted accounting principals	1509.03	Yes, state law	No, general rulemaking authority
1501:9-1-03	Shall	Forms shall prescribe penalty for submission of a false statement	1509.03	Yes, state law	No, general rulemaking authority
1501:9-1-04	Shall	The division of oil and gas resources management shall not issue a permit for the drilling of a new well, the reopening of an existing well, or the deepening or plugging back of an existing well to a different pool for the production of oil and gas unless the proposed well location and spacing conform to the requirements of this rule.	1509.03, 1509.23, 1509.24	Yes, state law	No, general rulemaking authority
1501:9-1-04	Shall	This rule shall not apply to any wells drilled in areas under special order from the chief for pool spacing pursuant to section 1509.25 of the Revised Code	1509.03, 1509.23, 1509.24	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-04	Shall	The chief shall grant an exception to the requirements of any special order from the chief for pool spacing pursuant to section 1509.25 of the Revised Code, if the chief determines that an applicant demonstrates that such exception will protect correlative rights and/or promote conservation by permitting oil and/ or gas to be produced which could not otherwise be produced	1509.03, 1509.23, 1509.24	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-04	Shall	The chief shall grant or deny the application for an exception by order	1509.03, 1509.23, 1509.24	Yes, state law	No, general rulemaking authority
1501:9-1-04	Shall	... the chief shall determine if the proposed depth is reasonable to penetrate the objective geological formation or geological zone.	1509.03, 1509.23, 1509.24	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-04	Shall	If the chief determines that the proposed depth is insufficient to penetrate the proposed geological formation or zone and that, because of the insufficient proposed depth, the spacing and acreage requirements under paragraph (C) of this rule are not fulfilled, the permit shall be denied.	1509.03, 1509.23, 1509.24	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-04	Shall	No well shall be drilled deeper than the proposed total depth without prior permission from the chief.	1509.03, 1509.23, 1509.24	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-04	Shall	A permit shall not be issued unless the drilling unit or subject tract for the proposed well satisfies the acreage requirements for the anticipated deepest depth at which oil and gas will be produced	1509.03, 1509.23, 1509.24	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-04	Shall	All drilling units shall be compact and composed of contiguous land	1509.03, 1509.23, 1509.24	Yes, state law	Yes, state law
1501:9-1-04	Shall	No permit shall be issued to drill, deepen, reopen, or plug back a well for the production of oil and gas from a pool from zero to one thousand feet in depth unless the proposed well is located: (a) Upon a subject tract or drilling unit containing not less than one acre; (b) Not less than two hundred feet from any well drilling to, producing from, or capable of producing from the same pool; and (c) Not less than one hundred feet from any boundary of the subject tract or drilling unit.	1509.03, 1509.23, 1509.24	No, general rulemaking authority	No, general rulemaking authority

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1501:9-1-04	Shall	No permit shall be issued to drill, deepen, reopen, or plug back a well for the production of oil or gas from a pool greater than one thousand feet in depth to two thousand feet in depth unless the proposed well is located: (a) Upon a subject tract or drilling unit containing not less than five acres; (b) Not less than four hundred sixty feet from any well drilling to, producing from, or capable of producing from the same pool; and (c) Not less than two hundred thirty feet from any boundary of the subject tract or drilling unit.	1509.03, 1509.23, 1509.24	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-04	Shall	No permit shall be issued to drill, deepen, reopen, or plug back a well for the production of oil or gas from a pool greater than two thousand feet in depth to four thousand feet unless the proposed well is located: (a) Upon a subject tract or drilling unit containing not less than ten acres; (b) Not less than six hundred feet from any well drilling to, producing from, or capable of producing from the same pool; and (c) Not less than three hundred feet from any boundary of the subject tract or drilling unit.	1509.03, 1509.23, 1509.24	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-04	Shall	Except as otherwise provided in paragraph (C)(6) of this rule, no permit shall be issued to drill, deepen, reopen, or plug back a well for the production of the oil or gas from a pool greater than four thousand feet in depth unless the proposed well is located: (a) Upon a subject tract or drilling unit containing not less than twenty acres; (b) Not less than one thousand feet from any well drilling to, producing from, or capable of producing from the same pool; and (c) Not less than five hundred feet from any boundary of the subject tract or drilling unit.	1509.03, 1509.23, 1509.24	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-04	Shall	The minimum distance to any boundary of the drilling unit or subject tract for a well drilled in which the well bore reaches a horizontal or near horizontal position to any formation shall be determined from the take points along the wellbore.	1509.03, 1509.23, 1509.24	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-04	Shall	No permit shall be issued to drill, deepen, reopen or plug back a horizontal well for the production of oil and gas unless all of the following apply: (i) Except as otherwise provided in paragraph (C)(6)(a)(ii), the perpendicular distance from a take point is not less than four hundred feet from any drilling unit or subject tract boundary. (ii) The first and last take points are not less than one hundred fifty feet from the drilling unit or subject tract boundary that is approximately perpendicular to the well bore.	1509.03, 1509.23, 1509.24	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-04	Shall	If the owner of a horizontal well determines that adverse communication has occurred, the owner shall notify the division.	1509.03, 1509.23, 1509.24	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-04	Shall	Such order shall contain the following: (a) A description of the area covered by the order;	1509.03, 1509.23, 1509.24	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-04	Shall	(b) An identification of the pool, field or geologic formations covered by the order;	1509.03, 1509.23, 1509.24	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-04	Shall	(c) the minimum distance wells may be drilled from the tract or drilling unit boundaries;	1509.03, 1509.23, 1509.24	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-04	Shall	(d) the minimum distance between wells;	1509.03, 1509.23, 1509.24	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-04	Shall	(e) the minimum acreage for tracts or drilling units;	1509.03, 1509.23, 1509.24	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-04	Require	and (f) the order may contain other requirements deemed necessary by the chief to accomplish the purpose of paragraph (D) of this rule.	1509.03, 1509.23, 1509.24	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-04	Shall	An order of the chief for temporary minimum well spacing in the vicinity of a discovery well shall be effective on the date the order is made	1509.03, 1509.23, 1509.24	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-04	Shall	... shall continue in effect until it is either rescinded or amended by the chief or until such time as an order for special drilling unit requirements is made by the chief after hearing pursuant to section 1509.25 of the Revised Code.	1509.03, 1509.23, 1509.24	No, general rulemaking authority	No, general rulemaking authority

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1501:9-1-04	Shall	No well shall be drilled, deepened, reopened, or plugged back to or below the particular pool or field located in the area covered by an order of the chief under paragraph (D) of this rule unless the requirements of such order are satisfied	1509.03, 1509.23, 1509.24	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-04	Shall	Permits issued prior to the effective date of such order for wells to be located in the area and to or below the pool covered by such order that do not comply with the requirements of the order and where actual drilling operations have not commenced, shall be revoked	1509.03, 1509.23, 1509.24	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-04	Shall	The chief shall grant an exception to the requirements of paragraph (C) of this rule to an applicant who demonstrates that the well proposed for production of oil or gas will be an offset to a well drilled or commenced before the effective date of paragraph (C) of this rule, and which is producing or may be capable of producing on an adjacent tract, and that is so located on said adjacent tract as not to comply with any one or more of the requirements of paragraph (C) of this rule	1509.03, 1509.23, 1509.24	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-04	Shall	The chief shall grant an exception to the requirements of paragraph (C) of this rule if the chief determines that the applicant demonstrates that such an exception will protect correlative rights and/or promote conservation by permitting oil and gas to be produced which could not otherwise be produced.	1509.03, 1509.23, 1509.24	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-04	Shall	The chief shall grant or deny the application for an exception by order	1509.03, 1509.23, 1509.24	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-04	Shall	A well proposed to be drilled pursuant to such exceptions shall, nevertheless, be subject to the requirements of rule 1501:9-1-05 of the Administrative Code.	1509.03, 1509.23, 1509.24	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-05	Shall	No well shall be drilled nearer than one hundred feet to any inhabited private dwelling house; nearer than one hundred feet from any public building which may be used as a place of resort, assembly, education, entertainment, lodging, trade, manufacture, repair, storage, traffic, or occupancy by the public; nearer than fifty feet to the traveled part of any public street, road, or highway; nearer than fifty feet to a railroad track; nor nearer than one hundred feet to any other well	1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-06	Shall	such invalidity shall not affect the remaining portions and parts of the rules adopted or promulgated by the chief.	1509.13	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-07	Shall	All persons engaged in any phase of operation of any well or wells shall conduct such operation or operations in a manner which will not contaminate or pollute the surface of the land, or water on the surface or in the subsurface	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-07	Shall	All persons engaged in any phase of operation of any well or wells shall conduct such operation or operations in a manner which will not contaminate or pollute the surface of the land, or water on the surface or in the subsurface	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-07	Must	In urbanized areas, to minimize off-site sedimentation, erosion and to control the surface flow of water, the well owner and or authorized representative must follow the best management practices (BMPs) for oil and gas well site construction manual, dated April 30, 2005 that can be located at http://www.dnr.state.oh.us/mineral/oil/index.html or by contacting the division of mineral resources management, as provided by the chief.	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	A well permitted under Chapters 1501:9-1 to 1501:9-12 of the Administrative Code shall be constructed in a manner that is approved by the chief as specified by these rules, the terms and conditions of the approved permit, plans submitted in the approved permit, and the standards established in section 1509.17 of the Revised Code.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	The division shall evaluate compliance with this rule for the as-built well.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority

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1501:9-1-08	Shall	Where this rule does not detail specific methods to meet these standards, the owner shall use sound design and industry practices that effectively achieve the standards established in section 1509.17 of the Revised Code	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	All intervals drilled prior to reaching the USDW protective depth shall be drilled with air, fresh water, a freshwater based drilling fluid, or a combination of the above	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Require	Based on regional knowledge of groundwater resources, well control, or safety factors, the chief may by permit condition require the use of a freshwater based drilling fluid and specify its characteristics while the owner is drilling any interval prior to reaching the USDW protective depth	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	All casing installed in a well shall be steel alloy casing that has been manufactured and tested consistent with standards established by the American petroleum institute (API) in "5 CT Specification for Casing and Tubing" or ASTM international (ASTM) in "A500/A500M Standard Specification for Cold-Formed Welded and Seamless Carbon Steel Structural Tubing in Rounds and Shapes" and has a minimum internal yield pressure rating designed to withstand at least 1.2 times the maximum pressure to which the casing may be subjected during drilling, production or stimulation operations	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	The minimum internal yield pressure rating shall be based upon engineering calculations listed in API "TR 5C-3 Technical Report on Equations and Calculations for Casing, Tubing and Line Pipe used as Casing and Tubing, and Performance Properties Tables for Casing and Tubing."	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	Reconditioned casing that is permanently set in a well shall be hydrostatically pressure tested with an applied pressure at least 1.2 times the maximum internal pressure to which the casing may be subjected, based upon known or anticipated subsurface pressure, or pressure that may be applied during stimulation, whichever is greater, and assuming no external pressure.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	The casing shall be marked to verify the test status.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	The owner shall provide a copy of the test results to the inspector before the casing is installed in the well.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	Where subsurface reservoir pressure is unknown and cannot be reasonably anticipated, the owner shall assume a pressure gradient of 0.45 pounds per square inch per foot in a fully evacuated hole, under shut-in conditions.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	All hydrostatic pressure tests shall be conducted pursuant to API "5 CT Specification for Casing and Tubing" or other method(s) approved by the chief.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall not	Reconditioned casing shall not be set in a well unless it has passed an approved hydrostatic pressure and drift test or has otherwise been approved by the inspector.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	The inspector shall reject casing that is excessively pitted, patched, bent, corroded, or crimped, or if threads are severely worn or damaged.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	In order to verify casing integrity and proper cement displacement, the owner shall pressure test each cemented casing string greater than two hundred feet long in accordance with the test method of either paragraph (D)(3)(a) or (D)(3)(b) of this rule.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	Immediately upon landing the latch-down plug, the owner shall increase displacement pressure by at least five hundred pounds per square inch and hold pressure for five minutes.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	If pressure declines by ten per cent or more, casing integrity and cement placement shall be further evaluated and appropriate corrective action shall be taken to verify casing integrity and cement displacement.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	If the float apparatus does not hold, the owner shall pump the volume that flowed back, and shut in until the cement has sufficiently set.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority

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1501:9-1-08	Shall	Prior to drilling the cement plug, the owner shall test any permanently cemented casing strings, at a minimum pump pressure in pounds per square inch calculated by multiplying the length of the casing string by 0.2, but not less than three hundred pounds per square inch	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	May not	The test pressure may not decline by more than ten per cent during the thirty-minute test period.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall not	If, at the end of thirty minutes of such testing, the pressure shows a drop greater than ten per cent, the owner shall not resume further operations until the condition is corrected.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Require	The chief may require the owner to conduct a casing shoe test after drilling below the surface casing and/or the intermediate casing seat if the pressure gradient of the permitted hydrocarbon reservoir exceeds 0.5 pounds per square inch per foot, or in areas where fracture gradients are unknown.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	Before drilling below the first casing string, the owner shall either crown the location around the wellbore to divert fluids to a flow ditch, or construct a liquid-tight cellar at least three feet in diameter to prevent surface infiltration of fluids adjacent to the wellbore.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	If a reserve pit is used to contain cuttings and drilling fluids, the flow ditch from the cellar or crown to the reserve pit shall also be liquid tight.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	If a mouse and/or rat hole is used, it shall be constructed of liquid tight steel pipe with a welded basal plate or bull plug.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	The annulus shall be sealed with clay or cement in a manner that effectively prevents fluids from entering the annular space.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	The diameter of each section of the wellbore in which casing will be set and cemented shall be at least one inch greater than the outside diameter of casing collar to be installed, unless otherwise approved by the chief.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	The wellbore diameter shall be consistent with manufacturer's recommendations for all float equipment, centralizers, packers, cement baskets, and all other equipment run into the wellbore on casing.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	Prior to cementing, the wellbore shall be conditioned to kill gas flow, foster adequate cement displacement, and ensure a high quality bond between cement and the wellbore.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	If circulation cannot be established or maintained, the inspector shall require testing to evaluate cement displacement.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall not	If tests indicate cement displacement or quality is inadequate to meet the standards, the owner shall not resume drilling activity until corrective action has achieved compliance with the standards.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	If oil-based drilling mud is used, the wellbore shall be conditioned with a mud flush and the spacer volume should be designed for a minimum of ten minutes of contact time prior to cementing production casing in the horizontal segment of a wellbore.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	Where underground mine voids, solution voids, or other geologic features render circulation infeasible, the owner shall install a cement basket or other approved device as close as possible above the top of the void or thief zone.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	Mine strings shall be cemented above and below the mine void in accordance with paragraph (M) of this rule	1509.03, 1509.06, 1509.17, 1509.23	Yes, state law	Yes, state law
1501:9-1-08	Shall	All cement placed into the wellbore shall be Portland cement that is manufactured to meet the standards of API "10 A Specification for Cements and Materials for Well Cementing" or ASTM "C150/C150M Standard Specification for Portland Cement."	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	Cemented conductor, mine, and surface casing strings shall remain static until all cement has reached a compressive strength of at least five hundred pounds per square inch before drilling the plug, or initiating a test.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority

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1501:9-1-08	Shall	The tail cement for all intermediate and production casings and liners shall remain static until the cement has reached a compressive strength of at least five hundred pounds per square inch before drilling out the plug or initiating a test	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	Tail cement shall have a seventy-two-hour compressive strength of at least one thousand two hundred pounds per square inch	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	...but in no case shall the cement have a compressive strength of less than one hundred pounds per square inch at the time of drill out nor less than two hundred fifty pounds per square inch twenty-four hours after being placed	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	The density of the cement slurry shall be based upon a laboratory free fluid separation test demonstrating an average fluid loss no more than three milliliters per two hundred fifty milliliters of cement tested in accordance with API "RP 10 B-2 Recommended Practice for Testing Well Cements."	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Require	The chief may require, by permit condition, a specific cement mixture to be used in any well or any area if evidence of local conditions indicate a specific cement is necessary.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	The owner shall ensure that the cement mix water quality and chemistry is proper for the cement slurry design.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	An authorized representative of the owner shall be on site observing the cement mixing equipment for the entire duration of the cement mixing and placement to ensure that cement slurry design parameters are followed.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	Sulfate resistant cement shall be used whenever necessary to protect the casing string and prevent the migration of hydrogen sulfide.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	When the owner is drilling in a township where hydrogen sulfide occurs commonly in specific intervals, the chief shall require as a permit condition that the owner use sulfate resistant cement	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	Cement mixtures for which published performance data are not available shall be tested by the owner or service company and approved by the chief prior to usage.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	Tests shall be made on representative samples of the basic mixture of cement and additives used, using distilled water or potable tap water for preparing the slurry.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	The tests shall be conducted using the equipment and procedures established in API "RP 10 B-2 Recommended Practice for Testing Well Cements."	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	Test data showing competency of a proposed cement mixture to meet the above requirements shall be furnished to the inspector prior to the cementing operation.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	To determine that the minimum compressive strength has been obtained, the owner shall use the typical performance data for the particular cement mixture used in the well at the following temperatures and at atmospheric pressure: (i) For conductor, mine string, and surface casing cement, the test temperature shall be sixty degrees Fahrenheit; (ii) For intermediate and production casing cement, the test temperature shall be within ten degrees Fahrenheit of the formation equilibrium temperature of the cemented interval.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	All bowspring centralizers shall meet the standards of API "10 D, Specification for Bow-Spring Casing Centralizers."	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	All rigid centralizers shall meet the standards of API "10 TR 4 Considerations Regarding Selection of Centralizers for Primary Cementing Operations."	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	Casing shall be centralized in each segment of the wellbore to provide sufficient casing standoff and foster effective circulation of cement to isolate critical zones including aquifers, flow zones, voids, lost circulation zones, and hydrocarbon production zones.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority

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1501:9-1-08	Shall	The owner shall notify the inspector at least twenty-four hours prior to setting any casing or liner string and before commencing any casing cementing operation pursuant to this rule to enable the inspector to participate in the pre-job safety and procedures meeting, independently test mix water, evaluate casing condition, and observe and document the execution of the cementing operation.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	If a well is drilled within the geographic limits of an active underground mining operation, the owner shall construct the well in a manner that protects personnel working in the mine, and, if possible, shall locate the well so as to penetrate a pillar, a barrier, or the unmined perimeter of the seam.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	If a well is drilled within the limits of an active underground mining operation that may penetrate the excavations of a mine and groundwater has been encountered below the base of the conductor casing, the hole shall be reduced fifteen feet above the roof of the mine.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	This string of casing shall be cemented to surface to shut off all groundwater	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	Drilling shall continue to a point at least thirty but no more than fifty feet below the floor of the mine	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	...another string of casing shall be set and cemented.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	After drilling through any underground mine void or rubble zone, casing shall be set at least thirty feet but no more than fifty feet below the base of the mine void or rubble zone and cemented at this point.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	The owner shall design the casing and cementing plans considering the maximum number of casing strings that may be necessary to isolate mine voids prior to setting and cementing surface casing.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall Not	A mine string shall not serve as the only water protection casing.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	Where a mine string isolates one or more water-bearing zones, either surface or intermediate casing shall be cemented to surface inside the mine string.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	Each mine string shall be equipped with a guide shoe or other appropriate device to prevent deformation of the bottom of the casing.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	If a mine void or rubble zone is encountered, the owner shall equip the mine string with a cement basket or other approved device as close to the top of the void as practical.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	shall	The interval from the casing seat to the base of the coal seam shall be cemented.	1509.03, 1509.06,	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	shall	Cement shall be placed on top of the basket or other approved device by pour string or pumping from surface.	1509.03, 1509.06,	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	Conductor casing shall be set where necessary to: (i) Stabilize unconsolidated sediments;	1509.03, 1509.06,	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	(ii) Isolate shallow aquifers that provide or are capable of providing groundwater for water wells and springs in the vicinity of the well;	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	(iii) Isolate groundwater before penetrating the working of an active underground mine;	1509.03, 1509.06,	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	or (iv) Provide a base for equipment to divert shallow, naturally occurring natural gas.	1509.03, 1509.06,	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	Conductor casing shall be cemented to surface if there is an annular space.	1509.03, 1509.06,	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	If circulated cement drops or fails to circulate, cement shall be emplaced from surface by a method approved by the inspector.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	An owner shall set and cement sufficient surface casing at least fifty feet below the base of the deepest USDW, or at least fifty feet into competent bedrock, whichever is deeper, and as specified by the permit, unless otherwise approved by the chief.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority

RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1501:9-1-08	Shall	Surface casing shall be cemented before drilling though hydrocarbon bearing flow zones or zones which contain concentrations of total dissolved solids exceeding ten thousand milligrams per liter unless otherwise approved by the chief.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	For the purposes of this paragraph, hydrocarbon bearing flow zones shall include all formations that have historically, are currently, or are anticipated to be commercially productive.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	Sufficient cement shall be used to fill the annular space outside the casing from the seat to the ground surface or to the bottom of the cellar.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	If cement is not circulated to the ground surface or the bottom of the cellar and the top of cement cannot be measured from surface, the owner shall perform tests as approved by the inspector.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	The owner shall notify the inspector prior to performing the tests.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	After the nature of the well construction deficiency is determined, the owner shall contact the inspector and obtain approval for the procedures to be used to perform any required additional cementing operations.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall not	Surface casing shall not be perforated for the purpose of remedial cementing unless intermediate casing is set and cemented to surface, or otherwise authorized by the chief.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	If the chief determines additional remedial measures will not isolate and protect the USDW, the chief shall issue an administrative order requiring the well to be plugged.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	For surface holes drilled through glacial drift deposits that exceed one hundred feet in thickness, a guide shoe shall be run on the surface casing.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	In areas where bedrock USDWs cannot be mapped, except in areas subject to paragraph (M)(4)(g) of this rule, surface casing shall be set and cemented at the depth stated in paragraph (M)(4)(f)(i) or (M)(4)(f)(ii) of this rule, whichever is deeper and as determined by permit condition, or, as an alternative method for protecting groundwater resources, at the depth stated in paragraph (M)(4)(f)(iii) of this rule: (i) At least three hundred feet deep; or (ii) At least one hundred feet below the deepest local perennial stream base; or (iii) At least fifty feet below the base of the lowest spring or deepest water well developed for any legitimate purpose, based upon an inventory of water supplies within a five hundred foot radius of the proposed oil and gas well.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	If there are no springs or water wells within the five hundred foot radius, conductor casing shall be set and cemented at a minimum depth of one hundred feet.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	After conductor casing is set through the deepest useable water zone and cemented to surface, the owner shall set and cement to surface a surface casing string through water zones that may include brackish or brine bearing zones.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	This casing string shall be set and cemented to surface before the owner drills into potential flow zones that can reasonably be expected to contain hydrocarbons in commercial quantities.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	In areas where bedrock USDWs cannot be mapped and where groundwater resources can be developed in valley-fill aquifers, surface casing shall be cemented at least one hundred feet below the base of the valley-fill aquifer for any well within one thousand feet of the one hundred year floodplain.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	The owner shall state the reason for the alternative USDW protection method and outline the alternative method for casing and cementing through the deepest USDW	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	Alternative methods for setting less than specified amounts of surface casing shall be authorized on an individual well basis only.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	The chief shall reject the proposed method by order if the owner has not demonstrated that the alternative casing plan will meet the standards of section 1509.17 of the Revised Code and this rule	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	An owner shall obtain the chief's written approval of any alternative method before commencing operations.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority

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1501:9-1-08	Shall	The owner shall set and cement intermediate casing in a competent formation in the following situations: (i) If groundwater containing total dissolved solids of less than ten thousand milligrams per liter is encountered below the base of cemented surface casing;	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	(ii) Through a gas storage reservoir when drilling to strata beneath a gas storage reservoir within the storage protective boundary;	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	shall	or (v) In other situations as determined by the chief.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	(iii) When drilling to permitted hydrocarbon zones deeper than the silurian clinton sandstone east of the updip pinchout; such casing shall be set through the Mississippian berea sandstone, or one thousand feet, whichever is greater;	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	(iv) For wells drilled horizontally, in the Marcellus shale, or deeper, such casing shall be set through the Mississippian berea sandstone or one thousand feet, whichever is greater;	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	For each intermediate string of casing that is permanently set in the wellbore, tail cement shall extend from the seat to a point at least five hundred true vertical feet above the casing seat, or to a point at least two hundred feet above the seat of the next larger diameter casing string.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	If the intermediate wellbore penetrates one or more flow zones, cement shall be placed at least five hundred feet above the uppermost flow zone.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	The cement used to control annular gas migration from flow zones shall be designed consistent with recommended methods in API "65-2 Isolating Potential Flow Zones during Construction."	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	The cement shall reach a compressive strength of five hundred pounds per square inch before drill out	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	shall	Annular pressure shall be measured prior to drill out to verify isolation of the flow zone.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	If the cement placement indicators including fluid returns, lift pressure, or annular pressure indicate inadequate isolation of any flow zone, the owner shall obtain approval of the inspector for the proposed plan for determining top of cement and/or performing additional cementing operations.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	May not	The test pressure may not decline by more than ten per cent during the thirty minute test period.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall not	If at the end of a thirty minute pressure test, the pressure has dropped by more than ten per cent, the owner shall not resume operations until the condition is corrected and verified by a thirty minute pressure test.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	The production casing shall be cemented with sufficient cement to fill the annular space to a point at least five hundred true vertical feet above the seat in an open-hole vertical completion or the uppermost perforation in a cemented vertical completion, or one thousand feet above the kickoff point of a horizontal well	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	If any flow zone is present, including strata that may contain hydrocarbons in commercial quantities or a hydrogen sulfide-bearing flow zone, the casing shall be cemented in a manner that effectively isolates such strata with at least five hundred feet of cement above the zone.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	The cement slurry shall be designed to control annular gas migration consistent with recommended methods in API "65-2 Isolating Potential Flow Zones during Construction."	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	When cementing the production string of a well that will be stimulated by hydraulic fracturing, and the uppermost perforation is less than five hundred feet below the base of the deepest USDW, sufficient cement shall be used to fill the annular space outside the casing from the seat to the ground surface or to the bottom of the cellar.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	If cement is not circulated to the ground surface or the bottom of the cellar, the owner shall notify the inspector and perform tests approved by the inspector.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority

Rule Number	Regulatory Restriction	Description of Regulatory Restriction	Statute Under Which the Regulatory Restriction Was Adopted	Is the Regulatory Restriction Expressly or Specifically Required by State or Federal Law?	Is a Law Change Required in Order to Remove the Restriction?
1501:9-1-08	Shall	After the top of cement outside the casing is determined, the owner or his authorized representative shall contact the inspector and obtain approval for the procedures to be used to perform any required additional cementing operations.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	May not	The test pressure may not decline by more than ten per cent during the thirty minute test period.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall not	If at the end of a thirty minute pressure test, the pressure has dropped by more than ten per cent, the owner shall not resume operations until the condition is corrected and verified by a thirty minute pressure test.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	If operations indicate inadequate cement coverage or isolation of the hydrocarbon bearing zones, the owner shall obtain approval of the inspector for procedures to determine the top of cement and/or perform corrective actions.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	If intermediate casing is run with this type of completion, cementing shall meet the requirements of paragraph (M)(7) of this rule.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	shall	If intermediate casing is not run, a multi-stage cementing tool shall be run above the top external packer and cemented to fill the annular space outside the casing to the surface or to a point at least five hundred feet above the packer or casing seat.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	Any approved alternative shall meet the well construction standards of section 1509.17 of the Revised Code and these rules.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	shall	Wellhead assemblies shall be used to maintain surface control of the well	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	Each component of the wellhead shall have a working pressure rating equal to or greater than the highest anticipated operating pressure to which the particular component might be exposed during the course of drilling, testing, completing, stimulating, or producing the well.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	shall	The valve on the surface-production casing annulus or surface-intermediate casing annulus shall be accessible and equipped with a pressure gauge to allow continual monitoring of mechanical integrity.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	The valve shall also be equipped with a properly functioning pressure relief valve set at or below the hydrostatic pressure at the surface casing seat assuming a pressure gradient of 0.433 pounds per square inch times the height of the groundwater column.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	shall	If any time after installation of the wellhead assembly, the sustained annular pressure exceeds the prescribed pressure or releases the pressure relief valve, the owner shall immediately notify the inspector.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	The inspector shall approve tests or logging procedures to evaluate the cause of over-pressurized conditions and approve a plan for corrective action.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	shall	If remedial cementing, replacement of defective casing, or implementation of other mechanical barriers or operational solutions cannot eliminate over-pressurized conditions, the owner shall plug the well.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	During stimulation or workover operations, all annuli shall be pressure-monitored.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	shall	Stimulation or workover operations shall be immediately suspended for any inexplicable pressure deviation above those anticipated increases caused by pressure or thermal transfer.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	In the event that stimulation fluids circulate, or annular pressures deviate from anticipated, the owner shall immediately notify the inspector and acquire approval for remediation of casing or cement.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	shall	If the chief determines that the stimulation of the well has resulted in irreparable damage to the well, the chief shall order that the well be plugged and abandoned within thirty days of issuance of the order.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority

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1501:9-1-08	Shall	Within sixty days after drilling to total depth, the owner shall file a legible copy of all cement job logs with the chief furnishing complete data documenting the cementing of all cemented casing strings, on a form approved by the chief and signed by the owner of the well or his authorized agent having personal knowledge of the facts, and representatives of the cementing company performing the cementing job, attesting to compliance with the cementing requirements of this rule.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	Each job log shall include the following information: (a) Date cemented;	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	(b) Name of the cementing contractor;	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	(c) Mix water temperature and pH;	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	(d) Whether or not the wellbore circulated prior to cementing;	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	(e) Hole diameter in inches, casing outer diameter in inches, casing length in feet, float equipment depth in feet, basket depth in feet, and centralizer depth in vertical segments of the wellbore in feet;	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	(f) Number of centralizers placed in the horizontal segment of a wellbore;	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	(g) Cement type, additives by percent of unit volume, volume of cement in sacks, cement yield per sack, average slurry density in pounds per gallon, slurry volume in barrels, and displacement volume in barrels;	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	(h) Pumping rates in barrels per minute, displacement pressure in pounds per square inch, and final circulating pressure prior to landing the plug in pounds per square inch;	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	(i) The time the latch-down or wiper plug landed;	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	(j) Casing test pressure in pounds per square inch and final test pressure in pounds per square inch;	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	(k) Whether or not cement circulated to surface;	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-1-08	Shall	and (l) Volume of cement slurry circulated to surface in barrels.	1509.03, 1509.06, 1509.17, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	The well site shall be designed and constructed in a manner that supports the safe drilling and production operations of one or more horizontal wells,	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	...and in a manner that protects public health and safety and minimizes damage to natural resources by managing stormwater, protecting surface water and minimizing soil erosion.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	On and after the effective date of this rule, no person shall begin construction of a well site prior to issuance of a permit by the chief approving an application submitted under this rule	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	On and after the effective date of this rule, no person shall alter a well site, at which a well has been spudded, in a manner that will result in a material modification of the well site without the prior approval by permit of the chief.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	All documents required to be submitted to the chief under this rule shall be submitted in an electronic format using a form prescribed by the chief or in a format that is acceptable to the chief.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Require	The chief may require duplicate copies of paper documents in addition to the electronic submittal.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	An application for a permit to construct a well site shall be filed with the chief on a form prescribed by the chief.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	The application...shall contain all of the following: (1) The name and address of the applicant, and if a business entity or association, the name and address of the statutory agent;	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	(2) The signature of the applicant.	1509.03	No, general rulemaking authority	No, general rulemaking authority

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1501:9-2-02	Shall	When an authorized agent of the applicant signs an application, the application shall be accompanied by a certified copy of the appointment of such agent;	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	(3) The county, township, and section or lot number where the well site will be located, and a name for the proposed well pad;	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	(4) Emergency contact information of the applicant, including the 911 address of the proposed well site;	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	(5) Coordinates of the intersection of the centerline of the access road at the public right-of-way using latitude and longitude, in a format of decimal degrees, to a minimum of six significant figures; and	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	(6) Well site plans submitted in accordance with paragraph (C) of this rule.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	The plans for a proposed well site shall be developed, signed, and sealed by a professional engineer.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	The plans shall be prepared using commonly accepted drafting standards and shall be clear, legible, and drawn to a scale that sufficiently shows all required information	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	Each plan sheet shall be American national standards institute (ANSI) size D, twenty-two by thirty-four inches	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	All elements required to be contained in the plans under paragraph (C) of this rule shall be located horizontally in relation to the North American datum of 1983 and shall be located vertically in relation to the North American vertical datum 1988.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	The plans shall include the detailed drawings, plans and reports required under paragraphs (C)(1) to (C)(5) of this rule.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	shall	The request shall be signed by the applicant and the professional engineer who prepared the well site plans and shall include a detailed explanation of the basis for the request and of the potential impacts to the proposed well site and the surrounding area.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	shall	The request for a waiver shall be submitted with the application.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	shall	The detailed drawings shall include all of the following: (a) A title page that contains the name of the applicant; emergency contact information; the name of the proposed well pad; the county, township, and section or lot number where the proposed well site will be located; coordinates of the entrance intersection of the centerline of the access road at the public right-of-way using latitude and longitude, in a format of decimal degrees, to a minimum of six significant figures; and a sheet index;	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	(b) A plan sheet consisting of a color orthorectified aerial image with pixels no larger than one foot showing the location of the proposed well site;	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	(c) A plan sheet sealed by a professional surveyor showing the location of the proposed well site boundary.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	shall	The plan sheet shall include the control points used to generate the map	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	(d) A general layout, plan views, elevations, sections, and supplementary views that in conjunction with the specifications provide the working information related to all aspects of the proposed construction;	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	(e) The scale in feet, legend, graphical scale, and north arrow;	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	(f) The proposed and existing contours with an intermediate contour interval not greater than two feet and an index not greater that ten feet;	1509.03	No, general rulemaking authority	No, general rulemaking authority

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1501:9-2-02	Shall	and (g) Unless already described in the reports and plans required under paragraph (C) of this rule, the applicant shall disclose the design considerations that were used to address paragraph (C)(1)(g)(i) to (C)(1)(g)(xvi) of this rule.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	shall	the applicant shall disclose the design considerations that were used to address paragraph (C)(1)(g)(i) to (C)(1)(g)(xvi) of this rule	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	The detailed drawings shall identify and locate all of the following items: (i) The classified soil types for the area within one hundred feet of and within the proposed well site boundary. The classification shall be consistent with the United States department of agriculture soil series.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	shall	The classification shall be consistent with the United States department of agriculture soil series	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	(ii) Plugged wells, producing wells, and idle and orphaned wells, which may be determined using information available from the Ohio department of natural resources and other publically available or readily accessible sources that are located within one hundred feet of and within the proposed well site boundary;	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	shall	(iii) Structural and geotechnical components that are to be located within the proposed well site boundary, including those identified in the geotechnical report;	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	(iv) Geotechnical borings and other geotechnical investigative means, which are located within the proposed well site boundary, as identified in the geotechnical report;	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	shall	(v) Boundaries of parcels of land, existing occupied and unoccupied structures, and existing utilities known to the applicant at the time of the design process that are located within one hundred feet of and within the proposed well site boundary;	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	(vi) All springs, wetlands, streams, lakes, rivers, ponds, creeks, and water wells, which may be identified using reasonably available public resources and a field review, within one hundred feet of and within the proposed well site boundary;	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	shall	(vii) Surface and underground mines, which may be determined using information available from the Ohio department of natural resources and other publically available or readily accessible sources, that the professional engineer determines may affect design and performance of the well site;	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	(viii) Any areas the applicant seeks to protect during construction of the proposed well site;	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	shall	(ix) All flood hazard areas delineated on the "National Flood Insurance Rate Map" within one hundred feet of and within the proposed well site boundary;	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	(x) All locations where materials that result from the construction, operation, or plugging of a horizontal well are planned to be used at the well site pursuant to section 1509.074 of the Revised Code and rules adopted under it;	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	shall	(xi) Roads within the proposed well site boundary, including emergency access routes, signage to safely manage traffic flow on the site, the entrance to the well site, and any pull-off areas that may be used to manage excess traffic;	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	(xii) Pipes, ditches, and other conveyances, and hydraulic control structures located within the well site boundary, as identified in the stormwater hydraulic report and in the sediment and erosion control plan;	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	shall	(xiii) All areas within one hundred feet of and within the proposed well site boundary that are located within the five-year time of travel associated with a public drinking water supply, as delineated or endorsed under the "Source Water Assessment and Protection Program";	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	(xiv) All areas within one hundred feet of and within the proposed well site boundary that are located within the emergency management zone of a public water system intake;	1509.03	No, general rulemaking authority	No, general rulemaking authority

RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1501:9-2-02	shall	(xv) General location and construction details of the proposed well cellars;	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	and (xvi) Any other factors which the professional engineer determines may affect design and performance of the well site.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	The emergency release conveyance map shall be included in the detail drawings or be submitted as part of the application for a permit to drill under section 1509.06 of the Revised Code.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	The emergency release conveyance map shall be on a separate sheet that identifies all of the following: (i) Well pad downslope locations where response resources may be deployed for the purposes of containment in the event of an emergency release	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	; (ii) Nearest receiving streams, rivers, watercourses, ponds, lakes, or other bodies of water where fluids may migrate from the proposed well pad;	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	and (iii) Pipes, ditches, other conveyances, and hydraulic control structures identified in the stormwater hydraulic report and in the sediment and erosion control plan	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	The sediment and erosion control plan for the proposed well site shall describe procedures to minimize the discharge of construction related sediment to any area outside of the proposed well site boundary.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	...the sediment and erosion control plan shall specifically comply with and include all of the following requirements: (a) Sediment and erosion controls shall be suitable for the well site conditions...	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	...and shall be consistent with generally accepted engineering design criteria and the controls comply with the manufacturer's specifications;	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	(b) A sediment basin or sediment trap if the proposed well site is within or includes a total contributing drainage area that is greater than five acres in size.		No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	The minimum capacity of the sediment basin or sediment trap shall be one hundred seventeen cubic yards and designed in accordance with the "Ohio Department of Natural Resources Rainwater and Land Development Manual."	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	(c) An identification of each location of each outlet of a confined discreet conveyance that may leave the proposed well site;		No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	(d) A delineation of contributing drainage area boundaries and size, measured in acres, that will be used to design the proposed sediment and erosion controls;		No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	(e) A description of the soil stabilization measures, including vegetation, mulch, and other means of controlling erosion, that will be used at the proposed well site.		No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	In addition, the description shall include a schedule of the implementation of the soil stabilization measures;		No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	(f) The applicant may submit a schedule that identifies alternate options for implementation of the erosion and sediment controls and measures.		No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	The schedule shall identify when and under what criteria the alternate controls would be implemented	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	The dust control plan for construction of the proposed well site shall include all of the following: (a) An identification of the dust control measures that will be used during construction at the proposed well site;	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	(b) A description of the basis for when the dust control measures will be used;	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	(c) The name and contact information of the person who is responsible for the implementation of the dust control plan and who also has the authority to stop work if the management of the dust generated at the well site is not in accordance with the dust control plan;	1509.03	No, general rulemaking authority	No, general rulemaking authority

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1501:9-2-02	Shall	and (d) A description of the methods and procedures that will be used to evaluate and document all complaints received by the person whose application was approved related to dust generation.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	The geotechnical report shall describe all of the following: the proposed well site geotechnical conditions;	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	design considerations that address the geotechnical conditions at the proposed well site;	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	and construction requirements for the proposed well site that address the geotechnical conditions.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	The geotechnical report shall comply with and include all of the following: (a) An analysis of slope stability, bearing capacity, and settlements, as applicable, that have the potential to impact the performance of the constructed well site;	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	(b) Geotechnical borings or other geotechnical engineering standard investigative means, of sufficient depth and quantity to substantiate the design;	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	shall	(c) A summary of subsurface exploration data specifically relevant to the geotechnical investigation and interpretation as it pertains to the design and construction of the proposed well site, including subsurface soil profile, exploration logs, laboratory or in situ test results, and elevation of the saturated zones that are encountered;	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	(d) An interpretation and analysis of the data required in the geotechnical report;	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	(e) An explanation of the geotechnical design constraints;	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	(f) Cross-sections through borings and applicable subsurface data collected while performing the requirements of paragraph (C)(4)(b) of this rule and critical slopes used in geotechnical calculations;	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	shall	(g) The factor of safety for bearing capacity and slope stability.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall Not	The factor of safety for slope stability shall not be less than 1.5	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall Not	... and the factor of safety for bearing capacity shall not be less than three	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	(h) Documents showing calculations used to determine the factor of safety.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	In addition, the documents shall include a detailed explanation of each assumption and reference used in the calculations	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	The stormwater hydraulic report shall include hydraulic design documentation for all pipes, ditches and other conveyances, and hydraulic control structures of surface water within or from the proposed well site	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	All stormwater and hydraulic control structures shall be designed to and be capable of managing a ten year storm event.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	The stormwater conveyance system shall be designed to include sufficient stormwater storage capacity on the proposed well site to facilitate screening for potential contamination of the stormwater prior to discharge	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	In addition the report shall include all of the following: (a) A delineation of contributing drainage area boundaries and their size measured in acres;	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	(b) A detailed description or drawing that shows the installation requirements of all pipes, ditches, hydraulic control structures, and conveyances;	1509.03	No, general rulemaking authority	No, general rulemaking authority

Rule Number	Regulatory Restriction	Description of Regulatory Restriction	Statute Under Which the Regulatory Restriction Was Adopted	Is the Regulatory Restriction Expressly or Specifically Required by State or Federal Law?	Is a Law Change Required in Order to Remove the Restriction?
1501:9-2-02	shall	(c) The materials and specifications for all proposed pipes, ditches, and conveyances;	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	(d) An analysis, performed by the professional engineer, of the integrity and capacity for all existing pipes, ditches, and conveyances;	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	and (e) The supporting calculations used to design the stormwater conveyance system.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	Not later than ten business days after receipt of an application for approval to construct a well site, the chief shall review the application to determine if the application is complete, and notify the applicant in writing or by other means approved by the chief.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	If the chief determines that the application is not complete, the chief shall notify the applicant and identify the missing application components.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	Not later that five business days after receipt of all of the missing application components, the chief shall review the application for completeness and notify the applicant of the chief's determination.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	A site review for the proposed well site, which is required under division (H) of section 1509.06 of the Revised Code, shall occur no later than fifteen business days after the applicant's receipt of notification that the application is complete under paragraph (D) of this rule	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	Prior to the site review and for the site review meeting, the applicant shall install stakes at the proposed well site in a quantity and in a manner that delineates the proposed well site	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	The installation of the stakes shall show the proposed well site boundary, the corners of the proposed well pad, proposed roads, items and areas that are identified in the application that will remain undisturbed, and all other items that allow an understanding of the planned construction of the proposed well site.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	The chief, the applicant's designee, and the professional engineer who is responsible for the plans prepared under paragraph (C) of this rule or another person under the professional engineer's direct supervisory control shall meet at the proposed well site for a site review meeting	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	Not later than thirty days after the site review meeting conducted under paragraph (E) of this rule, the chief shall review the application to determine if the application to construct the proposed well site is in accordance with this rule.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	If the chief identifies items that are necessary to ensure the well site design and application complies with the requirements of this rule, the chief shall notify the applicant of the items and the applicant may submit a revised application or portions of a revised application with an identification of all revisions	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	The chief shall review the revisions or resubmitted application within fifteen business days of receipt.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	If after sixty business days from the date the chief notified the applicant of the items and the applicant has not submitted the revised application or portions of the revised application, the chief shall return the application to the applicant.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	After completing the review of the application, the chief shall either issue a permit to construct a well site or issue an order denying the application.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	The proposed well site shall be constructed in conformance with the approved application and in accordance with Chapter 1509. of the Revised Code and rules adopted under it.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	The person shall notify the chief at least forty-eight hours prior to commencement of construction.	1509.03	No, general rulemaking authority	No, general rulemaking authority

RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1501:9-2-02	Require	During all phases of construction of the well site, all of the following are required; (a) Ensure as-built construction drawings to the approved application for which a permit was issued by the chief are current and available at the well site;	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Require	(b) Maintain a sign that is legible from the public right-of-way that includes the well pad name and a twenty-four-hour emergency contact number.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	This sign shall include county, township, section or lot number, designated well pad name, and the 911 address of the well site	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Require	(c) Maintain emergency response access;	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Require	(d) Maintain safe traffic flow near the entrance to the well site;	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Require	(e) Maintain sediment and erosion controls and soil stabilization measures so that they perform as designed in the approved application;	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Require	(f) Ensure that the pipes, ditches, and other conveyances of surface water and hydraulic control structures perform as designed in the approved application;	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Require	(g) Ensure that the dust controls perform as designed in the approved application;	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Require	and (h) Maintain well site stability as designed in the approved application.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Require	All modifications, including material modifications, to the approved application are required to be documented within one working day of modification on a modification summary form prescribed by the chief.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	The form shall be submitted electronically	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	shall be updated daily if a modification is performed	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	...the form shall be made available for review at the well site	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Must	All material modifications to a well site or to an approved application must be approved by the chief prior to implementation	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	All proposed material modifications shall be submitted to the chief in writing, or other means approved by the chief,	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	...shall include all of the following: (a) A detailed description of the proposed material modification and the potential impact to the performance of the well site;	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	(b) A specific identification of every portion of the application, as applicable, that is proposed to be modified;	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	shall	and (c) Revised application documents, as applicable, pertaining to the material modifications.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	After receipt of a material modification submittal, the chief shall review the material modification.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	Within five business days of receipt of the material modification submittal, the chief shall either approve the proposed material modification or identify any items that are necessary to ensure compliance with the requirements of this rule.	1509.03	No, general rulemaking authority	No, general rulemaking authority

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1501:9-2-02	Shall	If the chief identifies items that are necessary to ensure compliance with the requirements of this rule, the person shall submit a revised material modification that includes the identified items for approval.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	If the chief requires a site review, the five business days period established under this paragraph shall be suspended until completion of the site review	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Prohibit	Nothing in paragraph (H) of this rule prohibits a person from taking actions necessary to prevent harm to human health or safety or to prevent harm to the environment.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	If the actions will result in a material modification, the person shall submit a summary of the activities within twenty-four hours of the actions	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	In addition, the person shall submit the material modification documents in accordance with paragraph (H) of this rule within three business days of the event that posed a threat to human health or safety or to the environment, or within another time frame as agreed to by the chief.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall Not	Alternate options contained in the approved application that are implemented shall not be considered material modifications,	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	but shall be documented in the same manner as a modification in paragraph (H)(1) of this rule.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	Not later than three years after the effective date of the permit approving an application for construction of a well site and prior to the mobilization of any drilling equipment to the well site, the person who received the permit shall submit to the chief a signed and sealed certification from the professional engineer who has personal professional knowledge of the construction of the well site.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	The certification shall be on a form prescribed by the chief and shall specifically state: "The application documents were designed in accordance with all applicable statutes and rules adopted under them and the well site was constructed in reasonably close conformity with the approved application, including all approved material modifications.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	In addition, the certification submittal shall include the record drawings and the modification summary form described in paragraph (H)(1) of this rule.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	The chief shall rescind the cessation order upon the submission of a new certification and updated record drawings.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Require	The chief may require the person to obtain the services of a professional engineer to evaluate the well site and to develop a design to remediate the conditions that under paragraph (I)(4) of this rule are the basis for a chief's order ceasing operations on the well site.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	The design to remediate the causes and conditions shall comply with the requirements of paragraphs (H)(2) to (H)(6) of this rule.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	The chief shall rescind the cessation order upon implementation of the remedial design and the submission of a new certification and updated record drawings.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	If an order ceasing operations has been issued under paragraph (I)(3) or (I)(4) of this rule and the person fails to provide a certification of the well site, the person shall reclaim the well site under paragraph (I)(7)(b) of this rule	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	If within two years of the chief's receipt of the certification, a horizontal well has not been spudded, a horizontal well has been spudded but not completed, or drilling is not progressing with due diligence, the person shall do either of the following: (a) Certify the well site in accordance with the requirements established in this rule. If after two certifications a well has not been spudded, the person shall reclaim the well site under (I)(7)(b) or this rule; or (b) Reclaim the well site to its original land use or approximate pre-construction conditions within nine months of the certification being terminated unless either of the following apply:	1509.03	No, general rulemaking authority	No, general rulemaking authority

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1501:9-2-02	Shall	If after two certifications a well has not been spudded, the person shall reclaim the well site under (I)(7)(b) or this rule;	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	The request shall contain the signature of the surface owner approving the release sought.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	The chief shall approve the request unless the chief finds upon inspection of the well site that the request would likely result in substantial damage to adjoining property, substantial contamination of surface or underground water, substantial erosion or sedimentation, or otherwise threatens public health and safety or substantial damage to natural resources.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	The transferor shall notify the chief on a form prescribed and provided by the chief.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-2-02	Shall	The transferee shall be responsible for future certifications in accordance with the requirements of this rule.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-3-04	Shall	All persons engaged in any phase of saltwater disposal operations shall conduct such operations in a manner which will not contaminate or pollute the surface of the land, or water on the surface or in the subsurface.	1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-04	Shall	Saltwater shall be stored, transported, and disposed of by the method prescribed in Chapter 1501:9-3 of the Administrative Code, or in such other method as the chief may approve	1509.22	Yes, state law	Yes, state law
1501:9-3-04	Shall	All persons, except employees not acting in the capacity of a contractor, engaged in any phase of transportation and disposal of saltwater operations shall supply to the Division of Mineral Resources Management by the fifteenth day of April of each year an annual report containing the following information: (1) Quantities of saltwater hauled and/or disposed of during the previous calendar year according to methods of measurement used in the industry;	1509.22	Yes, state law	No, general rulemaking authority
1501:9-3-04	Shall	and (2) The location of the disposal and the quantity of saltwater disposed of at each location. If the site of disposal is an injection well, the well shall be named by permit number, lease name, section or lot number, township, and county in which the well is located.	1509.22	Yes, state law	No, general rulemaking authority
1501:9-3-04	Shall	If the site of disposal is an injection well, the well shall be named by permit number, lease name, section or lot number, township, and county in which the well is located	1509.22	Yes, state law	No, general rulemaking authority
1501:9-3-05	Shall	Each saltwater injection well permitted after June 1, 1982 shall be constructed in the following manner: (1) Surface casing shall be free of apparent defects and set at least fifty feet below the deepest underground source of water containing less than ten thousand mg/L chlorides, and sealed by circulating cement to the surface under the supervision of the division.	1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-05	Shall	(2)Isolation of injected fluids shall be by the use of casing mechanically centralized and enclosed in cement to a height no less than three hundred feet above the top of the injection zone	1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-05	Shall	(3) Injection of saltwater shall be through tubing and a packer set no more than one hundred feet above the injection zone	1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-05	Shall	and installation of such shall be under the supervision of the division.	1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-05	Shall	A fitting to the tubing of a size and type specified by the division on the permit and accessible at the surface shall be installed	1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-05	Shall	(5) Each injection well owner or his agent shall give the appropriate mineral resources inspector reasonable notice in advance of the time of the cementing, placing and removing of casing, installation of tubing and packer, and initial injection.	1509.22	Yes, both state and federal law	Yes, state law
1501:9-3-05	Shall	A division office shall be notified when the appropriate inspector cannot be contacted.	1509.22	Yes, both state and federal law	No, general rulemaking authority

RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1501:9-3-05	Shall	Said work shall be done pursuant to the instructions of a representative of the division in accordance with Chapter 1509. of the Revised Code and Chapter 1501:9-3 of the Administrative Code.	1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-05	Shall	All saltwater storage facilities shall be constructed so as to prevent pollution to surrounding surface and subsurface soils and waters.	1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-05	Shall	The surface casing shall be free of apparent defects and either cemented or properly sealed with prepared clay through the deepest underground source of water containing less than ten thousand mg/L total dissolved solids or less than five thousand mg/L chlorides.	1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-05	Shall	Isolation of injected fluids shall be by the use of casing enclosed in cement to a height no less than three hundred feet above the top of the injection zone.	1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-05	Shall	Any open formation not to be utilized for injection shall be abandoned in accordance with sections 1509.13 and 1509.15 of the Revised Code.	1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-05	Shall	Injection of saltwater shall be through tubing and a packer set no more than one hundred feet above the injection zone,	1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-05	Shall	and installation of such shall be under the supervision of the division.	1509.22	Yes, state law	Yes, state law
1501:9-3-05	Shall	A fitting to the tubing of a size and type specified by the division on the permit and accessible at the surface shall be installed.	1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-05	Shall	To verify the quantity of cement or clay used in a conversion well, either cement or clay records, verification by the division of the number of sacks of cement or clay, a cement bond log, or other geophysical borehole logs shall be deemed sufficient evidence	1509.22	Yes, state law	No, general rulemaking authority
1501:9-3-05	Shall	Each injection well owner or his agent shall give the appropriate mineral resources inspector reasonable notice in advance of the time of the cementing, placing and removing of casing, installation of tubing and packer, and initial injection.	1509.22	Yes, both state and federal law	Yes, state law
1501:9-3-05	Shall	A division office shall be notified when the appropriate inspector cannot be contacted.	1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-05	Shall	Said work shall be done pursuant to the instructions of a representative of the division in accordance with Chapter 1509. of the Revised Code and Chapter 1501:9-3 of the Administrative Code.	1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-05	Shall	All saltwater storage facilities shall be constructed so as to prevent pollution to surrounding surface and subsurface soils and waters.	1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-05	Shall	Prior to commencement of injection operations in any injection well, the casing outside the tubing shall be tested under the supervision of the division.	1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-05	Shall	This test shall consist of pressurizing the annulus between the tubing and the casing outside the tubing to an amount equal to the maximum allowable injection pressure, as described in paragraph (D) of rule 1501:9-3-07 of the Administrative Code, or at a pressure of three hundred pounds per square inch(psi), whichever is greater, for a duration of at least fifteen minutes with no more than a five per cent decline in pressure, unless otherwise approved by the division.	1509.22	Yes, state law	No, general rulemaking authority
1501:9-3-05	Shall	In addition, any well in which a formation is abandoned in accordance with paragraph (B)(3) of this rule shall, prior to perforating, have the casing and plug pressure tested under the supervision of the division at a pressure that is 1.25 times the maximum allowable injection pressure as described in paragraph (D) of rule 1501:9-3-07 of the Administrative Code.	1509.22	Yes, state law	No, general rulemaking authority
1501:9-3-05	Shall	This test shall be for a duration of at least fifteen minutes with no more than a five per cent decline in pressure unless otherwise approved by the division.	1509.22	Yes, state law	No, general rulemaking authority
1501:9-3-06	Shall	Any person who proposes to construct, convert to, or operate a brine injection well shall submit an application for a permit to the division on a form provided by the division	1509.03, 1509.22	Yes, both state and federal law	Yes, both state and federal law

RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1501:9-3-06	Shall	Unless an appropriate application has been approved by the chief and a permit issued by the division, no person shall drill, reopen, deepen, plug back, rework, or use a well for brine injection	1509.03, 1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-06	Require	Prior authorization in writing is required.	1509.03, 1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-06	Shall	An application for a brine injection well filed with the division under this rule shall be evaluated on the basis of an "area of review" surrounding the proposed injection well	1509.03, 1509.22	Yes, state law	No, general rulemaking authority
1501:9-3-06	Shall	The area of review shall be designated in the following manner: (1) The area of review for wells in which injection of greater than an average volume of two hundred barrels per day per year is proposed shall be the area circumscribed by a circle with the center point at the location of the injection well and having a radius of one-half mile.	1509.03, 1509.22	Yes, state law	No, general rulemaking authority
1501:9-3-06	Shall	The area of review for wells in which a maximum injection of an average volume of two hundred barrels per day per year is proposed shall be the area circumscribed by a circle with the center point at the location of the injection well and having a radius of one-quarter mil	1509.03, 1509.22	Yes, state law	No, general rulemaking authority
1501:9-3-06	Require	The chief may require the following tests or evaluations of a proposed brine injection well, in any combination that the chief deems necessary: (1) Pressure fall-off testing;	1509.03, 1509.22	Yes, state law	No, general rulemaking authority
1501:9-3-06	Require	(2) Geological investigation of potential faulting within the immediate vicinity of the proposed injection well location, which may include seismic surveys or other methods determined by the chief to assist in identifying potential faulting within the immediate vicinity of the proposed injection well;	1509.03, 1509.22	Yes, state law	No, general rulemaking authority
1501:9-3-06	Require	(3) Submittal of a plan for monitoring seismic activity;	1509.03, 1509.22	Yes, state law	No, general rulemaking authority
1501:9-3-06	Require	(4) Testing and recording the original bottomhole injection interval pressure;	1509.03, 1509.22	Yes, state law	No, general rulemaking authority
1501:9-3-06	Require	(5) Gamma ray, compensated density-neutron, and resistivity geophysical logging suite on all newly drilled injection wells. All geophysical logs shall be submitted to the division within sixty days of completion of well drilling;	1509.03, 1509.22	Yes, state law	No, general rulemaking authority
1501:9-3-06	Shall	All geophysical logs shall be submitted to the division within sixty days of completion of well drilling	1509.03, 1509.22	Yes, state law	No, general rulemaking authority
1501:9-3-06	Require	(6) Radioactive tracer or spinner survey; and	1509.03, 1509.22	Yes, state law	No, general rulemaking authority
1501:9-3-06	Require	(7) Any such other tests that the chief deems necessary.	1509.03, 1509.22	Yes, state law	Yes, both state and federal law
1501:9-3-06	Shall	If the chief requires the performance of tests or evaluations of a proposed injection well pursuant to paragraph (C) of this rule, the applicant shall refrain from injecting any fluid into the injection well until the chief has evaluated the results of any tests performed.	1509.03, 1509.22	Yes, state law	No, general rulemaking authority
1501:9-3-06	Shall	The chief shall have the right to withhold authority to inject fluids based upon the results of the tests performed, and may order the plugging of the well if deemed necessary.	1509.03, 1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-06	Shall	The application for a permit shall contain the following information: (1) The name and address of the injection well owner and his signature or that of his authorized agent.	1509.03, 1509.22	Yes, state law	No, general rulemaking authority
1501:9-3-06	Shall	When a person signs as agent, a certified copy of his appointment shall accompany the application, or be on file with the division	1509.03, 1509.22	Yes, state law	No, general rulemaking authority
1501:9-3-06	Shall	(2) The names and addresses of all holders of the land owner's royalty interest of record, or holders of the severed oil and gas mineral estate of record in the subject tract;	1509.03, 1509.22	Yes, state law	No, general rulemaking authority
1501:9-3-06	Shall	(3) The names and addresses of all owners or operators of wells within the area of review producing from or injecting into the same formation proposed as the injection formation;	1509.03, 1509.22	Yes, state law	No, general rulemaking authority
1501:9-3-06	Shall	(4) The date of application;	1509.03, 1509.22	Yes, state law	No, general rulemaking authority

RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1501:9-3-06	Shall	(5) The location of the subject tract identified by county, township, section or lot number, or other necessary geographic subdivisions;	1509.03, 1509.22	Yes, state law	No, general rulemaking authority
1501:9-3-06	Shall	(6) The designation of the well by lease name and number, and the drilling permit number, if available;	1509.03, 1509.22	Yes, state law	No, general rulemaking authority
1501:9-3-06	Shall	(7) The name, description and depth of the geological zone or formation into which injection is to be made, including, if an existing well is utilized, an accurate driller's log, geological log, or electric log of the proposed injection well, and any testing data on such well;	1509.03, 1509.22	Yes, state law	No, general rulemaking authority
1501:9-3-06	Shall	(8) A description of the following: (a) The casing, cementing or sealing with prepared clay if an existing well is to be converted, or the casing and cementing program proposed for a new well;	1509.03, 1509.22	Yes, state law	No, general rulemaking authority
1501:9-3-06	Shall	(b) The proposed method for testing the casing;	1509.03, 1509.22	Yes, state law	No, general rulemaking authority
1501:9-3-06	Shall	(c) The method proposed for completion and operation including the stimulation program;	1509.03, 1509.22	Yes, state law	No, general rulemaking authority
1501:9-3-06	Shall	and (d) The proposed unloading, surface storage and spill containment facilities.	1509.03, 1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-06	Shall	(9) If required so as not to violate rule 1501:9-3-12 of the Administrative Code, a proposed corrective action of wells penetrating the proposed injection formation or zone within the area of review;	1509.03, 1509.22	Yes, state law	No, general rulemaking authority
1501:9-3-06	Shall	(10) A schematic drawing of the subsurface construction details of the proposed injection well;	1509.03, 1509.22	Yes, state law	No, general rulemaking authority
1501:9-3-06	Shall	(11) The estimated average and maximum amount of brine to be injected daily into the proposed injection well, and the method which will be used to measure the actual amount of brine injected into the well;	1509.03, 1509.22	Yes, state law	No, general rulemaking authority
1501:9-3-06	Shall	(12) The estimated average and maximum pressure to be used for injecting brine into the proposed injection well, and the method which will be used to measure the actual daily injection pressure;	1509.03, 1509.22	Yes, state law	No, general rulemaking authority
1501:9-3-06	Require	and (13) The information required by section 1509.06 of the Revised Code	1509.03, 1509.22	Yes, state law	Yes, state law
1501:9-3-06	Require	and any other information the chief may request to ensure compliance with the Chapter 1509. of the Revised Code.	1509.03, 1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-06	Shall	Each application for a permit shall be accompanied by a map or maps showing and containing the following information: (1) The subject tract of land upon which the proposed injection well is to be located;	1509.03, 1509.06, 1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-06	Shall	(2) The location of the proposed injection well on the subject tract established by a field survey, prepared by an Ohio registered surveyor, showing distances in feet from the proposed wellsite to the boundary lines of the subject tract, and to the nearest permanent geographic subdivision boundaries, and showing the location within fifty feet in relation to the plane coordinate system;	1509.03, 1509.06, 1509.22	Yes, both state and federal law	Yes, state law
1501:9-3-06	Shall	(3) The geographic location of all wells penetrating the formation proposed for injection, regardless of status, within the area of review;	1509.03, 1509.06, 1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-06	Shall	(4) All holders of the land owner's royalty interest of record, or holders of the severed oil and gas mineral estate of record in the subject tract;	1509.03, 1509.06, 1509.22	Yes, both state and federal law	Yes, state law
1501:9-3-06	Shall	and (5) All owners or operators of wells producing from or injecting into the same formation proposed as the injection formation.	1509.03, 1509.06, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-06	Shall	Notice of application for a permit for a brine injection well shall be given by the following method:	1509.03, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-06	shall	Upon receipt of an application for a brine injection well permit, the division shall, within fifteen working days, review the application to verify that the required information has been submitted	1509.03, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-06	Shall	After a determination by the division that the application is complete as required by this rule, it shall be date-stamped by the division and the applicant shall be notified	1509.03, 1509.22	Yes, both state and federal law	No, general rulemaking authority

Rule Number	Regulatory Restriction	Description of Regulatory Restriction	Statute Under Which the Regulatory Restriction Was Adopted	Is the Regulatory Restriction Expressly or Specifically Required by State or Federal Law?	Is a Law Change Required in Order to Remove the Restriction?
1501:9-3-06	Shall	Notification of the application shall be published by the division in the weekly circular in accordance with section 1509.06 of the Revised Code.	1509.03, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-06	Shall	In addition, a legal notice shall be published by the applicant in a newspaper of general circulation in the county in which the proposed well is situated for a period of not less than five consecutive days.	1509.03, 1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-06	Shall	A copy of the legal notice shall also be delivered to all owners or operators of wells within the area of review producing from or injecting into the same formation proposed as the injection formation.	1509.03, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-06	Shall	Proof of publication, publication dates, and an oath as to the delivery to those entitled to personal notice shall be filed with the division within thirty days after the application was date-stamped by the division.	1509.03, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-06	Shall	The legal notice shall contain at least the following information: (a) The name and address of the applicant;	1509.03, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-06	Shall	(b) The location of the proposed well;	1509.03, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-06	shall	(c) The geologic name and depth of the proposed injection zone;	1509.03, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-06	shall	(d) The maximum proposed injection pressure;	1509.03, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-06	Shall	(e) The proposed average daily injection volume;	1509.03, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-06	Shall	(f) The fact that further information can be obtained by contacting either the applicant or the division;	1509.03, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-06	Shall	(g) The address or phone number of the division;	1509.03, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-06	Must	The fact that for full consideration all comments or objections must be received by the division, in writing, within fifteen calendar days of the last date of the published legal notice	1509.03, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-06	Shall	Any person desiring to comment or to make an objection with reference to an application for a permit to construct, convert to, or operate a brine injection well shall file such comments or objections, in writing, with the "Underground Injection Control Section, Division of Oil and Gas Resources Management, 2045 Morse Road, Columbus, Ohio 43229."	1509.03, 1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-06	Shall	Such comments or objections shall be filed with the division no later than fifteen calendar days from the delivery of notice or from the last publication date in a newspaper of general circulation in the county in which the proposed project is situated.	1509.03, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-06	Shall	If no objections are received within the fifteen-day period, the chief shall consider that no objection exists and shall issue a permit unless he finds that the application does not comply with the requirements of Chapter 1501:9-3 of the Administrative Code, is in violation of law, jeopardizes public health or safety, or is not in accordance with good conservation practices.	1509.03, 1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-06	Shall	If an objection is received, the chief shall rule upon the validity of the objection.	1509.03, 1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-06	Shall	If, in the opinion of the chief, such objection is not relevant to the issues of public health or safety, or to good conservation practices, or is without substance, a permit shall be issued.	1509.03, 1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-06	Shall	If the chief considers any objection to be relevant to the issues of public health or safety, or to good conservation practices, or to have substance, a hearing shall be called within thirty days of receipt of the objection.	1509.03, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-06	Shall	Such hearing shall be held at the central office of the division or other location designated by the chief.	1509.03, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-06	Shall	Notice of the hearing shall be sent by the chief to the applicant and to the person who has filed the objection.	1509.03, 1509.22	Yes, both state and federal law	No, general rulemaking authority

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1501:9-3-06	Shall	If the chief finds, after hearing, and upon consideration of the evidence and the application, that the following conditions have been met, the application shall be approved and a permit issued; otherwise, the chief shall deny the permit: (i) The application complies with the requirements of Chapter 1501:9-3 of the Administrative Code; (ii) The method of injection proposed in the application will not be in violation of law; and (iii) The proposed method of injection will not jeopardize public health or safety, or the conservation of natural resources.	1509.03, 1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-06	Shall	...otherwise, the chief shall deny the permit	1509.03, 1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-06	Shall	The chief shall issue an order granting or denying the brine injection well permit authorization within twenty-one calendar days after the filing date of proof of notice for a permit for which no hearing is held, or within thirty calendar days following the completion of a hearing.	1509.03, 1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-06	Shall Not	Authorization, including a permit, to construct, convert to, or operate a brine injection well shall not be granted unless and until proof of financial responsibility for the well has been received and approved by the division in accordance with section 1509.07 of the Revised Code.	1509.03, 1509.22	Yes, both state and federal law	Yes, state law
1501:9-3-06	Shall	No assignment or transfer of a brine injection well permit by the brine injection well owner shall relieve the owner of his obligations and liabilities under Chapter 1509. of the Revised Code and Chapter 1501:9-3 of the Administrative Code, unless the assignee or transferee has filed and the division has approved proof of financial responsibility for said well in accordance with section 1509.31 of the Revised Code	1509.03, 1509.22	Yes, both state and federal law	Yes, state law
1501:9-3-06	Shall	No well for the purpose of brine injection shall be drilled, reopened, deepened, plugged back, or reworked until the injection well owner has been granted a permit and unless the original permit, or a true copy thereof, is posted or displayed in a conspicuous and easily accessible place at the wellsite.	1509.03, 1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-06	Shall	Once injection operations authorized by the permit have begun, the following information shall be posted in a conspicuous place on or near the storage tank(s): owner's name, lease name, well number, permit number, county, township, and emergency telephone number.	1509.03, 1509.22	Yes, both state and federal law	Yes, state law
1501:9-3-06	Shall	In addition, the permit number shall be displayed in a conspicuous place on or near the wellhead.	1509.03, 1509.22	Yes, both state and federal law	Yes, state law
1501:9-3-06	Shall	Drilling or conversion operations authorized by a permit issued pursuant to Chapter 1501:9-3 of the Administrative Code shall begin within twelve months after the date of issue of such permit for a permit in an urban area, and within twenty-four months after the date of issue of such permit for a permit in a non-urban area,	1509.03, 1509.22	Yes, both state and federal law	Yes, state law
1501:9-3-06	Shall	...or the permit shall expire.	1509.03, 1509.22	Yes, both state and federal law	Yes, state law
1501:9-3-06	Shall	If drilling or conversion operations have started but are not completed within the twelve month period for a permit in an urban area, and within the twenty-four month period for a permit in a non-urban area, operations shall continue with due diligence	1509.03, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-06	Shall	...or the permit shall expire.	1509.03, 1509.22	Yes, both state and federal law	Yes, state law
1501:9-3-06	Shall Not	The location of an injection well shall not be changed after the issuance of a permit unless the brine injection well owner first obtains approval from the division.	1509.03, 1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-06	Shall	If a brine injection well owner requests a change of location, he shall return the original permit and file an amended application and map for the proposed new location.	1509.03, 1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-06	Shall Not	Drilling or conversion operations shall not commence at a new location until a proper permit has been received and posted in accordance with section 1509.09 of the Revised Code.	1509.03, 1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-07	Shall	The following provisions shall apply to the operation of all saltwater injection wells: A well completion record in accordance with section 1509.10 of the Revised Code and Chapter 1501:9-3 of the Administrative Code, shall be filed with the division within thirty days after completion of or conversion to a saltwater injection well.	1509.03, 1509.10, 1509.12, 1509.13, 1509.15, 1509.22	Yes, both state and federal law	Yes, state law

RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1501:9-3-07	Shall	This record shall include results of initial testing of construction as described in paragraph (C) of rule 1501:9-3-05 of the Administrative Code.	1509.03, 1509.10, 1509.12, 1509.13, 1509.15, 1509.22	Yes, both state and federal law	Yes, state law
1501:9-3-07	Shall	The injection well owner shall notify the appropriate division of oil and gas resources management inspector when injection is to commence.	1509.03, 1509.10, 1509.12, 1509.13, 1509.15, 1509.22	Yes, both state and federal law	Yes, state law
1501:9-3-07	Shall	A division office shall be notified when the appropriate inspector cannot be contacted.	1509.03, 1509.10, 1509.12, 1509.13, 1509.15, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-07	Shall	Under no circumstances shall liquids or waste matter from any source, other than saltwater from oil and gas operations or standard well treatment fluid, be injected into any injection well for which a permit is issued under Chapter 1501:9-3 of the Administrative Code.	1509.03, 1509.10, 1509.12, 1509.13, 1509.15, 1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-07	Shall	The maximum allowable operating pressure for any injection well shall be determined by one of the following methods: (1) The formula $p_m = (0.75 - p_g)d$; where p_m equals the maximum allowable injection pressure gradient (psi/ft), and d equals the depth to the highest perforation or the top of the open formation or injection zone; or (2) Such other formula or test found to be accurate as applied to the facts presented in an application and approved by the division.	1509.03, 1509.10, 1509.12, 1509.13, 1509.15, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-07	Shall	The injection well owner shall monitor injection pressures and injection volumes for each saltwater injection well on a daily operational basis with average and maximum pressures and volumes compiled monthly and filed annually with the division on a form supplied by the division.	1509.03, 1509.10, 1509.12, 1509.13, 1509.15, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-07	Shall	The annulus between the casing and tubing shall be monitored during injection of fluids at least monthly at a pressure, as noted on the permit, sufficient to detect leaks or as otherwise required by the chief.	1509.03, 1509.10, 1509.12, 1509.13, 1509.15, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-07	Shall	Monitoring results for wells permitted prior to the effective date of this rule shall be reported to the division annually on a form supplied by the division.	1509.03, 1509.10, 1509.12, 1509.13, 1509.15, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-07	Shall	All wells permitted after the effective date of this rule shall be continuously monitored using a method acceptable to the chief.	1509.03, 1509.10, 1509.12, 1509.13, 1509.15, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-07	Shall	All data from such monitoring shall also be available for review by the division at any time and the chief may require the injection well owner to submit the data to the division on a form supplied by the division.	1509.03, 1509.10, 1509.12, 1509.13, 1509.15, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-07	Shall	The injection well owner shall install an automatic shut-off device set to terminate injection operations if the permitted maximum allowable surface injection pressure on the injection pump is exceeded.	1509.03, 1509.10, 1509.12, 1509.13, 1509.15, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-07	Shall	In the event the monitoring in paragraph (F) of this rule is not feasible as determined by the chief, the injection well owner shall show mechanical integrity once every five years.	1509.03, 1509.10, 1509.12, 1509.13, 1509.15, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-07	Shall	Prior to the commencement of any mechanical integrity test, the injection well owner shall notify the appropriate division of oil and gas resources management inspector, or a division office when the appropriate inspector cannot be contacted	1509.03, 1509.10, 1509.12, 1509.13, 1509.15, 1509.22	Yes, both state and federal law	No, general rulemaking authority

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1501:9-3-07	Shall	All records of tests shall be retained by the injection well owner for a period of at least five years or until a subsequent mechanical integrity test is performed.	1509.03, 1509.10, 1509.12, 1509.13, 1509.15, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-07	Shall	Results of all mechanical integrity tests shall be recorded on a form provided by the division and shall be filed with the division within thirty days after the completion of the mechanical integrity test	1509.03, 1509.10, 1509.12, 1509.13, 1509.15, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-07	Shall	Mechanical integrity shall be shown by one or more of the following methods: (1) The casing, tubing, and packer shall be tested by pressurizing the annulus between the tubing and the casing outside the tubing to an amount equal to the maximum allowable injection pressure as determined in paragraph (D) of this rule or to a pressure of three hundred pounds per square inch (psi), whichever is greater, for a duration of fifteen minutes with no more than five per cent decline in pressure unless otherwise approved by the division;	1509.03, 1509.10, 1509.12, 1509.13, 1509.15, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-07	Shall	(2) Tracer surveys;	1509.03, 1509.10, 1509.12, 1509.13, 1509.15, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-07	shall	(3) Noise logs;	1509.03, 1509.10, 1509.12, 1509.13, 1509.15, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-07	Shall	(4) Temperature surveys;	1509.03, 1509.10, 1509.12, 1509.13, 1509.15, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-07	Shall	or (5) Any other logs or tests considered effective by the chief.	1509.03, 1509.10, 1509.12, 1509.13, 1509.15, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-07	Shall	When mechanical failures or downhole problems cause contamination of the land, surface waters, or subsurface waters, the injection well owner shall cease all injection operations immediately until the chief determines that the problems have been corrected.	1509.03, 1509.10, 1509.12, 1509.13, 1509.15, 1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-07	Require	The chief may require the injection well owner to furnish a written plan for testing or repairing the well.	1509.03, 1509.10, 1509.12, 1509.13, 1509.15, 1509.22	No, general rulemaking authority	No, general rulemaking authority
1501:9-3-07	Shall	Within five days of receipt, the chief shall review the plan and either accept, modify, or if the plan is inadequate, order necessary corrective action.	1509.03, 1509.10, 1509.12, 1509.13, 1509.15, 1509.22	No, general rulemaking authority	No, general rulemaking authority
1501:9-3-07	Shall	The injection well owner shall submit a description of the incident, the actions taken to correct the situation, and the results of those actions on the next required annual report as described in paragraph (E) of this rule and on the next required report as described in paragraph (F) of this rule.	1509.03, 1509.10, 1509.12, 1509.13, 1509.15, 1509.22	No, general rulemaking authority	No, general rulemaking authority
1501:9-3-07	Shall	The division shall have the authority to sample injection fluids at any time during injection operations.	1509.03, 1509.10, 1509.12, 1509.13, 1509.15, 1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-07	Shall	Any well which is or becomes incapable of injecting fluids shall be plugged in accordance with sections 1509.13 and 1509.15 of the Revised Code unless written permission is granted by the chief.	1509.03, 1509.10, 1509.12, 1509.13, 1509.15, 1509.22	Yes, both state and federal law	Yes, both state and federal law

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1501:9-3-07	Shall	If the chief finds that a well should be plugged, the chief shall notify the injection well owner to that effect by order, in writing, and shall specify in such order a reasonable time within which to comply.	1509.03, 1509.10, 1509.12, 1509.13, 1509.15, 1509.22	No, general rulemaking authority	Yes, both state and federal law
1501:9-3-07	Shall	No injection well owner shall fail or refuse to plug a well within the time specified in the order.	1509.03, 1509.10, 1509.12, 1509.13, 1509.15, 1509.22	No, general rulemaking authority	Yes, both state and federal law
1501:9-3-08	Shall	All pits used for the temporary storage of saltwater and oil field wastes shall be liquid tight and constructed and maintained so as to prevent escape of saltwater and oil field wastes.	1509.072, 1509.22	Yes, state law	Yes, both state and federal law
1501:9-3-08	Shall	The level of saltwater in excavated pits shall at no time be permitted to rise above the lowest point of the ground surface level.	1509.072, 1509.22	Yes, state law	No, general rulemaking authority
1501:9-3-08	Shall	All pits shall have a continuous embankment surrounding them sufficiently above the level of the surface to prevent surface water from entering.	1509.072, 1509.22	Yes, state law	Yes, both state and federal law
1501:9-3-08	Shall Not	Such pits shall not be used in an area which is subject to flooding by streams, rivers, lakes or drainage ditches, unless so constructed that the pits would not normally be affected by flooding.	1509.072, 1509.22	Yes, state law	No, general rulemaking authority
1501:9-3-08	May not	No pit may be used for the ultimate disposal of saltwater	1509.072, 1509.22	Yes, state law	Yes, state law
1501:9-3-08	Shall	Saltwater and oil field wastes shall be drained or removed and properly disposed of periodically, at intervals not to exceed one hundred eighty days.	1509.072, 1509.22	Yes, state law	No, general rulemaking authority
1501:9-3-08	Shall	Where tanks are used to contain saltwater and oil field wastes, they shall be liquid tight.	1509.072, 1509.22	Yes, state law	No, general rulemaking authority
1501:9-3-08	Prohibit	Burial of any tank is prohibited except by written permission from the chief and where the burial is witnessed by an oil and gas well inspector.	1509.072, 1509.22	Yes, state law	No, general rulemaking authority
1501:9-3-08	Shall	Steel tanks in use and proposed for use by burial shall be cathodically protected,	1509.072, 1509.22	Yes, state law	No, general rulemaking authority
1501:9-3-08	Shall	and the chief shall make additional requirements as are necessary to prevent leakage of saltwater.	1509.072, 1509.22	Yes, state law	No, general rulemaking authority
1501:9-3-08	Shall	No tank composed of a material other than steel shall be used for burial except by written permission of the chief	1509.072, 1509.22	Yes, state law	No, general rulemaking authority
1501:9-3-08	Shall	Pits may be used for the temporary storage of frac-water and other liquid substances produced from the fracturing process, but upon termination of the fracturing process, pits not otherwise permitted by this rule shall be emptied, the contents disposed of in accordance with law and the pits filled in, unless this requirement is waived or extended as provided in section 1509.072 of the Revised Code.	1509.072, 1509.22	Yes, state law	No, general rulemaking authority
1501:9-3-08	Require	In addition to all other remedies provided by law, the chief may prohibit the use or require the repair of any pit or tank which fails to conform to any of the requirements of this rule.	1509.072, 1509.22	Yes, state law	No, general rulemaking authority
1501:9-3-08	Prohibit	Any violation of any requirement contained in Chapter 1501:9-3 of the Administrative Code shall be prohibited and punishable under Chapter 1509. of the Revised Code,	1509.072, 1509.22	No, general rulemaking authority	Yes, state law
1501:9-3-08	Shall	...and shall be enforceable by other remedies as provided by law.	1509.072, 1509.22	No, general rulemaking authority	Yes, state law
1501:9-3-09	Shall	No well for the injection of saltwater shall be drilled or converted nearer than one hundred feet to any inhabited private dwelling house; nearer than one hundred feet from any public building which may be used as a place of resort, assembly, education, entertainment, lodging, trade, manufacture, repair, storage, traffic, or occupancy by the public; nearer than fifty feet to the traveled part of any public street, road, or highway; nearer than fifty feet to a railroad track; nor nearer than one hundred feet to any well.	1509.22, 1509.23	No, general rulemaking authority	Yes, state law
1501:9-3-10	Shall	In the event any word, phrase, sentence, or other portion of Chapter 1501:9-3 of the Administrative Code shall hereafter be declared invalid,	1509.22	No, general rulemaking authority	No, general rulemaking authority

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1501:9-3-10	Shall Not	such invalidity shall not affect the remaining portions and parts of such rules adopted or promulgated by the chief.	1509.22	No, general rulemaking authority	No, general rulemaking authority
1501:9-3-11	Prohibit	Disposal of brine into any annular space of any well shall be prohibited except where approved in writing by the chief and performed in accordance with this rule.	1509.23, 1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-11	Shall	Said approval shall be subject to conditions required by the chief as are necessary to protect surface and subsurface soils and waters and to ensure the conservation of other natural resources.	1509.23, 1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-11	Shall	Each owner or his agent shall give the appropriate division inspector at least six hours' notice in advance of the time the cementing, of casing and hookup for annular disposal are to be performed.	1509.23, 1509.22	Yes, both state and federal law	Yes, state law
1501:9-3-11	Shall	A division office shall be notified when the appropriate inspector cannot be contacted.	1509.23, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-11	Shall	Said work shall be done pursuant to the instructions of a representative of the division in accordance with Chapter 1509. of the Revised Code and the rules adopted thereunder.	1509.23, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-11	Shall	Approval for annular disposal shall be granted by the chief if the construction requirements in paragraph (B) of this rule have been satisfied and the mechanical integrity of the well has been demonstrated to the chief in accordance with paragraph (C)(2) of this rule.	1509.23, 1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-11	Shall	Any well authorized to use annular disposal shall be constructed as follows:	1509.23, 1509.22	Yes, federal law	Yes, federal law
1501:9-3-11	Shall	The surface casing of any annular disposal well permitted after the effective date of this rule shall be set and sealed with cement in accordance with the following standards:	1509.23, 1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-11	Shall	Surface casing shall be set at least fifty feet below the base of the deepest underground source of water containing less than ten thousand mg/l total dissolved solids;	1509.23, 1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-11	Shall	Surface casing shall be free of all apparent defects including but not limited to bent joints, split seams, stripped threads, and holes;	1509.23, 1509.22	Yes, federal law	No, general rulemaking authority
1501:9-3-11	Shall	No cement baskets shall be used above the deepest underground source of drinking water unless a cement bond log is run to verify a continuous seal from the casing seat to the surface	1509.23, 1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-11	Shall	No well shall be approved for annular disposal unless a division representative is present while casing is installed and cemented or unless an affidavit is submitted by the operator attesting to conditions subject to the requirements of paragraph (A)(2) of this rule.	1509.23, 1509.22	Yes, both state and federal law	Yes, state law
1501:9-3-11	Shall	Cement shall be mixed with fresh water;	1509.23, 1509.22	Yes, federal law	No, general rulemaking authority
1501:9-3-11	Shall	Cement shall be circulated to surface by the pump and plug method;	1509.23, 1509.22	Yes, federal law	No, general rulemaking authority
1501:9-3-11	Shall	The density of the cement circulated prior to dropping the top plug shall range within five per cent, plus or minus, of the "American Petroleum Institute" optimum density standard for the type of cement used;	1509.23, 1509.22	Yes, federal law	No, general rulemaking authority
1501:9-3-11	Shall	The record of all cement and mix water additives and percentages by weight of mix water shall be included on the cement ticket	1509.23, 1509.22	Yes, federal law	Yes, state law
1501:9-3-11	Shall	A copy of the cement ticket shall be supplied to the appropriate division inspector	1509.23, 1509.22	Yes, federal law	Yes, state law
1501:9-3-11	Shall Not	The cement head shall not be removed until the cement reaches a compressive strength of five hundred pounds per square inch (psi)	1509.23, 1509.22	Yes, federal law	No, general rulemaking authority
1501:9-3-11	Shall	Cement shall provide a continuous seal from the casing seat to the surface.	1509.23, 1509.22	Yes, federal law	No, general rulemaking authority
1501:9-3-11	Shall	Any annular disposal well being used for disposal of brine produced on an adjacent lease shall have surface-casing sealed by circulating cement to the surface.	1509.23, 1509.22	Yes, both state and federal law	Yes, state law
1501:9-3-11	Shall	All brine shall be transported in a liquid tight piped system.	1509.23, 1509.22	Yes, federal law	Yes, state law

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1501:9-3-11	Shall	The connection between the brine pipeline and the annulus of the annular disposal well shall be visible and accessible for inspection by the division.	1509.23, 1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-11	Shall	All annular systems shall be liquid tight.	1509.23, 1509.22	Yes, federal law	Yes, both state and federal law
1501:9-3-11	Shall	(2) Prior to obtaining approval from the chief for the use of annular disposal and prior to commencement of injection of brine, each owner or his agent shall demonstrate that the well has mechanical integrity in the following manner:	1509.23, 1509.22	Yes, federal law	Yes, both state and federal law
1501:9-3-11	Shall	Cement records shall be accepted as demonstration that there is no significant fluid movement into an underground source of drinking water through channels adjacent to the injection well bore if all requirements of paragraph (B)(1) of this rule have been satisfied	1509.23, 1509.22	Yes, federal law	Yes, both state and federal law
1501:9-3-11	Shall	After the well has been drilled to the depth attained prior to running production casing, a temporary plug consisting of either a packer run on tubing, or an electric bridge plug run on a wireline, shall be set at the base of the surface casing	1509.23, 1509.22	Yes, federal law	No, general rulemaking authority
1501:9-3-11	Shall	The surface casing shall be filled with fresh water, pressurized to three hundred psi and shut in.	1509.23, 1509.22	Yes, federal law	No, general rulemaking authority
1501:9-3-11	Shall	(c)The positive differential gas pressure test may be performed as a demonstration of mechanical integrity	1509.23, 1509.22	Yes, federal law	No, general rulemaking authority
1501:9-3-11	Shall	The owner or his agent shall demonstrate mechanical integrity for all annular disposal wells at least once every five years by use of a method approved by the chief.	1509.23, 1509.22	Yes, federal law	No, general rulemaking authority
1501:9-3-11	Require	By written notice, the chief may require the owner or his agent to comply with a schedule describing when such demonstrations shall be made.	1509.23, 1509.22	Yes, federal law	No, general rulemaking authority
1501:9-3-11	Shall	The following information shall be posted in a conspicuous place on or near the storage tank(s) of any annular disposal operation: owner's name, lease name, well number, permit number, county, township, and emergency telephone number.	1509.23, 1509.22	Yes, both state and federal law	Yes, state law
1501:9-3-11	Shall	In addition, the permit number shall be displayed in a conspicuous place on or near the wellhead of any annular disposal well.	1509.23, 1509.22	Yes, both state and federal law	Yes, state law
1501:9-3-11	Require	If the chief suspends annular disposal operations under this rule, the chief may require the owner or operator to test the well for mechanical failure or other problems.	1509.23, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-11	Shall	Any test conducted or corrective action taken shall be approved by the chief and conducted under the chief's supervision.	1509.23, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-11	Shall	If mechanical failures or downhole problems cause or could reasonably be anticipated to cause contamination of surface or subsurface soils or waters, the annular disposal well owner or operator shall immediately cease all annular disposal operations and immediately notify the division	1509.23, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-11	Shall	Within five days of the incident, the owner or operators shall submit to the chief a written report which shall include a detailed description of the incident, the actions taken to correct the situation and the results of such action.	1509.23, 1509.22	No, general rulemaking authority	No, general rulemaking authority
1501:9-3-11	Require	A flow meter or other quantitative monitoring method shall be required if annular disposal is used.	1509.23, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-11	Shall	No pressure, except that created by the force of gravity, shall be applied to brine disposed of into an annular space unless otherwise approved by the chief.	1509.23, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-11	Prohibit	Disposal of brine transported to the annular disposal well by any means other than pipeline, either on lease or across lease lines, shall be prohibited.	1509.23, 1509.22	Yes, state law	No, general rulemaking authority

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1501:9-3-11	Shall	Under no circumstances shall liquids or waste matter from any source, other than brine or other waste substances resulting, obtained, or produced in connection with oil or gas drilling, exploration, or production on the same lease or, where authorized, on adjacent leases, be injected into any annular disposal well	1509.23, 1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-11	Shall	The owner shall notify the chief in writing within fifteen days upon abandonment of annular disposal operations.	1509.23, 1509.22	Yes, federal law	No, general rulemaking authority
1501:9-3-11	Shall	When an annular disposal well becomes incapable of producing oil or gas, all annular disposal operations shall cease	1509.23, 1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-11	Shall	...and the well shall be plugged and abandoned in accordance with Chapter 1509. of the Revised Code and any rules adopted thereunder.	1509.23, 1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-11	Shall	A well completion record in accordance with section 1509.10 of the Revised Code and Chapter 1501:9-3 of the Administrative Code shall be filed with the division within thirty days after completion of any annular disposal well.	1509.23, 1509.22	Yes, federal law	Yes, state law
1501:9-3-11	Shall	The owner shall keep an accurate record of the volume of fluid injected	1509.23, 1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-11	Shall	a copy of such record shall be furnished to the chief upon request.	1509.23, 1509.22	Yes, both state and federal law	Yes, state law
1501:9-3-11	Shall	Such owner shall file an annual report with the chief, on or before the fifteenth day of April, setting forth the total volume of fluid injected during the preceding calendar year.	1509.23, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-11	Shall	Such report shall also contain, if applicable, a description of any mechanical failures or downhole problems, the actions taken to correct the situation, and the results of such actions as described in paragraph (E)(3) of this rule.	1509.23, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-11	Shall	The owner shall retain mechanical integrity test data and monitoring records for a period of not less than five years or until a subsequent mechanical integrity test is performed.	1509.23, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-11	Shall	All annular disposal applications submitted to the division shall be listed in the weekly circular as described in section 1509.06 of the Revised Code.	1509.23, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-11	Shall	Such listing shall contain at least the following information: (a) The name and address of the applicant;	1509.23, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-11	Shall	(b) The location of the proposed well;	1509.23, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-11	Shall	(c) The fact that further information may be obtained by contacting either the applicant or the division; (	1509.23, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-11	shall	d) The address and phone number of the division;	1509.23, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-11	Must	The fact that for full consideration all comments or objections must be received by the division, in writing, within twenty calendar days of the date the weekly circular was received or posted	1509.23, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-11	Shall	The weekly circular shall be made available to the general public or any other interested party at each county engineer's office where the proposed well is located	1509.23, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-11	Must	...must be posted at the engineer's office and at each division office	1509.23, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-11	Shall	In addition, the circular shall be available to subscribers or to anyone that requests the information for a minimal printing and administrative cost.	1509.23, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-11	Shall	Any person desiring to comment or to submit an objection with reference to an application for a permit to construct, convert to, or operate an annular disposal well shall file such comments or objections, in writing, with the "Underground Injection Control Section, Division of Mineral Resources Management, Fountain Square, Columbus, Ohio 43224."	1509.23, 1509.22	Yes, federal law	No, general rulemaking authority

Rule Number	Regulatory Restriction	Description of Regulatory Restriction	Statute Under Which the Regulatory Restriction Was Adopted	Is the Regulatory Restriction Expressly or Specifically Required by State or Federal Law?	Is a Law Change Required in Order to Remove the Restriction?
1501:9-3-11	Shall	Such comments or objections shall be filed with the division no later than twenty calendar days from receipt of the circular at the county engineer's office or division offices.	1509.23, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-11	Shall	If no objections are received within the twenty-day period, the chief shall consider that no objection exists and shall issue a permit unless he finds that the application does not comply with this rule or other applicable laws and rules, is in violation of law, jeopardizes public health or safety, or is not in accordance with good conservation practices.	1509.23, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-11	Shall	If an objection is received, the chief shall rule upon the validity of the objection.	1509.23, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-11	Shall	If, in the opinion of the chief, such objection is not relevant to the issues of public health or safety, or to good conservation practices, or is without substance and the permit otherwise meets all other requirements of this rule, a permit shall be issued.	1509.23, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-11	Shall	Such hearing shall be held at the central office of the division or other location designated by the chief.	1509.23, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-11	Shall	Notice of the hearing shall be published in a newspaper of general circulation and sent by the chief to the applicant and to the person who filed the objection.	1509.23, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-11	Shall	If the chief finds, after hearing, and upon consideration of the evidence and the application, that the following conditions have been met, the application shall be approved and a permit conditionally issued; otherwise, the chief shall deny the permit by order:	1509.23, 1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-11	Shall	The application complies with the requirements of Chapter 1501-9-3 of the Administrative Code;	1509.23, 1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-11	Shall	The method of injection proposed in the application will not be in violation of law; and	1509.23, 1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-11	Shall	The proposed method of injection will not jeopardize public health or safety, or the conservation of natural resources.	1509.23, 1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-11	Shall	The chief shall issue a permit granting annular disposal or an order denying annular disposal within fifteen days after a hearing.	1509.23, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-11	Shall	A response to the comments as a final division action shall be prepared summarizing the substantive comments received and the disposition of the comments.	1509.23, 1509.22	Yes, both state and federal law	No, general rulemaking authority
1501:9-3-11	Shall	These comments shall be available for viewing by the general public at the division's central office.	1509.23, 1509.22	Yes, state law	Yes, state law
1501:9-3-12	Shall	No saltwater injection shall cause or allow movement of fluid into a source of underground water,	1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-12	Shall	and no saltwater shall be injected into an underground formation other than in a manner approved by the division.	1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-3-12	Prohibit	Except as authorized by the division, any construction, conversion to, or operation of a saltwater injection well is prohibited.	1509.22	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-02	Shall Not	Chapter 1501:9-5 of the Administrative Code shall not apply to saltwater injection wells, liquid waste disposal wells, natural or artificial brine wells, wells drilled in a gas storage reservoir, or wells in which natural gas from a pool is recycled in the same pool for the purpose of retarding pressure decline, or wells for the exploration for or extraction of minerals or energy, including but not limited to the mining of sulfur by the Frasch process, the solution mining of minerals, the in-situ combustion of fossil fuels, or the recovery of geothermal energy.	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-03	Shall Not	The division shall prescribe and furnish the required forms consistent with Chapter 1501:9-5 of the Administrative Code.	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-04	Shall	No enhanced recovery operation shall cause or allow movement of fluid into a source of underground water,	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-04	Shall	and no saltwater shall be injected into an underground formation other than in a manner approved by the division.	1509.21	Yes, both state and federal law	Yes, both state and federal law

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1501:9-5-04	Prohibit	Except as authorized by the division, any construction, conversion to, or operation of an enhanced recovery project is prohibited.	1509.21	Yes, state law	Yes, state law
1501:9-5-05	Shall	Any person who proposes to construct, convert to, or operate an enhanced recovery project shall submit an application for a permit to the division on a form provided by the division	1509.21	Yes, state law	Yes, state law
1501:9-5-05	Shall	No person shall conduct an enhanced recovery project unless an appropriate application for such a project has been approved by the chief and a permit issued by the division.	1509.21	Yes, state law	Yes, state law
1501:9-5-05	Shall	In addition to a project permit, no person shall drill, reopen, deepen, plug back, rework, or use a well for input, withdrawal, or observation unless an appropriate drilling permit as required in Chapter 1509. of the Revised Code has been approved by the chief and issued by the division.	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	An application for an enhanced recovery project filed with the division under this rule shall be evaluated on the basis of an "area of review" surrounding the input wells proposed for the project.	1509.21	Yes, state law	Yes, state law
1501:9-5-05	Shall	The area of review shall be the area encompassed by the following: (1) The areas circumscribed by circles of one-half-mile radii with their center points at the locations of each input well in which injection of greater than an average volume of two hundred barrels per day per year is proposed;	1509.21	Yes, state law	Yes, state law
1501:9-5-05	Shall	(2) The areas circumscribed by circles of one-quarter-mile radii with their center points at the locations of each input well in which a maximum injection of an average volume of two hundred barrels per day per year is proposed; and	1509.21	Yes, state law	Yes, state law
1501:9-5-05	Shall	(3) The areas circumscribed by circles of one-quarter-mile radii with their center points at the locations of each input well in which gas is used as the injected fluid; or	1509.21	Yes, state law	Yes, state law
1501:9-5-05	Shall	(4) An area approved by the chief for good cause shown.	1509.21	Yes, state law	Yes, state law
1501:9-5-05	Shall	The application for a permit to conduct enhanced recovery operations shall contain the following: (1) The name and address of the project owner and his signature or that of his authorized agent.	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	When a person signs as an agent, a certified copy of his appointment shall accompany the application or be on file with the division;	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	(2) The names and addresses of all holders of the land owner's royalty interest of record, or holders of the severed oil and gas mineral estate of record in the subject tract;	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	(3) The names and addresses of all owners or operators of wells within the area of review producing from or injecting into the same formation proposed as the injection formation;	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	(4) Date of application;	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	(5) The location of the subject tract or tracts identified by county, township, section or lot number, or other necessary geographic subdivisions;	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	(6) A description of the following: (a) The casing and cementing or sealing with prepared clay in all wells that penetrate the proposed injection zone or formation on the subject tract or tracts;	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	(b) The proposed casing and cementing programs for the wells to be drilled during enhanced recovery operations;	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	(c) The proposed method for testing the casing in input wells;	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	(d) The method proposed for completion and operation including the stimulation program;	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	(e) The proposed unloading, surface storage, and spill containment facilities.	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	(7) The name, description, and depth of the geological zone or formation to be utilized, including, if existing wells are to be utilized, an accurate drillers log, geological log, or electric log the proposed input well or wells, and any testing data on any such well or wells	1509.21	Yes, both state and federal law	Yes, both state and federal law

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1501:9-5-05	Shall	(8) The type and the estimated average and maximum amount of gas, water, or other fluids to be injected daily into each input well, or project, if a manifold system is utilized, and the method which will be used to measure the actual amount of fluid injected;	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	(9) The estimated average and maximum pressure to be used for injecting fluid into the proposed input well or wells, and the method which will be used to measure the actual daily injection pressure;	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	(10) The designation of all proposed or existing input, withdrawal, and observation wells;	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	(11) If required so as not to violate rule 1501:9-4-04 of the Administrative Code, a proposed corrective action of wells penetrating the proposed injection formation or zone within the area of review;	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	(12) A schematic drawing of the surface and subsurface construction details of the proposed input well or wells; and	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Require	(13) The information required by section 1509.06 of the Revised Code and any other information the chief may request to ensure compliance with the statutory requirements of the division.	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	Each application for a permit shall be accompanied by a map or maps showing and containing the following information:	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	(1) The subject tract or tracts of land and their owners upon which the proposed enhanced recovery operations are to be conducted;	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	shall	(2) All tracts or parts thereof situated within the area of review labeled with the names of all owners or operators of wells producing from or injecting into the same formation proposed as the injection formation;	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	(3) The location and designation of all input, withdrawal, or observation wells on the tract or tracts to be utilized in the enhanced recovery project; and	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	(4) The geographic location of all wells penetrating the formation proposed for injection, regardless of status, within the area of review.	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	Notice of application for a permit for an enhanced recovery project shall be given by the following method:	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	After the submittal of an application for an enhanced recovery project permit, the division shall, within five working days, review the application to verify that the required information has been submitted.	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	shall	After a determination by the division that the application is complete as required by this rule, it shall be date-stamped by the division and the applicant shall be notified.	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	Notification of the application shall be published by the division in the weekly circular in accordance with section 1509.06 of the Revised Code.	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	In addition, legal notice shall be published by the applicant in a newspaper of general circulation in the county in which the proposed project is situated	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	A copy of the notice shall also be delivered to all owners and operators of wells within the area of review producing from or injecting into the same formation proposed as the injection formation.	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	Proof of publication, publication date, and an oath as to the delivery to those entitled to personal notice shall be filed with the division within thirty days after the application was date-stamped by the division.	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	The legal notice shall contain at least the following information:	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	shall	(a) The name and address of applicant;	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	(b) The location of the proposed enhanced recovery project;	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	(c) The geologic name and depth of the proposed injection zone;	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	(d) The maximum proposed injection pressure;	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	(e) The maximum proposed average daily injection volume;	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	(f) The fact that further information can be obtained by contacting either the applicant or the division;	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	(g) The address and telephone number of the division; and,	1509.21	Yes, both state and federal law	Yes, both state and federal law

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1501:9-5-05	Must	(h) The fact that for full consideration all comments or objections must be received by the division, in writing, within fifteen calendar days of the date of the published legal notice.	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	Any person desiring to comment or to make an objection with reference to an application for a permit to construct, convert to, or operate an enhanced recovery project shall file such comments or objections, in writing, with the "Underground Injection Control Section, Division of Mineral Resources Management, Fountain Square, Columbus, Ohio 43224."	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	Such comments or objections shall be filed with the division no later than fifteen calendar days from the delivery of notice or from the publication date in a newspaper of general circulation in the county in which the proposed project is situated.	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	If no objections are received within the fifteen-day period, the chief shall consider that no objection exists	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	...and shall issue a permit unless he finds that the application does not comply with the requirements of Chapter 1501:9-5 of the Administrative Code, or is in violation of law, or jeopardizes public health and safety, or is not in accordance with good conservation practices.	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	If an objection is received, the chief shall rule upon the validity of the objection.	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	If, in the opinion of the chief, such objection is not relevant to the issues of public health or safety, or to good conservation practices, or is without substance, a permit shall be issued.	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	If the chief considers any objection to be relevant to the issues of public health or safety, or to good conservation practices, or to have substance, a hearing shall be called within thirty days of receipt of the objection	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	Such hearing shall be held at the central office of the division or other location designated by the chief.	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	Notice of such hearing shall be sent by the chief to the applicant and to the person who has filed the objection.	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	If the chief finds, after hearing, and upon consideration of the evidence and the application, that the following conditions have been met, the application shall be approved and a permit issued;	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	...otherwise, the chief shall reject the application:	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	(i) The application complies with the requirements of Chapter 1501:9-5 of the Administrative Code	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	(ii) The proposed enhanced recovery project will not be in violation of law; and	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	(iii) The enhanced recovery project will not jeopardize public health or safety, or the conservation of natural resources.	1509.21	Yes, state law	Yes, state law
1501:9-5-05	Shall	The chief shall issue an order granting or denying the enhanced recovery project permit authorization within twenty-one calendar days after the filing date of proof of notice for a permit for which no hearing is held, or within thirty calendar days following the completion of a hearing.	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall Not	Authorization, including a permit, to construct, convert to or operate an enhanced recovery project shall not be granted unless and until proof of financial responsibility for each input, withdrawal and observation well in the project has been received and approved by the division in accordance with section 1509.07 of the Revised Code.	1509.21	Yes, state law	Yes, state law
1501:9-5-05	Shall	No assignment or transfer of an enhanced recovery project permit by the project owner shall relieve the project owner of his obligations and liabilities under Chapter 1509. of the Revised Code and Chapter 1501:9-5 of the Administrative Code, unless the assignee or transferee has filed, and the division has approved, proof of financial responsibility for each input, withdrawal and observation well in said project in accordance with section 1509.31 of the Revised Code.	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	No well for the purpose of input, withdrawal or observation shall be drilled, reopened, deepened, plugged back, or reworked until the project owner has been granted a permit and unless the original permit, or a true copy thereof, is posted or displayed in a conspicuous and easily accessible place at the wellsite.	1509.21	Yes, both state and federal law	Yes, both state and federal law

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1501:9-5-05	Shall	Once injection operations authorized by the enhanced recovery permit have begun, the following information shall be posted in a conspicuous place on or near the storage tank(s): owner's name, lease name, enhanced recovery project number, county, township, and emergency telephone number.	1509.21	Yes, state law	Yes, state law
1501:9-5-05	Shall	In addition, the permit number of each input, withdrawal or observation well shall be displayed in a conspicuous place on or near the wellhead.	1509.21	Yes, state law	Yes, state law
1501:9-5-05	Shall	Drilling or conversion operations authorized by a permit issued pursuant to Chapter 1501:9-5 of the Administrative Code shall commence within twelve months after the date of issue of such permit.	1509.21	Yes, state law	Yes, state law
1501:9-5-05	Shall	If such operations have not started within twelve months, the permit shall expire.	1509.21	Yes, state law	Yes, state law
1501:9-5-05	Shall	If drilling or conversion operations have started but are not completed within the twelve month period, operations shall continue with due diligence	1509.21	Yes, state law	Yes, state law
1501:9-5-05	Shall	or the permit shall expire.	1509.21	Yes, state law	Yes, state law
1501:9-5-05	Shall	The location of an input, withdrawal, or observation well shall not be changed after the issuance of a drilling permit unless the project owner first obtains approval from the division.	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	If a project owner requests a change of location, he shall return the original drilling permit and file an amended application and map for the proposed new location.	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall Not	Construction operations shall not commence at a new location until a proper permit has been received and posted in accordance with section 1509.09 of the Revised Code.	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	Any substantial change in the enhanced recovery project proposal as submitted in the application shall be reported to the chief at least ten days prior to the beginning of such change.	1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-05	Shall	If such change conforms with Chapter 1509. of the Revised Code and Chapter 1501:9-5 of the Administrative Code and does not alter the basic proposal for enhanced recovery operations, the chief shall issue written approval for such change.	1509.21	Yes, state law	Yes, state law
1501:9-5-06	Shall	All persons engaged in any phase of enhanced recovery operations shall conduct such operations in a manner which will not contaminate the surface of the land, or water on the surface or in the subsurface.	1509.21	Yes, state law	Yes, state law
1501:9-5-07	Shall	No well used in enhanced recovery operations shall be drilled or converted nearer than one hundred feet from any inhabited private dwelling house;	1509.21, 1509.23	Yes, state law	Yes, state law
1501:9-5-07	Shall	nearer than one hundred feet from any public building which may be used as a place of resort, assembly, education, entertainment, lodging, trade, manufacture, repair, storage, traffic, or occupancy by the public;	1509.21, 1509.23	Yes, state law	Yes, state law
1501:9-5-07	Shall	nearer than fifty feet to the traveled part of any public street, road, or highway;	1509.21, 1509.23	Yes, state law	Yes, state law
1501:9-5-07	Shall	nearer than fifty feet to a railroad track;	1509.21, 1509.23	Yes, state law	Yes, state law
1501:9-5-07	Shall	nor nearer than one hundred feet to any well.	1509.21, 1509.23	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-08	Shall Not	In the event any word, phrase, sentence, or other portion of Chapter 1501:9-5 of the Administrative Code shall hereafter be declared invalid, such invalidity shall not affect the remaining portions and parts of such rules adopted or promulgated by the chief.	1509.21	Yes, state law	Yes, state law
1501:9-5-09	Shall	Each input well permitted after June 1, 1982 shall be constructed in the following manner:	1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-09	Shall	Surface casing shall be free of apparent defects and set at least fifty feet below the deepest underground source of water containing less than ten thousand mg/L total dissolved solids or less than five thousand mg/L chlorides, and sealed by circulating cement to the surface under the supervision of the division.	1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-09	Shall	Isolation of injected fluids shall be by the use of casing mechanically centralized and enclosed in cement to a height no less than three hundred feet above the top of the injection zone.	1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-09	Shall	Injection of fluids shall be through tubing and a packer set no more than one hundred feet above the injection zone	1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law

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1501:9-5-09	Shall	...and installation of such shall be under the supervision of the division.	1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-09	Shall	A fitting to the tubing of a size and type specified by the division on the permit and accessible at the surface shall be installed.	1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-09	Shall	Each project owner or his agent shall give the appropriate mineral resources inspector reasonable notice in advance of the time of the cementing, placing and removing of casing, installation of tubing and packer, and initial injection	1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-09	Shall	A division office shall be notified when the appropriate inspector cannot be contacted.	1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-09	Shall	Said work shall be done pursuant to the instructions of a representative of the division in accordance with Chapter 1509. of the Revised Code and Chapter 1501:9-5 of the Administrative Code.	1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-09	Shall	All saltwater or other fluid storage facilities shall be constructed so as to prevent pollution to surrounding surface and subsurface soils and waters.	1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-09	Shall	Any well permitted before June 1, 1982 may be converted to an input well if the following criteria are met:	1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-09	Shall	(1) The surface casing shall be free of apparent defects and either cemented or properly sealed with prepared clay through the deepest underground source of water containing less than ten thousand mg/L total dissolved solids or less than five thousand mg/L chlorides.	1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-09	Shall	(2) Isolation of injected fluids shall be by the use of casing enclosed in cement to a height no less than three hundred feet above the top of the injection zone.	1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-09	Shall	(3) Any open formation not to be utilized for injection shall be abandoned in accordance with sections and 1509.15 of the Revised Code.	1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-09	Shall	(4) Injection of fluids shall be through tubing and a packer set no more than one hundred feet above the injection zone,	1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-09	Shall	...and installation of such shall be under the supervision of the division.	1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-09	Shall	A fitting to the tubing of a size and type specified by the division on the permit and accessible at the surface shall be installed.	1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-09	Shall	To verify the quantity of cement or clay used in a conversion well, either cement or clay records, verification by the division of the number of sacks of cement or clay, a cement bond log, or other geophysical borehole logs shall be deemed sufficient evidence.	1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-09	Shall	Each project owner or his agency shall give the appropriate mineral resources inspector reasonable notice in advance of the time of the cementing, placing and removing of casing, installation of tubing and packer, and initial injection.	1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-09	Shall	A division office shall be notified when the appropriate inspector cannot be contacted.	1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-09	Shall	Said work shall be done pursuant to the instructions of a representative of the division in accordance with Chapter 1509. of the Revised Code and Chapter 1501:9-5 of the Administrative Code.	1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-09	Shall	All saltwater or other fluid storage facilities shall be constructed so as to prevent pollution to surrounding surface and subsurface soils and waters.	1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-09	Shall	Prior to commencement of injection operations in any input well, the casing outside the tubing shall be tested under the supervision of the division.	1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law

RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1501:9-5-09	Shall	This test shall consist of pressurizing the annulus between the tubing and the casing outside the tubing to an amount equal to the maximum allowable injection pressure, as described in paragraph (D) of rule 1501:9-5-10 of the Administrative Code, or at a pressure of three hundred pounds per square inch(psi), whichever is greater, for a duration of at least fifteen minutes with no more than a five per cent decline in pressure, unless otherwise approved by the division.	1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-09	Shall	In addition, any well in which a formation is abandoned in accordance with paragraph (B)(3) of this rule shall, prior to perforating, have the casing and plug pressure tested under the supervision of the division at a pressure that is 1.25 times the maximum allowable injection pressure as described in paragraph (D) of rule 1501:9-5-10 of the Administrative Code.	1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-09	Shall	This test shall be for a duration of at least fifteen minutes with no more than a five per cent decline in pressure unless otherwise approved by the division.	1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-10	Shall	The following provisions shall apply to the operation of all enhanced recovery projects:	1509.10, 1509.12, 1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-10	Shall	A well completion record in accordance with section 1509.10 of the Revised Code and Chapter 1501:9-5 of the Administrative Code, shall be filed with the division within thirty days after completion of or conversion to an input, withdrawal, or observation well.	1509.10, 1509.12, 1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-10	Shall	This record shall include results of initial testing of construction as described in paragraph (C) of rule 1501:9-5-09 of the Administrative Code.	1509.10, 1509.12, 1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-10	Shall	The project owner shall notify the appropriate oil and gas well inspector when injection is to commence.	1509.10, 1509.12, 1509.13, 1509.15, 1509.21	Yes, state law	Yes, state law
1501:9-5-10	Shall	A division office shall be notified when the appropriate inspector cannot be contacted.	1509.10, 1509.12, 1509.13, 1509.15, 1509.21	Yes, state law	Yes, state law
1501:9-5-10	Shall	Under no circumstances shall liquids or waste matter from any source, other than freshwater, saltwater from oil and gas operations, standard well treatment fluid, or other fluids approved by the division be injected into any input well for which a permit is issued under Chapter 1509:9-5 [1501:9-5] of the Administrative Code.	1509.10, 1509.12, 1509.13, 1509.15, 1509.21	Yes, state law	Yes, state law
1501:9-5-10	Shall	The maximum allowable injection pressure for the enhanced recovery project shall be determined by one of the following methods:	1509.10, 1509.12, 1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-10	Shall	(1) The formula $p_m = (0.75 - p_g)d$; where p_m equals the maximum surface injection pressure (psi), 0.75 equals the maximum allowable injection pressure gradient (psi/ft), p_g equals the pressure gradient of injection fluid (psi/ft), and d equals the depth to the shallowest part of the proposed injection formation or zone on the subject tract or tracts; or	1509.10, 1509.12, 1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-10	Shall	(2) Such other formula or test found to be accurate as applied to the facts presented in an application and approved by the division.	1509.10, 1509.12, 1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-10	Shall	The injection well owner shall monitor injection pressures and injection volumes for each input well on a daily operational basis with average and maximum pressures and volumes compiled monthly and filed annually with the division on a form supplied by the division.	1509.10, 1509.12, 1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law

Rule Number	Regulatory Restriction	Description of Regulatory Restriction	Statute Under Which the Regulatory Restriction Was Adopted	Is the Regulatory Restriction Expressly or Specifically Required by State or Federal Law?	Is a Law Change Required in Order to Remove the Restriction?
1501:9-5-10	Shall	The annulus between the casing and tubing shall be monitored during injection of fluids at least monthly at a pressure, as noted on the permit, sufficient to detect leaks.	1509.10, 1509.12, 1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-10	Shall	Monitoring results shall be reported to the division annually on a form supplied by the division.	1509.10, 1509.12, 1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-10	Shall	In the event the monitoring in paragraph (F) of this rule is not feasible, as determined by the chief, the project owner shall show mechanical integrity once every five years	1509.10, 1509.12, 1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-10	Shall	Prior to the commencement of any mechanical integrity test, the project owner shall notify the appropriate oil and gas well inspector, or a division office when the appropriate inspector cannot be contacted.	1509.10, 1509.12, 1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-10	Shall	All records of tests shall be retained by the project owner for a period of at least five years or until a subsequent mechanical integrity test is performed.	1509.10, 1509.12, 1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-10	Shall	Results of all mechanical integrity tests shall be recorded on a form provided by the division	1509.10, 1509.12, 1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-10	Shall	...and shall be filed with the division within thirty days after the completion of the mechanical integrity test.	1509.10, 1509.12, 1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-10	Shall	Mechanical integrity shall be shown by one or more of the following methods:	1509.10, 1509.12, 1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-10	Shall	(1)The casing, tubing and packer shall be tested by pressurizing the annulus between the tubing and the casing outside the tubing to an amount equal to the maximum allowable injection pressure, as determined in paragraph (D) of this rule, or at a pressure of three hundred pounds per square inch (psi), whichever is greater, for a duration of fifteen minutes with no more than a five year cent decline in pressure unless otherwise approved by the division;	1509.10, 1509.12, 1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-10	Shall	(2) Tracer surveys;	1509.10, 1509.12, 1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-10	Shall	(3) Noise logs;	1509.10, 1509.12, 1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-10	Shall	(4) Temperature surveys; or	1509.10, 1509.12, 1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-10	Shall	(5) Any logs or tests considered effective by the chief.	1509.10, 1509.12, 1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law

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1501:9-5-10	Shall	When mechanical integrity failures or downhole problems cause contamination of the land, surface waters, or subsurface waters, the project owner shall cease all injection operations immediately until the chief determines that the problems have been corrected.	1509.10, 1509.12, 1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-10	Shall	Within five days of receipt, the chief shall review the plan and either accept, modify, or if the plan is inadequate, order necessary corrective action.	1509.10, 1509.12, 1509.13, 1509.15, 1509.21	Yes, state law	Yes, state law
1501:9-5-10	Shall	The project owner shall submit a description of the incident, the actions taken to correct the situation, and the results of those actions on the next required annual report as described in paragraphs (E) and (F) of this rule.	1509.10, 1509.12, 1509.13, 1509.15, 1509.21	Yes, state law	Yes, state law
1501:9-5-10	Shall	The division shall have the authority to sample injection fluids at any time during injection operations.	1509.10, 1509.12, 1509.13, 1509.15, 1509.21	Yes, state law	Yes, state law
1501:9-5-10	Shall	Any input well which is or becomes incapable of injecting fluids or any withdrawal well which is or becomes incapable of producing oil or gas shall be plugged in accordance with sections 1509.13 and 2509.25 [1509.25 probably intended] of the Revised Code, unless written permission is granted by the chief.	1509.10, 1509.12, 1509.13, 1509.15, 1509.21	Yes, state law	Yes, state law
1501:9-5-10	Shall	If the chief finds that a well should be plugged, he shall notify the project owner to that effect by order,	1509.10, 1509.12, 1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-10	Shall	...and shall specify in such order a reasonable time within which to comply.	1509.10, 1509.12, 1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-10	Shall	No project owner shall fail or refuse to plug a well within the time specified in the order.	1509.10, 1509.12, 1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-5-10	Shall	Each day on which such a well remains unplugged thereafter constitutes a separate offense.	1509.10, 1509.12, 1509.13, 1509.15, 1509.21	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-03	Prohibit	Any solution mining project, except as authorized by a permit or rule, is prohibited after the effective date.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-03	Prohibit	Construction of any well required to have a permit under Chapter 1501:9-7 of the Administrative Code is prohibited until a permit has been issued.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-04(A)	Shall	No person shall cause or allow injection of fluid containing any contaminant into an underground source of drinking water.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-04(A)	Shall	No authorization by permit or rule shall allow the movement of fluid containing any contaminant into an underground source of drinking water.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-04(A)	Shall	The applicant for a permit or operator of an existing solution mining project shall have the burden of showing that the requirements of this rule are met.	1509.221	Yes, state law	Yes, state law
1501:9-7-04(B)	Shall	When water quality monitoring of an underground source of drinking water indicates the movement of any contaminant into the underground source of drinking water, the chief shall prescribe such additional requirements for construction, corrective action, operation, monitoring, or reporting as are necessary to prevent such movement.	1509.221	Yes, both state and federal law	Yes, both state and federal law

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1501:9-7-04(B)	Shall	In the case of wells authorized by permit, these additional requirements shall be imposed by modifying the permit in accordance with paragraph (R) of rule 1501:9-7-07 of the Administrative Code, or the permit may be terminated in accordance with paragraph (R)(2) of rule 1501:9-7-07 of the Administrative Code if cause exists, or appropriate enforcement action may be taken if the permit has been violated.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-05(A)(1)	Must	Any operator of such a project must apply for a permit before November 27, 1984.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-05(A)(2)	Shall	Authorization by rule shall expire: (a) Upon the date of issuance of the permit or permit denial if a permit application has been filed as specified in paragraph (D)(1) of rule 1501:9-7-07 of the Administrative Code; (b) On November 28, 1984 if a permit application has not been filed as specified in rule 1501:9-7-07 of the Administrative Code; or (c) Unless a complete permit application is pending, not later than November 27, 1985.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-05(A)(4)	Shall	The following requirements shall be met no later than November 27, 1983. In each paragraph or rule cited the terms "permit" and "permittee" shall be read to include "rules" and "those authorized by rule," respectively: (a) Financial responsibility requirements in paragraphs (I)(1) and (I)(2) of rule and 1501:9-7-07 of the Administrative Code;	1509.221	Yes, state law	Yes, state law
1501:9-7-05(A)(4)(b)	Shall	(b) Operating, monitoring, reporting and recordkeeping requirements in rule 1501:9-7-09 of the Administrative Code;	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-05(A)(4)(c)	Shall	(c) Plugging and abandonment requirements in rule 1501:9-7-11 of the Administrative Code.	1509.221	Yes, state law	Yes, state law
1501:9-7-05(A)(5)	Shall	Any solution mining project authorized by rule shall submit inventory information to the chief.	1509.221	Yes, state law	Yes, state law
1501:9-7-05(A)(5)	Require	Failure to comply with any requirement of this paragraph within the time specified in paragraph (A)(5)(b) of this rule is grounds for the automatic termination of authorization for any well.	1509.221	Yes, state law	Yes, state law
1501:9-7-05(A)(5)(a)	Shall	The inventory shall contain at least the following information: (i) Facility name and location;	1509.221	Yes, state law	Yes, state law
1501:9-7-05(A)(5)(a)(ii)	Shall	(ii) Name and address of legal contact;	1509.221	Yes, state law	Yes, state law
1501:9-7-05(A)(5)(a)(iii)	shall	(iii) Owner of facility;	1509.221	Yes, state law	Yes, state law
1501:9-7-05(A)(5)(a)(iv)	Shall	(iv) Nature and type of injection and withdrawal wells; and	1509.221	Yes, state law	Yes, state law
1501:9-7-05(A)(5)(a)(v)	Shall	(v) Operating status of all wells in the project.	1509.221	Yes, state law	Yes, state law
1501:9-7-05(A)(5)(b)	Shall	Owners or operators of any solution mining project shall submit inventory information no later than November 27, 1983.	1509.221	Yes, state law	Yes, state law
1501:9-7-05(B)(1)	Require	The chief may require any solution mining project authorized by rule to apply for and obtain a permit.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-05(B)(1)(a)	Require	Permits may be required whenever: (a) The solution mining project is not in compliance with this rule;	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-05(B)(1)(b)	Require	Any solution mining injection well is no longer within the category of wells and types of well applications authorized in this rule; or	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-05(B)(1)(c)	Require	(c) The protection of underground sources of drinking water requires that the solution mining project be regulated by requirements not contained in this rule such as corrective action, additional monitoring and reporting, operation, or demonstration of mechanical integrity.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-05(B)(2)	Require	When the chief requires the owner or operator authorized by rule to apply for a permit	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-05(B)(2)	Shall	...he shall send the owner or operator a letter containing a brief statement of the reasons for requiring a permit, an application form, and a deadline for the owner or operator to file the application.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-05(B)(3)	Shall	The owner or operator shall submit an application to the chief in accordance with rule 1501:9-7-07 of the Administrative Code.	1509.221	Yes, both state and federal law	Yes, both state and federal law

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1501:9-7-06(A)	Shall	The chief may identify and shall protect, as an underground source of drinking water, all aquifers or parts of aquifers that meet the definition of an "underground source of drinking water."	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-06(C)	Shall	The chief shall require an applicant for a permit that necessitates an aquifer exemption under paragraph (B)(2)(a) of this rule to furnish the data necessary to demonstrate that the aquifer is expected to be mineral, hydrocarbon, or geothermal energy producing.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-06(C)	Shall	Information contained in the mining plan for the proposed project such as a map and general description of the mining zone, general information on the mineralogy and geochemistry of the mining zone, and analysis of the amenability of the planned development of the mining zone shall be considered by the chief in addition to the information required in the solution mining project permit application.	1509.221	No, general rulemaking authority	No, general rulemaking authority
1501:9-7-07(A)	Shall	Unless an appropriate application has been received by the chief and a permit issued by the division, no person shall drill, reopen, deepen, plug, rework, or use a well for the solution mining of minerals unless the well is authorized by rule in accordance with rule 1501:9-7-05 of the Administrative Code.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(B)	Shall	In addition to conditions required for all permits, the chief shall establish conditions, as required on a case-by-base basis, for all permits under the following: paragraph (Q) of this rule (duration of permits), paragraph (C) of this rule (schedules of compliance), and paragraph (B) of rule 1501:9-7-09 of the Administrative Code(monitoring).	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(B)	Shall	Permit conditions established on a case-by-case basis shall be designed to ensure compliance with Chapter 1509. of the Revised Code.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(C)	Shall	Any schedules of compliance under this rule shall require compliance within a reasonable period of time as determined by the chief.	1509.221	No, general rulemaking authority	No, general rulemaking authority
1501:9-7-07©	Shall	The schedules of compliance shall require compliance not later than two years after the date of issuance of the permit.	1509.221	No, general rulemaking authority	No, general rulemaking authority
1501:9-7-07(C)(2)(a)(ii)	Shall	The permittee shall cease conducting permitted activities before noncompliance with any interim or final compliance schedule requirement already specified in the permit.	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(C)(2)(b)	Shall	If the decision to cease conducting regulated activities is made before issuance of a permit whose term will include the termination date, the permit shall contain a schedule leading to termination that will ensure timely compliance with applicable rules.	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(C)(2)(c)(i)	Shall	Both schedules shall contain an identical interim deadline requiring a final decision on whether to cease conducting regulated activities no later than a date that ensures sufficient time to comply with applicable requirements in a timely manner if the decision is to continue conducting regulated activities;	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(C)(2)(c)(ii)	Shall	One schedule shall lead to timely compliance with applicable rules;	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(C)(2)(c)(ii)	Shall	and the second schedule shall lead to cessation of regulated activities by a date that will ensure timely compliance with applicable rules;	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(C)(2)(c)(iii)	Shall	Each permit containing two schedules shall include a requirement that, after the permittee has made a final decision under paragraph (C)(2)(c)(i) of this rule,	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(C)(2)(c)(iii)	Shall	...he shall follow the schedule leading to compliance if the decision is to continue conducting regulated activities and follow the schedule leading to termination if the decision is to cease conducting regulated activities.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(C)(2)(d)	Shall	The applicant's or permittee's decision to cease conducting regulated activities shall be evidenced in writing to the chief and signed as stated in paragraph (D)(3) of this rule.	1509.221	No, general rulemaking authority	No, general rulemaking authority
1501:9-7-07(C)(3)	Shall	A permit shall be written to require that, if paragraph (C)(1) or (C)(2) of this rule are applicable,	1509.221	Yes, both state and federal law	No, general rulemaking authority

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1501:9-7-07(C)(3)	Shall	progress reports shall be submitted no later than thirty days following the date of compliance.	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(D)	Shall	New applicants, permittees with expiring permits, and any person required to have a permit shall complete, sign, and submit an application to the chief as described in this rule.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(D)(1)	Must	An application for a permit for any existing solution mining project must be submitted no later than November 27, 1984.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(D)(3)	Shall	All permit applications shall be signed as follows: (a) For a corporation, by a principal executive officer of at least the level of vice-president or a duly authorized representative of that person;	1509.221	Yes, state law	No, general rulemaking authority
1501:9-7-07(D)(3)	Shall	(b) For a partnership or sole proprietorship, by a general partner or the proprietor, respectively; or	1509.221	Yes, state law	No, general rulemaking authority
1501:9-7-07(D)(3)	Shall	(c) For a municipality, state, federal, or other public agency, by either a principal executive officer or ranking elected official.	1509.221	Yes, state law	No, general rulemaking authority
1501:9-7-07(D)(4)	Shall	When a person signs as a representative, a certified copy of his/her appointment shall accompany the application or be on file with the division.	1509.221	Yes, state law	No, general rulemaking authority
1501:9-7-07(D)(4)	Must	If an authorization under paragraph (D)(3) of this rule is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the signature requirements must be submitted to the chief prior to or together with any reports, information, or applications to be signed by an authorized representative.	1509.221	Yes, state law	No, general rulemaking authority
1501:9-7-07(D)(5)	Shall	Any person signing a document under paragraph (D)(3) of this rule shall make the following certification:	1509.221	Yes, state law	No, general rulemaking authority
1501:9-7-07(E)(1)	Shall	For individual solution mining projects consisting of one well, the area of review shall be a fixed radius around the well of not less than one-quarter mile.	1509.221	Yes, state law	No, general rulemaking authority
1501:9-7-07(E)(2)	Shall	For solution mining projects consisting of more than one well, the area of review shall be the project area plus a circumscribing area the width of which is not less than one-quarter mile.	1509.221	Yes, state law	No, general rulemaking authority
1501:9-7-07(E)(3)	Shall	In determining the fixed radius, the following factors shall be taken into consideration: chemistry of injected and formation fluids, hydrogeology, population and groundwater use and dependence, and historical practices in the area.	1509.221	Yes, state law	No, general rulemaking authority
1501:9-7-07(F)(1)	Shall	Applicants for solution mining project permits shall identify the location of all known wells penetrating the injection zone within the project's area of review.	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(F)(1)	Shall	For wells that are improperly sealed, completed, or abandoned, the applicant shall also submit a plan consisting of such steps or modifications as are necessary to prevent movement of fluid into underground sources of drinking water.	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(F)(1)	Shall	Where the plan is adequate, the chief shall incorporate it into the permit as a condition.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(F)(1)	Shall	Where the chief's review of an application indicates that the applicant's plan is inadequate based on the factors in paragraph (F)(2) of this rule, the chief shall require the applicant to revise the plan, prescribe a plan for corrective action as a condition of the permit, or deny the application.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(F)(2)(a)	Shall	Any permit issued for an existing solution mining project requiring corrective action shall include a compliance schedule requiring any corrective action accepted or prescribed under paragraph (F)(1) of this rule to be completed within a time frame specified in the compliance schedule.	1509.221	Yes, state law	No, general rulemaking authority
1501:9-7-07(2)(c)	Require	The chief may require as a permit condition that injection pressure be so limited that pressure in the injection zone does not cause the movement of fluids into an underground source of drinking water through any improperly completed or abandoned well within the area of review.	1509.221	Yes, both state and federal law	Yes, both state and federal law

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1501:9-7-07(F)(2)(c)	Require	Alternatively, such injection pressure limitation may be part of a compliance schedule and last until all other required corrective action has been taken.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(F)(2)(d)	Shall	When setting corrective action requirements for solution mining projects, the chief shall consider the overall effect of the project on the hydraulic gradient in potentially affected underground sources of drinking water, and the corresponding changes in potentiometric surface(s) and flow direction(s) rather than the discrete effect of each well.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(F)(2)(d)	Shall	If a decision is made that corrective action is not necessary based on the determinations above, the monitoring program required in rule 1501:9-7-09 of the Administrative Code shall be designed to verify the validity of such determinations.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(F)(e)	Shall	In determining the adequacy of corrective action proposed by the applicant under paragraph (F)(1) of this rule and the additional steps needed to prevent fluid movement into underground sources of drinking water, the following criteria and factors shall be considered by the chief: (i) Nature and volume of injected fluid;	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(F)(e)(ii)	Shall	(ii) Nature of native fluids or by-products of injection;	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(F)(e)(iii)	Shall	(iii) Potentially affected population;	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(F)(e)(iv)	Shall	(iv) Geology;	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(F)(e)(v)	Shall	(v) Hydrology;	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(F)(e)(vi)	Shall	(vi) History of the injection operation;	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(F)(e)(vii)	Shall	(vii) Completion and plugging records;	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(F)(e)(viii)	Shall	(viii) Abandonment procedures in effect at the time the well was abandoned; and	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(F)(e)(ix)	Shall	(ix) Hydraulic connections with underground sources of drinking water.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(G)(1)	Shall	The application for a permit shall contain the following administrative information: (a) The name, mailing address, and location of the facility for which the application is submitted;	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(G)(1)(b)	Shall	(b) Ownership status as federal, state, private, public, or other entity;	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(G)(1)(c)	Shall	(c) The operator's name, address, and telephone number;	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(G)(1)(d)	Shall	(d) A brief description of the nature of the business associated with the project;	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(G)(1)(e)	Shall	(e) The activity or activities conducted by the applicant that require the applicant to obtain a permit under Chapter 1501:9-7 of the Administrative Code; and	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(G)(1)(f)	Shall	(f) A listing of all permits or construction approvals received or applied for under any of the following programs:	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(G)(1)(f)(i)	Shall	(i) Hazardous waste management program under the Resource Conservation and Recovery Act,	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(G)(1)(f)(ii)	Shall	(ii) Underground injection control program under the Safe Drinking Water Act,	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(G)(1)(f)(iii)	Shall	(iii) National pollutant discharge elimination system program under the Clean Water Act,	1509.221	Yes, both state and federal law	No, general rulemaking authority

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1501:9-7-07(G)(1)(f)(iv)	Shall	(iv) Prevention of significant deterioration program under the Clean Air Act,	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(G)(1)(f)(v)	Shall	(v) Nonattainment program under the Clean Air Act,	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(G)(1)(f)(vi)	Shall	(vi) National emission standards for hazardous pollutants, preconstruction approval under the Clean Air Act,	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(G)(1)(f)(vii)	Shall	(vii) Ocean dumping permits under the Marine Protection Research and Sanctuaries Act,	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(G)(1)(f)(Viii)	Shall	(viii) Dredge or fill permits under section 404 of the Clean Water Act, or	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(G)(1)(f)(ix)	Shall	(ix) Other relevant environmental permits including state permits.	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(G)(2)	Must	Any such claim must be asserted at the time of submission by the applicant in writing or by stamping the words "CONFIDENTIAL BUSINESS INFORMATION" on each page containing such information.	1509.221	No, general rulemaking authority	No, general rulemaking authority
1501:9-7-07(G)(4)(a)	Shall	The application for a permit shall contain the following technical information. (a) A tabulation of data reasonably available from public records or otherwise known to the applicant on all wells within the area of review that penetrate the proposed injection zone.	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(G)(4)(a)	Shall	Such data shall include a description of each well's type, construction, date drilled, location, depth, record of plugging, completion,	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(G)(4)(a)	Shall	...and any additional relevant information the chief may require.	1509.221	No, general rulemaking authority	No, general rulemaking authority
1501:9-7-07(G)(4)(b)(i)	Shall	(b) Proposed operating data: (i) Average and maximum daily rate and volume of fluid to be injected per well or per project when a manifold system is used;	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(G)(4)(b)(ii)	Shall	(ii) Average and maximum injection pressure; and	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(G)(4)(b)(iii)	Shall	(iii) Qualitative analysis and ranges in concentrations of all constituents of injected fluids.	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(G)(4)(b)(iii)	Shall Not	An applicant may, in lieu of the ranges in concentrations, choose to submit maximum concentrations which shall not be exceeded.	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(G)(4)(b)(iii)	Shall	In such a case, the applicant shall retain records of the undisclosed concentrations and provide them upon request to the chief as part of any enforcement investigation.	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(G)(4)(c)	Shall	(c) Method used to obtain the information required by paragraphs (A)(9) and (A)(10) of rule 1501:9-7-08 of the Administrative Code;	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(G)(4)(d)	Shall	(d) Proposed stimulation program;	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(G)(4)(e)	Shall	(e) Proposed injection procedure;	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(G)(4)(f)	Shall	(f) Schematic or other appropriate drawings of the surface and subsurface details of the system;	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(G)(4)(g)	Shall	(g) Plans for meeting the monitoring requirements of paragraph (B) of rule 1501:9-7-09 of the Administrative Code;	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(G)(4)(h)	Shall	(h) Expected changes in pressure, native fluid displacement, and direction of movement of injection fluid;	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(G)(4)(i)	Shall	(i) Contingency plans to cope with all well failures or shut-ins so as to prevent the migration of the contaminating fluids into underground sources of drinking water;	1509.221	Yes, both state and federal law	Yes, both state and federal law

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1501:9-7-07(G)(4)(j)	Require	(j) A certificate that the applicant has assured, through a performance bond or other appropriate means, the resources necessary to close, plug, or abandon any well as required by paragraph (I) of this rule; and	1509.221	Yes, both state and federal law	Yes, state law
1501:9-7-07(G)(4)(k)	Shall	(k) For wells within the area of review that penetrate the injection zone but are not properly completed or plugged, the corrective action proposed to be taken under rule 1501:9-7-11 of the Administrative Code.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(G)(4)(l)	Shall	(l) A brief description of existing or proposed monument grids and surveying method to be used in obtaining yearly measurements of second order accuracy for the detection of ground surface movement. Describe monument types, construction, and emplacement.	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(G)(5)(a)	Shall	Each application for a permit shall be accompanied by a map or maps showing and containing the following information: (a) The subject tract of land upon which the proposed solution mining project is to be located;	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(G)(5)(b)	Shall	(b) The location and designation of all injection, withdrawal, and monitoring wells (if applicable) on the tract or tracts to be utilized in the solution mining project;	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(G)(5)(c)	Shall	(c) All tracts or parts thereof situated within the area of review labeled with the names of: (i) All owners of mineral rights if notice is given in accordance with paragraph (H)(1)(a) of this rule, or	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(G)(5)(c)(ii)	Shall	(ii) All owners or operators of record utilizing the proposed formation or zone for solution mining of minerals, storage, or any other purpose if notice is given in accordance with paragraph (H)(1)(b) of this rule.	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(G)(5)(d)	Shall	(d) The geographic location of all wells within the area of review that penetrate the zone proposed as the injection zone.	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(H)(1)	Shall	The applicant shall give notice of application for a permit for a solution mining project by the following method:	1509.221	Yes, both state and federal law	Yes, federal law
1501:9-7-07(H)(1)	Shall	Notification of the application shall be published by the division in the weekly circular in accordance with section 1509.06 of the Revised Code.	1509.221	Yes, both state and federal law	Yes, federal law
1501:9-7-07(H)(1)	Shall	In addition, a legal notice shall be published by the applicant in a newspaper of general circulation in the area of review in which the proposed project is situated.	1509.221	Yes, both state and federal law	Yes, federal law
1501:9-7-07(H)(1)	Shall	A copy of the legal notice shall also be delivered to all owners or operators of projects utilizing the same zone or formation.	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(H)(1)	Shall	Proof of publication, publication date, and an oath as to the delivery to those entitled to personal notice shall be filed with the division within forty days after the complete application was received by the division.	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(H)(1)(a)	Shall	The legal notice shall contain at least the following: (a) The name and address of the applicant;	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(H)(1)(b)	Shall	(b) The location of the proposed project;	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(H)(1)(c)	Shall	(c) The geologic name and depth of the zone or formation to be utilized;	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(H)(1)(d)	Shall	(d) The maximum proposed injection pressure;	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(H)(1)(e)	Shall	(e) The proposed average daily volume of fluid to be injected and withdrawn;	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(H)(1)(f)	Shall	(f) The fact that further information can be obtained by contacting either the applicant or the division;	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(H)(1)(g)	Shall	(g) The address and phone number of the division; and	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(H)(1)(h)	Must	(h) The fact that for full consideration all comments or objections must be received by the division, in writing, within thirty calendar days of the date of the published legal notice.	1509.221	Yes, both state and federal law	No, general rulemaking authority

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1501:9-7-07(H)(2)	Shall	Once an application is complete, the chief shall tentatively decide whether to prepare a draft permit, or to deny the application.	1509.221	No, general rulemaking authority	No, general rulemaking authority
1501:9-7-07(H)(2)(a)	Shall	If the chief tentatively decides to deny the permit application, he shall issue a notice of intent to deny.	1509.221	No, general rulemaking authority	No, general rulemaking authority
1501:9-7-07(H)(2)(a)	Shall	If the chief's final decision is that the tentative decision to deny the permit application was incorrect, he shall withdraw the notice of intent to deny and proceed to prepare a draft permit under paragraph (H)(2)(b) of this rule.	1509.221	No, general rulemaking authority	No, general rulemaking authority
1501:9-7-07(H)(2)(b)	Shall	If the chief decides to prepare a draft permit, he shall prepare a draft permit that contains all relevant information pertaining to permitting, operation, and monitoring of the proposed project.	1509.221	No, general rulemaking authority	No, general rulemaking authority
1501:9-7-07(H)(2)(c)	Shall	All draft permits prepared under this paragraph shall be based on the administrative record, publicly noticed, and made available for public comment.	1509.221	No, general rulemaking authority	No, general rulemaking authority
1501:9-7-07(H)(3)(a)	Shall	A fact sheet shall be prepared for every draft permit that the chief finds is the subject of widespread public interest or raises major issues.	1509.221	No, general rulemaking authority	No, general rulemaking authority
1501:9-7-07(H)(3)(a)	Shall	The fact sheet shall briefly set forth the principal facts and the significant factual, legal, methodological, and policy questions considered in preparing the draft permit.	1509.221	No, general rulemaking authority	No, general rulemaking authority
1501:9-7-07(H)(3)(a)	Shall	The chief shall send this fact sheet to the applicant and to any other person upon request.	1509.221	No, general rulemaking authority	Yes, state law
1501:9-7-07(H)(3)(b)	Shall	The fact sheet shall include, when applicable: A brief description of the type of facility or activity that is the subject of the draft permit;	1509.221	No, general rulemaking authority	No, general rulemaking authority
1501:9-7-07(H)(3)(b)(ii)	Shall	(ii) The type and quantity of fluids that are proposed to be injected and withdrawn;	1509.221	No, general rulemaking authority	No, general rulemaking authority
1501:9-7-07(H)(3)(b)(iii)	Shall	(iii) A brief summary of the basis for the draft permit conditions including references to applicable statutory or regulatory provisions and appropriate supporting references to the administrative record;	1509.221	No, general rulemaking authority	No, general rulemaking authority
1501:9-7-07(H)(3)(b)(iv)	Shall	(iv) Reasons why any requested variances or alternatives to required standards do or do not appear justified;	1509.221	No, general rulemaking authority	No, general rulemaking authority
1501:9-7-07(H)(3)(b)(v)	Shall	(v) A description of the procedures for reaching a final decision on the draft permit including:	1509.221	No, general rulemaking authority	No, general rulemaking authority
1501:9-7-07(H)(3)(b)(v)(a)	Shall	(a) The beginning and ending dates of the comment period and the address where comments will be received;	1509.221	No, general rulemaking authority	No, general rulemaking authority
1501:9-7-07(H)(3)(b)(v)(b)	Shall	(b) Procedures for requesting a hearing and the nature of that hearing; and	1509.221	No, general rulemaking authority	No, general rulemaking authority
1501:9-7-07(H)(3)(b)(v)(c)	Shall	(c) Any other procedures by which the public may participate in the final decision; and	1509.221	No, general rulemaking authority	No, general rulemaking authority
1501:9-7-07(H)(3)(b)(vi)	Shall	(vi) Name and telephone number of a person to contact for additional information.	1509.221	No, general rulemaking authority	No, general rulemaking authority
1501:9-7-07(H)(4)(a)	Shall	Any person desiring to comment or to make an objection with reference to an application for a permit for a solution mining project shall file such comments or objections, in writing, with the "Underground Injection Control Section, Division of Mineral Resources Management, Fountain Square, Columbus, Ohio 43224."	1509.221	Yes, both state and federal law	Yes, federal law
1501:9-7-07(H)(4)(a)	Shall	Such comments or objections shall be filed with the division no later than thirty calendar days after the delivery of notice or after the publication date in a newspaper of general circulation in the area of review.	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(H)(4)(b)	Shall	If no objections are received within the thirty-day period, the chief shall consider that no objection exists	1509.221	No, general rulemaking authority	No, general rulemaking authority
1501:9-7-07(H)(4)(b)	Shall	...and shall issue a permit unless he finds that the application does not comply with the requirements of Chapter 1501:9-7 of the Administrative Code, or is in violation of law, or jeopardizes public health or safety.	1509.221	Yes, both state and federal law	Yes, both state and federal law

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1501:9-7-07(H)(4)(c)	Shall	If an objection is received, the chief shall rule upon the validity of the objection.	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(H)(4)(c)	Shall	If in the opinion of the chief, such objection is not relevant to the issues of public health or safety, or is without substance, a permit shall be issued.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(H)(4)(c)	Shall	Such hearing shall be held at the central office of the division or other location designated by the chief.	1509.221	No, general rulemaking authority	No, general rulemaking authority
1501:9-7-07(H)(4)(c)	Shall	Notice of the hearing shall be sent by the chief to the applicant and to the person who has filed the objection.	1509.221	No, general rulemaking authority	No, general rulemaking authority
1501:9-7-07(H)(4)(d)	Shall	If the chief finds, after hearing or upon consideration of the evidence and the application, that the following conditions have been met, the application shall be approved and a permit issued;	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(H)(4)(d)	Shall	otherwise, the chief shall reject the application:	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(H)(4)(d)(i)	Shall	(i) The application complies with the requirements of this rule,	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(H)(4)(d)(ii)	Shall	(ii) The proposed solution mining project will not be in violation of law, and	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(H)(4)(d)(iii)	Shall	(iii) The proposed solution mining project will not jeopardize public health or safety.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(H)(4)(e)	Shall	At the time that any final permit decision is issued, the chief shall respond to comments.	1509.221	No, general rulemaking authority	No, general rulemaking authority
1501:9-7-07(H)(4)(e)(i)	Shall	This response shall: (i) Specify which provisions, if any, of the draft permit have been changed in the final permit decision, and the reasons for the change; and	1509.221	No, general rulemaking authority	No, general rulemaking authority
1501:9-7-07(H)(4)(e)(ii)	Shall	(ii) The response to comments shall be available to the public.	1509.221	No, general rulemaking authority	Yes, state law
1501:9-7-07(I)(1)	Shall Not	Authorization, by rule or permit, to construct or operate a solution mining project shall not be granted unless and until proof of financial responsibility for the project has been received and approved by the division in accordance with section 1509.07 of the Revised Code.	1509.221	No, general rulemaking authority	Yes, state law
1501:9-7-07(I)(2)	Shall	No assignment or transfer of a solution mining permit by the project owner shall relieve the owner of his obligations and liabilities under Chapter 1509. of the Revised Code and Chapter 1501:9-7 of the Administrative Code, unless the assignee or transferee has filed, and the division has approved proof of financial responsibility for said project.	1509.221	No, general rulemaking authority	Yes, state law
1501:9-7-07(J)	Shall	No well for the purpose of solution mining shall be constructed until the owner has been granted a permit	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(J)	Shall	...and unless the original permit, or a true copy thereof, is posted or displayed in a conspicuous and easily accessible place at the well site during construction.	1509.221	No, general rulemaking authority	Yes, state law
1501:9-7-07(K)	Shall	Prior to commencing solution mining operations authorized by the permit the following information shall be posted in a conspicuous place on the project site: owner's name, lease name, county, township, and emergency telephone number.	1509.221	No, general rulemaking authority	Yes, state law
1501:9-7-07(K)	Shall	In addition, the permit number shall be displayed in a conspicuous place on or near each wellhead.	1509.221	No, general rulemaking authority	Yes, state law
1501:9-7-07(L)	Shall	Drilling operations authorized by a permit issued pursuant to Chapter 1501:9-7 of the Administrative Code shall begin within twelve months after the date of issuance of such permit.	1509.221	Yes, both state and federal law	Yes, state law
1501:9-7-07(L)	Shall	If such operations have not started within twelve months, the permit shall expire.	1509.221	Yes, both state and federal law	Yes, state law
1501:9-7-07(L)	Shall	If drilling or conversion operations have started but are not completed within the twelve month period, operations shall continue with due diligence	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(L)	Shall	...or the permit shall expire.	1509.221	Yes, both state and federal law	Yes, state law

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1501:9-7-07(M)	Shall Not	The location of a solution mining well shall not be changed after the issuance of a permit unless the well owner first obtains approval from the division.	1509.221	Yes, both state and federal law	Yes, state law
1501:9-7-07(M)	Shall	If a solution mining well owner requests a change of location, he shall return the original permit and file an amended application and map for the proposed new location.	1509.221	Yes, both state and federal law	Yes, state law
1501:9-7-07(M)	Shall Not	Drilling operations shall not commence at a new location until a proper permit has been received and posted.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(N)	Shall	The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of the permit.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(P)	Shall	The permittee shall allow the chief or an authorized representative to: Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of the permit;	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(P)(2)	Shall	(2) Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(P)(3)	Shall	(3) Inspect, at any time, the facilities, equipment (including monitoring and control equipment), practices or operations regulated or required under the permit; and	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(P)(4)	Shall	(4) Sample or monitor, at any time, for the purposes of assuring permit compliance or as otherwise authorized by Chapter 1501:9-7 of the Administrative Code, any substances or parameters at any location.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(Q)	Shall	Permits for solution mining projects shall be issued for a period up to the operating life of the facility.	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(Q)	Shall	The chief shall review each permit at least once every five years to determine whether it should be modified, revoked and reissued, or terminated.	1509.221	No, general rulemaking authority	No, general rulemaking authority
1501:9-7-07(R)(1)	Require	When the chief receives any information, for example, inspects the facility, receives information submitted by the permittee as required by the permit, receives a request for modification or revocation and reissuance, or conducts a review of the permit file, he may determine whether or not one or more of the causes listed in paragraph (R)(1)(a) or (R)(1)(b) of this rule for modification or revocation and reissuance or both exist.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(R)(1)	Shall Not	If cause does not exist, the chief shall not modify or revoke and reissue the permit.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(R)(1)	Must	Otherwise a draft permit must be prepared.	1509.221	No, general rulemaking authority	No, general rulemaking authority
1501:9-7-07(R)(1)(b)(ii)	Require	The chief has received notification, as required in the permit, of a proposed transfer of the permit.	1509.221	Yes, both state and federal law	Yes, state law
1501:9-7-07(R)(2)(b)	Require	(b) Require more frequent monitoring or reporting by the permittee;	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(R)(2)(d)	Require	Change an interim compliance date in a schedule of compliance provided the new date is not more than one hundred twenty days after the date specified in the existing permit and does not interfere with attainment of the final compliance date requirement	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(R)(2)(f)	Require	Change construction requirements approved by the chief provided that any such alteration complies with the requirements of Chapter 1501:9-7 of the Administrative Code;	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(R)(4)	Shall	All requests shall be in writing	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(R)(4)	Shall	...and shall contain facts or reasons supporting the request.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(R)(5)	Shall	If the chief decides the request is not justified, he shall send the requesting party a brief written response giving a reason for the decision.	1509.221	No, general rulemaking authority	No, general rulemaking authority
1501:9-7-07(R)(6)	Shall	If the chief tentatively decides to modify or revoke and reissue a permit under paragraph (R) of this rule, he shall prepare a draft permit incorporating the proposed changes	1509.221	No, general rulemaking authority	No, general rulemaking authority

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1501:9-7-07(R)(6)	Require	The chief may request additional information and, in the case of a modified permit, may require the submission of an updated permit application.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(R)(6)	Require	In the case of revoked and reissued permits, the chief shall require the submission of a new application.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(R)(6)	Shall	In a permit modification under paragraph (R) of this rule only those conditions to be modified shall be reopened when a new draft permit is prepared.	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(R)(6)	Shall	All other aspects of the existing permit shall remain in effect for the duration of the unmodified permit.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(R)(6)	Shall	During any revocation and reissuance proceeding, the permittee shall comply with all conditions of the existing permit until a new final permit is reissued.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(R)(6)	Shall	If the chief tentatively decides to terminate a permit under paragraph (R)(3) of this rule, he shall issue a notice of intent to terminate.	1509.221	No, general rulemaking authority	No, general rulemaking authority
1501:9-7-07(S)(1)	Must	The permittee must comply with all conditions of the permit.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(S)(2)	Must	If the permittee wishes to continue an activity regulated by the permit after the expiration date of the permit, the permittee must apply for and obtain a new permit.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(S)(3)	Shall Not	It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-07(S)(4)	Shall	The permittee shall take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with the permit.	1509.221	No, general rulemaking authority	Yes, both state and federal law
1501:9-7-07(S)(5)	Shall	The permittee shall furnish, within a reasonable time specified by the chief, any information that the chief may request to determine whether cause exists for modifying, revoking and reissuing, terminating the permit or to determine compliance with the permit.	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-07(S)(5)	Shall	The permittee shall also furnish to the chief, upon request, copies of required records.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-08(A)	Shall	The following construction, testing, and monitoring requirements shall apply to any well permitted and drilled after the effective date:	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-08(A)(1)	Shall	Surface casing shall be free of apparent defects, set at least fifty feet below the deepest underground source of drinking water, and sealed by circulating cement to the surface under the supervision of the division.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-08(A)(2)	Shall	Intermediate casing or casings, if required, shall be set and sealed as approved by the chief.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-08(A)(2)	Require	Centralizers may be required.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-08(A)(3)		The production or long string of casing shall be set and cemented as approved by the chief.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-08(A)(3)	Require	Centralizers may be required.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-08(A)(4)	Require	Tubing may be required for use in injection and withdrawal operations.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-08(A)(4)	Shall	The operator shall furnish to the chief evidence that the casing will not be exposed to undue corrosion.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-08(A)(4)	Require	Installation of a packer on the tubing may be required.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-08(A)(5)		Hole diameters, casing weights and diameters, and cementing procedures shall be subject to approval by the chief.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-08(A)(6)	Require	To verify the quantity of cement used and quality of the cement bond, a cement bond log and/or other logs required by the chief,	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-08(A)(6)	Shall	shall be run in addition to the cementing records.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-08(A)(7)	Shall	Each solution mining project owner or his agent shall give the appropriate division inspector reasonable notice in advance of cementing, placing and removing of casing, installation of tubing and packer, and initial operation.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-08(A)(7)	Shall	A division office shall be notified when the appropriate inspector cannot be contacted.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-08(A)(7)	Shall	Said work shall be done pursuant to the instructions of a representative of the division in accordance with Chapter 1509. of the Revised Code and Chapter 1501:9-7 of the Administrative Code.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-08(A)(8)	Shall	Appropriate logs and other tests shall be conducted for new solution mining wells.	1509.221	Yes, both state and federal law	Yes, both state and federal law

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1501:9-7-08(A)(8)	Shall	A descriptive report interpreting the results of such logs and tests shall be prepared by a knowledgeable log analyst and submitted to the chief.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-08(A)(8)	Shall	The logs and tests appropriate to each type of solution mining well shall be determined based on the intended function, depth, construction, and other characteristics of the well; availability of similar data in the area of the drilling site; and the need for additional information that may arise as the construction of the well progresses.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-08(A)(9)	Shall	For new solution mining projects, the following information concerning the injection zone shall be determined or calculated when the injection zone is a water bearing formation: (a) Fluid pressure;	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-08(A)(9)(b)	Shall	(b) Fracture pressure; and	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-08(A)(9)(c)	Shall	(c) Physical and chemical characteristics of the formation fluids.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-08(A)(10)	Must	When the injection formation is not a water bearing formation, the information in paragraph (A)(9)(b) of this rule must be submitted.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-08(A)(11)	Shall	When the injection wells penetrate an underground source of drinking water in an area subject to subsidence or catastrophic collapse, an adequate number of monitoring wells shall be completed into the underground source of drinking water to detect any movement of injected fluids, process by-products, or formation fluids into the underground source of drinking water.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-08(A)(11)	Shall	The monitoring wells shall be located outside the physical influence of the subsidence or catastrophic collapse.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-08(A)(12)	Shall	In determining the number, location, construction, and frequency of monitoring of the monitoring wells, the following criteria shall be considered: (a) Population relying on the underground source of drinking water affected or potentially affected by the injection operations;	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-08(A)(12)(b)	Shall	(b) Proximity of the injection operation to points of withdrawal of drinking water;	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-08(A)(12)(c)	Shall	(c) Local geology and hydrology;	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-08(A)(12)(d)	Shall	(d) Operating pressures and whether a negative pressure gradient is being maintained;	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-08(A)(12)(e)	Shall	(e) Nature and volume of the injected fluid, the formation water, and the process by-products; and	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-08(A)(12)(f)	Shall	(f) Injection well density.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-08(B)	Shall	The following requirements shall apply to solution mining wells permitted or drilled prior to the effective date of these rules:	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-08(B)(1)	Shall	Casing shall be set below the deepest underground source of drinking water and cemented so as to protect the deepest underground source of drinking water.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-08(B)(2)	Shall	The production or longstring of casing shall be set and cemented as approved by the chief so as to prevent upward migration of fluids.	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-08(B)(3)	Require	To verify the quantity of cement used and quality of the cement bond, a cement bond log and/or other logs required by the chief,	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-08(B)(3)	Shall	...shall be run in addition to the cementing records.	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-08(B)(4)	Shall	Each solution mining project owner or his agent shall give the appropriate division inspector reasonable notice in advance of cementing, placing and removing of casing, installation of tubing and packer, and initial operation.	1509.221	Yes, both state and federal law	Yes, state law
1501:9-7-08(B)(4)	Shall	A division office shall be notified when the appropriate inspector cannot be contacted.	1509.221	Yes, both state and federal law	No, general rulemaking authority

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1501:9-7-08(B)(4)	Shall	Said work shall be done pursuant to the instructions of a representative of the division in accordance with Chapter 1509. of the Revised Code and Chapter 1501:9-7 of the Administrative Code.	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-08(B)(5)	Shall	The chief may require other logs or tests to be conducted in order to verify construction of a solution mining well.	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-08(B)(6)	Shall	When the injection wells penetrate an underground source of drinking water in an area subject to subsidence or catastrophic collapse, an adequate number of monitoring wells shall be completed into the underground source of drinking water to detect any movement of injected fluids, process by-products, or formation fluids into the underground source of drinking water.	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-08(B)(6)	Shall	The monitoring wells shall be located outside the physical influence of the subsidence or catastrophic collapse.	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-08(B)(7)	Shall	In determining the number, location, construction, and frequency of monitoring of the monitoring wells, the following criteria shall be considered:	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-08(B)(7)(a)	Shall	Population relying on the underground source of drinking water affected or potentially affected by the injection operations;	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-08(B)(7)(b)	Shall	Proximity of the injection operation to points of withdrawal of drinking water;	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-08(B)(7)(c)	Shall	Local geology and hydrology;	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-08(B)(7)(d)	Shall	Operating pressures and whether a negative pressure gradient is being maintained;	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-08(B)(7)(e)	Shall	Nature and volume of the injected fluid, the formation water, and the pocess by-products; and	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-08(B)(7)(f)	Shall	Injection well density.	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-09(A)	Shall	The following provisions shall apply to the operation of all solution mining projects	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-09(A)	Shall	...and shall be considered as permit conditions	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-09(A)(1)	May Not	A solution mining project may not commence injection until construction is complete	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-09(A)(1)(a)	May Not	The permittee has submitted notice of completion of construction to the chief,	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-09(A)(1)(b)	May Not	The chief has inspected or otherwise reviewed the new project and finds it is in compliance with the conditions of the permit	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-09(A)(1)(c)	May Not	The permittee has not received notice from the chief of his intent to inspect or otherwise review the new project within fourteen days of the date of the notice in paragraph (A)(1)(a) of this rule, in which case prior inspection or review is waived and the permittee may commence injection.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-09(A)(1)(c)	Shall	The chief shall include in his notice a reasonable time period	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-09(A)(1)(c)	Shall	in which he shall inspect the well.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-09(A)(2)	Shall	A well completion record in accordance with section 1509.10 of the Revised Code and Chapter 1501:9-7 of the Administrative Code shall be filed with the division within thirty days after completion of each solution mining injection or withdrawal well.	1509.221	Yes, both state and federal law	Yes, state law
1501:9-7-09(A)(3)	Shall	Except during well stimulation, injection pressure at the wellhead shall be calculated so as to assure that the pressure in the injection zone during injection does not initiate new fractures or propagate existing fractures in the injection zone.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-09(A)(4)	Shall	In no case shall injection pressure initiate fractures in the confining zone or cause the migration of injection or formation fluids into an underground source of drinking water.	1509.221	Yes, both state and federal law	Yes, both state and federal law

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1501:9-7-09(A)(4)	Prohibit	Injection between the outermost casing protecting underground sources of drinking water and the well bore is prohibited.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-09(A)(5)	Shall	Prior to granting approval for the operation of a solution mining project, the chief shall consider the following information: (a) All available logging and testing data on the well;	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-09(A)(5)(b)	Shall	(b) A satisfactory demonstration of mechanical integrity for all new wells;	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-09(A)(5)(c)	Shall	(c) The anticipated maximum pressure and flow rate at which the permittee will operate;	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-09(A)(5)(d)	Shall	(d) The results of the formation testing program;	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-09(A)(5)(e)	Shall	(e) The actual injection procedures; and	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-09(A)(5)(f)	Shall	(f) The status of corrective action on defective wells in the area of review.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-09(B)	Shall	The following provisions shall apply to the monitoring of all solution mining projects.	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-09(B)(1)	Shall	(1) The nature of injected fluids shall be monitored quarterly to yield representative data on its characteristics.	1509.221	Yes, both state and federal law	Yes, state law
1501:9-7-09(B)(1)	Shall	Whenever the injection fluid is modified to the extent that the analysis required by paragraph (G)(4)(b)(iii) of rule 1501:9-7-07 of the Administrative Code is incorrect or incomplete, a new analysis shall be provided to the chief.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-09(B)(2)	Shall	(2) Injection pressure, flow rate, and the volume of fluids injected and withdrawn shall be monitored on a semi-monthly basis unless daily metering and recording of injected and produced fluid volumes is monitored.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-09(B)(3)	Shall	(3) Fluid level in the injection zone shall be monitored semi-monthly, where appropriate.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-09(B)(4)	Shall	(4) Monitoring wells required by paragraph (A)(11) of rule 1501:9-7-08 of the Administrative Code shall be monitored quarterly.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-09(B)(5)	Shall	(5) Solution mining projects may be monitored on a field or project basis, rather than an individual well basis, by manifold monitoring when such projects consist of more than one injection well, operating with a common manifold.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-09(B)(6)	Shall	(6) Any anomalous condition, including a rate or pressure variation, shall be reported to the chief immediately.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-09(B)(7)(a)	Shall	(7) Monitoring and records. (a) Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-09(B)(7)(b)	Shall	(b) The permittee shall retain records of all monitoring information, including all calibration and maintenance records, all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by the permit, and records of all data used to complete the application or the permit for a period of at least three years from the date of the sample, measurement, report, or application.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-09(B)(7)(c)	Shall	(c) Records of monitoring information shall include: (i) The date, exact place, and time of sampling or measurements;	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-09(B)(7)(c)(ii)	Shall	(ii) Names of any individuals who performed the sampling or measurements;	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-09(B)(7)(c)(iii)	Shall	(iii) The dates on which analyses were performed;	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-09(B)(7)(c)(iv)	Shall	(iv) Names of any individuals who performed the analyses;	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-09(B)(7)(c)(v)	Shall	(v) The analytical technique or methods used; and	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-09(B)(7)(c)(vi)	Shall	(vi) The results of such analyses.	1509.221	Yes, both state and federal law	Yes, both state and federal law

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1501:9-7-09(B)(8)	Shall	All applications, reports, or information submitted to the chief shall be signed and certified as stated in paragraph (D)(3) of rule 1501:9-7-07 of the Administrative Code.	1509.221	No, general rulemaking authority	No, general rulemaking authority
1501:9-7-09(B)(9)(a)	Shall	The permittee shall give notice to the chief, as soon as possible, of any planned physical alterations or additions to the permitted facility.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-09(B)(9)(b)	Shall	The permittee shall give advance notice to the chief of any planned changes in the permitted facility or activity that may result in noncompliance with permit requirements.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-09(B)(9)(c)	Shall	Reports of compliance or noncompliance with or any progress reports on interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than fourteen days following each schedule date.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-09(B)(10)	Shall	The chief shall require additional monitoring, including construction of monitoring wells, in areas subject to subsidence.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-09(C)	Must	All reports required by this paragraph must be signed as stated in paragraph (D)(3) of rule 1501:9-7-07 of the Administrative Code.	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-09(C)	Shall	Reporting requirements shall include: (1) Quarterly reporting to the chief on all required monitoring;	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-09(C)(2)	Shall	(2) Results of mechanical integrity and any other periodic test required by the chief reported with the first quarterly report after completion of the test; and	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-09(C)(3)	Shall	(3) Volume relationship or withdrawal-injection ratios reported annually.	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-09(C)(4)(a)	Shall	(4) Twenty-four-hour reporting.	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-09(C)(4)(a)	Shall	The permittee shall report to the chief any noncompliance that may endanger health or the environment.	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-09(C)(4)(a)	Shall	Any information pertinent to the noncompliance shall be reported to the chief within twenty-four hours after the time the permittee becomes aware of the circumstances.	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-09(C)(4)(a)	Shall	A written submission shall also be provided within five days of the time the permittee becomes aware of the circumstances	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-09(C)(4)(a)	Shall	...and shall contain a description of the noncompliance and its cause, the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-09(C)(4)(b)	Must	(b) The following additional information must be reported within the twenty-four-hour period provided above:	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-09(C)(4)(b)(i)	Must	(i) Any monitoring or other information that indicates that any contaminant may cause an endangerment to an underground source of drinking water.	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-09(C)(4)(b)(ii)	Must	(ii) Any noncompliance with a permit condition or malfunction of the injection system that may cause fluid migration into or between underground sources of drinking water.	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-09(C)(5)	Shall	The permittee shall report annually on the surveying of the monument grid used to detect ground surface movement.	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-09(C)(6)	Shall	The permittee shall report all instances of noncompliance not reported under paragraph (C)(5) of this rule at the time quarterly reports are submitted.	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-09(C)(7)	Shall	Where the permittee becomes aware that it failed to submit any relevant facts in a permit application or submitted incorrect information in permit application or in any report to the chief, it shall immediately submit such facts or information.	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-09(D)	Shall	The permittee shall keep complete and accurate records of the following.	1509.221	Yes, both state and federal law	Yes, both state and federal law

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1501:9-7-09(D)	Shall	All records shall be made available for review upon request from a representative of the division.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-09(D)(1)	Shall	(1) All monitoring required by the permit; and	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-09(D)(2)	Shall	(2) All periodic well tests.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-09(D)(3)	Shall	(3) The permittee shall retain records of all information resulting from any monitoring activities for a period of at least three years from the date of the sample or measurement.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-09(D)(4)	Shall	(4) The permittee shall retain all records concerning the nature and composition of injected fluids until three years after completion of any plugging and abandonment procedures.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-10(B)	Shall	One of the following methods shall be used to evaluate the absence of significant leaks under paragraph (A)(1) of this rule: (1) Monitoring of annulus pressure; or	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-10(B)(2)	Shall	(2) Pressure test with liquid or gas; or	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-10(B)(3)	Shall	(3) Freshwater - Brine Interface Test.	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-10(C)	Shall	One of the following methods shall be used to determine the absence of significant fluid movement under paragraph (A)(2) of this rule: (1) The results of a temperature, noise, or cement quality (bond) log;	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-10(C)(2)	Shall	(2) For solution mining wells where the nature of the casing precludes the use of the logging techniques prescribed in paragraph (C)(1) of this rule, cementing records demonstrating the presence of adequate cement to prevent such migration;	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-10(C)(3)	Shall	(3) For solution mining wells where the chief elects to rely on cementing records to demonstrate the absence of significant fluid movement, the monitoring program prescribed by paragraph (B) of rule 1501:9-7-09 of the Administrative Code shall be designed to verify the absence of significant fluid movement.	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-10(D)	Must	The chief must approve the use of any test to demonstrate mechanical integrity other than those listed in paragraphs (B) and (C) of this rule.	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-10(E)	Shall	In conducting and evaluating the tests enumerated in this rule or others allowed by the chief, the owner or operator and the chief shall apply methods and standards generally accepted in the industry.	1509.221	No, general rulemaking authority	No, general rulemaking authority
1501:9-7-10(E)	Shall	When the owner or operator reports the results of mechanical integrity tests to the chief, he shall include a description of the tests and the methods used.	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-10(E)	Shall	In making his evaluation, the chief shall review monitoring and other test data submitted since the previous evaluation.	1509.221	No, general rulemaking authority	No, general rulemaking authority
1501:9-7-10(G)	Shall	A permit for any solution mining well that lacks mechanical integrity shall include a condition prohibiting injection operations until the permittee shows to the satisfaction of the chief under this rule that the well has mechanical integrity.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-10(H)	Shall	Solution mining wells shall be required to demonstrate mechanical integrity at least once every five years.	1509.221	Yes, federal law	No, general rulemaking authority
1501:9-7-11(A)	Shall	Any solution mining project permit shall require that, prior to the plugging and abandonment of said well or wells,	1509.221	Yes, both state and federal law	Yes, state law
1501:9-7-11(A)	Shall	...the permittee shall obtain a permit to plug and abandon in accordance with sections 1509.13 and 1509.15 of the Revised Code	1509.221	Yes, both state and federal law	Yes, state law
1501:9-7-11(A)	Shall	A permit to plug and abandon shall ensure that plugging and abandonment of any well will not allow the movement of fluids either into an underground source of drinking water or from one underground source of drinking water to another.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-11(A)	Shall	Any applicant for a permit to plug and abandon shall submit a plan for plugging and abandonment.	1509.221	Yes, federal law	No, general rulemaking authority

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1501:9-7-11(A)	Shall	Where the plan meets the requirements of this rule, the chief shall incorporate it into the permit as a condition.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-11(A)	Shall	Where the chief's review of an application indicates that the applicant's plan is inadequate, the chief shall require the applicant to revise the plan, prescribe the conditions needed to meet the requirements of this rule, or deny the application.	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-11(B)	Shall	The permittee shall notify the chief at least thirty days before conversion or abandonment of any well.	1509.221	Yes, both state and federal law	No, general rulemaking authority
1501:9-7-11(C)	Shall	Prior to the abandoning of any solution mining well, the well shall be plugged with cement in a manner that will not allow the movement of fluids either into or between underground sources of drinking water.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-11(D)	Shall	Prior to granting approval for the plugging and abandonment of a solution mining well the permittee shall provide the following information for the chief's consideration.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-11(D)(1)	Shall	(1) The type and number of plugs to be used;	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-11(D)(2)	Shall	(2) The placement of each plug including the elevation of the top and bottom;	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-11(D)(3)	Shall	(3) The type, grade, and quantity of cement to be used;	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-11(D)(4)	Shall	(4) The method of placement of the plugs; and	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-11(D)(5)	Shall	(5) The procedure to be used to meet the requirements of paragraph (E) of this rule.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-11(E)	Shall	Placement of the cement plugs shall be accomplished by one of the following: (1) The balance method;	1509.221	Yes, federal law	No, general rulemaking authority
1501:9-7-11(E)(2)	Shall	(2) The dump bailer method; or	1509.221	Yes, federal law	No, general rulemaking authority
1501:9-7-11(E)(3)	Shall	(3) The two-plug method.	1509.221	Yes, federal law	No, general rulemaking authority
1501:9-7-11(F)	Shall	Prior to the placement of any cement plug, any well to be abandoned shall be in a state of static equilibrium with the mud weight equalized top to bottom either by circulating the mud in the well at least once or by a comparable method prescribed by the chief.	1509.221	Yes, federal law	No, general rulemaking authority
1501:9-7-11(G)	Shall	The chief shall prescribe aquifer cleanup and monitoring where he deems it necessary and feasible to ensure adequate protection of underground sources of drinking water.	1509.221	Yes, both state and federal law	Yes, both state and federal law
1501:9-7-12	Shall	No well for the solution mining of minerals shall be constructed nearer than one hundred feet to any occupied dwelling, nearer than fifty feet to the outside right-of-way of any public road, nearer than fifty feet to a railroad track, nor nearer than one hundred feet to any well.	1509.221	No, general rulemaking authority	Yes, state law
1501:9-7-13	Shall	In the event any word, phrase, sentence, or other portion of Chapter 1501:9-7 of the Administrative Code shall hereafter be declared invalid,	1509.221	No, general rulemaking authority	No, general rulemaking authority
1501:9-7-13	Shall	such invalidity shall not affect the remaining portions and parts of such rules adopted or promulgated by the chief.	1509.221	No, general rulemaking authority	No, general rulemaking authority
1501:9-8-02	Shall	By means of a toll-free telephone number designated by the chief and posted on the division's website or by electronic means designated by the chief and posted on the division's website, a reporting person shall notify the division within thirty minutes after becoming aware of the occurrence of any of the following unless notification within that time is impracticable under the circumstances:	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-8-02	Shall	(1) A release of gas associated with a reporting person's production operation or a reporting person's other activity regulated under Chapter 1509. of the Revised Code or under division 1501:9 of the Administrative Code that results from a blowout, an uncontrolled pop-off valve release in an urban area, or any release of gas that threatens public safety;	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority

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1501:9-8-02	Shall	(2) A release of hydrogen sulfide gas within the working area of a reporting person's production operation or at a reporting person's location of another activity regulated under Chapter 1509. of the Revised Code or under division 1501:9 of the Administrative Code in an amount that results in a sustained airborne concentration of hydrogen sulfide gas that exceeds twenty parts per million for a duration greater than ten minutes, or a release of hydrogen sulfide resulting in injury to or death of an individual;	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-8-02	Shall	(3) Except as provided otherwise in this paragraph, a fire or explosion associated with a reporting person's production operation or a reporting person's other activity regulated under Chapter 1509. of the Revised Code or under division 1501:9 of the Administrative Code in which an emergency responder has been contacted by a reporting person.	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-8-02	Shall	(4) Except as provided in paragraph (A)(5) or (A)(7) of this rule, a release of oil, condensate, or materials saturated with oil or condensate that are associated with a reporting person's production operation or a reporting person's other activity regulated under Chapter 1509. of the Revised Code or under division 1501:9 of the Administrative Code if the release is outside of secondary containment and into the environment and if the release is in an amount that exceeds an estimated two hundred ten United States gallons within any twenty-four hour period;	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-8-02	Shall	(5) A release of oil, condensate, or materials saturated with oil or condensate, associated with a reporting person's production operation or a reporting person's other activity regulated under Chapter 1509. of the Revised Code or under division 1501:9 of the Administrative Code, if the release is outside of secondary containment and into the environment and if the release is in an amount that exceeds an estimated twenty-five United States gallons within any twenty-four hour period in any of the following:	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-8-02	Shall	(a) An urban area;	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-8-02	Shall	(b) An emergency management zone of a surface water public drinking water supply;	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-8-02	Shall	(c) The five-year time of travel associated with a groundwater based public drinking water supply as delineated or endorsed under the source water assessment and protection program; or	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-8-02	Shall	(d) A one-hundred year flood hazard area as delineated on the federal emergency management agency's national flood insurance rate map.	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-8-02	Shall	(6) A release of refined oil products, including but not limited to oil-based drilling fluid, petroleum distillate, spent or unused paraffin solvent, gasoline, fuel oil, diesel fuel, or lubricants associated with a reporting person's production operation or a reporting person's other activity regulated under Chapter 1509. of the Revised Code or under division 1501:9 of the Administrative Code if the release is outside of secondary containment and into the environment and if the release is in an amount that exceeds an estimated twenty-five United States gallons within any twenty-four hour period;	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-8-02	Shall	(7) A release of any substance listed in paragraphs (A)(4), (A)(5), or (A)(6) of this rule associated with a reporting person's production operation or a reporting person's other activity regulated under Chapter 1509. of the Revised Code or under division 1501:9 of the Administrative Code that enters waters of the state in an amount that causes a film or sheen on the surface of the water;	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority

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1501:9-8-02	Shall	(8) Except as otherwise provided in paragraph (A)(9) of this rule or as provided in division (C)(1) and (C)(2) of section 1509.22 of the Revised Code, a release of brine or semi-solid wastes including but not limited to drilling mud, sludge, or tank bottom sediments regulated under Chapter 1509. of the Revised Code or under division 1501:9 of the Administrative Code associated with a reporting person's production operation or a reporting person's other activity regulated under Chapter 1509. of the Revised Code or under division 1501:9 of the Administrative Code if the release is outside of secondary containment and into the environment and if the release is in an amount that exceeds forty-two United States gallons within any twenty-four hour period;	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-8-02	Shall	(9) Except as otherwise provided in division (C)(1)(b) or (C)(1)(d) of section 1509.22 of the Revised Code or section 1509.226 of the Revised Code, release of brine from a vehicle, vessel, railcar, or container operated by a person to whom a registration certificate has been issued under section 1509.222 of the Revised Code or to whom a resolution has been issued pursuant to section 1509.226 of the Revised Code if the reporting person's release of brine enters the environment and the release is in an amount that exceeds forty-two United States gallons;	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-8-02	Shall	(10) A release within any twenty-four-hour period at a reporting person's production operation or at a reporting person's location of any activity regulated under Chapter 1509. of the Revised Code or under division 1501:9 of the Administrative Code of a hazardous substance or extremely hazardous substance, or of a mixture or solution that includes a hazardous substance or an extremely hazardous substance, if the amount of the hazardous substance or extremely hazardous substance released is equal to or greater than the applicable reportable quantities as listed in table 302.4 of 40 C.F.R. part 302.4, in effect on the effective date of this rule, for hazardous substances or as listed in Appendix A or B of 40 C.F.R. part 355, in effect on the effective date of this rule, for extremely hazardous substances.	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-8-02	Shall	However, if the amount of one or more hazardous substances or extremely hazardous substances released is in a mixture or solution and is unknown, the reporting person shall notify when the total amount of the mixture or solution release equals or exceeds the reportable quantity for the hazardous substances or extremely hazardous substances with the lowest reportable quantity.	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-8-02	Shall	If a contractor performs services that are regulated under Chapter 1509. of the Revised Code and rules adopted under it on behalf of a reporting person, the contractor shall notify the reporting person immediately, but no later than thirty minutes, after the contractor becomes aware of any occurrence specified in paragraph (A) of this rule while performing the services at the reporting person's production operation or location of the reporting person's other activity regulated under Chapter 1509. of the Revised Code or under division 1501:9 of the Administrative Code unless notification within that time is impracticable under the circumstances.	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-8-02	Shall	If a contractor performs services that are regulated under Chapter 1509. of the Revised Code and rules adopted under it on behalf of a reporting person and the reporting person or reporting person's representative is not present at the location and the contractor attempts but is unable to contact the reporting person or reporting person's representative, the contractor shall notify the division of oil and gas resources management within thirty minutes after the contractor becomes aware of any occurrence specified in paragraph (A) of this rule unless notification within that time is impracticable under the circumstances.	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-8-02	Shall	A reporting person required to notify the division of oil and gas resources management regarding an occurrence specified in paragraphs (A)(1) to (10) of this rule shall provide at the time of notification required under paragraph (A) of this rule all of the following information that is known or can be reasonably estimated:	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-8-02	Shall	(1) The name and phone number of a person who can provide further information regarding the occurrence;	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority

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1501:9-8-02	Shall	(2) The location of the occurrence, including the county, township, section or lot number, directions from the nearest intersection, and global positioning system coordinates;	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-8-02	Shall	(3) The identification information pertaining to the authorized activity pursuant to Chapter 1509. of the Revised Code or division 1501:9 of the Administrative Code, such as an authorized owner's or person's name and the permit number, order number, or registration certificate number;	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-8-02	Shall	(4) The type of occurrence or occurrences as specified in paragraphs (A)(1) to (A)(10) of this rule;	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-8-02	Shall	(5) The potential health effects and safety concerns associated with the occurrence;	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-8-02	Shall	(6) The mitigation measures initiated or performed, including any evacuation;	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-8-02	Shall	(7) Whether an emergency responder was contacted to respond to the incident;	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-8-02	Shall	(8) The identity of other federal, state, or local agencies that were notified;	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-8-02	Shall	(9) If the occurrence involves a release of any reportable substance as listed in paragraphs (A)(4) to (A)(10) of this rule:	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-8-02	Shall	(a) The source of the release;	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-8-02	Shall	(b) The chemical name, description, or identity of all substances released;	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-8-02	Shall	(c) If the substance is an extremely hazardous substance;	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-8-02	Shall	(d) An estimate of the quantity in United States gallons released outside of secondary containment if the substance is a liquid;	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-8-02	Shall	(e) An estimate of the quantity in pounds released outside of secondary containment if the substance is a solid;	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-8-02	Shall	(f) The date, time, and duration of the release, if known;	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-8-02	Shall	(g) An identification of the environmental medium or media into or onto which the substance was released; and,	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-8-02	Shall	(h) Other actions proposed for response to the release.	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-8-02	Shall	If the incident involves a release of a substance specified in paragraph (A)(4), (A)(6), (A)(7), or (A)(10) of this rule, the reporting person also shall submit to the division of oil and gas resources management a follow-up report no later than thirty days after the release.	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-8-02	Shall	Any follow-up report required under this paragraph	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-8-02	Shall	...shall be on a form prescribed by the chief that is available on the division's website.	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority

RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1501:9-9-02	Shall	All owners, contractors and persons or organizations in control of wells being drilled, reworked, reconditioned, deepened, plugged back, produced, shut-in, or plugged prior to abandonment shall use all reasonable means to safeguard against hazards to life, limb and property and are subject to and shall comply with safety rules herein specified.	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-02	Shall Not	Chapter 1501:9-9 of the Administrative Code with the exception of paragraphs (A)(10) and (D) of rule 1501:9-9-05 of the Administrative Code shall not apply to operations extant prior to the effective date of these rules.	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-02	Must	Such orders must specify the nature of the violation and what steps are required by the chief or inspectors to remedy the violation.	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-02	Shall	Any operator, contractor or person or organization who is in violation of Chapter 1501:9-9 of the Administrative Code shall also be subject to penalties prescribed in section 1509.99 of the Revised Code.	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-03	Must	A chemical fire extinguisher in good working condition must be on location of a drilling well at all times.	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-03	Must	When drilling with cable tools, a valve in good working condition of sufficient size and working pressure to control normal hydrostatic pressure for the deepest pool to be penetrated must be installed on the casing through which drilling is proceeding when drilling within two hundred (200) feet of an inhabited structure or when drilling in urbanized areas unless the chief finds that a blow-out preventor (BOP) is not needed.	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-03	Shall	The requirements of 1501:9-9-03(C) shall be considered fulfilled if sufficient fluid is contained in the borehole which is calculated to be one and one-half times the normal hydrostatic pressure for the deepest pool penetrated.	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-03	Must	When drilling with rotary tools and using a liquid as a drilling medium, BOP in good working condition of sufficient size and working pressure rating to control normal hydrostatic pressure for the deepest pool to be penetrated must be installed on the casing through which drilling is being performed when drilling within two hundred (200) feet of an inhabited structure or when drilling in urbanized areas, unless the chief finds that a BOP is not needed.	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-03	Must	Blow-out preventors must be capable of closing off the annulus between casing and drill pipe as well as completely closing off the casing when drill pipe is not in the hole.	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-03	Must	Blow-out preventor systems must include a device which will permit bleed-off of hydrostatic pressure.	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-03	Must	Upon request of the Chief or his inspectors, the owner, contractor or person or organization in control of a well must demonstrate that the BOP is in good working condition.	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-03	Require	In addition, the Chief may require a blow-out preventor in other cases when he deems it necessary.	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-03	Must	When drilling with rotary tools using air or other gaseous material as a drilling medium, a rotating air-head in good working condition with stripper rubbers of proper size and sufficient working pressure rating to control normal hydrostatic pressure for the deepest pool penetrated must be installed on the surface casing.	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-03	Must	Upon request of the Chief or his inspectors, the owner, contractor or person or organization in control of a well must demonstrate that the air-head and stripper rubber are in good working condition.	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-03	Must	The discharge line from the annulus between the casing and drill pipe must be vented not less than sixty (60) feet from the well into a pit of sufficient size to contain drill cuttings, foam, produced water, oil and/or casing-head gas.	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority

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1501:9-9-03	Must	If drilling with air or other gaseous material as the drilling medium within two hundred (200) feet of an inhabited structure, a (BOP) in good working condition of sufficient size and working pressure rating to control normal hydrostatic pressure for the deepest pool to be penetrated must be installed on the casing through which drilling operations are being performed beneath the rotating air-head or when drilling in urbanized areas, unless the chief finds that a BOP is not needed.	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-03	Must	Blow-out preventors must be capable of closing off the annulus between the casing and drill pipe as well as completely closing off the casing when drill pipe is not in the holes.	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-03	Must	Blow-out preventor systems must include a device which will permit bleed-off of hydrostatic pressure.	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-03	Must	Upon request of the Chief or his inspectors, the owner, contractor or person or organization in control of the well must demonstrate that the BOP is in good working condition.	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-03	Require	In addition, the Chief may require a BOP in other cases when he deems it necessary.	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-03	Shall	In urbanized areas, the division inspector or supervisor shall receive direct notification of the BOP test no less than twenty-four (24) hours in advance.	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-03	Must	A pit or pits of sufficient size and shape must be constructed adjacent to each drilling well to contain all the drilling muds, cuttings, salt water and oil flowed into same.	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-03	Shall	During drilling in an urbanized area a temporary fence no less than three (3) feet in height shall be placed to restrict access to the drilling location.	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-03	Shall	The fence shall have "Danger Stay Out" (or similar) posting at no less than one hundred fifty (150) foot intervals along the outside of the fence.	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-03	Must	All access to the rig, associated drilling equipment and pits must be restricted.	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-03	Shall	The temporary fence shall be maintained until the drilling pits have been removed.	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-03	Shall	Drilling, well servicing and well site maintenance operations in urbanized areas shall be conducted in a manner to mitigate noise, including the reasonable use of screening and appropriate mufflers on drilling and servicing equipment.	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-03	Shall	In urbanized areas where there is a known occurrence of shallow gas or H2S, drilling on air may not be permitted, fluid drilling shall be required.	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-03	Shall	During drilling, the state inspector shall require converting to fluid drilling where there is an imminent threat to safety of the rig crew and/or the public.	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-03	Shall	In urbanized areas where flaring is expected, the permittee shall notify the local emergency response officials that such may occur.	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-03	Shall	In urbanized areas, once total depth has been reached and the rig has been removed from the drilling location, all drilling pits shall be closed within thirty (30) days or sooner if required by the chief.	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-04	Must	A rig used in workover, reconditioning, plugging back, completion or plugging must be equipped with a chemical fire extinguisher in good working order.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-04	Must	Pits or tanks of sufficient size and shape must be constructed adjacent to each operation to contain all the drilling muds, cuttings and oil flowed into same.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Must	All wells must be equipped so that no oil, gas or condensate is allowed to escape with the exception of gas flares as per 1501:9-9-05 (B).	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority

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1501:9-9-05	Shall	Oil production tanks shall be set a minimum of fifty (50) feet from the traveled portion of a public road and a minimum of one hundred (100) feet from existing inhabited structures and a minimum of three (3) feet between tanks and a minimum of fifty (50) feet from any well.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Shall	Indirect fire heaters shall be set a minimum of fifty (50) feet from the well and a minimum of fifty (50) feet from oil production tanks and a minimum of one hundred (100) feet from existing inhabited structures.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Shall	Direct fire heaters, excluding under tank and internal tank heating, shall be a minimum of fifty (50) feet from the well and a minimum of fifty (50) feet from oil production tanks and a minimum of one hundred (100) feet from existing inhabited structures and a minimum of fifty (50) feet from mechanical separators.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Shall	Mechanical separators shall be set a minimum of fifty (50) feet from the well, a minimum of ten (10) feet from oil production tanks and a minimum of one hundred (100) feet from existing inhabited structures	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Prohibit	Under tank oil and internal tank heating are prohibited while oil is being produced into the same tank.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Must	All oil production tanks must be located in a position so that any escaping oil cannot drain onto public roads or towards existing inhabited structures or other areas which could cause a safety hazard.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Must	All surface equipment must be pressure rated to withstand operating pressures to which it is subjected.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Require	In order to protect life, health, and property the Chief may require where a clear and present hazard exists that any producing equipment at the well-head and related storage tanks be protected by an earthen dike or earthen pit which shall have a capacity sufficient to contain any substances resulting, obtained, or produced in connection with the operation of the related oil or gas well.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Shall	The dike or pit shall be maintained for the purpose for which it was constructed	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Shall	...and the reservoir within shall be kept reasonably free of water and oil.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Shall	All producing leases shall be legibly identified in a conspicuous place on or near the well-head or the storage tank(s) as to owner, lease name, well number, permit number where available, county, and an emergency telephone number.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Shall	If multiple wells are being produced into the common tank(s) each well-head shall be identified as to owner, permit number where available, well number and lease name.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Shall	Any change of ownership shall be shown at the well-head or storage tank(s) not later than sixty days after the date of the assignment or transfer.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Must	All gas vented to the atmosphere must be flared, with the exception of gas released by a properly functioning relief device and gas released by controlled venting for testing, blowing down and cleaning out wells.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Must	Flares must be a minimum of one hundred (100) feet from the well, a minimum of one hundred (100) feet from oil production tanks and all other surface equipment, and one hundred (100) feet from existing inhabited structures and in a position so that any escaping oil or condensate cannot drain onto public roads or towards existing inhabited structures or other areas which could cause a safety hazard.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Must	Pits, pumps and flares must be safely fenced if within one hundred fifty (150) feet of an existing inhabited structure and if in the opinion of the Chief, such fence is necessary to protect life and limb.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Require	In order to protect life, health, and property the Chief may require that valves on storage facilities shall be kept secured by locks, bull plugs, or other similar devices in such a manner as to discourage vandalism.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Shall	When the Chief determines that valves on storage facilities should be secured, he shall so notify the owner(s) and include the reason why securing said valves will protect life, health, and property.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority

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1501:9-9-05	Shall	Each identification sign, in lieu of the identification required under 1501:9-9-05(A), posted by the owner or their authorized representative shall include, at a minimum, the following information in 2 inch or larger letters: (a) Well owners name, address, and telephone number.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Shall	(b) County, Township, name of Village - City - Town (where applicable).	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Shall	(c) Property street address (or nearest address to the access road entrance. If "nearest" is used, it should be reflected on sign).	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Shall	(d) State Permit Number, Lease Name, and Well Number.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Shall	(e) Local emergency response phone number and company emergency phone number.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Shall	(f) Where a gate exists on the access road, the identification sign shall be placed on the gate as well as the tank battery.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Shall	(g) The identification shall be posted securely on the outside of the fence for the wellhead and tank battery fence in a conspicuous location.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Shall	(h) The identification shall be on a metal or wooden sign with the sign maintained to remain legible at all times.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Shall	(i) Danger, Keep Out (or similar wording) and no smoking signs shall be securely attached to each side of the fencing used to screen the tank battery and wellhead.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Shall	Prior to placing the well in production, the owner shall install a fence around the wellhead and tank battery/separator and associated production equipment.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Shall	The fence shall be a chain link fence no less than eight (8) feet in height, nine (9) gauge and topped with three (3) strands of barbed wire, if necessary.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Shall	All fence shall be securely anchored in the ground.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Shall	The fence shall be placed no closer than four (4) feet to the wellhead or any portion of the tank battery/separator.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Shall	The cage or vault cover shall provide for easy removal for well servicing and/or emergency access.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Shall	The gate to the wellhead and tank battery/separator shall be no less than four (4) feet in width and lockable.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Shall	Where there are two or more tanks in a tank battery, two gates on opposite sides of the facility shall be placed.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Shall	Where a lease/access road to the wellhead and/or tank battery extends a significant distance from the ingress access point a locked gate made of tubular steel or material similar in strength shall be placed near the entrance to the access road restricting access to the well site.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Shall	Keys or the combination to the lock shall be provided to the state inspector or local emergency response officials on request.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Require	In the future where a variance has been granted or if site conditions warrant, the chief may require the placement of a fence.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Shall	All gates, electrical boxes and brine/oil pick-up lines shall be locked unless in use, under repair, or company staff or representatives are on-site.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority

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1501:9-9-05	Shall	Keys or combinations to the locks shall be provided to the state inspector and local emergency response staff on request.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Shall	Tanks shall not be buried.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Shall	Activated charcoal filters shall be installed on the vent stack and filters replaced as needed.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Shall	Vent stacks shall have a functioning low-pressure relief valve.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Shall	Tank hatch lids shall have a functioning seal and the hatch shall be secured at all times the well owner or his representative is not on-site.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Shall	Each oil storage tank shall have a functioning lightning arrestor.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Shall	Low profile tanks are recommended and the tanks shall not extend more than three (3) feet above the highest portion of the fence.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Shall	Storage tanks shall not be equipped with glass or plastic sitting tubes.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	May Not	The tank battery, separator and associated equipment may not be placed closer than seventy-five (75) feet from any property not part of the drilling unit unless the property owner and resident of the property grants approval in writing of any proposed location closer than seventy-five (75) feet, or the chief waives the seventy-five (75) foot set-back requirements.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Shall	Where more than six (6) tanks (total capacity exceeding 700 bbl) are to be located nearer than seventy-five (75) feet to property not included in the drilling unit, the adjacent property owner and resident of the property shall approve the location of the tanks in writing including a reference to the total number of tanks or, the chief may waive the seventy-five (75) foot set-back requirement.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Shall	Servicing and maintenance of the well shall occur between the hours of 7:00 a.m. and 7:00 p.m. (emergency repairs may occur at any time).	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Shall Not	Equipment not used in the production of the well shall not be stored at the well site.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Shall Not	Replacement equipment or replaced equipment shall not be stored on-site for more than thirty (30) days.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	Shall	Equipment and vegetation shall be maintained consistent with reasonably prudent operations, including being free of refuse, in order to assure protection of public health or safety or to prevent damage to natural resources.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	shall	All landscaping placed to screen the tank battery or wellhead shall be placed to permit reasonable access for well servicing and emergency access.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-05	shall	Evergreen or similar stock no less than six (6) feet in height placed no more than ten (10) feet on center shall be placed around the tank battery and wellhead fence.	1509.02, 1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-06	Shall Not	1501:9-9 with the exception of 1501:9-9-05(A)(10) and (D) shall not apply to any operations extant prior to the effective date of 1501:9-9.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:9-9-07	Shall Not	In the event any word, phrase, sentence or other portion of these rules shall hereafter be declared invalid, such invalidity shall not affect the remaining portions and parts of the rules adopted or promulgated by the chief.	1509.03, 1509.23	No, general rulemaking authority	No, general rulemaking authority

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1501:9-10-02	Shall	These rules shall apply to all pipelines utilized in the actual drilling or operation of oil and/or natural gas wells, the producing of oil and/or natural gas wells, and the transportation of leasehold gas as more fully described herein, excepting however, those oil and/or natural gas pipelines covered by the Hazardous Materials Transportation Act (49 U.S.C. sections 1802 et seq.) or the Natural Gas Pipeline Safety Act (49 U.S.C. sections 1671, et seq.).	1509.23	Yes, state law	No, general rulemaking authority
1501:9-10-03	Shall	Excluding all pipelines utilized in the actual drilling or operation of oil and/or natural gas well(s) and pipelines used to transport leasehold gas, no person shall operate or cause to be operated an oil and/or natural gas pipeline used in the producing of oil and/or natural gas wells without first identifying the route of the pipeline on the surface of the ground in a manner customary to the industry.	1509.23	Yes, state law	No, general rulemaking authority
1501:9-10-03	Shall	An accurate record or sketch showing the location, identification, type, and size of pipelines shall be kept on file at an office of an owner or the operator of the pipeline.	1509.23	Yes, state law	No, general rulemaking authority
1501:9-10-03	Shall	Any changes in the location, identification, type, and size of pipelines shall be shown on a revised record or sketch and kept on file at an office of an owner of the pipeline.	1509.23	Yes, state law	No, general rulemaking authority
1501:9-10-04	Shall	All pipelines and fittings appurtenant thereto used in the drilling, operating or producing of oil and/or natural gas well(s) shall be designed for at least the greatest anticipated operating pressure or the maximum regulated relief pressure in accordance with the current recognized design practices of the industry.	1509.23	Yes, state law	No, general rulemaking authority
1501:9-10-05	Shall	No person shall lay an oil and/or natural gas pipeline used in the producing of oil and/or natural gas wells that is constructed of metallic or nonmetallic materials unless such pipeline is buried at least twenty-four inches below the ground surface.	1509.23	Yes, state law	No, general rulemaking authority
1501:9-10-05	Shall	(B) Whenever a pipeline is laid in accordance with one or more of the above exemptions, the owner of such pipeline shall file a statement with the chief of the Division of Mineral Resources Management identifying:	1509.23	Yes, state law	No, general rulemaking authority
1501:9-10-05	Shall	(1) Owner's name and address,	1509.23	Yes, state law	No, general rulemaking authority
1501:9-10-05	Shall	(2) The location of the pipeline, and	1509.23	Yes, state law	No, general rulemaking authority
1501:9-10-05	Shall	(3) The exceptions justifying the construction.	1509.23	Yes, state law	No, general rulemaking authority
1501:9-10-06	Shall	However, the chief of the Division of Mineral Resources Management shall have the authority to issue corrective orders with respect to those pipelines, when, by actual incident, the chief finds them to be hazardous or dangerous.	1509.23	Yes, state law	No, general rulemaking authority
1501:9-11-02	Shall	Each application for a permit to plug and abandon a well shall include: an affidavit attesting that the owner of his authorized agent has notified in writing the owner of the land upon which the well is located, of his intention to abandon the well, and of the approximate date when he will commence plugging operations.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-02	Shall	The coal owner shall make every reasonable effort to facilitate the coordination to avoid any delay in the scheduling of the plugging by the owner.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-02	Shall	The permit or a true copy thereof shall be available at the well site at all times during which plugging and abandonment operations are taking place.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-02	Shall	Once a permit to plug and abandon has been issued pursuant to this rule, actual plugging of the well authorized by the permit shall be commenced within twelve month period of the date of issuance of such permit or the permit shall expire;	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-02	Shall	if plugging is commenced but not completed within said twelve month period, plugging shall be continued with due diligence following the twelve month period or the permit shall expire.	1509.03, 1509.15	Yes, state law	Yes, state law

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1501:9-11-03	Shall	A dry hole, lost hole, abandoned oil and gas well, abandoned brine disposal well, abandoned well used to inject fluids for the enhanced recovery of oil or gas, abandoned well used to store hydrocarbons, and all wells plugged back in order to produce from or inject into or extract fluids from a more shallow formation and abandoned well used for solution mining of minerals shall be plugged in such a manner that oil, gas, water, or other fluids shall be confined to the reservoir rock in which it occurs or originates.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-03	Require	He may also require the installation of casing and vent pipe to provide additional safety to the surrounding area.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-03	Shall	The plugging report, on a form provided by the division, shall show the manner in which the well was plugged.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-03	shall	The chief shall take all necessary precautions to ensure protection of public health and safety from the hazards that may be encountered during plugging operations.	1509.03, 1509.15	Yes, state law	Yes, state law
151:9-11-04	Shall	Each plugging operation shall be conducted under the supervision of an inspector.	1509.03, 1509.15	Yes, state law	Yes, state law
151:9-11-04	Shall	The well owner or his authorized agent shall notify the inspector when plugging operations will commence at a dry hole or lost hole in sufficient time to enable the inspector to be present.	1509.03, 1509.15	Yes, state law	Yes, state law
151:9-11-04	Shall	For all other wells, the owner or his authorized agent shall notify the inspector a minimum of twenty-four hours prior to commencement of plugging operations.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-05	Shall	Plugging operations on a dry hole or lost hole shall commence immediately upon abandonment of the hole.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-05	Shall	A lost hole shall be considered abandoned when the decision has been made that completion of the well is not feasible.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-05	Shall	Such well shall be plugged prior to the skidding of the drilling rig to an alternative location.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-05	Shall	A dry hole shall be considered abandoned when the decision has been made not to complete the well.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-05	Shall	Prior to commencement of plugging operations for a dry hole or lost hole, the owner, or his authorized agent, shall furnish the inspector with a record of the depth of the top and the base of formations penetrated during the drilling of the well, the depths where oil, gas or water were encountered, and a record of any casing present in the well.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-05	Shall	If reasonably available, the information furnished shall include a copy of the geophysical, electrical, or mechanical log and/ or the drilling contractors report.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-05	shall	Based on the furnished information the inspector shall approve a plugging program in accordance with rules 1501:9-11-01 to 1501-9-11-13 of the Administrative Code and plug emplacement methods and plugging materials approved by the chief.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-05	Shall	When no records are available, the owner, or his agent, shall make every reasonable effort to obtain sufficient formation and casing data on the well, to assist the inspector in determining the plugging procedure.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-05	Must	Plugging operations on each abandoned oil and gas well, abandoned brine disposal well, abandoned well used to inject fluids for the enhanced recovery of oil or gas, and abandoned well used to store hydrocarbons and all wells plugged back in order to inject into or extract fluids from a more shallow formation and abandoned well used for solution mining of minerals must commence without undue delay after production, extraction, or injection operations have ceased	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-05	shall	shall proceed with due diligence until completed	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-06	Shall	In order to protect the fresh water strata and to prevent surface subsidence, no conductor pipe, driven or set during the drilling of a cable tool well, or surface casing if the conductor pipe is not in place, shall be pulled from the well.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-06	Shall	Prior to pulling surface casing from a cable tool drilled well, all free crude oil and brine shall be removed from inside the production borehole.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-07	Shall	A well shall be plugged with cement, prepared clay, or any other material approved by the chief.	1509.03, 1509.15	Yes, state law	Yes, state law

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1501:9-11-07	Shall	A rotary drilled hole shall be plugged with cement unless otherwise approved by the division.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-07	shall	Cement shall meet commonly accepted industry standards for portland cement.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-07	Must	Cement blends must be able to attain a minimum compressive strength of five hundred pounds per square inch after twenty-four hours when tested in accordance commonly accepted industry standards.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-07	Must	A well that yields hydrogen sulfide must be plugged with sulfate-resistant cement	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-07	Shall	The chief shall approve prepared clay sources based upon an annual test demonstrating that the material has a clay content of not less than 40 percent and a sand or greater size content not exceeding 30 percent.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-07	Shall	For purposes of this evaluation, clay shall be considered any material with a particle size of 4.0 microns or less, and the sand fraction will be considered all particles with a grain size exceeding 62.5 microns.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-07	Must	In addition to meeting the grain size standards, the owner of an approved operation must process the material and store the material in a dry condition for delivery.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-07	Shall	No substance of any nature or description other than that normally used in plugging operations in accordance with the acceptable industry standard shall be placed in any well at any time during the plugging operations.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-08	Shall	For all wells plugged with cement, plugs shall be placed in the following intervals:	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-08	Shall	(1) From total depth or a minimum of fifty feet below the base of the lowest reservoir rock penetrated to a minimum of two hundred feet above the top of the lowest reservoir rock penetrated.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-08	shall	If prepared clay is approved by the chief for the bottom hole plug, the plug shall be emplaced from total depth to a minimum of five-hundred feet above the top of the lowest reservoir rock penetrated or perforated.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-08	Must	Prior to placing the clay, tools must be run tot total depth to ensure the well bore is clear of obstructions.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-08	Must	If an obstruction is found, the well bore must be cleared prior to the placement of the clay.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-08	shall	(2) From minimum of fifty feet below the base to a minimum of one hundred feet above the top of each succeeding reservoir rock formation until the plugging operation has been completed to within a minimum of one hundred feet of the bottom of the surface casing.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-08	shall	(3) From a minimum of one hundred fifty feet below the top of the big lime to the top of the big lime.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-08	Shall	(4) From a minimum of one hundred feet below to a minimum of one hundred feet above the base of the surface casing.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-08	Shall	(5) If the surface casing of a cable tool well has been removed, leaving the fresh water strata unprotected, a cement plug shall be placed from a minimum of fifty feet below the base of the fresh water strata to thirty inches below grade level.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-08	Shall	(6) Where the coal owner identifies that a economic mineable coal seam or active underground mine may be affected, a bridge shall be placed in the well bore a minimum of two hundred feet below the mineable coal seam,	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-08	Shall	and the well bore shall be filled with an approved material from the top of such bridge to within a minimum of thirty inches of the grade level.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-08	Shall	(7) From a minimum of one hundred feet below the grade level to thirty inches below grade level.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-08	Shall	(B) Placement of cement plugs shall be accomplished by one of the following methods: the balance method, the dump-bailer method, a pump-and-plug method, or any other method approved by the chief.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-08	Shall	(D) Cement plugs shall not be circulated into holes where static conditions cannot be reached.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-08	Shall	(F) During plugging, a good fait effort must be made to recover all casing which is not cemented, excluding conductor pipe.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-08	Require	The inspector may also require or approve the placing of brush and stone bridges, and/or mechanical bridges in the well bore or casings, when in his judgement, such bridges will be necessary to insure that the plugging material placed in the well remains at the point in the well where such material had been placed.	1509.03, 1509.15	Yes, state law	Yes, state law

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1501:9-11-08	Require	In order to promote enhanced recovery, including but not limited to secondary and tertiary operations, the chief may require special plugging conditions.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-09	Shall	For all wells plugged with prepared clay, a clay slurry shall be placed in the following intervals in the well bore:	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-09	Shall	(1) From total depth to a minimum of five hundred feet above the top of the lowest reservoir rock penetrated or perforated.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-09	Shall	(2) From a minimum of fifty feet below the base of each succeeding reservoir rock formation to a minimum of two hundred feet above the top of such formation, until the plugging operation has been completed to within a minimum of one hundred feet of the bottom of the surface casing.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-09	Shall	(3) From approximately fifty feet below the base of the fresh water strata to a minimum of thirty inches below the grade level.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-09	Shall	(4) A bridge shall be placed in the well bore a minimum of two hundred feet below the coal seam,	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-09	Shall	and the well bore shall be filled with an approved material from the top of such bridge to within a minimum of thirty inches below the grade level.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-09	Shall	During the plugging operation a good faith effort must be made to recover all, casing which is not cemented, excluding conductor pipe.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-09	Require	The chief or his authorized representative may also require or approve the placing of brush and stone bridges, and/or mechanical bridges in the well bore or casings, when in his judgment such bridges will be necessary to ensure that the prepared clay placed in the well remains at the point in the well where such prepared clay had been placed.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-09	Shall	A precast concrete plug shall be placed on the top of the conductor pipe or surface casing.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-09	Require	In order to promote enhanced recovery, including but not limited to secondary and tertiary operations, the chief or his authorized representative may require special plugging conditions.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-10	Shall	When the plugging operations have been completed, the remaining casing in the well shall be cut off a minimum of thirty inches below the surface of the grade.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-10	shall	An identification tag shall be placed on the top of the conductor pipe or surface casing.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-11	Shall	In the event a rat hole and/or mouse hole was employed during the drilling of the well, such holes shall be plugged with cement or other approved plugging material from the bottom of the hole to a minimum of thirty inches below surface of the grade.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-11	Shall	A rat hole or mouse hole employed during the drilling of a dry hole or lost hole shall be plugged immediately after plugging the well bore.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-11	shall	A rat hole or mouse hole employed during the drilling of a well for the purpose of production, extraction or injection of fluids shall be plugged immediately after the long string has been cemented in the well bore or when drilling operations have been completed.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-12	Shall	When plugging operations are not witnessed by an inspector, a plugging report on a form provided by the division and signed by the owner or his agent, shall be filed with the division within thrity days after completion of the plugging operation.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-12	shall	For all wells plugged with cement, a cementing ticket made by the party cementing the well shall be attached to the plugging report.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-12	Shall	For all wells plugged with prepared clay, a copy of the prepared clay purchase record shall be attached to the plugging report.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-12	Shall	When an inspector is present to supervise the plugging operations, a plugging report shall be filed in such form as the chief may prescribe.	1509.03, 1509.15	Yes, state law	Yes, state law

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1501:9-11-12	shall	When in normal production or drilling operations the well bore becomes plugged or obstructed because of loss of drilling tools or producing equipment which would be impractical or impossible to remove, special consideration shall be allowed	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-12	shall	and the well shall be plugged as nearly to the rules as existing circumstances will permit.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-12	Shall	The exact method of plugging and the equipment lost shall be shown on the plugging report.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-11-13	Shall	Such written authority and assumption of responsibility shall be filed with the division on a form approved by the division.	1509.03, 1509.15	Yes, state law	Yes, state law
1501:9-12-01	Shall	Such standards shall be incorporated by reference into and considered part of the requirements of these rules to the prescribed extent of each such reference.	1509.03	No, general rulemaking authority	No, general rulemaking authority
1501:10-1-02*	Shall	The operator shall install fire detection devices on each conveyor belt that is used in the mine.	1561.03, 1561.05, 1567.681	Yes, both state and federal law	Yes, both state and federal law
1501:10-1-02	Shall	The design, type, number, installation and use of fire detection devices shall provide for the earliest possible detection of a fire and shall meet the requirements of 30 C.F.R. 75.1103-1 to 30 C.F.R. 30 C.F.R. 75.1103 -8.	1561.03, 1561.05, 1567.681	Yes, both state and federal law	Yes, both state and federal law
1501:10-1-02	Shall	The operator shall follow a procedure that meets the requirements of 30 C.F.R. 75.1103-8 for the inspection of the fire detection devices installed on each conveyor belt.	1561.03, 1561.05, 1567.681	Yes, both state and federal law	Yes, both state and federal law
1501:10-1-02	Shall	Initial approval of fire detection devices. (1) Existing underground coal operators. Within thirty days of the effective date of this rule, each existing underground coal operator shall submit a letter to the chief notifying the chief that the mine's fire detection devices have been installed in compliance with 30 C.F.R. 75.1103-1 to 30 C.F.R. 30 C.F.R. 75.1103 -8.	1561.03, 1561.05, 1567.681	Yes, both state and federal law	Yes, both state and federal law
1501:10-1-02	Shall	The chief shall inspect the fire detection devices, approve or disapprove the installation of the fire detection devices, and notify the operator of the chief's decision.	1561.03, 1561.05, 1567.681	Yes, state law	Yes, state law
1501:10-1-02	Shall	A new underground coal operator shall submit to the chief a plan for fire detection devices that meets the requirements of this rule.	1561.03, 1561.05, 1567.681	Yes, state law	Yes, state law
1501:10-1-02	Shall	After the operator has installed the fire detection devices, he or she shall submit a letter to the chief notifying the chief that the mine's fire detection devices have been installed in compliance with 30 C.F.R. 75.1103-1 to 30 C.F.R. 30 C.F.R. 75.1103 -8.	1561.03, 1561.05, 1567.681	Yes, both state and federal law	Yes, both state and federal law
1501:10-1-02	Shall	The chief shall inspect the fire detection devices, approve or disapprove the installation of the fire detection devices, and notify the operator of the chief's decision.	1561.03, 1561.05, 1567.681	Yes, state law	Yes, state law
1501:10-1-02	Shall	When an operator submits a proposed revision or modification to a mine's fire detection devices to MSHA for approval, the operator shall at the same time submit this proposed revision or modification to the chief for approval.	1561.03, 1561.05, 1567.681	Yes, state law	Yes, state law
1501:10-1-02	Shall	The chief shall review the proposed revision or modification, approve or disapprove it, and notify the operator of the chief's decision.	1561.03, 1561.05, 1567.681	Yes, state law	Yes, state law
1501:10-1-03*	Shall	(C) The operator of an underground coal mine shall have, for each miner at the mine, tag lines or tie-off lines stored and available for emergency use and escape.	1561.03, 1561.05, 1567.64	Yes, both state and federal law	Yes, both state and federal law
1501:10-1-03	Shall	The operator shall provide and employees of the mine shall use tag lines or tie-off lines in accordance with the requirements and procedures established in this rule.	1561.03, 1561.05, 1567.64	Yes, both state and federal law	Yes, both state and federal law
1501:10-1-03	Shall	The operator shall provide and store tag lines and tie-off lines in accordance with the requirements of 30 C.F.R. 75.1714-6 and paragraphs (a)(1) and (b) of 30 C.F.R. 75.1714-4.	1561.03, 1561.05, 1567.64	Yes, both state and federal law	Yes, both state and federal law
1501:10-1-03	Shall	(D) Inspection and approval of the use of tag lines and tie-off lines in a mine. As part of the regular quarterly inspection of a mine pursuant to section 1561.31 of the Revised Code, a deputy mine inspector shall inspect tag lines and tie-off lines to verify that they meet the requirements of this rule and section 1567.64 of the Revised Code.	1561.03, 1561.05, 1567.64	Yes, state law	Yes, state law

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1501:10-1-04*	Shall	(A) Training requirements. A mine medical responder, as defined in section 1565.15 of the Revised Code, shall be trained and certified in accordance with this rule.	1561.03, 1561.05, 1565.15	Yes, state law	Yes, state law
1501:10-1-04	Shall	Mine medical responder training shall include all of the following: (1) An initial mine medical responder training course of a minimum of eighty-three hours, taught by a mine medical responder certification instructor...(See additional restriction in cell below)...(2) A final examination, developed by the mine safety program of the division of mineral resources management and approved by the chief, taken at the completion of the initial training course, that directly measures the skills, abilities and learned proficiencies of the student...(See additional restriction in cell below)...(3) A mine medical responder refresher training course of a minimum of sixteen hours every two years following initial certification as a mine medical responder, taught by a mine medical responder certification instructor...(See additional restriction in cell below)...and (4) Any other requirements, criteria or procedures that the chief determines are necessary regarding the training, examination, and refresher training of mine medical responders.	1561.03, 1561.05, 1565.15	Yes, state law	Yes, state law
1501:10-1-04	Shall	(1)(continued) The training course shall be developed by the mine safety program of the division of mineral resources management and approved by the chief and shall include a course agenda and material that specifically focus on treating injuries and illnesses associated with underground coal mining;	1561.03, 1561.05, 1565.15	Yes, state law	Yes, state law
1501:10-1-04	Shall	(2)(continued) Part of this examination shall be written;...(continued in cell below)	1561.03, 1561.05, 1565.15	Yes, state law	Yes, state law
1501:10-1-04	Shall	...part shall be verbal and hands-on, during which the student shall exhibit acquired skills and proficiencies for the treatment of injured miners including splinting, bandaging, control of bleeding and preparation for transport;	1561.03, 1561.05, 1565.15	Yes, state law	Yes, state law
1501:10-1-04	Shall	(3)(continued) The training course shall be developed by the mine safety program of the division of mineral resources management and approved by the chief and shall include a course agenda and material that specifically focus on treating injuries and illnesses associated with underground coal mining; and	1561.03, 1561.05, 1565.15	Yes, state law	Yes, state law
1501:10-1-04	Shall	(B) Eligibility requirements for mine medical responder. (1) Persons with a current EMT or paramedic certificate. (a) An EMT-basic, EMT-I or paramedic, as defined in section 1565.15 of the Revised Code, whose certification is current shall automatically receive the mine medical responder certification upon submission to the chief of an application for certification and presentation of his or her current EMT or paramedic certificate.	1561.03, 1561.05, 1565.15	Yes, state law	Yes, state law
1501:10-1-04	Shall	An EMT-basic, EMT-I or paramedic from a state other than Ohio shall also submit to the chief a letter from the certifying authority stating that the applicant's EMT or paramedic certification is current and in good standing in that state.	1561.03, 1561.05, 1565.15	Yes, state law	Yes, state law
1501:10-1-04	Shall	(b) An EMT-basic, EMT-I or paramedic who automatically receives the mine medical responder certification under paragraph (B)(1)(a) of this rule and who does not renew his or her EMT-basic, EMT-I or paramedic certificate pursuant to rule 4765-8-04 of the Administrative Code shall continue to meet the requirements of a mine medical responder provided he or she applies for and successfully completes the mine medical responder refresher training course described in paragraph (A) (3) of this rule during the same calendar year as the date of the expiration of his or her EMT-basic, EMT-I or paramedic certificate.	1561.03, 1561.05, 1565.15	Yes, state law	Yes, state law
1501:10-1-04	Shall	This person shall attend the entire mine medical responder refresher training course in order to successfully complete it.	1561.03, 1561.05, 1565.15	Yes, state law	Yes, state law
1501:10-1-04	Shall	(2) Persons applying for initial mine medical responder training and certification. A person who applies for initial training, examination, and certification as a mine medical responder shall: (a) Be able to read and write the English language; and (b) Show proof of successful completion of new miner training,...(continued in cell below)	1561.03, 1561.05, 1565.15	Yes, state law	Yes, state law

RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1501:10-1-04	Shall	...which shall include all parts of the new miner training required under 30 C.F.R. 48.5...(continued in cell below)	1561.03, 1561.05, 1565.15	Yes, state law	Yes, state law
1501:10-1-04	Shall	...with the exception of the approximately eight hours of training that shall be given at the minesite as required under paragraph (a) of 30 C.F.R. 48.5.	1561.03, 1561.05, 1565.15	Yes, state law	Yes, state law
1501:10-1-04	Shall	(C) Fees for initial training, examination, and refresher training. (1) An applicant for initial training as a mine medical responder shall pay a nonrefundable fee of two hundred fifty dollars, submitted on the first day of the initial mine medical responder training course.	1561.03, 1561.05, 1565.15	Yes, state law	Yes, state law
1501:10-1-04	Shall	(2) An applicant for the mine medical responder final examination shall pay a non-refundable fee of two hundred fifty dollars, submitted at the time the examination is taken.	1561.03, 1561.05, 1565.15	Yes, state law	Yes, state law
1501:10-1-04	Shall	(3) An applicant applying to retake part or all of the final examination shall pay a non-refundable fee of fifty dollars, submitted at the time the examination is retaken.	1561.03, 1561.05, 1565.15	Yes, state law	Yes, state law
1501:10-1-04	Shall	(4) An applicant for mine medical responder refresher training shall pay a non-refundable fee of one hundred dollars, submitted on the first day of the mine medical responder refresher training course.	1561.03, 1561.05, 1565.15	Yes, state law	Yes, state law
1501:10-1-04	Shall not	(5) The fee shall not be refunded if the applicant does not successfully complete the mine medical responder training course, examination, or refresher training course.	1561.03, 1561.05, 1565.15	Yes, state law	Yes, state law
1501:10-1-04	Shall	(6) Fees collected under paragraph (C) of this rule shall be paid into the state treasury to the credit of the mining regulation and safety fund created in section 1513.30 of the Revised Code.	1561.03, 1561.05, 1565.15	Yes, state law	Yes, state law
1501:10-1-04	Shall	(D) Certification. (1) The chief shall issue a mine medical responder certificate to each applicant for mine medical responder certification who successfully completes the initial mine medical responder training course under paragraph (A)(1) of this rule and passes the final examination of paragraph (A)(2) of this rule.	1561.03, 1561.05, 1565.15	Yes, state law	Yes, state law
1501:10-1-04	Shall	(a) The applicant shall attend all parts of the training course in order to successfully complete it.	1561.03, 1561.05, 1565.15	Yes, state law	Yes, state law
1501:10-1-04	Shall	(b) The applicant shall attain a grade of eighty per cent or higher on each part of the examination to pass.	1561.03, 1561.05, 1565.15	Yes, state law	Yes, state law
1501:10-1-04	Shall	(c) An applicant not attaining a passing grade on one part of the examination may apply to retake that part only. An applicant not attaining a passing grade on two or more parts of the examination shall wait at least thirty days and may then apply to retake the entire examination.	1561.03, 1561.05, 1565.15	Yes, state law	Yes, state law
1501:10-1-04	Shall	The chief shall allow an applicant to retake the examination only one time.	1561.03, 1561.05, 1565.15	Yes, state law	Yes, state law
1501:10-1-04	Shall not	(d) An applicant who fails to pass the examination after retaking all or part of it shall not be certified unless he or she again successfully completes the initial mine medical responder training course of paragraph (A)(1) of this rule and then passes the final examination of paragraph (A)(2) of this rule.	1561.03, 1561.05, 1565.15	Yes, state law	Yes, state law
1501:10-1-04	Shall	(2) Certification shall expire two years after the date of issuance unless the mine medical responder applies for and successfully completes the mine medical responder refresher training course described in paragraph (A)(3) of this rule during the same calendar year as the date of expiration of the certification.	1561.03, 1561.05, 1565.15	Yes, state law	Yes, state law
1501:10-1-04	Shall	The mine medical responder shall attend the entire refresher training course in order to successfully complete it.	1561.03, 1561.05, 1565.15	Yes, state law	Yes, state law
1501:10-1-04	Shall	The mine safety program of the division of mineral resources management shall establish a regular schedule for mine medical responder refresher training.	1561.03, 1561.05, 1565.15	Yes, state law	Yes, state law
1501:10-1-04	Shall	(3) A person who allows his or her mine medical responder certification to expire may apply to the chief for recertification, including with the application a detailed explanation of why the certification was not renewed on time. The chief shall review such an application on a case-by-case basis...(continued in cell below)	1561.03, 1561.05, 1565.15	Yes, state law	Yes, state law

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1501:10-1-04	Shall	...and shall determine whether the person may be recertified by successfully completing the mine medical responder refresher training course of paragraph (A)(3) of this rule or by successfully completing the initial mine medical responder training course and passing the final examination of paragraphs (A)(1) and (A)(2) of this rule.	1561.03, 1561.05, 1565.15	Yes, state law	Yes, state law
1501:10-1-04	Shall	(E) Credentials for mine medical responder certification instructors. A mine medical responder certification instructor shall be: (1) An employee of the division of mineral resources management who is an EMT-basic, EMT-I or paramedic, as defined in section 1565.15 of the Revised Code; (2) An EMT-basic, EMT-I or paramedic, as defined in section 1565.15 of the Revised Code, contracted by the division of mineral resources management to provide mine medical responder instruction; or (3) An EMT-basic, EMT-I or paramedic who meets the requirements of paragraph (F) of this rule.	1561.03, 1561.05, 1565.15	Yes, state law	Yes, state law
1501:10-1-04	Shall	(F) Mine medical responder training provided by an operator. A operator of an underground coal mine who wishes to provide mine medical responder training for his or her own employees shall follow the requirements and modified fee structure of paragraph (F) of this rule.	1561.03, 1561.05, 1565.15	Yes, state law	Yes, state law
1501:10-1-04	Require	(1) Mine medical responder certification instructors hired by an operator. An operator may use an employee or a contracted worker to conduct the initial mine medical responder training of paragraph (A)(1) of this rule and the mine medical responder refresher training of paragraph (A)(3) of this rule provided the employee or contracted worker is an EMT-basic, EMT-I or paramedic, as defined in section 1565.15 of the Revised Code, who meets the following requirements:	1561.03, 1561.05, 1565.15	Yes, state law	Yes, state law
1501:10-1-04	Shall	(a) The EMT-basic, EMT-I or paramedic shall apply to the chief to be approved as a mine medical responder certification instructor, successfully complete the initial mine medical responder training course of paragraph (A)(1) of this rule, pass the examination of paragraph (A) (2) of this rule, and pay the fees required under paragraphs (C)(1) and (C)(2) of this rule.	1561.03, 1561.05, 1565.15	Yes, state law	Yes, state law
1501:10-1-04	Shall	An EMT-basic, EMT-I or paramedic from a state other than Ohio shall also submit to the chief a letter from the certifying authority stating that the applicant's EMT or paramedic certification is current and in good standing in that state.	1561.03, 1561.05, 1565.15	Yes, state law	Yes, state law
1501:10-1-04	Shall	An EMT-basic, EMT-I or paramedic who meets the requirements of this paragraph shall be approved by the chief as a mine medical responder certification instructor; and	1561.03, 1561.05, 1565.15	Yes, state law	Yes, state law
1501:10-1-04	Shall	(b) An EMT-basic, EMT-I or paramedic who is approved by the chief as a mine medical responder certification instructor shall annually submit to the chief documentation to show that his or her EMT-basic, EMT-I or paramedic certification is current.	1561.03, 1561.05, 1565.15	Yes, state law	Yes, state law
1501:10-1-04	Shall	(2) Initial mine medical responder training. An EMT-basic, EMT-I or paramedic who is approved by the chief as a mine medical responder certification instructor under paragraph (F)(1) of this rule shall use the initial mine medical responder training course of paragraph (A)(1) of this rule to conduct initial mine medical responder training...(continued in cell below)	1561.03, 1561.05, 1565.15	Yes, state law	Yes, state law
1501:10-1-04	Shall	...and shall complete and sign an MSHA form 5000-23 for each applicant who, pursuant to paragraph (D)(1)(a) of this rule, successfully completes the initial mine medical responder training.	1561.03, 1561.05, 1565.15	Yes, state law	Yes, state law
1501:10-1-04	Shall	The applicant shall submit a copy of the completed and signed MSHA form 5000-23 to the chief when applying to take the final examination of paragraph (A)(2) of this rule.	1561.03, 1561.05, 1565.15	Yes, state law	Yes, state law
1501:10-1-04	Shall	(3) Mine medical responder refresher training. An EMT-basic, EMT-I or paramedic who is approved by the chief as a mine medical responder certification instructor under paragraph (F)(1) of this rule shall use the refresher training course of paragraph (A)(3) of this rule to conduct mine medical responder refresher training...(continued in cell below)	1561.03, 1561.05, 1565.15	Yes, state law	Yes, state law

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1501:10-1-04	Shall	...and shall complete and sign an MSHA form 5000-23 for each applicant who, pursuant to paragraph (D)(2) of this rule, successfully completes the refresher training.	1561.03, 1561.05, 1565.15	Yes, state law	Yes, state law
1501:10-1-04	Shall	The applicant shall submit a copy of the completed and signed MSHA form 5000-23 to the chief to show that he or she has met the refresher training requirements of paragraph (D)(2) of this rule.	1561.03, 1561.05, 1565.15	Yes, state law	Yes, state law
1501:10-1-04	Shall not	(4) Modified fee structure for mine medical responder training provided by an operator. An applicant for initial mine medical responder training who is being trained pursuant to paragraph (F)(2) of this rule shall not pay the fee required under paragraph (C)(1) of this rule.	1561.03, 1561.05, 1565.15	Yes, state law	Yes, state law
1501:10-1-04	Shall not	An applicant for mine medical responder refresher training who is being trained pursuant to paragraph (F)(3) of this rule shall not pay the fee required under paragraph (C)(4) of this rule.	1561.03, 1561.05, 1565.15	Yes, state law	Yes, state law
1501:10-1-05*	Shall	(A) A person who applies for a certificate as a mine foreperson or a foreperson of gaseous mines shall meet the requirements of division (B) of section 1561.16 of the Revised Code...(continued in cell below)	1561.03, 1561.05, 1561.16, 1561.17	Yes, state law	Yes, state law
1501:10-1-05	Shall	...and shall pay a fee of twenty-five dollars to the chief on the first day of the examination.	1561.03, 1561.05, 1561.16, 1561.17	Yes, state law	Yes, state law
1501:10-1-05	Shall	A person who applies for a certificate as a mine foreperson or a foreperson of nongaseous mines shall meet the requirements of division (A) of section 1561.17 of the Revised Code...(continued in cell below)	1561.03, 1561.05, 1561.16, 1561.17	Yes, state law	Yes, state law
1501:10-1-05	Shall	...and shall pay a fee of twenty-five dollars to the chief on the first day of the examination.	1561.03, 1561.05, 1561.16, 1561.17	Yes, state law	Yes, state law
1501:10-1-05	Shall	(B) Retraining of mine foreperson or foreperson. A person who has been issued a certificate as a mine foreperson or a foreperson under section 1561.16 or 1561.17 of the Revised Code and who has not worked in an underground coal mine for a period of one or more calendar years shall successfully complete a retraining course that meets the requirements of experienced miner training of 30 C.F.R. 48.6 before performing the duties of a mine foreperson or foreperson.	1561.03, 1561.05, 1561.16, 1561.17	Yes, state law	Yes, state law
1501:10-1-05	Shall	The person shall attend all parts of the retraining course in order to successfully complete it.	1561.03, 1561.05, 1561.16, 1561.17	Yes, state law	Yes, state law
1501:10-1-05	Shall	(C) Recertification of mine foreperson or foreperson. A person who has been issued a certificate as a mine foreperson or a foreperson under section 1561.16 or 1561.17 of the Revised Code and who has not worked in an underground coal mine for a period of more than two calendar years shall apply for and obtain recertification from the chief pursuant to paragraph (C) of this rule before performing the duties of a mine foreperson or foreperson.	1561.03, 1561.05, 1561.16, 1561.17	Yes, state law	Yes, state law
1501:10-1-05	Shall	(1) Prior to applying for recertification, the person shall successfully complete a retraining course pursuant to paragraph (B) of this rule.	1561.03, 1561.05, 1561.16, 1561.17	Yes, state law	Yes, state law
1501:10-1-05	Shall	(2) An applicant for recertification shall be examined by the chief in accordance with section 1561.15 of the Revised Code.	1561.03, 1561.05, 1561.16, 1561.17	Yes, state law	Yes, state law
1501:10-1-05	Shall	The applicant shall pay a fee of twenty-five dollars to the chief on the first day of the examination. (D) Fees collected under this rule are non-refundable.	1561.03, 1561.05, 1561.16, 1561.17	Yes, state law	Yes, state law
1501:10-1-06	Shall	Nothing in this rule applies to activities that are permitted and regulated under Chapter 1514. of the Revised Code; such activities shall follow the reporting, investigation, and annual report requirements of Chapter 1501:14-2 of the Administrative Code.	1561.03, 1561.05	Yes, state law	Yes, state law
1501:10-1-06	Shall	Operators of mines required to comply with the MSHA immediate notification requirement of 30 C.F.R. 50.10 shall provide immediate direct notification in accordance with paragraph (A)(2) of this rule concurrent with the required notification to MSHA.	1561.03, 1561.05	Yes, both state and federal law	Yes, both state and federal law
1501:10-1-06	Shall	All such operators shall also file a written report of the accident by submitting to the chief, within ten working days, a copy of the required MSHA accident report concurrent with the submission of the report to MSHA.	1561.03, 1561.05	Yes, both state and federal law	Yes, both state and federal law

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1501:10-1-06	Shall	(2) For a life-threatening mine emergency in which there has been a serious accident or a fatality or for which a mine rescue team is needed, the operator shall make direct notification to the emergency operations center of the Ohio department of natural resources by telephone at (614) 799- 9538.	1561.03, 1561.05	Yes, both state and federal law	Yes, both state and federal law
1501:10-1-06	Shall	For all other accidents for which the operator is required to comply with the MSHA immediate notification requirement of 30 C.F.R. 50.10, the operator shall make direct notification to the appropriate DMRM mine safety supervisor or resident mine inspector.	1561.03, 1561.05	Yes, both state and federal law	Yes, both state and federal law
1501:10-1-06	Shall	Operators of mines required to comply with the MSHA written notification requirements 30 C.F.R. Part 50 Subpart C shall file written reports of accidents, occupational injuries or occupational illnesses with the chief within ten working days of occurrence of the accident or injury, or diagnosis of the illness, by submitting a copy of the required MSHA report to the chief.	1561.03, 1561.05	Yes, both state and federal law	Yes, both state and federal law
1501:10-1-06	Shall	The DMRM will conduct an investigation of any fatality immediately upon receipt of notice; any accident deemed serious by the chief shall be investigated within twenty-four hours of notice.	1561.03, 1561.05	Yes, state law	Yes, state law
1501:10-1-06	Shall	In conducting such investigation(s), the DMRM shall prepare a written report concerning the factors contributing to the accident.	1561.03, 1561.05	Yes, state law	Yes, state law
1501:10-1-06	Shall	Such reports shall be provided to the mine operator.	1561.03, 1561.05	Yes, state law	Yes, state law
1501:10-1-06	Shall	A mine operator may provide written comments to the chief concerning such reports. Such reports and comments shall become a part of the accident investigation file and official inspection records maintained by the DMRM.	1561.03, 1561.05	Yes, state law	Yes, state law
1501:10-1-06	Shall	The DMRM accident investigator(s) shall provide written recommendations to the chief concerning appropriate remedial measures to prevent the reoccurrence of a fatality or serious accident.	1561.03, 1561.05	Yes, state law	Yes, state law
1501:10-1-06	Shall	The chief shall provide notice to other inspectors and the mining industry, as appropriate, in an effort to preclude a similar occurrence at another mine.	1561.03, 1561.05	Yes, state law	Yes, state law
1501:10-1-06	Shall	The chief shall summarize such accident, injury, and illness reports on an annual basis in preparation of the report required by section 1561.04 of the Revised Code.	1561.03, 1561.05	Yes, state law	Yes, state law
1501:10-2-02**	Shall	“Mine operator” and “operator” shall mean operator as defined in section 1513.01 of the Revised Code.	1513.02	Yes, state law	Yes, state law
1501:10-2-03	Shall	Underground use of inby and outby diesel-powered equipment, including mobile equipment, stationary equipment and equipment of all horsepower ratings, shall be approved, operated and maintained only as provided in this chapter, except for emergency fire-fighting equipment to be used specifically for that purpose.	1513.02	Yes, state law	Yes, state law
1501:10-2-03	Shall	All diesel-powered equipment shall be attended in underground mines while in operation or when the engine is running.	1513.02	Yes, state law	Yes, state law
1501:10-2-04	Shall	Each specific model of diesel-powered equipment shall be approved by the chief before it is taken underground.	1513.02	Yes, state law	Yes, state law
1501:10-2-04	Shall	The diesel-powered equipment shall be approved by the chief as a complete diesel-powered equipment package,	1513.02	Yes, state law	Yes, state law
1501:10-2-04	Shall	which shall be subject to all of the requirements, standards and procedures set forth in this chapter.	1513.02	Yes, state law	Yes, state law
1501:10-2-04	Shall	Diesel engines shall be certified or approved, as applicable, by MSHA, and maintained in accordance with MSHA certification or approval and the chief's approval.	1513.02	Yes, state law	Yes, state law
1501:10-2-04	Shall	Before diesel-powered equipment is taken underground, a maintenance plan for diesel-powered equipment pursuant to rule 1501:10-2-16 of the Administrative Code, a diesel ventilation plan that meets the requirements of rules 1501:10-2-06 and 1501:10-2-07 of the Administrative Code, and training plans for training equipment operators and mechanics pursuant to rules 1501:10-2-22 to 1501:10-2-24 of the Administrative Code shall be approved by the chief.	1513.02	Yes, state law	Yes, state law

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1501:10-2-04	Shall	All approved diesel-powered equipment that is included in a mine's complete diesel-powered package shall be listed on an inventory sheet submitted to the chief with a copy maintained at the mine.	1513.02	Yes, state law	Yes, state law
1501:10-2-04	Shall	The following information shall be provided on the inventory list: (1) The name, address, state permit number, and MSHA identification number of the mine; (2) The name and phone number of the contact person responsible for maintenance and testing of the diesel equipment; (3) The following specific information for each engine: (a) Manufacturer, serial number and model of the equipment using the power-package; (b) Manufacturer, model number and serial number of the engine; (c) MSHA 30 C.F.R. Part 7 Subpart E approval number; (d) Rated horsepower and revolutions per minute (rpm); (e) Diesel particulate matter in grams per hour rating (g/hr) and milligrams per cubic meter of air (mg/m3); and (f) Ventilation rate; and (4) The following specific information for each filter system: (a) Manufacturer and model of the filter system; (b) MSHA efficiency rating of the filter system or an accepted third-party rating; (c) System type and composition (for example, passively regenerated cordirite); and (d) The manufacturer/model of regeneration system, if applicable.	1513.02	Yes, state law	Yes, state law
1501:10-2-05	Shall	Underground diesel-powered equipment shall include an exhaust emissions control and conditioning system that has been laboratory tested with the diesel engine, except as provided in paragraph (C) of this rule, using the ISO 8178-1 test and has resulted in diesel particulate matter emissions that do not exceed an average concentration of 0.12 milligrams per cubic meter (mg/m3) of air when diluted by one hundred per cent of the MSHA 30 C.F.R. Part 7 approval plate ventilation rate for that diesel engine...Should MSHA promulgate new regulations that change the 30 C.F.R. Part 7 approval plate ventilation rate, the dilution percentage relative to the approval plate ventilation rate will be increased or decreased on a direct ratio basis as approved by the chief.	1513.02	Yes, state law	Yes, state law
1501:10-2-05	Shall	The exhaust emissions control and conditioning system shall be required to successfully complete a single series of laboratory tests conducted at a laboratory accepted by the chief for each diesel engine.	1513.02	Yes, state law	Yes, state law
1501:10-2-05	Shall	Data provided to the chief shall include diesel particulate matter production rates for each engine as measured during an ISO 8178-1 test, if available. If ISO 8178-1 test data for diesel particulate matter production is not available for a specific diesel engine, comparable data may be provided to the chief that reliably verifies that the exhaust emissions control and conditioning system will meet, for that diesel engine, the in-laboratory diesel particulate matter standard established in paragraph (A) of this rule.	1513.02	Yes, state law	Yes, state law
1501:10-2-05	Shall	This standard shall only be used for in-laboratory testing for approval of diesel-powered equipment for use underground.	1513.02	Yes, state law	Yes, state law

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1501:10-2-05	Shall	The exhaust emissions control and conditioning system shall include the following: (1) A diesel particulate matter (DPM) filter that has proven to be capable of a reduction in total diesel particulate matter to a level that does not exceed the requirements of paragraph (A) of this rule. However, the chief may request the technical advisory committee to evaluate, in accordance with rule 1501:10-2-27 of the Administrative Code, alternative technologies that have the ability to meet the standard of paragraph (A) of this rule; (2) An oxidation catalyst or other gaseous emissions control device capable of reducing undiluted carbon monoxide emissions to one hundred parts per million (ppm) or less under all conditions of operation at normal engine operating temperature range; (3) An engine surface temperature control capable of maintaining significant external surface temperatures below three hundred and two degrees Fahrenheit; (4) A system capable of reducing the exhaust gas temperature below three hundred and two degrees Fahrenheit; (5) An automatic engine shutdown system that shuts off the engine before the exhaust gas temperature reaches three hundred and two degrees Fahrenheit and, if water-jacketed components are used, before the engine coolant temperature reaches two hundred and twelve degrees Fahrenheit...(see cell below for additional restriction)...(6) A spark arrestor system; (7) A flame arrestor system; (8) A sampling port for measurement of undiluted and untreated exhaust gases as they leave the engine; (9) A sampling port for measurement of treated undiluted exhaust gases before they enter the mine atmosphere; and (10) For permissible diesel equipment, any additional MSHA regulations must be met.	1513.02	Yes, state law	Yes, state law
1501:10-2-05	Shall	...(5)(continued) A warning shall be provided to alert the equipment operator prior to engine shutdown;	1513.02	Yes, state law	Yes, state law
1501:10-2-05	Shall	On-board engine performance and maintenance diagnostics systems shall be capable of continuously monitoring and giving readouts to assure compliance with paragraphs (D)(1) to (D)(10) of this rule.	1513.02	Yes, state law	Yes, state law
1501:10-2-05	Shall	The diagnostics system shall identify levels that exceed the engine and/or component manufacturer's recommendation or the applicable MSHA or chief's requirements as to the following: (1) Engine speed; (2) Operating hour meter; (3) Total intake restriction; (4) Total exhaust gas backpressure; (5) Cooled exhaust gas temperature; (6) Cooled temperature; (7) Engine oil pressure; and (8) Engine oil temperature.	1513.02	Yes, state law	Yes, state law
1501:10-2-06	Shall	Minimum quantities of ventilating air where diesel-powered equipment is operated shall be maintained pursuant to this rule.	1513.02	Yes, state law	Yes, state law
1501:10-2-06	Shall	The chief shall require that an MSHA approval plate be attached to each specific model of the diesel-powered equipment that is approved by the chief in accordance with rule 1501:10-2-04 of the Administrative Code.	1513.02	Yes, state law	Yes, state law
1501:10-2-06	Shall	The approval plate shall specify the minimum ventilating air quantity for the specific model of diesel-powered equipment.	1513.02	Yes, state law	Yes, state law
1501:10-2-06	Shall	The minimum ventilating air quantity shall be the amount of air necessary at all times to maintain the exhaust emissions at levels not exceeding the exposure limits established in rule 1501:10-2-07 of the Administrative Code.	1513.02	Yes, state law	Yes, state law
1501:10-2-06	Shall	The minimum quantity of air in any split of air where an individual unit of diesel-powered equipment is being operated shall be at least that specified on the approval plate for that equipment.	1513.02	Yes, state law	Yes, state law
1501:10-2-06	Shall	Air quantity measurements to determine compliance with this requirement shall be made at the individual unit of diesel-powered equipment.	1513.02	Yes, state law	Yes, state law
1501:10-2-06	Shall	When multiple units of diesel-powered equipment are operated, the minimum quantity of air shall be at least one hundred per cent of the MSHA 30 C.F.R. Part 7 approval plate quantity for each unit operating in that split.	1513.02	Yes, state law	Yes, state law
1501:10-2-06	Shall	Air quantity measurements to determine compliance with this requirement shall be made at the most downwind unit of diesel-powered equipment that is being operated in that split of air.	1513.02	Yes, state law	Yes, state law

Rule Number	Regulatory Restriction	Description of Regulatory Restriction	Statute Under Which the Regulatory Restriction Was Adopted	Is the Regulatory Restriction Expressly or Specifically Required by State or Federal Law?	Is a Law Change Required in Order to Remove the Restriction?
1501:10-2-06	Shall	Should MSHA promulgate new regulations that change the 30 C.F.R. Part 7 approval plate ventilation rate, the minimum quantity where multiple units are operated shall be revised on a direct ratio basis as approved by the chief.	1513.02	Yes, state law	Yes, state law
1501:10-2-06	Shall	(E) The minimum quantity of air on a split of air where diesel-powered equipment is operated shall meet the minimum air quantity requirements of paragraphs (A) to (D) of this rule,...(continued in cell below)	1513.02	Yes, state law	Yes, state law
1501:10-2-06	Shall	...and shall be specified in the mine's diesel ventilation plan.	1513.02	Yes, state law	Yes, state law
1501:10-2-07	Shall	For the purposes of monitoring and controlling exhaust emissions, the following threshold limits of ambient concentration of exhaust emissions in the mine atmosphere shall apply: Threshold limit values (TLV) Carbon Monoxide (CO) 35 parts per million (ppm) Nitrogen Dioxide (NO2) 3 parts per million (ppm)	1513.02	Yes, state law	Yes, state law
1501:10-2-07	Shall	The concentration of these exhaust emissions shall be measured at the equipment operator's or equipment attendant's position and inby the last piece of diesel-powered equipment operating in the same split of air.	1513.02	Yes, state law	Yes, state law
1501:10-2-07	Shall	A person qualified to take measurements in accordance with 30 C.F.R. 75.150 shall take measurements weekly or more often if necessary pursuant to the requirements of this chapter.	1513.02	Yes, state law	Yes, state law
1501:10-2-07	Shall	The ambient emissions limits for each piece of diesel-powered equipment shall not be exceeded.	1513.02	Yes, state law	Yes, state law
1501:10-2-07	Shall	(B) Measurement of exhaust emissions shall be made with a sampling instrument no less precise than detector tubes.	1513.02	Yes, state law	Yes, state law
1501:10-2-07	Shall	(C) If the concentration of any of the emissions listed in paragraph (A) of this rule is seventy-five per cent or more of its threshold limit, the mine operator shall immediately make changes to the use of the diesel equipment, mine ventilation, or other modifications to the mining process to maintain a concentration of less than seventy-five per cent of the threshold limit.	1513.02	Yes, state law	Yes, state law
1501:10-2-07	Shall	If the concentration of any of the emissions listed in paragraph (A) of this rule exceeds the threshold limit, the mine operator shall immediately remove the diesel equipment operating in that split of air from service and take corrective action.	1513.02	Yes, state law	Yes, state law
1501:10-2-07	Shall	After the mine operator has taken corrective action, the diesel equipment may be returned to service in its regular operating mode for emissions testing purposes only, and emissions testing shall be conducted immediately to assure that the concentration does not exceed seventy-five per cent of the threshold limit.	1513.02	Yes, state law	Yes, state law
1501:10-2-07	Shall	The mine operator shall take corrective action until the concentration does not exceed seventy-five per cent of the threshold limit...(continued in cell below)	1513.02	Yes, state law	Yes, state law
1501:10-2-07	Shall	...and shall not return the diesel equipment to full operation until a threshold limit of less than seventy-five per cent is achieved.	1513.02	Yes, state law	Yes, state law
1501:10-2-07	Shall	(E) In addition to the other maintenance requirements set forth in this chapter, the mine operator shall make repairs and adjustments, and replacements as necessary, and conduct testing in compliance with the following requirements: (1) Certain repairs and adjustments to be performed only by mechanic authorized by the engine manufacturer...(continued in cell below)	1513.02	Yes, state law	Yes, state law
1501:10-2-07	Shall	...Repair or adjustment of the fuel injection system shall be performed only by a qualified mechanic authorized by the engine manufacturer;	1513.02	Yes, state law	Yes, state law
1501:10-2-07	Shall	(2) Complete testing of the emissions system in accordance with rule 1501:10-2-21 of the Administrative Code shall be conducted prior to putting any piece of diesel-powered equipment into service after any repair or adjustment to the fuel delivery system, engine timing, or exhaust emissions control and conditioning system; and	1513.02	Yes, state law	Yes, state law
1501:10-2-07	Shall	Service and maintenance of the intake air filter, exhaust particulate filter and the exhaust system shall be performed at specific time intervals.	1513.02	Yes, state law	Yes, state law

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1501:10-2-07	Shall	The specific time intervals shall be based on the component manufacturer's recommendation, compliance with the engine or emissions control operation specifications and, as needed, based on the on-board diagnostics and/or emissions test results.	1513.02	Yes, state law	Yes, state law
1501:10-2-07	Shall	The mine operator shall maintain accurate records of all such service and maintenance,...(continued in cell below)	1513.02	Yes, state law	Yes, state law
1501:10-2-07	Shall	...and shall make the records available for review by the chief or his or her representative and the miners of the mine.	1513.02	Yes, state law	Yes, state law
1501:10-2-08	Shall	(A) Underground diesel fuel storage facilities shall meet the requirements of this rule.	1513.02	Yes, state law	Yes, state law
1501:10-2-08	Shall	(B) Diesel fuel standards. Diesel-powered equipment shall be used underground only with fuel that meets the standards of the most recently approved U.S. environmental protection agency guidelines for over-the-road fuel.	1513.02	Yes, state law	Yes, state law
1501:10-2-08	Shall	The fuel shall also meet the ASTM D975 fuel standards with a flash point of one hundred degrees Fahrenheit or greater, at standard temperature and pressure.	1513.02	Yes, state law	Yes, state law
1501:10-2-08	Shall	The operator shall maintain and make available to the chief for review, a copy of the most recent delivery receipt from the supplier that will prove that the fuel used underground meets the standards listed in this paragraph.	1513.02	Yes, state law	Yes, state law
1501:10-2-08	Shall	(C) Underground diesel fuel storage facilities shall meet the following general requirements:	1513.02	Yes, state law	Yes, state law
1501:10-2-08	Prohibit	(1) Permanently affixed underground diesel fuel storage tanks are prohibited; and	1513.02	Yes, state law	Yes, state law
1501:10-2-08	Shall	(2) No more than five hundred gallons of diesel fuel shall be stored in each underground diesel fuel storage facility.	1513.02	Yes, state law	Yes, state law
1501:10-2-08	Shall	(D) An underground diesel fuel storage facility shall be located: (1) At least one hundred feet from shafts, slopes, shops and explosives magazines; (2) At least twenty-five feet from trolley wires, haulage ways, power cables and electric equipment not necessary for the operation of the storage facility; and (3) In an area that is as dry as practicable.	1513.02	Yes, state law	Yes, state law
1501:10-2-08	Shall	An underground diesel fuel storage facility shall: (1) Be constructed of noncombustible materials; (2) Have either self-closing or automatic-closing doors, except for a short-term underground storage facility that has no doors; (3) Be ventilated directly into the return air course using noncombustible materials; (4) Be equipped with an automatic fire suppression system that complies with rule 1501:10-2-12 of the Administrative Code. A site-specific alternate method of complying with this paragraph may be approved by the chief; (5) Be equipped with at least two portable twenty-pound multipurpose dry-chemical type fire extinguishers that are maintained in accordance with MSHA regulations; (6) Be marked with conspicuous signs designating combustible liquid storage; and (7) Be included in the pre-shift examination.	1513.02	Yes, state law	Yes, state law
1501:10-2-08	Shall not	Welding or cutting shall not be done within fifty feet of an underground diesel fuel storage facility except as provided under paragraphs (F)(1) and (F)(2) of this rule.	1513.02	Yes, state law	Yes, state law
1501:10-2-08	Shall	When it is necessary to weld, cut or solder pipelines, cylinders, tanks or containers that may have contained diesel fuel, the following requirements shall apply:	1513.02	Yes, state law	Yes, state law
1501:10-2-08	Shall not	1) Cutting or welding shall not be performed on or within containers or tanks that have contained combustible or flammable materials until such containers or tanks have been thoroughly purged, cleaned or inerted, and a vent or opening is provided to allow for sufficient release of any built-up pressure before heat is applied; and	1513.02	Yes, state law	Yes, state law
1501:10-2-08	Shall not	(2) Diesel fuel shall not be allowed to enter pipelines or containers that have been welded, soldered, brazed or cut until the metal has cooled to ambient temperature.	1513.02	Yes, state law	Yes, state law
1501:10-2-09	Shall	Diesel fuel shall be transferred as provided in this rule.	1513.02	Yes, state law	Yes, state law
1501:10-2-09	Shall not	(C) Diesel fuel shall not be transferred using compressed gas.	1513.02	Yes, state law	Yes, state law

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1501:10-2-09	Shall not	(D) Diesel fuel shall not be transferred to the fuel tank of diesel-powered equipment while the equipment's engine is running.	1513.02	Yes, state law	Yes, state law
1501:10-2-09	Shall	(E) A diesel fuel piping system shall be used only to transport diesel fuel from the surface to a single underground diesel fuel transfer point.	1513.02	Yes, state law	Yes, state law
1501:10-2-09	Shall	(F) Diesel fuel piping systems shall be designed and operated as dry systems.	1513.02	Yes, state law	Yes, state law
1501:10-2-09	Shall	For the purposes of this rule, "dry system" means that, when not being used to refill an underground diesel fuel transfer point, the piping system shall be empty.	1513.02	Yes, state law	Yes, state law
1501:10-2-09	Shall	All piping, valves and fittings shall: (1) Be capable of withstanding working pressures and stresses; (2) Be capable of withstanding four times the static pressures recommended by the manufacturer; (3) Be compatible with diesel fuel; and (4) Be maintained in a manner that prevents leakage.	1513.02	Yes, state law	Yes, state law
1501:10-2-09	Shall	A vertical pipeline shall have manual shutoff valves installed at the surface filling point and at the underground discharge point.	1513.02	Yes, state law	Yes, state law
1501:10-2-09	Shall not	An unburied diesel fuel pipeline shall not exceed three hundred feet in length and shall have shutoff valves located at each end of the unburied pipeline.	1513.02	Yes, state law	Yes, state law
1501:10-2-09	Shall not	(J) Horizontal pipelines shall not be used to distribute fuel.	1513.02	Yes, state law	Yes, state law
1501:10-2-09	Shall not	(K) When boreholes are used, a diesel fuel piping system shall not be located in a borehole which also contains electric power cables.	1513.02	Yes, state law	Yes, state law
1501:10-2-09	Shall	L) A diesel fuel pipeline located in a shaft shall be included as part of the required examination of the shaft,...(continued in cell below)	1513.02	Yes, state law	Yes, state law
1501:10-2-09	Shall	...and a record shall be made in the shaft examination book as to the pipeline's condition.	1513.02	Yes, state law	Yes, state law
1501:10-2-09	Shall not	(M) A diesel fuel piping system located in an entry or crosscut shall not be located on the same side of the entry or crosscut as electric cables or power lines.	1513.02	Yes, state law	Yes, state law
1501:10-2-09	Shall	(N) A diesel fuel pipeline shall not be located in a trolley-haulage entry, except that it may cross perpendicular to the entry if it is buried or otherwise protected from damage in a steel conduit or equivalent protective device and sealed.	1513.02	Yes, state law	Yes, state law
1501:10-2-09	Shall	(O) A diesel fuel piping system shall be protected from damage by being buried or contained in a steel conduit or equivalent protective device and sealed.	1513.02	Yes, state law	Yes, state law
1501:10-2-10	Shall	(A) Containers for the transport of diesel fuel shall meet the requirements of this rule.	1513.02	Yes, state law	Yes, state law
1501:10-2-10	Shall	(B) Diesel fuel shall be transported only in containers specifically designed for the transport of diesel fuel.	1513.02	Yes, state law	Yes, state law
1501:10-2-10	Require	(C) Requirements and standards for safety cans:	1513.02	Yes, state law	Yes, state law
1501:10-2-10	Shall	(1) Safety cans shall be used only for emergency fueling;	1513.02	Yes, state law	Yes, state law
1501:10-2-10	Shall	(2) A safety can shall be clearly marked, have a maximum capacity of five gallons, be constructed of metal, and equipped with a nozzle and self-closing valves; and	1513.02	Yes, state law	Yes, state law
1501:10-2-10	Shall	(3) No more than one safety can, conspicuously marked, shall be transported on a vehicle at a time.	1513.02	Yes, state law	Yes, state law
1501:10-2-10	Shall	Any container other than a safety can that is used to transport diesel fuel shall have the following: (1) A device for venting; (2) A self-closing cap; (3) A vent pipe that is at least as large as the fill or withdrawal connection, whichever is larger, and that has an inside diameter of not less than one and one-fourth inch; (4) A liquid-tight connection for each container opening that is identified by conspicuous markings and closed when not in use; and (5) A shutoff valve located within one inch of the tank shell on each connection through which liquid can normally flow.	1513.02	Yes, state law	Yes, state law
1501:10-2-10	Shall	When a container has an opening for manual gauging, the opening shall have a liquid-tight cap or cover which shall be kept closed when not open for gauging.	1513.02	Yes, state law	Yes, state law
1501:10-2-10	Shall not	A container used for the transport of diesel fuel shall not exceed a capacity of five hundred gallons.	1513.02	Yes, state law	Yes, state law

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1501:10-2-10	Shall	Any container, other than a safety can, that is used for the transport of diesel fuel shall be permanently fixed to the transportation unit.	1513.02	Yes, state law	Yes, state law
1501:10-2-10	Shall not	Diesel fuel transportation units shall not be transported with any other cars, except that two diesel fuel transportation units up to a maximum of five hundred gallons each, or one thousand gallons total maximum, may be transported together.	1513.02	Yes, state law	Yes, state law
1501:10-2-10	Shall not	Diesel fuel shall not be transported on conveyor belts.	1513.02	Yes, state law	Yes, state law
1501:10-2-10	Shall	When transporting diesel fuel in a container other than a safety can, a fire extinguisher shall be provided on each end of the transportation unit (two extinguishers required.)	1513.02	Yes, state law	Yes, state law
1501:10-2-10	Shall	Each of these two fire extinguishers shall be a portable twenty-pound multipurpose dry-chemical type fire extinguisher maintained in accordance with MSHA regulations.	1513.02	Yes, state law	Yes, state law
1501:10-2-10	Shall	A diesel fuel transportation unit shall have a fire suppression system that meets the requirements of rule 1501:10-2-11 of the Administrative Code.	1513.02	Yes, state law	Yes, state law
1501:10-2-10	Shall	In a mine where trolley wire is used, diesel fuel transportation units shall be provided with insulating material to protect the units from energized trolley wire.	1513.02	Yes, state law	Yes, state law
1501:10-2-10	Shall not	The distance between a diesel fuel transportation unit and the trolley wire shall not be less than twelve inches, or, if the distance is less than twelve inches, the trolley wire shall be de-energized when the diesel fuel transportation unit is transported through the area.	1513.02	Yes, state law	Yes, state law
1501:10-2-10	Shall	An unattended diesel fuel transportation unit shall be parked only in an underground diesel fuel storage facility.	1513.02	Yes, state law	Yes, state law
1501:10-2-11	Shall	(A) Fire suppression systems for diesel-powered equipment and fuel transportation units shall meet the requirements of this rule.	1513.02	Yes, state law	Yes, state law
1501:10-2-11	Shall	(B) The fire suppression system shall be an automatic multipurpose dry-powder type fire suppression system suitable for the intended application and listed or approved by a nationally recognized independent testing laboratory.	1513.02	Yes, state law	Yes, state law
1501:10-2-11	Shall	The system shall meet the following installation requirements:	1513.02	Yes, state law	Yes, state law
1501:10-2-11	Shall	1) The system shall be installed in accordance with the manufacturer's specifications and the limitations of the listing or approval;	1513.02	Yes, state law	Yes, state law
1501:10-2-11	Shall	(2) The system shall be installed in a protected location or guarded to minimize damage to it from routine operations;	1513.02	Yes, state law	Yes, state law
1501:10-2-11	Shall	(3) Suppressant agent distribution tubing or piping of the system shall be secured and protected against damage, including pinching, crimping, stretching, abrasion and corrosion; and	1513.02	Yes, state law	Yes, state law
1501:10-2-11	Shall	(4) Discharge nozzles of the system shall be positioned and aimed for maximum fire suppression effectiveness in the protected areas.	1513.02	Yes, state law	Yes, state law
1501:10-2-11	Shall	Nozzles shall also be protected against the entrance of foreign materials such as mud, coal dust or rock dust that could prevent proper discharge of suppressant agent.	1513.02	Yes, state law	Yes, state law
1501:10-2-11	Shall	(C) The fire suppression system shall provide automatic fire detection and suppression for all of the following: (1) The engine, transmission, hydraulic pumps and tanks, fuel tanks, exposed brake units, air compressors and battery areas, as applicable, on all diesel-powered equipment; and (2) Fuel containers and electric panels or controls used during fuel transfer operations on fuel transportation units.	1513.02	Yes, state law	Yes, state law
1501:10-2-11	Shall	(D) The fire suppression system shall include a fire alarm and system fault annunciator that can be seen and heard by the equipment operator.	1513.02	Yes, state law	Yes, state law
1501:10-2-11	Shall	(E) The fire suppression system shall provide for automatic engine shutdown when the alarm alerts the operator.	1513.02	Yes, state law	Yes, state law

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1501:10-2-11	Shall	At least two manual actuators shall be provided with at least one manual actuator at each end of the equipment.	1513.02	Yes, state law	Yes, state law
1501:10-2-11	Shall	If the equipment is provided with an operator's compartment, one of the mechanical actuators shall be located in the compartment within easy reach of the operator.	1513.02	Yes, state law	Yes, state law
1501:10-2-11	Shall	For stationary equipment, the two manual actuators shall be located with at least one actuator on the stationary equipment and at least one actuator a safe distance away from the equipment, and in intake air.	1513.02	Yes, state law	Yes, state law
1501:10-2-12	Shall	A) Fire suppression systems for underground diesel fuel storage facilities shall meet the requirements of this rule.	1513.02	Yes, state law	Yes, state law
1501:10-2-12	Shall	(B) The fire suppression system shall be an automatic multipurpose dry-powder type fire suppression system or other system of equal capability, suitable for the intended application and listed or approved by a nationally recognized independent testing laboratory.	1513.02	Yes, state law	Yes, state law
1501:10-2-12	Shall	The system shall meet the following installation requirements:	1513.02	Yes, state law	Yes, state law
1501:10-2-12	Shall	(1) The system shall be installed in accordance with the manufacturer's specifications and the limitations of the listing or approval;	1513.02	Yes, state law	Yes, state law
1501:10-2-12	Shall	(2) The system shall be installed in a protected location or guarded to minimize physical damage to it from routine operation;	1513.02	Yes, state law	Yes, state law
1501:10-2-12	Shall	(3) Suppressant agent distribution tubing or piping of the system shall be secured and protected against damage, including pinching, crimping, stretching, abrasion and corrosion; and	1513.02	Yes, state law	Yes, state law
1501:10-2-12	Shall	(4) Discharge nozzles of the system shall be positioned and aimed for maximum fire suppression effectiveness in the protected areas.	1513.02	Yes, state law	Yes, state law
1501:10-2-12	Must	Nozzles must also be protected against the entrance of foreign materials such as mud, coal dust and rock dust that could prevent proper discharge of suppressant agent.	1513.02	Yes, state law	Yes, state law
1501:10-2-12	Shall	The fire suppressant system shall provide automatic fire detection and suppression for the fuel storage tanks, containers, safety cans, pumps, electrical panels and control equipment in fuel storage areas.	1513.02	Yes, state law	Yes, state law
1501:10-2-12	Shall	Audible and visual alarms to warn of fire or system faults shall be provided at the protected area and at a surface location that is always staffed when persons are underground.	1513.02	Yes, state law	Yes, state law
1501:10-2-12	Shall	A means shall also be provided for warning all endangered persons in the event of fire.	1513.02	Yes, state law	Yes, state law
1501:10-2-12	Shall	Fire suppression systems shall include two manual actuators with at least one located within the fuel storage facility and at least one located a safe distance away from the storage facility, and in intake air.	1513.02	Yes, state law	Yes, state law
1501:10-2-12	Shall	The fire suppression system shall remain operative in the event of electrical system failure.	1513.02	Yes, state law	Yes, state law
1501:10-2-12	Shall	If electrically operated, the system's detection and actuation circuits shall be monitored and provided with status indicators showing power and circuit continuity.	1513.02	Yes, state law	Yes, state law
1501:10-2-12	Shall	If not electrically operated, the system shall be provided with a means to indicate the functional readiness status of the system.	1513.02	Yes, state law	Yes, state law
1501:10-2-12	Shall	Each fire suppression device shall be visually inspected at least once each week by a person qualified to make such inspections.	1513.02	Yes, state law	Yes, state law
1501:10-2-12	Shall	Each fire suppression device shall be maintained and tested in accordance with the rules of this chapter.	1513.02	Yes, state law	Yes, state law
1501:10-2-12	Shall	A record of the weekly inspection of a device shall be kept at an appropriate location for the device.	1513.02	Yes, state law	Yes, state law
1501:10-2-12	Shall	All miners normally assigned to the active workings of a mine shall be instructed in the use of all fire suppression devices installed at the mine, including the safeguards available for each device and any hazards inherent to the operation of a device.	1513.02	Yes, state law	Yes, state law
1501:10-2-13	Prohibit	The use of volatile or chemical starting aids is prohibited.	1513.02	Yes, state law	Yes, state law

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1501:10-2-14	Shall not	Fueling of diesel-powered equipment shall not be conducted in the intake escape-way unless the mine design and entry configuration make it necessary.	1513.02	Yes, state law	Yes, state law
1501:10-2-14	Shall	In those cases where fueling in the intake escape-way is necessary, the mine operator shall submit a plan for approval to the chief, outlining the special safety precautions that will be taken to insure the protection of miners.	1513.02	Yes, state law	Yes, state law
1501:10-2-14	Shall	The submitted plan shall specify a location, such as the end of the tail piece, the track, or adjacent to the load out point, where fueling shall be conducted in the intake escape-way, and all other safety precautions that shall be taken.	1513.02	Yes, state law	Yes, state law
1501:10-2-14	Shall	The plan shall also include an examination of the area for spillage or fire by a qualified individual.	1513.02	Yes, state law	Yes, state law
1501:10-2-14	Shall	(B) Diesel fuel and other combustible materials shall be cleaned up...(continued in cell below)	1513.02	Yes, state law	Yes, state law
1501:10-2-14	Shall not	...and shall not be permitted to accumulate anywhere in an underground mine, or on diesel-powered or electric equipment located therein.	1513.02	Yes, state law	Yes, state law
1501:10-2-14	Shall	(C) At least one individual who has successfully completed the refueling procedure training of paragraph (B)(6) of rule 1501:10-2-23 of the Administrative Code shall be on duty at the mine when diesel-powered equipment or mobile fuel transportation equipment is being used or when any fueling of diesel-powered equipment is being conducted.	1513.02	Yes, state law	Yes, state law
1501:10-2-15	Shall	Prior to the initial deployment of underground diesel equipment, all underground employees at the mine shall receive special instruction related to fighting fires involving diesel fuel. This training may be included in annual refresher training under MSHA regulations 30 C.F.R. Part 48, regarding the training and retraining of miners, or included in the fire drills required under MSHA regulations 30 C.F.R. 75.1502, regarding the program of instruction; location and use of fire fighting equipment; the location of escapeways, exits and routes of travel; evacuation procedures; and fire drills.	1513.02	Yes, state law	Yes, state law
1501:10-2-15	Shall	Prior to the initial deployment of underground diesel equipment, all miners shall be trained in precautions for safe and healthful handling and disposal of diesel-powered equipment filters.	1513.02	Yes, state law	Yes, state law
1501:10-2-15	Shall	All used intake air filters, exhaust diesel particulate matter filters, and engine oil filters shall be placed in their original containers or other suitable enclosed containers, and removed from the underground mine to the surface. Arrangements will be made for safe handling and disposal of these filters within a timely manner after they have reached the surface.	1513.02	Yes, state law	Yes, state law
1501:10-2-16	Shall	(A) Diesel-powered equipment shall be maintained in an approved and safe condition as described in this chapter...(continued in cell below)	1513.02	Yes, state law	Yes, state law
1501:10-2-16	Shall	...or shall be removed from service.	1513.02	Yes, state law	Yes, state law
1501:10-2-16	Shall	An operator choosing to use diesel-powered equipment in an underground coal mine shall develop a maintenance plan and submit the plan to the chief for approval.	1513.02	Yes, state law	Yes, state law
1501:10-2-16	Shall	If the maintenance plan is approved by the chief, the mine operator shall implement the plan, maintain all records required by rule 1501:10-2-17 of the Administrative Code, and make them available for inspection by the chief or his or her representative.	1513.02	Yes, state law	Yes, state law
1501:10-2-16	Shall	(C) To obtain and maintain approval of a complete diesel-powered equipment package, the mine operator shall comply with the following requirements:	1513.02	Yes, state law	Yes, state law
1501:10-2-16	Shall	(1) All service, maintenance and repairs of approved complete diesel-powered equipment packages shall be performed by mechanics that are trained and qualified in accordance with rule 1501:10-2-24 of the Administrative Code,...(continued in cell below)	1513.02	Yes, state law	Yes, state law
1501:10-2-16	Shall	...except for the repairs, adjustment and testing that shall be performed by a mechanic authorized by the engine manufacturer in accordance with paragraph (E)(1) of rule 1501:10-2-07 of the Administrative Code;	1513.02	Yes, state law	Yes, state law

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1501:10-2-16	Shall	2) Service and maintenance of approved complete diesel-powered equipment packages shall be performed according to: (a) The specified routine maintenance schedule; (b) On-board performance and maintenance diagnostics readings; (c) Emissions test results; and (d) Component manufacturers' recommendations.	1513.02	Yes, state law	Yes, state law
1501:10-2-16	Shall	Upon receiving notice from the chief of failure to comply with the maintenance plan, the mine operator shall have thirty days to submit a plan to achieve and maintain compliance with the maintenance requirements of this chapter.	1513.02	Yes, state law	Yes, state law
1501:10-2-16	Shall	If at any time the chief determines that the mine operator is unable or unwilling to comply with the maintenance plan, the chief shall revoke approval of the mine's complete diesel-powered equipment package...(continued in cell below)	1513.02	Yes, state law	Yes, state law
1501:10-2-16	Prohibit	...and shall prohibit the underground use of all diesel-powered equipment at that mine.	1513.02	Yes, state law	Yes, state law
1501:10-2-17	Shall	(A) A record shall be made of all emissions tests, preoperational examinations, and maintenance and repairs of all equipment in a mine's complete diesel-powered equipment package.	1513.02	Yes, state law	Yes, state law
1501:10-2-17	Shall	(B) The records made pursuant to this rule shall meet the requirements of this rule.	1513.02	Yes, state law	Yes, state law
1501:10-2-17	Shall	The person performing the emissions test, preoperational examination, maintenance or repair shall certify by date, time, engine hour reading and signature that the emissions test, examination, maintenance or repair was made.	1513.02	Yes, state law	Yes, state law
1501:10-2-17	Shall	Records of emissions tests and preoperational examinations shall include the specific results of such tests and examinations.	1513.02	Yes, state law	Yes, state law
1501:10-2-17	Shall	Records of maintenance and repairs shall include the work that was performed, any fluids or oil added, parts replaced or adjustments made, and the results of any subsequently required emissions testing.	1513.02	Yes, state law	Yes, state law
1501:10-2-17	Shall	Records of the pre-operational examinations required under paragraph (A) of rule 1501:10-2-18 of the Administrative Code shall be retained for the previous one-hundred-hour maintenance cycle.	1513.02	Yes, state law	Yes, state law
1501:10-2-17	Shall	Records of emissions tests, one-hundred-hour maintenance tests, and repairs shall be countersigned once each week by either the certified mine electrician or certified mine foreperson.	1513.02	Yes, state law	Yes, state law
1501:10-2-17	Shall	All records required by this rule, except those listed in paragraph (F) of this rule, shall be retained for at least one year at a surface location at the mine, and made available for inspection by the chief or his or her representative and by miners and their representatives.	1513.02	Yes, state law	Yes, state law
1501:10-2-18	Shall	Prior to using a piece of diesel-powered equipment during a shift, an equipment operator shall conduct a pre-operational examination as follows: (1) Check the exhaust emissions control and conditioning system components to determine that the components are in place and not damaged or leaking; (2) Assure that the equipment is clean and free of accumulations of combustibles; (3) Assure that the machine is loaded safely; (4) Check for external physical damage; (5) Check for loose or missing connections; (6) Check engine oil level; (7) Check transmission oil level; (8) Check other fluid levels, if applicable; (9) Check for hydraulic, coolant and oil leaks; (10) Check fan, water pump and other belts; (11) Check the fan for damage; (12) Check guards; (13) Check the fuel level; (14) Check for fuel leaks; and (15) Comply with record keeping requirements pursuant to rule 1501:10-2-17 of the Administrative Code.	1513.02	Yes, state law	Yes, state law
1501:10-2-18	Shall	After the engine is started and has reached normal operating temperature, the equipment operator shall conduct an examination as follows: (1) Check all onboard engine performance and maintenance diagnostics system gauges for proper operation and in-range readings...(see cell below for further restriction)...(2) Check safety features, including, but not limited to, the throttle, brakes, steering, lights and horn; and (3) Comply with record keeping requirements of rule 1501:10-2-17 of the Administrative Code.	1513.02	Yes, state law	Yes, state law

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1501:10-2-18	Shall	(1)(continued)...The equipment operator shall immediately shut down the engine and notify mine management if the onboard readings indicate any of the following: (a) Intake restriction at full engine speed is greater than the manufacturer's recommendation; (b) Exhaust restriction at full engine speed is greater than the manufacturer's recommendation; (c) Coolant temperature is at or near two hundred twelve degrees Fahrenheit; (d) Low engine oil pressure; or (e) High engine oil temperature.	1513.02	Yes, state law	Yes, state law
1501:10-2-19	Shall	(A) At intervals not to exceed one hundred hours of engine operation, or at intervals specified and approved by the chief, a mechanic qualified in accordance with rule 1501:10-2-24 of the Administrative Code shall perform the following maintenance on all diesel-powered equipment and make all necessary adjustments and repairs to meet the manufacturer's specifications and the requirements of this chapter, or remove the equipment from service: (1) Wash or steam-clean the equipment; (2) Check for and remove any accumulations of coal, coal dust or other combustible materials; (3) Check the equipment for damaged or missing components or other visible defects; (4) Conduct electrical and safety component inspections; (5) Replace engine oil and filter at the standard one hundred hour interval unless an extended interval is approved by the chief in accordance with paragraph (B) of this rule; (6) Check the transmission oil level and add oil, if necessary; (7) Check hydraulic oil level and add oil, if necessary; (8) Check the engine coolant level and add coolant, if necessary; (9) Check all other fluid levels and add fluid, if necessary; (10) Check for oil, coolant and other fluid leaks; (11) Inspect the cooling fan, radiator and shroud. Remove any obstructions and make necessary repairs; (12) Check all belts. Tighten or replace, if necessary; (13) Check the battery and service as necessary; (14) Check the automatic fire suppression system; (15) Check the portable fire extinguisher; (16) Check the lights; (17) Check the warning devices; (18) With the engine operating, check, and replace or repair as necessary, the following:(a) Oil pressure; (b) Intake air restriction at full engine speed; (c) Exhaust gas restriction at full engine speed; (d) Exhaust flame arrestor; and (e) All gauges and controls; (19) Conduct repeatable loaded engine-operating test in accordance with rule 1501:10-2-21 of the Administrative Code;...(see cells below for further restrictions)...(21) Evaluate and interpret the results of all of the above tests and examinations, and make all necessary adjustments and repairs or remove the equipment from service; and (22) Comply with record-keeping requirements of rule 1501:10-2-17 of the Administrative Code.	1513.02	Yes, state law	Yes, state law
1501:10-2-19	Must	...(20) If the equipment is approved with a non-disposable diesel particulate filter, a smoke dot test of the filtered exhaust must be performed at this time.	1513.02	Yes, state law	Yes, state law
1501:10-2-19	Shall	The results of the smoke dot test shall be recorded on the one hundred hour emissions form.	1513.02	Yes, state law	Yes, state law
1501:10-2-19	Shall	If the interpreted smoke dot number is greater than three, but less than four, the operator shall immediately, in writing, notify the chief. The chief may request the technical advisory committee, in accordance with rule 1501:10-2-27 of the Administrative Code, to conduct an investigation to determine if the filter is functioning properly;	1513.02	Yes, state law	Yes, state law

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1501:10-2-19	Shall	(1) If a mine operator wants to replace engine oil and filter at an interval greater than the standard one hundred hour interval, the operator shall: (a) Have an appropriate independent third party conduct tests to provide empirical evidence that replacing engine oil and filter at a specified interval of greater than one hundred hours poses no increased health hazard to underground miners; (b) Obtain approval of the results of such tests from the equipment manufacturer for equipment to be used in an underground mine; and (c) Submit to the chief a request for a specified extended interval for replacement of engine oil and filter, including the test data and manufacturer approval of paragraphs (B)(1)(a) and (B)(1)(b) of this rule. (2) The chief may request the technical advisory committee, in accordance with rule 1501:10-2-27 of the Administrative Code, to evaluate the results of the tests conducted pursuant to paragraph (B)(1)(a) of this rule and to review and make a recommendation regarding the extended interval. After review of the information submitted under paragraph (B) of this rule, the chief may approve, in writing, a specified extended interval for replacing engine oil and filter.	1513.02	Yes, state law	Yes, state law
1501:10-2-19	Shall	(3) The mine operator shall keep a copy of the approval letter for the specified extended interval for replacing engine oil and filter with the maintenance records for the piece of equipment for which the extended interval was granted for the duration of equipment use,...(continued in cell below)	1513.02	Yes, state law	Yes, state law
1501:10-2-19	Shall	...and shall make the approval letter available to the chief or his or her representative, miners of the mine, and other interested parties upon request.	1513.02	Yes, state law	Yes, state law
1501:10-2-20	Shall	(A) Exhaust emissions for diesel-powered equipment shall be monitored and controlled using the control and conditioning systems of rule 1501:10-2-05 of the Administrative Code, the threshold limits and other requirements of rule 1501:10-2-07 of the Administrative Code, the baseline exhaust emissions values established in this rule, and the diagnostic testing of rule 1501:10-2-21 of the Administrative Code.	1513.02	Yes, state law	Yes, state law
1501:10-2-20	Shall	For purposes of diagnostic testing under rule 1501:10-2-21 of the Administrative Code, baseline exhaust emissions values shall be established in accordance with this rule for each piece of diesel-powered equipment to be used in a specific underground coal mine.	1513.02	Yes, state law	Yes, state law
1501:10-2-20	Shall	(1) The chief shall approve baseline carbon monoxide (CO) values that are representative of the MSHA lug curve for that specific engine model.	1513.02	Yes, state law	Yes, state law
1501:10-2-20	Shall	If the baseline CO values are greater than the MSHA lug curve values, the chief shall investigate and approve, disapprove, or provide an alternate operating procedure for meeting the requirements of this rule under the condition that CO baseline exhaust emissions remain representative of MSHA's approval data.	1513.02	Yes, state law	Yes, state law
1501:10-2-20	Shall	(2) The chief shall establish the loaded condition for the baseline exhaust emissions testing under paragraphs (C)(12) to (C)(13) of this rule by determining carbon dioxide (CO2) values that are representative of the MSHA lug curve readings for that engine model and horsepower.	1513.02	Yes, state law	Yes, state law
1501:10-2-20	Shall	(3) When any diesel-powered machine first enters service at a mine, a mechanic qualified in accordance with rule 1501:10-2-24 of the Administrative Code shall establish the baseline exhaust emissions values, other than the CO and CO2 emissions values approved or established by the chief under paragraphs (B)(1) and (B)(2) of this rule, by following the procedure of paragraph (C) of this rule or an approved alternative procedure of paragraph (D) of this rule.	1513.02	Yes, state law	Yes, state law

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1501:10-2-20	Shall	Unless the chief approves an alternative procedure for establishing baseline exhaust emissions values pursuant to paragraph (D) of this rule, a mechanic qualified in accordance with rule 1501:10-2-24 of the Administrative Code shall establish baseline exhaust emissions values in accordance with the following: (1) Verify that the seal on the engine fuel injector pump is in place and that the proper fuel pump is on the equipment; (2) Install a new, clean intake air cleaner, then measure and record the intake restriction pressure, and ensure the pressure meets the manufacturer's specifications; (3) Check the level of engine oil and add oil, if necessary; (4) Change the engine lubrication oil (if not fresh); (5) Check the level of the transmission fluid and add fluid if necessary; (6) Measure and record the exhaust gas backpressure and, if exhaust gas backpressure is above that specified by the manufacturer, take steps to bring the exhaust gas backpressure back within the manufacturer's recommended limit prior to again beginning the procedure to establish the baseline exhaust emissions values pursuant to paragraph (C) of this rule; (7) Test the brakes and ensure the brakes are in good working order as specified by the manufacturer; (8) If the baseline exhaust emissions values are being established on equipment that is underground, place the equipment into an intake entry; (9) Set the brakes and chock the wheels; (10) Install an exhaust gas analyzer in proper working condition into the untreated exhaust gas port; (11) Start the engine and allow it to warm up to operating temperature; (12) Put the engine into a loaded condition; (13) Start the exhaust gas analyzer and allow the engine to operate in the loaded condition for a sufficient length of time, but not less than a ninety-second duration to insure proper CO readings...(see cell below for further restriction)...and (14) Comply with record keeping requirements of rule 1501:10-2-17 of the Administrative Code.	1513.02	Yes, state law	Yes, state law
1501:10-2-20	Shall	...(13)(continued) The qualified mechanic shall record both CO and CO2 readings;	1513.02	Yes, state law	Yes, state law
1501:10-2-20	Shall	The results of the procedures to establish the baseline exhaust emissions values under this rule shall be submitted to and approved by the chief prior to being implemented for each engine and equipment type.	1513.02	Yes, state law	Yes, state law
1501:10-2-21	Shall	Exhaust emissions for diesel-powered equipment shall be monitored and controlled using the control and conditioning systems of rule 1501:10-2-05 of the Administrative Code, the threshold limits and other requirements of rule 1501:10-2-07 of the Administrative Code, the baseline exhaust emissions values established in rule 1501:10-2-20 of the Administrative Code, and the diagnostic testing of this rule.	1513.02	Yes, state law	Yes, state law
1501:10-2-21	Shall	At intervals not to exceed one hundred hours of engine operation, a mechanic qualified in accordance with rule 1501:10-2-24 of the Administrative Code shall perform equipment maintenance diagnostic testing of each piece of diesel-powered equipment in the mine and make all necessary adjustments and repairs to meet the manufacturer's specifications and the requirements of this chapter, or remove the equipment from service.	1513.02	Yes, state law	Yes, state law

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1501:10-2-21	Shall	The qualified mechanic shall: (1) Verify the identification numbers on the equipment; (2) Check the level of the engine lubricating oil; (3) Check the level of the transmission fluid; (4) Set the brakes and chock the wheels; (5) Install a functioning portable carbon monoxide (CO) sampling device into the untreated exhaust port coupling provided in the operator's cab; (6) Start the engine and allow it to attain normal operating temperature; (7) At high idle speed, check the intake restriction and the exhaust back pressure; (8) If the intake restriction is more than the manufacturer's maximum specified intake restriction, replace the intake filter with a new one; (9) If exhaust gas backpressure is above that specified by the manufacturer, take steps to bring the exhaust gas backpressure back within the manufacturer's specified limit prior to again beginning the equipment maintenance diagnostic testing of paragraph (B) of this rule; (10) For mobile equipment, shift into the highest gear and fully accelerate the engine, or for stationary equipment, induce a load and put the engine at full throttle. Maintain full acceleration or full throttle for a minimum of sixty seconds prior to taking the reading required under paragraph (B)(11) of this rule to dissipate any reading inaccuracies due to turbo lag; (11) Start the portable CO sampling device, record the CO level after sixty seconds, after seventy-five seconds, and after ninety seconds, and then take the average of these three readings; (12) Install the portable CO sampling device into the treated exhaust port coupling provided in the operator's cab and repeat steps of paragraphs (B)(10) and (B)(11) of this rule; and (13) Comply with record keeping requirements of rule 1501:10-2-17 of the Administrative Code.	1513.02	Yes, state law	Yes, state law
1501:10-2-21	Shall	A mechanic qualified in accordance with rule 1501:10-2-24 of the Administrative Code shall service and retest the equipment until it meets the standards of this chapter before the equipment is returned to regular service.	1513.02	Yes, state law	Yes, state law
1501:10-2-22	Shall	(A) To use diesel-powered equipment in an underground coal mine, the mine operator shall submit to the chief for approval a training plan for training equipment operators in the use of diesel-powered equipment...(continued in cell below)	1513.02	Yes, state law	Yes, state law
1501:10-2-22	Shall not	...and shall not allow any person who is not qualified under paragraph (D) or (G) of this rule to operate diesel-powered equipment in an underground coal mine.	1513.02	Yes, state law	Yes, state law
1501:10-2-22	Shall	(B) All training course instructors and all training plans required by this rule and rules 1501:10-2-23 and 1501:10-2-24 of the Administrative Code shall be approved by the chief.	1513.02	Yes, state law	Yes, state law
1501:10-2-22	Shall	Equipment operator training and qualification shall meet the requirements of this rule.	1513.02	Yes, state law	Yes, state law
1501:10-2-22	Shall	(C) Training shall be conducted in the basics of the operation of diesel engines, federal and state regulations governing their use, company rules for safe operation, the specific features of each piece of equipment, and the ability to recognize problems.	1513.02	Yes, state law	Yes, state law
1501:10-2-22	Shall	The mine operator shall provide this training to each equipment operator and, if applicable, to the mine's health and safety committee.	1513.02	Yes, state law	Yes, state law
1501:10-2-22	Shall	This training shall be designed to bring every equipment operator to a level of good understanding of diesel-powered equipment operation.	1513.02	Yes, state law	Yes, state law
1501:10-2-22	Shall	An equipment operator may attain qualification by attending a course of a minimum of eight hours which shall include formal classroom training on diesel fundamentals and equipment-specific hands-on training pursuant to rule 1501:10-2-23 of the Administrative Code.	1513.02	Yes, state law	Yes, state law

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1501:10-2-22	Shall	(D) When an equipment operator successfully completes the classroom and hands-on training required under paragraph (C) of this rule, the mine operator shall issue to the equipment operator a certificate of qualification that qualifies the equipment operator to operate a specific type of diesel-powered equipment. An equipment operator may be qualified to operate more than one type of equipment by successfully completing additional equipment-specific training that covers operational attributes specific to each additional type of diesel-powered equipment.	1513.02	Yes, state law	Yes, state law
1501:10-2-22	Shall	(E) Two hours of refresher training shall be required annually for all diesel-powered equipment operators unless the chief approves an alternative training schedule.	1513.02	Yes, state law	Yes, state law
1501:10-2-22	Shall	This training shall be separate from the training required by MSHA regulations 30 C.F.R. Part 48.	1513.02	Yes, state law	Yes, state law
1501:10-2-22	Shall	The employees shall suffer no loss of pay for attending training and refresher training.	1513.02	Yes, state law	Yes, state law
1501:10-2-22	Shall	(F) The training and refresher training required under paragraphs (C) and (E) of this rule shall include instruction in the following classroom subjects:	1513.02	Yes, state law	Yes, state law
1501:10-2-21	Shall	(1) Engine fundamentals, which shall include an introduction to the function of a diesel engine and recognition of all major components and their functions;	1513.02	Yes, state law	Yes, state law
1501:10-2-21	Shall	(2) Diesel regulations, which shall include an introduction to federal and state regulations governing the use of diesel-powered equipment;	1513.02	Yes, state law	Yes, state law
1501:10-2-21	Shall	(3) Diesel emissions, which shall include an introduction to diesel emissions and their adverse health effects;	1513.02	Yes, state law	Yes, state law
1501:10-2-21	Shall	(4) Factors that affect diesel emissions, which shall include a detailed presentation of engine faults and diesel fuel quality, and their effects on emissions, as well as instruction in the preventive actions that can be taken to minimize emissions levels;	1513.02	Yes, state law	Yes, state law
1501:10-2-21	Shall	(5) Emissions control devices, which shall include a detailed presentation of the different emissions control devices employed to reduce emissions, and details about actions the equipment operator must take to keep the devices in working order;	1513.02	Yes, state law	Yes, state law
1501:10-2-21	Shall	(6) Diagnostic techniques, which shall include a presentation of techniques that can be employed by the equipment operator to assure the equipment is in safe operating condition, and instruction in how to recognize and diagnose certain engine faults that may cause increases in emissions;	1513.02	Yes, state law	Yes, state law
1501:10-2-21	Shall	(7) The preoperational inspection, which shall include a presentation of the purpose, benefits, and requirements of the preoperational inspection;	1513.02	Yes, state law	Yes, state law
1501:10-2-21	Shall	(8) Ventilation, which shall include an introduction to special ventilation requirements for areas of the mine in which diesel-powered equipment will operate;	1513.02	Yes, state law	Yes, state law
1501:10-2-21	Shall	(9) Fire suppression systems, which shall include an introduction to the use and function of fire suppression systems, and when and how to manually activate a fire suppression system;	1513.02	Yes, state law	Yes, state law
1501:10-2-21	Shall	(10) Operating rules, which shall include a detailed presentation of the driving rules, safe driving speeds, traffic control devices, and equipment limitations;	1513.02	Yes, state law	Yes, state law
1501:10-2-21	Shall	(11) Emergency procedures, which shall include discussion of emergency situations such as fire, diesel fuel spills, component failure, and loss of ventilation air.	1513.02	Yes, state law	Yes, state law
1501:10-2-21	Shall	This instruction shall also include emergency escape procedures and discussion of the potential use of the diesel-powered vehicle as an emergency escape vehicle in case of a mine emergency situation; and	1513.02	Yes, state law	Yes, state law
1501:10-2-21	Shall	(12) Record keeping and reporting procedures, which shall include a presentation on required record keeping and reporting procedures for problems or unsafe conditions, high emissions levels, and preoperational inspections made by the equipment operator.	1513.02	Yes, state law	Yes, state law

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1501:10-2-21	Shall	The mine operator shall issue to the equipment operator a new certificate of qualification each year after the equipment operator has successfully completed the annual refresher training pursuant to paragraph (E) of this rule.	1513.02	Yes, state law	Yes, state law
1501:10-2-21	Shall	The mine operator shall keep at the mine site a copy of the most recent certificate of qualification issued to the equipment operator and make it available for inspection by the chief or his or her representative.	1513.02	Yes, state law	Yes, state law
1501:10-2-23	Shall	(A) Upon successful completion of the training required by rule 1501:10-2-22 of the Administrative Code, the equipment operator shall complete equipment-specific training in accordance with this rule.	1513.02	Yes, state law	Yes, state law
1501:10-2-23	Shall	Successful completion of equipment-specific training shall be documented on the certificate of qualification issued by the mine operator under paragraphs (D) and (G) of rule 1501:10-2-22 of the Administrative Code.	1513.02	Yes, state law	Yes, state law
1501:10-2-23	Shall	(B) The mine operator shall provide equipment-specific, hands-on orientation training to the equipment operators in an area of the mine where the diesel-powered equipment will be operated.	1513.02	Yes, state law	Yes, state law
1501:10-2-23	Shall	This orientation shall be specific to the type and make of the diesel-powered equipment,...(continued in cell below)	1513.02	Yes, state law	Yes, state law
1501:10-2-23	Shall	...and shall be presented to groups no larger than twelve persons per instructor unless otherwise approved by the chief in an approved training plan.	1513.02	Yes, state law	Yes, state law
1501:10-2-23	Shall	The following subjects shall be included in the orientation training:	1513.02	Yes, state law	Yes, state law
1501:10-2-23	Shall	(1) Equipment layout, which shall include instruction relating to the layout of the equipment, the equipment operator's compartments, and the controls;	1513.02	Yes, state law	Yes, state law
1501:10-2-23	Shall	(2) Pre-operation inspection, which shall include instruction relating to the pre-operation inspection procedures required by paragraph (A) of rule 1501:10-2-18 of the Administrative Code and review of specific details of the inspection and location of the components to be inspected;	1513.02	Yes, state law	Yes, state law
1501:10-2-23	Shall	(3) Equipment limitations, which shall include instruction relating to equipment performance, speeds, capacities and blind areas;	1513.02	Yes, state law	Yes, state law
1501:10-2-23	Shall	(4) Operating areas, which shall include instruction relating to areas in which the equipment may be operated;	1513.02	Yes, state law	Yes, state law
1501:10-2-23	Shall	(5) Operation, which shall include instruction relating to the controls, gauges and warning devices and safe operating limits of all indicating gauges;	1513.02	Yes, state law	Yes, state law
1501:10-2-23	Shall	(6) Refueling procedure, which shall include instruction relating to fuel handling, permissible refueling areas, spill prevention, cleanup and potential hazards from diesel fuel;	1513.02	Yes, state law	Yes, state law
1501:10-2-23	Shall	(7) Emergency devices, which shall include instruction relating to the location and use of the fire extinguisher and fire suppression devices; and	1513.02	Yes, state law	Yes, state law
1501:10-2-23	Shall	(8) Driving practice, which shall include supervised operation of the equipment.	1513.02	Yes, state law	Yes, state law
1501:10-2-24	Shall	(A) Diesel mechanic training and qualification shall meet the requirements of this rule.	1513.02	Yes, state law	Yes, state law
1501:10-2-24	Shall	(B) Diesel mechanics shall be trained and qualified to perform maintenance, repairs and testing of the features of the diesel-powered equipment used at the mine or mines where he or she is employed, as certified by MSHA and approved by the chief pursuant to rule 1501:10-2-04 of the Administrative Code.	1513.02	Yes, state law	Yes, state law
1501:10-2-24	Shall	To be qualified to work on the specific diesel-powered equipment used at the mine or mines where he or she is employed, a diesel mechanic shall successfully complete an eight-hour training course approved by the chief pursuant to rules 1501:10-2-22 and 1501:10-2-23 of the Administrative Code for the specific piece of diesel equipment he or she will be working on, and a sixteen-hour diesel mechanic training course approved by the chief pursuant to this rule.	1513.02	Yes, state law	Yes, state law
1501:10-2-24	Shall	Additional engine-specific training shall be provided to a diesel mechanic in accordance with the plan approved by the chief.	1513.02	Yes, state law	Yes, state law

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1501:10-2-24	Shall	(D) The mine operator shall submit a diesel mechanic training plan to the chief for approval...(continued in cell below)	1513.02	Yes, state law	Yes, state law
1501:10-2-24	Shall	...which shall include the requirements of this paragraph and the requirements for refresher training in paragraph (E) of this rule.	1513.02	Yes, state law	Yes, state law
1501:10-2-24	Shall	The chief shall approve the plan prior to its being used for training.	1513.02	Yes, state law	Yes, state law
1501:10-2-24	Shall	The diesel mechanic training plan shall be for a minimum sixteen hours...(continued in cell below)	1513.02	Yes, state law	Yes, state law
1501:10-2-24	Shall	...and shall include training in the following subjects: (1) Federal and state requirements regulating the use of diesel equipment; (2) Company policies and rules related to the use of diesel equipment; (3) Emissions control system design and component technical training; (4) On-board engine performance and maintenance diagnostics system design, and component technical training; (5) Service and maintenance procedures and requirements for the emissions control systems; (6) Emissions testing procedures and evaluation, and interpretation of test results; (7) Troubleshooting procedures for the emissions control systems; (8) Fire protection systems, testing and maintenance; (9) Fire and ignition sources, and their control and elimination; (10) Fuel system maintenance and safe fueling procedures; (11) Intake air system design and components technical training, and maintenance procedures; (12) Engine shutdown device tests and maintenance;...(see cell below for further restrictions)...(14) Instruction on record keeping requirements for maintenance procedures and emissions testing; and (15) Other subjects determined by the chief to be necessary to address specific health and safety needs.	1513.02	Yes, state law	Yes, state law
1501:10-2-24	Shall	(13) Special instructions regarding components, such as the fuel injection system, that shall be repaired and adjusted only by a qualified mechanic who has received special training and is authorized to make such repairs or adjustments by the component manufacturer;	1513.02	Yes, state law	Yes, state law
1501:10-2-24	Shall	(E) Eight hours of refresher training shall be required annually for all diesel mechanics.	1513.02	Yes, state law	Yes, state law
1501:10-2-24	Shall	The diesel mechanic training plan submitted by the operator under paragraph (D) of this rule shall include an annual refresher training plan of eight hours for diesel mechanics.	1513.02	Yes, state law	Yes, state law
1501:10-2-24	Shall	The annual retraining shall include refresher training as well as new procedure and new technology training as necessary.	1513.02	Yes, state law	Yes, state law
1501:10-2-24	Shall	This training shall be separate from the refresher training required by MSHA regulations 30 C.F.R. Part 48 and the electrical training required by MSHA.	1513.02	Yes, state law	Yes, state law
1501:10-2-24	Shall	The mine operator shall furnish all required training and refresher training required under this rule.	1513.02	Yes, state law	Yes, state law
1501:10-2-24	Shall	The employees shall suffer no loss of pay for attending training and refresher training.	1513.02	Yes, state law	Yes, state law
1501:10-2-25	Shall	(A) In addition to the other requirements of this chapter, diesel-powered equipment shall be operated pursuant to the requirements of this rule.	1513.02	Yes, state law	Yes, state law
1501:10-2-25	Shall	(B) All diesel-powered equipment shall be attended while in operation with the engine running in underground mines.	1513.02	Yes, state law	Yes, state law
1501:10-2-25	Shall	(C) Unnecessary idling of diesel-powered equipment shall be prohibited.	1513.02	Yes, state law	Yes, state law
1501:10-2-25	Shall	(D) The mine operator shall maintain all roadways upon which diesel-powered equipment is operated as free as practicable from bottom irregularities, debris and wet or muddy conditions that could adversely affect an equipment operator's ability to control the equipment.	1513.02	Yes, state law	Yes, state law
1501:10-2-25	Shall	(E) Operating speeds shall be consistent with conditions of roadways, grades, clearances, visibility, traffic and the type of equipment used.	1513.02	Yes, state law	Yes, state law
1501:10-2-25	Shall	(F) An equipment operator shall at all times have full control of the mobile equipment while it is in motion.	1513.02	Yes, state law	Yes, state law
1501:10-2-25	Shall	(G) Traffic rules, including speed, signals, and warning signs shall be standardized at each mine, and posted as necessary.	1513.02	Yes, state law	Yes, state law

RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1501:10-2-25	Shall	All diesel-powered equipment shall be maintained in a safe and healthful operating condition.	1513.02	Yes, state law	Yes, state law
1501:10-2-25	Shall	The operator shall immediately remove from service any equipment that is in an unsafe or unhealthful condition or is not maintained in accordance with the engine or emissions control operating specifications,...(continued in cell below)	1513.02	Yes, state law	Yes, state law
1501:10-2-25	Shall	...and shall not return such equipment to service until all necessary corrective actions have been taken.	1513.02	Yes, state law	Yes, state law
1501:10-2-26	Shall	(A) The chief shall provide training to his or her staff of underground coal mine inspectors on the use of underground diesel mine equipment so they can conduct diesel inspections as a part of their regular inspection duties.	1513.02	Yes, state law	Yes, state law
1501:10-2-26	Shall	(B) The chief shall provide the underground mine inspectors with specific training in the requirements of the rules of this chapter.	1513.02	Yes, state law	Yes, state law
1501:10-2-26	Shall	The chief shall also train and equip the inspectors with the proper equipment necessary to effectively test for diesel emissions, and to properly enforce the rules of this chapter.	1513.02	Yes, state law	Yes, state law
1501:10-2-26	Shall	(C) The underground mine inspectors shall be trained in accordance with criteria as established and approved by the chief.	1513.02	Yes, state law	Yes, state law
1501:10-2-26	Shall	Training for inspectors shall include, but is not limited to, the following: 1) Components and operation of a diesel engine; (2) Fuel requirements and effect of various fuels on diesel particulate matter emissions; (3) State and federal diesel regulations; (4) Health effects of diesel particulate matter; (5) Factors that can increase or decrease diesel particulate matter emissions; (6) Emission control techniques in operation, maintenance and testing; (7) Diagnostic testing, including instruments used and evaluation of tests, both in the classroom and hands-on in the field; (8) Inspection and enforcement; (9) Ventilation; (10) Operation, testing and maintenance of fire suppression systems; (11) Emergency procedures including firefighting and containment of spills; (12) Fuel handling and storage; and (13) Training plans, training requirements, and record keeping.	1513.02	Yes, state law	Yes, state law
1501:10-2-27	Shall not	Any alternate operating procedure, alternative technology, major operational change, or new technology recommended by the technical advisory committee or approved by the chief shall not reduce or compromise the level of health and safety protection afforded by this chapter.	1513.02	Yes, state law	Yes, state law
1501:10-2-27	Shall	The diesel technical advisory committee shall consist of two members appointed by the chief.	1513.02	Yes, state law	Yes, state law
1501:10-2-27	Shall	The chief shall appoint one of the two members to be chairperson of the technical advisory committee.	1513.02	Yes, state law	Yes, state law
1501:10-2-27	Shall	The chief shall appoint: (1) One member from a list of qualified candidates nominated by the Ohio coal association; and (2) One member who works at an Ohio underground coal mine utilizing diesel equipment and who is elected by two or more miners as the miners' safety representative at that mine,...(continued in cell below)	1513.02	Yes, state law	Yes, state law
1501:10-2-27	Shall	...except that, for the initial appointment of this member, the chief shall appoint a person who works at an Ohio underground coal mine and who is familiar with the use of diesel equipment at or around underground coal mines.	1513.02	Yes, state law	Yes, state law
1501:10-2-27	Shall	Each member of the diesel technical advisory committee shall be appointed for a term of three years. The chief may reappoint a member to serve an unlimited number of successive three-year terms.	1513.02	Yes, state law	Yes, state law
1501:10-2-27	Shall	The diesel technical advisory committee shall provide the chief with technical advice and recommendations concerning the technical operating aspects of underground diesel-powered equipment.	1513.02	Yes, state law	Yes, state law

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1501:10-2-27	Shall	In fulfilling its role, the technical advisory committee shall, at the written request of the chief, be available to: (1) Review and make recommendations to the chief regarding implementation of the use of diesel equipment in underground coal mines pursuant to this chapter; (2) Advise the chief regarding operating parameters for the use of diesel-powered equipment in shaft and slope construction operations at underground coal mines; (3) Evaluate an alternative operating procedure, alternative technology, new technology or major operational change for diesel-powered equipment used in underground coal mines; (4) Provide technical assistance to operators regarding diesel equipment technologies; (5) Conduct investigations along with the chief's representative, and technical investigations relating to implementation of the use of diesel equipment in underground coal mines; and (6) Provide training regarding the implementation of diesel equipment emission controls and emission testing.	1513.02	Yes, state law	Yes, state law
1501:10-2-27	Shall	Members of the diesel technical advisory committee shall be unpaid volunteers representing the interests, health, and safety of underground coal miners in the state of Ohio.	1513.02	Yes, state law	Yes, state law
1501:10-2-27	Shall	A member shall receive no compensation but shall be reimbursed for the actual and necessary expenses incurred in the performance of the member's function as a member of the technical advisory committee.	1513.02	Yes, state law	Yes, state law
1501:10-2-27	Shall	The diesel technical advisory committee, after approval by the chief, shall meet at least quarterly, at times as scheduled by the chairperson.	1513.02	Yes, state law	Yes, state law
1501:10-2-27	Require	Actions of the diesel technical advisory committee require that both members be present.	1513.02	Yes, state law	Yes, state law
1501:10-2-27	Shall	If a recommendation of the diesel technical advisory committee receives a unanimous vote from the committee members, the committee shall submit this recommendation to the chief in writing, including details regarding the advantages and disadvantages of taking the recommended action.	1513.02	Yes, state law	Yes, state law
1501:10-2-27	Shall	If a recommendation does not receive a unanimous vote from the committee members, each committee member shall submit a detailed written report to the chief explaining the reasons for his or her position for or against the recommendation.	1513.02	Yes, state law	Yes, state law
1501:10-2-27	Shall	The chief shall make clerical support and assistance available to enable the technical advisory committee to carry out its duties.	1513.02	Yes, state law	Yes, state law
1501:10-2-27	Shall	(2) The chief shall make available to the technical advisory committee equipment for testing diesel engine exhaust emissions and for measuring diesel engine surface temperatures and exhaust gas temperatures.	1513.02	Yes, state law	Yes, state law
1501:10-2-27	Shall	Upon request of a coal miner, coal mine operator or diesel-related technology manufacturer, or on its own motion, the diesel technical advisory committee shall conduct a technical investigation of the use of an alternate operating procedure, alternative technology, major operational change, or new technology, provided that the chief approves the technical investigation in writing. A technical advisory committee recommendation resulting from an investigation under this paragraph and approved by the chief may be applicable to all underground coal mines in Ohio upon written notice by the chief to affected persons.	1513.02	Yes, state law	Yes, state law
1501:10-2-27	Shall	(2) Upon notice of a request of a coal mine operator, and with the written approval of the chief, the technical advisory committee shall consider a site-specific request for use of an alternate operating procedure, alternative technology, major operational change, or new technology.	1513.02	Yes, state law	Yes, state law
1501:10-2-27	Shall	The technical advisory committee's recommendation on a request submitted under this paragraph shall be on a site-specific basis.	1513.02	Yes, state law	Yes, state law
1501:10-2-27	Shall	The technical advisory committee shall conduct an investigation...(continued in cell below)	1513.02	Yes, state law	Yes, state law
1501:10-2-27	Shall	...which shall include consultation with the mine operator and the authorized representatives of the miners at the mine.	1513.02	Yes, state law	Yes, state law
1501:10-2-27	Shall	If there is no authorized representative of the miners for the particular mine, the technical advisory committee shall consult with a reasonable number of miners at the mine.	1513.02	Yes, state law	Yes, state law

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1501:10-2-27	Shall	(3) Within one hundred eighty days of receipt of written approval of the chief under paragraph (K)(1) or (K)(2) of this rule, the technical advisory committee shall complete its investigation and make a recommendation to the chief. The time period under this paragraph may be extended with the consent of the person who submitted the request.	1513.02	Yes, state law	Yes, state law
1501:10-2-27	Shall	The technical advisory committee members shall only recommend approval of the use of an alternate operating procedure, alternative technology, major operational change, or new technology if, at the conclusion of the investigation, the committee members have made a determination that use of the alternate operating procedure, alternative technology, major operational change, or new technology will not reduce or compromise the level of health and safety protection afforded by this chapter.	1513.02	Yes, state law	Yes, state law
1501:10-2-27	Shall	(4) The diesel technical advisory committee shall submit to the chief one of three possible recommendations: (a) A unanimous recommendation to approve the request for use of an alternate operating procedure, alternative technology, major operational change, or new technology...(continued in cell below)...(b) A unanimous recommendation to reject the request for use of an alternate operating procedure, alternative technology, major operational change, or new technology...(continued in cell below)...or (c) A divided recommendation on the use of an alternate operating procedure, alternative technology, major operational change, or new technology...(continued in cell below)	1513.02	Yes, state law	Yes, state law
1501:10-2-27	Shall	(4)(a)(continued)...A recommendation under this paragraph shall be made in writing and include the results of the investigation, the advantages and disadvantages of taking the recommended action, and specific conditions of use for the alternate operating procedure, alternative technology, major operational change, or new technology;	1513.02	Yes, state law	Yes, state law
1501:10-2-27	Shall	(4)(b)(continued)...A recommendation under this paragraph shall be made in writing and explain in detail the basis for the rejection;	1513.02	Yes, state law	Yes, state law
1501:10-2-27	Shall	(4)(c)(continued)...If there is a divided recommendation, each member of the committee shall submit a detailed report to the chief, within fourteen days of the technical advisory committee's vote, explaining the reasons for the member's position for or against the recommendation.	1513.02	Yes, state law	Yes, state law
1501:10-2-27	Shall	(5) All recommendations shall identify all persons with whom the technical advisory committee consulted during the technical investigation.	1513.02	Yes, state law	Yes, state law
1501:10-2-27	Shall	If the technical advisory committee submits a unanimous recommendation to the chief, the chief shall have thirty days to make a decision either approving or rejecting the technical advisory committee's recommendation.	1513.02	Yes, state law	Yes, state law
1501:10-2-27	Shall	If the chief does not make a decision within the time requirements or any extension of the time requirements of this paragraph, the technical advisory committee's recommendation shall be deemed rejected.	1513.02	Yes, state law	Yes, state law
1501:10-2-27	Shall	(b) If the chief approves the recommendation of the technical advisory committee with modification, the chief shall notify the technical advisory committee, in writing, of the modification and the reasons for the modification.	1513.02	Yes, state law	Yes, state law
1501:10-2-27	Shall	The chief shall have sixty days from the date of the meeting with the technical advisory committee, or, if no meeting is held, sixty days from receiving the recommendation, to make a decision either approving or rejecting the technical advisory committee's recommendation.	1513.02	Yes, state law	Yes, state law
1501:10-2-27	Shall	If the chief does not make a decision within the time requirements or any extension of the time requirements of this paragraph, the technical advisory committee's recommendation shall be deemed rejected.	1513.02	Yes, state law	Yes, state law
1501:10-2-27	Shall	If the chief approves a recommendation of the technical advisory committee with modification, the chief shall notify the technical advisory committee, in writing, of the modification and the reasons for the modification.	1513.02	Yes, state law	Yes, state law

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* Rules 1501:10-1-02, 1501:10-1-03, 1501:10-1-04 and 1501:10-1-05 were written as required by SB 323 of the 127th General Assembly. Governor Taft's Mine Safety Task Force, comprised of Ohio industry and labor representatives and DMRM Mine Safety staff, began meeting in 2006 with the goal of avoiding mine fatalities that had recently occurred in other states. The recommendations of the Task Force were enacted as an emergency measure on 6/11/2008.					
** Ohio Administrative Code Chapter 1501:10-2 regulates diesel-powered equipment in underground coal mines. A Rules Committee of Ohio coal industry and labor representatives and DMRM Mine Safety staff developed these rules after the enactment of Ohio Revised Code section 1513.02(A)(8), effective 4/6/2007, which directed the DMRM Chief to "(e)stablish programs and adopt rules and procedures governing terms, limitations, and conditions for the use of diesel equipment in an underground coal mine."					
1501:13-1-01	Shall	No permit to conduct coal mining and reclamation operations shall be issued unless application for the permit has been made in accordance with the requirements of division 1501:13 of the Administrative Code.	1513.02, 1513.07, 1513.16	Yes, both state and federal law	Yes, both state and federal law
1501:13-1-01	Shall	Each coal mining and reclamation operation shall comply with all the requirements of division 1501:13 of the Administrative Code, except as provided in paragraphs (C)(1) to (C)(3) of this rule.	1513.02, 1513.07, 1513.16	Yes, both state and federal law	Yes, both state and federal law
1501:13-1-01	Shall	Each structure used in connection with or to facilitate a coal exploration or coal mining and reclamation operation shall comply with the performance standards and the design requirements of division 1501:13 of the Administrative Code, with 4 exceptions in (C)(1) through (C)(4)	1513.02, 1513.07, 1513.16	Yes, both state and federal law	Yes, both state and federal law
1501:13-1-01	Shall	If the performance standard in effect prior to 8/16/82, is less effective than the OAC 1501:13 performance standards, the chief shall require an existing structure to be modified to meet either the design or performance standard requirements RC Chapter 1513. of the Revised Code and OAC 1501:13 of the Administrative Code.	1513.02, 1513.07, 1513.16	Yes, both state and federal law	Yes, both state and federal law
1501:13-1-01	Shall not	The exemptions provided in (C)(1) and (C)(2) of this rule shall not apply to (a) the requirements for existing and new coal mine waste disposal facilities; and (b) the requirements to restore the approximate original contour of the land.	1513.02, 1513.07, 1513.16	Yes, both state and federal law	Yes, both state and federal law
1501:13-1-01	Shall not	OAC 1501:13 shall not govern operations conducted prior to August 16, 1982, except in 2 instances.	1513.02, 1513.07, 1513.16	Yes, both state and federal law	Yes, both state and federal law
1501:13-1-01	Shall	Following a termination under paragraph (D)(1) of this rule, the chief shall reassert jurisdiction under Chapter 1513. of the Revised Code over a site if it is demonstrated that the performance security release was based on fraud, collusion, or misrepresentation of a material fact.	1513.02, 1513.07, 1513.16	Yes, both state and federal law	Yes, both state and federal law
1501:13-1-02	Shall	With respect to underground mining operations, “adjacent area” shall include, at a minimum, the surface areas above full coal recovery areas.	1513.02,1513.072, 1513.35	Yes, both state and federal law	Yes, both state and federal law
1501:13-1-02	Shall not	The affected area does not include surface disturbance attributable solely to underground mine subsidence, provided that this exception shall not be construed as a limitation on the authority of the chief or his or her authorized representative to require submission of information about, or take enforcement or other actions in regard to, subsidence disturbances and conditions existing in areas overlying underground workings before, during, and after mining, which areas are not within the permit or affected area.	1513.02,1513.072, 1513.35	Yes, both state and federal law	Yes, both state and federal law
1501:1-25-02	Shall	Forfeiture of performance security” means that the chief shall proceed against the permittee in the manner set forth in rule	1513.02,1513.072, 1513.35	Yes, both state and federal law	Yes, both state and federal law
1501:13-1-02	Shall	Anticipated mining shall include, at a minimum, the entire projected lives, through performance security releases, of the proposed operation, all existing operations, and permit application areas.	1513.02,1513.072, 1513.35	Yes, both state and federal law	Yes, both state and federal law
1501:1-25-02	Shall	Permit area” means the area of land to be affected indicated on the approved map submitted by the applicant or operator with the application required by section 1513.07 or 1513.074 of the Revised Code. This area shall include, at a minimum, all areas which are or will be affected by the coal mining and reclamation operations during the term of the permit.	1513.02,1513.072, 1513.35	Yes, both state and federal law	Yes, both state and federal law

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1501:1-25-02	Shall not	With respect to underground mining operations, “permit area” shall not include those surface areas overlying underground workings and not included within the affected area.	1513.02,1513.072, 1513.35	Yes, both state and federal law	Yes, both state and federal law
1501:1-25-02	Shall	The pollution abatement area shall include, to the extent practicable, areas within the permit area which are adjacent to and nearby the remining operation	1513.02,1513.072, 1513.35	Yes, both state and federal law	Yes, both state and federal law
1501:1-25-02	Shall	This term shall include a pre-existing discharge that is relocated as a result of the implementation of best management practices in the permit.	1513.02,1513.072, 1513.35	Yes, both state and federal law	Yes, both state and federal law
1501:1-25-02	May not	The term may not include public roadways outside the permitted area, provided that the public roadway was in existence prior to the application for the permit, the effect on the public roadway from mining use will be minor, and the public roadway is incidentally, rather than directly, part of the mining operation.	1513.02,1513.072, 1513.35	Yes, both state and federal law	Yes, both state and federal law
1501:1-25-02	Must	Soil surveys must meet the standards of the national cooperative soil survey.	1513.02,1513.072, 1513.35	Yes, both state and federal law	Yes, both state and federal law
1501:1-25-02	Shall	Such other earth materials or wastes shall be designated toxic which, if acted upon by air, water, weathering, or microbiological processes, are likely to produce chemical or physical conditions in soils or water that are detrimental to biota or uses of water.	1513.02,1513.072, 1513.35	Yes, both state and federal law	Yes, both state and federal law
1501:13-1-03	Shall	The chief of the Division of Mineral Resources Management shall: (1) Provide advice, assistance, and guidance to all employees of the Division of Mineral Resources Management required to file statements pursuant to paragraph (F) of this rule; (2) Promptly review the statement of employment and financial interests and supplements, if any, filed by each employee, to determine if the employee has correctly identified those listed employment and financial interests which constitute a direct or indirect financial interest in a coal mining operation; (3) Resolve prohibited financial interest situations by ordering or initiating remedial action or by reporting the violations to the director of the office or surface mining reclamation and enforcement; (4) Certify on each statement that review has been made, that prohibited financial interests, if any, have been resolved, and that no other prohibited interests have been identified from the statement; (5) Submit to the director of the office of surface mining reclamation and enforcement such statistics and information as he or she may request; (6) Submit to the director of the office of surface mining reclamation and enforcement the initial listing and the subsequent annual listings of positions as required by paragraphs (F) (1) to (F) (3) of this rule; (7) Furnish a blank statement forty-five days in advance of the filing date established by paragraph (G) (1) of this rule to each employee required to file a statement; and (8) Annually inform each employee required to file a statement with the chief of the name, address, and telephone number of the person whom the employee may contact for advice and counseling.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-1-03	Shall	Employees performing any duties or functions under Chapter 1513. of the Revised Code shall: (1) Have no direct or indirect financial interest in coal mining operations; (2) File a fully completed statement of employment and financial interest upon entrance to duty, and annually thereafter on the specified filing date; and (3) Comply with directives issued by persons responsible for approving each statement and comply with directives issued by those persons responsible for ordering remedial action.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-1-03	Shall	Members of the reclamation commission shall recuse themselves from proceedings which may affect their direct or indirect financial interests.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-1-03	Require	Members of the reclamation commission and members of the reclamation forfeiture fund advisory board are required to file a statement of employment and financial interests.	1513.02		
1501:13-1-03	Require	Any employee who performs any function or duty under Chapter 1513. of the Revised Code is required to file a statement of employment and financial interest.	1513.02	Yes, both state and federal law	Yes, both state and federal law

Rule Number	Regulatory Restriction	Description of Regulatory Restriction	Statute Under Which the Regulatory Restriction Was Adopted	Is the Regulatory Restriction Expressly or Specifically Required by State or Federal Law?	Is a Law Change Required in Order to Remove the Restriction?
1501:13-1-03	Shall	The chief of the Division of Mineral Resources Management shall: (a) Prepare a list of those positions within the Division of Mineral Resources Management that do not involve performance of any functions or duties under Chapter 1513. of the Revised Code; (b) Prepare and submit to the director of the office of surface mining reclamation and enforcement an initial listing of positions that do not involve performance of any functions or duties under Chapter 1513. of the Revised Code	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-1-03	Shall	The chief of the Division of Mineral Resources Management shall annually review and update this listing.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-1-03	Must	The listing must be submitted to the director of the office of surface mining reclamation and enforcement and must contain a written justification for inclusion of the positions listed.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-1-03	Shall	Proposed revisions or a certification that revision is not required shall be submitted to the director by no later than September thirtieth of each year.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-1-03	Shall	Employees performing functions or duties under Chapter 1513. of the Revised Code, and members of the reclamation commission and members of the reclamation forfeiture fund advisory board, shall file annually on February first of each year	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-1-03	Shall	The chief of the Division of Mineral Resources Management shall file his or her statement with the director of the office of surface mining reclamation and enforcement.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-1-03	Shall	Employees hired, appointed, or transferred to perform functions or duties under Chapter 1513. of the Revised Code, and members of the reclamation commission and members of the reclamation forfeiture fund advisory board, shall be required to file at the time of entrance to duty.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-1-03	Shall	All other employees, as provided in paragraph (F)(1) of this rule, and members of the reclamation commission and members of the reclamation forfeiture fund advisory board, shall file their statements with the chief of the Division of Mineral Resources Management.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-1-03	Shall	Each employee and member of the reclamation commission and member of the reclamation forfeiture fund advisory board shall report all information required on the statement of employment and financial interests of the employee or member, his or her spouse, minor children, or other relatives who are full-time residents of the employee’s or member’s home.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-1-03	Shall	The report shall be on “OSM Form 23”as provided by the office of surface mining reclamation and enforcement.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-1-03	Shall	The statement shall consist of three major parts: (a) A listing of all financial interests, including employment, security, real property, creditor, and other financial interests held during the course of the preceding year; (b) A certification that none of the listed financial interests represent a direct or indirect financial interest in a coal mining operation except as specifically identified and described by the employee or member of the reclamation commission or the reclamation forfeiture fund advisory board as part of the certificate; and(c) A certification by the reviewer that the form was reviewed, that prohibited interests have been resolved, and that no other prohibited interests have been identified from the statement.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-1-03	Shall	The statement shall set forth the following information regarding any financial interest: Employment, Securities, Real Property, and Creditors.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-1-03	Shall	The statement shall provide for a signed certification by the employee or the member of the reclamation commission or the reclamation forfeiture fund advisory board to the best of his or her knowledge The information shown on the statement is true, accurate, and complete.	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-1-03	Must	The exceptions shown in the employee certification of the form must provide enough information for the chief of the division of mineral resources management to determine the existence of a direct or indirect financial interest and shall include a list of financial interests; the number of shares, estimated value, or annual income of the financial interests; and any other information that an employee believes should be considered	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-1-03	Shall not	Employees shall not solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan, or any other thing of monetary value, from a coal company which conducts or is seeking to conduct, operations, or activities that are regulated by the Division of Mineral Resources Management	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-1-03	Shall	If, ninety days after an employee is notified pursuant to paragraph (K)(1) of this rule to take remedial action that employee is not in compliance with the requirements of Chapter 1513. of the Revised Code and this rule, the chief of the Division of Mineral Resources Management shall report the facts to the director of the office of surface mining reclamation and enforcement.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-1-03	Shall	The report to the director shall include the original or a certified true copy of the employee’s statement and any other information pertinent to the director’s determination, including a statement of actions being taken at the time the report is made.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-1-03	Shall	If an employee has a prohibited financial interest, the chief of the Division of Mineral Resources Management shall promptly advise the employee, in the form of an order, that remedial action which will resolve the prohibited interest is required within ninety days	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-1-03	Shall	Employees have the right to appeal an order for remedial action under paragraph (k) of this rule and shall have thirty days to exercise this right before disciplinary action is initiated.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-1-04	Shall	Extraction of coal outside the right-of-way or boundary of the area directly affected by the construction shall be subject to the requirements of Chapter 1513. of the Revised Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-1-04	Shall not	“Government-financed construction” means construction funded fifty per cent or more by funds appropriated from a government financing agency’s budget or obtained from general revenue bonds, but shall not mean government financing agency guarantees, insurance, loans, funds obtained through industrial revenue bonds or their equivalent or in-kind payments.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-1-04	Shall	The division of mineral resources management shall determine: a) The likelihood of the coal being mined under a permit issued under section 1513.07 of the Revised Code considering the coal reserves from existing mine maps or other sources, the existing environmental conditions, all prior mining activity on or adjacent to the site, current and historic coal production in the area, and any known or anticipated interest in mining the site; b) The likelihood that nearby or adjacent mining activities might create new environmental problems or adversely affect existing environmental problems at the site; and (c) The likelihood that reclamation activities at the site might adversely affect nearby or adjacent mining activities.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-1-04	Must	The regulatory program coordinator and the abandoned mine lands program coordinator must concur on determinations of the limits on any coal refuse, coal waste, or other coal deposits which can be extracted under this exemption and in the delineation of the boundaries of the AML project.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-1-04	Must	The AML case file must include the determinations made under paragraphs (C) (1) and (C) (2) of this rule, the information taken into account in making these determinations, and the names of the parties making the determinations.	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-1-04	Must	For each exempt project, the division must characterize the site in terms of mine drainage, active slides and slide-prone areas, erosion and sedimentation, vegetation, toxic materials, and hydrologic balance;Ensure that the reclamation project is conducted in accordance with the provisions of the AML program and procedures as approved by the U.S. secretary of i nterior under 30 C.F.R. Chapter VII, Subchapter R;Develop site-specific reclamation requirements, including performance bond, when appropriate, in accordance with approved AML procedures; andRequire the contractor conducting the reclamation to provide, prior to the time reclamation begins, applicable documents that clearly authorize the extraction of coal and payment of royalties.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-1-04	Must	If the reclamation contractor extracts coal beyond the limits of the incidental coal specified in paragraph (C) (2) of this rule, the contractor must obtain a permit under section 1513.07 of the Revised Code for such coal.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-1-04	Shall	Any person who conducts or intends to conduct coal extraction which does not satisfy paragraph (D)(1) of this rule shall not proceed until a permit has been obtained from the chief of the Division of Mineral Resources Management.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-1-04	Shall not	Any person who conducts or intends to conduct coal extraction which does not satisfy paragraph (D)(1) of this rule shall not proceed until a permit has been obtained from the chief of the Division of Mineral Resources Management.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-1-04	Shall	Any person extracting coal incident to government-financed highway or other construction shall maintain, on the site of the extraction operation and available for inspection, documents which show: (1)a description of the construction project; (2) The exact location of the construction, right-of-way or the boundaries of the area which will be directly affected by the construction; 3) The government agency which is providing the financing and the kind and amount of public financing, including the percentage of the entire construction costs represented by the government financing; and (4) Acres from which coal will be removed.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-1-05	Shall	Unless expressly provided to the contrary by any rule or any section of the Revised Code, rules contained in rules 1501:13-1-01 to 1501:13-14-06 of the Administrative Code, shall apply to, and be the rules of, any division or other unit of the department of natural resources which, by virtue of a consolidation or reorganization pursuant to section 121.07 of the Revised Code, or by legislative action, shall succeed to the responsibility of the Division of Mineral Resources Management to administer and enforce Chapter 1513. of the Revised Code.	1513.02	No, general rulemaking authority	Yes, state law
1501:13-1-05	Shall not	The validity of any rule or portion thereof, adopted or amended by the chief of the Division of Mineral Resources Management pursuant to Chapter 1513. of the Revised Code shall not be affected by the invalidity of any other rule or portion thereof adopted or amended thereunder by the chief.	1513.02	No, general rulemaking authority	Yes, state law
1513:13-01-06	Shall	The petition shall be submitted to the chief at the address of “Division of Mineral Resources Management, Ohio Department of Natural Resources, 2045 Morse Road, Building H, Columbus, Ohio 43229	1513.02	No, general rulemaking authority	Yes, state law
1513:13-1-08	Shall	The petition shall be a concise statement of the facts, technical justification, and law which require issuance, amendment, or repeal of a rule under Chapter 1513. of the Revised Code and shall indicate whether the petitioner desires a public hearing.	1513.02	No, general rulemaking authority	No, general rulemaking authority
1513:13-1-08	Shall	Upon receipt of the petition, the chief shall determine if the petition sets forth facts, technical justification and law which may provide a reasonable basis for issuance, amendment or repeal of a rule.	1513.02	No, general rulemaking authority	No, general rulemaking authority
1513:13-1-08	Shall	Facts, technical justification, or law previously considered in a petition or rule making on the same issue shall not provide a reasonable basis.	1513.02	No, general rulemaking authority	No, general rulemaking authority
1513:13-1-08	Shall	If the chief determines that the petition has a reasonable basis, a notice shall be published one time in three newspapers published in different counties and of general circulation in the state seeking comments from the public on the proposed change.	1513.02	No, general rulemaking authority	No, general rulemaking authority

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1513:13-1-08	Shall	Within ninety days from receipt of the petition, the chief shall issue a written decision either granting or denying the petition.	1513.02	No, general rulemaking authority	No, general rulemaking authority
1513:13-1-08	Shall	If the petition is granted, the chief shall initiate a rule making proceeding under Chapter 119. of the Revised Code.	1513.02	No, general rulemaking authority	No, general rulemaking authority
1513:13-1-08	Shall	If the petition is denied, the chief shall notify the petitioner in writing, setting forth the reasons for denial.	1513.02	No, general rulemaking authority	No, general rulemaking authority
1513:13-1-08	Shall	A person who intends to initiate a civil action on his or her own behalf under division (B) of section 1513.15 of the Revised Code shall give written notice of intent to do so in accordance with this rule.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1513:13-1-09	Shall	Notice shall be given by certified mail to the chief and the alleged violator	1513.02	Yes, both state and federal law	Yes, both state and federal law
1513:13-1-09	Shall	A person giving notice regarding an alleged violation shall state, to the extent known:(1) Sufficient information to identify the provision of Chapter 1513. of the Revised Code, rule, order, or permit allegedly violated; (2) The act or omission alleged to constitute a violation; (3) The name, address, and telephone numbers of the person or persons responsible for the alleged violation; (4) The date, time, and location of the alleged violation; (5) The name, address, and telephone number of the person giving notice, and;(6) The name, address, and telephone number of legal counsel, if any, of the person giving notice.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1513:13-1-09	Shall	A person giving notice of an alleged failure by the chief to perform a mandatory act or duty under Chapter 1513. of the Revised Code shall state, to the extent known:(1) The provision of Chapter 1513. of the Revised Code containing the mandatory act or duty allegedly not performed;(2) Sufficient information to identify the omission alleged to constitute the failure to perform a mandatory act or duty under Chapter 1513. of the Revised Code;(3) The name, address, and telephone number of the person giving notice; and,(4) The name, address, and telephone number of legal counsel, if any, of the person giving notice.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1513:13-1-09	Shall	The chief shall make available to the public for inspection and copying, at reasonable times, all documents relating to: 1) Applications for permits, revisions, renewals, and transfers, assignments or sales of permit rights; and (2) Inspection and enforcement actions.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1513:13-1-10	Shall	Copies of such records, reports, inspection materials or information obtained by the chief shall be made immediately available to the public at the local district offices of the Division of Mineral Resources Management closest to the coal mining and reclamation operations	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1513:13-1-10	Shall	Except as otherwise limited by paragraph (C) (1) of this rule, information pertaining to coal seams, test borings, core samplings or soil samples in an application shall be made available to any person with an interest which is or may be adversely affected.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1513:13-1-10	Shall	The chief shall provide for procedures, including notice and opportunity to be heard for persons both seeking and opposing disclosure, to maintain information required to be kept confidential under this rule separately from other portions of the permit application.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1513:13-1-10	Shall	This information shall be clearly identified by the applicant and submitted separately from other portions of the application.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1513:13-1-10	Shall	Public notice of a hearing on the adoption, amendment, or rescission of a rule, to be conducted by the Division of Mineral Resources Management, department of natural resources, State of Ohio, shall be given in the register of Ohio as required by Chapter 119. of the Revised Code.	1513.02, 119.07	Yes, state law	Yes, state law
1513:13-1-12	Shall	Said notice shall be given at least thirty days prior to the hearing.	1513.02, 119.03	Yes, state law	Yes, state law

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1513:13-1-12	Shall	The notice shall: state the division's intention to consider adopting, amending, or rescinding a rule; include a synopsis of the proposed rule, amendment, or rule to be rescinded or a general statement of the subject matter to which such proposed rule, amendment or rescission relates; state the reason or purpose for adopting, amending, or rescinding the rule; and shall enumerate the date, time and place of the hearing on the proposed action which shall not be earlier than the thirty-first nor later than the fortieth day after the proposed rule, amendment, or rescission is filed.	1513.02	Yes, state law	Yes, state law
1513:13-1-12	Shall	The notice shall also state the place from which a copy of the proposed rule, amendment, or rule to be rescinded may be obtained. The chief shall provide a copy of the public notice to anyone who requests it and pays a reasonable fee	1513.02	Yes, state law	Yes, state law
1513:13-1-12	Shall	When a specific paragraph is referenced in these rules, all paragraphs subordinate to that specific paragraph shall be incorporated by that reference.	1513.02	Yes, state law	Yes, state law
1513:13-1-13	Shall	When a specific paragraph is referenced in division 1501:13 of the Administrative Code, all paragraphs subordinate to that specific paragraph shall be incorporated by that reference.	1513.02	No, general rulemaking authority	No, general rulemaking authority
1513:13-1-13	Shall	<u>For example, a reference to paragraph (B) of rule 1501:13-4-04 of the Administrative Code shall include paragraphs (B)(1) to (B)(3) of that rule,</u>	1513.02	No, general rulemaking authority	No, general rulemaking authority
1513:13-1-13	Shall	and a reference to paragraph (C)(1) of rule 1501:13-4-04 of the Administrative Code shall include paragraphs (C)(1)(a) to (C)(1)(c) of that rule.	1513.02	No, general rulemaking authority	No, general rulemaking authority
1501:13-3-01	Must	Except as provided in paragraph (B) of this rule, a person claiming valid existing rights must demonstrate both of the following: (1) A property rights demonstration showing that, at the time the land came under the protection of division (D) of section 1513.073 of the Revised Code or rule 1501:13-3-03 of the Administrative Code, a legally binding conveyance, lease, deed, contract, or other document vests that person, or a predecessor in interest, with the right to conduct the type of coal mining operations intended; and	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-01	Must	Compliance with one of the following standards: (a) Good faith/all permits standard; or (b) Needed for and adjacent standard.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-01	Shall	To meet this standard, the person claiming valid existing rights shall demonstrate that prohibiting expansion of the operation onto that land would unfairly impact the viability of the operation as originally planned before the land came under the protection of division (D) of section 1513.073 of the Revised Code	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-01	Shall	A person who claims valid existing rights to use or construct a road across the surface of lands protected by division (D) of section 1513.073 of the Revised Code or rule 1501:13-3-03 of the Administrative Code shall demonstrate that one or more of the following circumstances exist if the road is included within the definition of coal mining operation	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-01	Shall	A person seeking to exercise valid existing rights shall comply with all other pertinent requirements of Chapter 1513. of the Revised Code and these rules.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-02	Shall	Except for federal lands subject to 30 C.F.R. Part 761, any person who intends to conduct coal mining operations on the basis of valid existing rights under division (D) of section 1513.073 of the Revised Code and rules adopted thereunder shall file with the chief a request for a valid existing rights determination.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-02	Shall	This request shall be submitted before preparing and submitting an application for a permit or boundary revision for the land for which the determination is sought.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-02	Shall	If the request relies upon one of the standards of paragraph (A)(2) of rule 1501:13-3-01 of the Administrative Code, the person claiming valid existing rights shall provide a property rights demonstration under paragraph (A)(1) of rule 1501:13-3-01 of the Administrative Code which	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-3-02	Shall	shall include the following items: A legal description of the land to which the request pertains; Complete documentation of the character and extent of the requestor’s current interests in the surface and mineral estates of the land; A complete chain of title for the surface and mineral estates of the land to which the request pertains; A description of the nature and effect of each title instrument that forms the basis for the request; A description of the type and extent of coal mining operations that the requestor claims to have the right to conduct; Complete documentation of the nature and ownership, as of the date the land came under the protection of division (D) of section 1513.073 of the Revised Code or rule 1501:13-3-03 of the Administrative Code, of all property rights for the surface and mineral estates of the land to which the request pertains; Names and addresses of the current owners of the surface and mineral estates of the land to which the request pertains; If the coal interests have been severed from other property interests, documentation that the requestor has notified and provided reasonable opportunity for the owners of other property interests in the land to which the request pertains to comment on the validity of requestor’s property rights claims; and Any comments the requestor receives in response to the notification required under paragraph (B)(8) of this rule.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-02	Shall	Approval and issuance dates and identification numbers for any permits, licenses, and authorizations that the person requesting the determination or a predecessor in interest obtained before the land came under the protection of division (D) of section 1513.073 of the Revised Code; Application dates and identification numbers for any permits, licenses, and authorizations for which the person requesting the determination or a predecessor in interest submitted an application before the land came under the protection of division (D) of section 1513.073 of the Revised Code; and An explanation of any other good faith effort that the person requesting the determination or a predecessor in interest made to obtain the necessary permits, licenses, and authorizations as of the date that the land came under the protection of division (D) of section 1513.073 of the Revised Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-02	Shall	If the request relies upon the needed for and adjacent standard under paragraph (A)(2)(b) of rule 1501:13-3-01 of the Administrative Code, the request shall also include: An explanation of how and why the land is needed for and immediately adjacent to the operation upon which the request is based; and A demonstration that prohibiting expansion of the operation onto that land would unfairly impact the viability of the operation as originally planned before the land came under the protection of division (D) of section 1513.073 of the Revised Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-02	Shall	If the request relies upon one of the standards for roads under paragraphs (B)(1) to (B)(3) of rule 1501:13-3-01 of the Administrative Code, the request shall include satisfactory documentation that: The road existed when the land upon which it is located came under the protection of division (D) of section 1513.073 of the Revised Code; A properly recorded right of way or easement for a road in that location existed when the land came under the protection of division (D) of section 1513.073 of the Revised Code or rule 1501:13-3-03 of the Administrative Code, and, under the document creating the right of way or easement, and under any subsequent conveyances, the requestor has a legal right to use or construct a road across that right of way or easement to conduct coal mining operations; or A valid permit for use or construction of a road in that location for coal mining operations existed when the land came under the protection of division (D) of section 1513.073 of the Revised Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-02	Shall	The chief shall conduct an initial review to determine whether the request includes all applicable components of the submission requirements of paragraphs (B) to (E) of this rule.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-02	Shall	If the request does not include all applicable components of the submission requirements of paragraphs (B) to (E) of this rule, the chief shall notify the requestor and establish a reasonable time for submission of the missing information.	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-3-02	Shall	When the request includes all applicable components of the submission requirements of paragraphs (B) to (E) of this rule, the chief shall notify the requestor that the public notice required under paragraph (G) of this rule can be published.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-02	Shall	If the information requested under paragraph (F)(2) of this rule is not provided within the time specified or as subsequently extended, the chief shall issue a determination that valid existing rights have not been demonstrated	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-02	Shall	After the chief determines that a request for a valid existing rights determination is complete, the requestor shall publish a notice inviting comment on the merits of the request in a newspaper of general circulation in the locality of the land to which the request pertains, and	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-02	Shall	shall provide the chief with a copy of the published public notice.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-02	Shall	The notice shall include: a) The location of the land to which the request pertains; (b) A description of the type of coal mining operations planned; (c) A reference to and brief description of the applicable standard or standards for demonstrating valid existing rights; (d) If the request relies upon one or more of the standards in paragraph (A), (B)(1) or (B)(2) of rule 1501:13-3-01 of the Administrative Code, a statement that the chief will not make a decision on the merits of the request if, by the close of the comment period under this notice or the notice required under paragraph (G)(3) of this rule, a person with a legal interest in the land initiates appropriate legal action in the proper venue to resolve any differences concerning the validity or interpretation of the deed, lease, easement, or other documents that form the basis of the claim; (e) A description of the procedures the chief will follow in processing the request; (f) The closing date of the comment period, which must be a minimum of thirty days after the publication date of the notice; (g) A statement that interested persons may obtain a thirty-day extension of the comment period upon request to the chief; and (h) The name and address of the district office where a copy of the request is available for public inspection	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-02	Shall	Upon receipt of a complete request for a valid existing rights determination and a copy of the published public notice, the chief shall provide a copy of the published public notice to: All reasonably locatable owners of surface and mineral estates in the land and The owner of the feature causing the land to come under the protection of division (D) of section 1513.073 of the Revised Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-02	Shall	The letter transmitting the notice required under paragraph (G)(2) of this rule shall provide a thirty-day comment period	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-02	Shall	The chief shall review the materials submitted under paragraphs (B) to (E) of this rule, comments received under paragraph (G) of this rule, and any other relevant, reasonably available information to determine whether the record is sufficiently complete and adequate to support a decision on the merits of the request.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-02	Shall	If not, the chief shall notify the requestor in writing, explaining the inadequacy of the record and requesting submittal, within a specified reasonable time, of any additional information the chief deems necessary to remedy the inadequacy.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-02	Shall	Once the record is complete and adequate, the chief shall determine whether the requestor has demonstrated valid existing rights.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-02	Shall	The chief’s decision shall explain how the requestor has or has not satisfied all applicable elements of the standards set forth in rule 1501:13-3-01 of the Administrative Code, contain findings of fact and conclusions, and specify the reasons for the conclusions.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-02	Shall	The chief shall issue a determination that the requestor has not demonstrated valid existing rights if the requestor’s property rights claims are the subject of pending litigation in a court or administrative body with jurisdiction over the property rights in question.	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-3-02	Shall	The chief shall make this determination without prejudice, meaning that the requestor may re-file the request once the property rights dispute is finally adjudicated.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-02	Shall	If the record indicates disagreement as to the accuracy of the requestor’s property rights claims, but this disagreement is not the subject of pending litigation in a court or administrative agency of competent jurisdiction, the chief shall evaluate the merits of the information in the record and determine whether the requestor has demonstrated that the requisite property rights exist under paragraph (A)(1), (B)(1), or (B)(2) of rule 1501:13-3-01 of the Administrative Code, as appropriate.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-02	Shall	The chief shall issue a determination that the requestor has not demonstrated valid existing rights if the requestor does not submit information that the chief requests under paragraph (F)(2) or (H)(1) of this rule within the time specified or as subsequently extended.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-02	Shall	The chief shall make this determination without prejudice, meaning that the requestor may re-file a revised request at any time.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-02	Shall	After making a determination, the chief shall: Provide a copy of the determination, together with an explanation of appeal rights and procedures, to the requestor, to the owner or owners of the land to which the determination applies, to the owner of the feature causing the land to come under the protection of division (D) of section 1513.073 of the Revised Code and Publish notice of the determination in a newspaper of general circulation in the locality in which the land is located.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-02	Shall	The chief shall make a copy of a request for a determination of valid existing rights, as well as any records associated with that request and any subsequent determination under paragraph (H) of this rule, available to the public	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-03	Shall	Subject to valid existing rights and qualification for the exception for existing operations under paragraph (B) of this rule, no coal mining operations shall be conducted: 1) On any lands within the boundaries of the national park system, the national wildlife refuge system, the national system of trails, the national wilderness preservation system, the wild and scenic rivers system; (2) On any federal lands within the boundaries of any national forest unless approval is granted by the United States secretary of interior; (3) On any lands on which mining will adversely affect any publicly owned park or any places included on the “National Register of Historic Places,”; (4) Within one hundred feet measured horizontally of the outside right-of-way line of any public road; (5) Within three hundred feet measured horizontally of any occupied dwelling unless the owner of the dwelling has provided a written waiver consenting to coal mining operations closer than three hundred feet; (6) Within three hundred feet measured horizontally of any public building, school, church, community or institutional building or public park; (7) Within one hundred feet measured horizontally of a cemetery. Cemeteries may be relocated if authorized by applicable state law or regulations; or (8) Within one thousand feet of the normal waterlines of any river dedicated as a component of the scenic rivers program.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-04	Shall	Upon receipt of a complete application for a coal mining and reclamation operation permit the chief shall review the application to determine whether coal mining operations are limited or prohibited under rule 1501:13-3-03 of the Administrative Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-04	Shall	Where the proposed operation would be located on any lands listed in paragraph (A)(1), (A)(6), (A)(7) or (A)(8) of rule 1501:13-3-03 of the Administrative Code, the chief shall disapprove the application if the applicant cannot establish valid existing rights for the area.	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-3-04	Shall	If the chief is unable to determine whether the proposed operation is located within the boundaries of any of the lands in paragraph (A)(1) of rule 1501:13-3-03 of the Administrative Code or closer than the limits provided in paragraphs (A)(6), (A)(7), and (A)(8) of rule 1501:13-3-03 of the Administrative Code, the chief shall transmit a copy of the relevant portions of the permit application to the appropriate federal, state, or local government agency for a determination or clarification of the relevant boundaries or distances, with a notice to the appropriate agency that it must respond within thirty days of receipt of the request.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-04	Shall	The national park service or the U.S. fish and wildlife service shall be notified of any request for a determination of valid existing rights pertaining to areas within the boundaries of areas under their jurisdiction and shall have thirty days from receipt of the notification in which to respond.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-04	Shall	The chief, upon request by the appropriate agency, shall grant an extension to the thirty-day period of an additional thirty days.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-04	Shall	Where the proposed operation would include federal lands within the boundaries of any national forest and the applicant seeks a determination that mining is permissible under paragraph (A)(2) of rule 1501:13-3-03 of the Administrative Code, the applicant shall submit a permit application to the director of the office of surface mining of the U.S. department of the interior for processing under 30 C.F.R. subchapter D	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-04	Shall	Where the proposed permit area includes area within one hundred feet measured horizontally of the outside right-of-way line or includes a portion or all of the right-of-way of a public road, including where the applicant proposes to relocate or close a public road, the applicant shall submit a road permit for the road or portion thereof.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-04	Shall	The issuance of a road permit shall require: (1) The applicant to provide notice, in a newspaper of general circulation in the county of the proposed operation at least two weeks prior to the hearing; (2) The public authority with jurisdiction over the road to provide an opportunity for a public hearing prior to issuing the road permit and, in issuing the road permit, to make a written finding within thirty days of the completion of the public hearing, based on information gathered at the hearing, that the interests of the public and the affected landowners will be protected; and (3) The chief’s approval of the procedures followed and the decision issued by the public authority.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-04	Shall	The notice shall include:(a) A description of the road, to include road number, location and length of road for which the road permit is being requested; (b) A description of how the proposed mining operation will affect the road; and(c) The date, time, and location at which the public agency with jurisdiction over the road will hold a public meeting to consider issuing the road permit;	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-04	Shall	Where the proposed permit area includes area within three hundred feet measured horizontally of any occupied dwelling, the applicant shall submit with the application, a written waiver from the owner of the dwelling consenting to such operations within a closer distance of the dwelling.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-04	Must	The waiver must state that the owner had the legal right to deny mining and knowingly waived that right.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-04	Shall	The waiver shall be separate from a lease or deed if the lease or deed does not contain language that authorizes mining within three hundred feet of the occupied dwelling	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-04	Shall	The waiver shall specifically state the distance for which the waiver is being granted.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-04	Shall	A subsequent purchaser shall be deemed to have constructive knowledge if the waiver has been properly filed in public property records pursuant to Ohio laws	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-04	Shall	Where the chief determines that the proposed coal mining operation will adversely affect any publicly owned park or any place included on the “National Register of Historic Places,” the chief shall notify the federal, state, or local agency with jurisdiction over the park or place.	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-3-04	Shall	The notification shall include: (a) A copy of the applicable parts of the permit application, together with a request for that agency’s approval or disapproval of the operation; and (b) A notice that the agency has thirty days from receipt of the request within which to respond and that failure to interpose a timely objection will constitute approval.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-04	Shall	Failure to interpose an objection within thirty days or the extended period granted shall constitute an approval of the proposed permit.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-04	Shall	A permit for the operation shall not be issued unless jointly approved by all affected agencies	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-05	Shall	Upon petition, an area shall be designated as unsuitable for all or certain types of coal mining operations, if the chief determines that reclamation is not technologically and economically feasible.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-07	Must	A person having an interest which is or may be adversely affected must demonstrate how he or she meets the “injury in fact” test	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-07	Must	Information that a petitioner must provide is The location and approximate size of the area covered by the petition; Allegations of fact and supporting evidence; A description of how mining of the area has affected or may adversely affect people, land, air, water or other resources; The petitioner’s name, address, telephone number and notarized signature; and Identification of the petitioner’s interest which is or may be adversely affected.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-07	Shall	Each allegation of fact shall be specific as to the mining operation.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-07	Shall	Each allegation shall be supported by evidence that tends to establish the validity of each allegation for the mining operation	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-07	Must	A petitioner must provide the following information to terminate a designation: The location and approximate size of the area covered by the petition; Allegations of fact and supporting evidence covering all lands for which termination is proposed; The petitioner’s name, address, telephone number and a notarized signature; Identification of the petitioner’s interest which is or may be adversely affected by the continuation of the designation, including a statement demonstrating how the petitioner satisfies the requirements of paragraph (A)(1) of this rule;	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-07	Shall	Each allegation of fact shall be specific as to the mining operation	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-07	Shall	Each allegation shall be supported by evidence.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-07	Shall	Promptly after a petition is received, the chief shall notify the general public of the receipt of the petition by a newspaper advertisement placed in the locale of the area covered by the petition	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-07	Shall	Within thirty days of receipt of a petition, the chief shall notify the petitioner by certified mail whether or not the petition is complete under paragraph (A)(2) or (A)(3) of this rule.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-07	Shall	The chief shall determine whether any identified coal resources exist in the area covered by the petition without requiring any showing from the petitioner.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-07	Shall	Each accepted petition shall be considered and acted upon by the chief pursuant to the procedures of this rule.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-07	Shall	When considering a petition for an area which was previously and unsuccessfully proposed for designation, the chief shall determine if the new petition presents new allegations of fact.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-07	Shall not	If the petition does not contain new allegations of fact, the chief shall not consider the petition and shall return the petition to the petitioner,	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-07	Shall	If the chief determines that the petition is incomplete or frivolous, he or she shall return the petition to the petitioner, with a written statement of the reasons for the determination.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-07	Shall	The chief shall notify the person who submits a complete petition of any application for a permit received which proposes to include any area covered by the petition.	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-3-07	Shall	Within three weeks after the determination that a petition is complete, the chief shall make copies of the petition available to the public.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-07	Shall	He or she shall also circulate copies of the petition to, and request submissions of relevant information from, other interested governmental agencies, the petitioner, intervenors, persons with an ownership interest of record in the property, and other persons known to the chief to have an interest in the property.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-07	Shall	Within three weeks after the determination that a petition is complete, the chief shall notify the general public of the receipt of the petition and request submissions of relevant information by a newspaper advertisement placed in the newspaper providing broadest circulation in the region of the petitioned area once a week for two consecutive weeks in the locale of the area covered by the petition.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-07	Shall	Beginning immediately after a complete petition is filed, the chief shall compile and maintain a record consisting of all documents relating to the petition	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-07	Shall	The chief shall make the record available for public inspection, free of charge, and copying, at reasonable cost, during all normal business hours	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-07	Shall	Within ninety days after receipt of a complete petition, the chief shall hold a public hearing	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-07	Shall	A record of the hearing shall be made and preserved	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-07	Shall	The record shall include all relevant parts of the data base and inventory system and all public comments received during the public comment period.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-07	Shall	The record shall be considered by the chief in his or her decision on the petition.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-07	Shall	The chief shall give notice of the date, time, and location of the hearing	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-07	Shall	Notice of the hearing shall be sent by certified mail and postmarked not less than thirty days before the scheduled date of the hearing.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-07	Shall	The chief shall notify the general public of the date, time, and location of the hearing by placing a newspaper advertisement once a week for two consecutive weeks and once during the week prior to the hearing in the locale of the area covered by the petition.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-07	Shall	Prior to designating any land areas as unsuitable for coal mining operations, the chief shall prepare a detailed statement, using existing and available information on the potential coal resources of the area, the demand for coal resources, and the impact of such designation on the environment, the economy, and the supply of coal.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-07	Shall	In reaching his or her decision, the chief shall use: (a) The information contained in the data base and inventory system; (b) Information provided by other governmental agencies; (c) The detailed statement prepared under paragraph (C)(6) of this rule; and (d) Any other relevant information submitted during the comment period.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-07	Shall	A final written decision shall be issued by the chief, including a statement of reasons, within sixty days of completion of the public hearing,	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-07	Shall	The decision of the chief with respect to a petition, or the failure of the chief to act within the time limits set forth in this rule, shall be subject to administrative and judicial review	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-07	Shall	The record made at the hearing pursuant to paragraph (C)(1) of this rule shall be considered and included in the record of this review.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-07	Shall	The chief shall develop a data base and inventory system.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-07	Shall	The chief shall add to the data base and inventory system information on potential coal resources of Ohio, demand for those resources, the environment, the economy and the supply of coal, sufficient to enable the chief to prepare the statements required by paragraph (C)(6) of this rule.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-07	Shall	The chief shall include in the system information relevant to the criteria in paragraph (A) of rule 1501:13-3-05 of the Administrative Code, including, but not limited to, information from the United States fish and wildlife service, the Ohio historical preservation officer, and the agency administering section 127 of the Clean Air Act	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-3-07	Shall	The chief shall Make the information and data base system developed under paragraph (E) of this rule available to the public for inspection free of charge and for copying at reasonable cost.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-07	Shall	The chief shall not issue permits which are inconsistent with designations made pursuant to this Chapter 1501:13-3 of the Administrative Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-07	Shall	The chief shall maintain a map of areas designated as unsuitable for all or certain types of coal mining operations.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-07	Shall	The chief shall make available to any person any information within his or her control regarding designations, including mineral or elemental content that is potentially toxic in the environment.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-3-08	Shall	To provide for lateral support, no permit application shall be approved to extend any part of a pit within fifty feet of horizontal distance to an adjacent land or water.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-01	Shall	Persons seeking to engage in coal mining and reclamation operations, including underground mining operations, shall submit an application for and obtain a permit for those operations in accordance with Chapters 1501:13-4, 1501:13-5, and 1501:13-6 of the Administrative Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-01	Shall	Persons seeking to conduct coal exploration operations shall comply with rule 1501:13-4-02 of the Administrative Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-01	Shall	The chief shall review each permit application, renewal, revision and notice of intention to explore.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-01	Shall	The chief shall shall approve or disapprove each permit application, renewal, revision or notice of intention to explore.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-01	Shall	The chief shall issue, condition, suspend, or revoke exploration permits, permits, renewals, or revised permits.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-01	Shall	The chief shall, to avoid duplication, provide for the coordination of review and issuance of permits for coal mining and reclamation operations with any other federal or state permit process applicable to these operations including, at a minimum, the applicable requirements of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.), the Fish and Wildlife Coordination Act as amended (16 U.S.C. 661 et seq.), the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470 et seq.), the Migratory Bird Treaty Act of 1918, as amended (16 U.S.C. 703 et seq.), and the Bald and Golden Eagle Protection Act, as amended (16 U.S.C. 668 et seq.)	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-01	Shall	Where there are involved federal or Indian lands covered by the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.), the chief shall provide for the coordination of review and issuance of permits for coal mining and reclamation operations with any permit process applicable to these operations under the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.)	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-01	Shall	All persons shall conduct coal mining and reclamation operations under permits issued pursuant to these rules.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-01	Shall	All persons shall comply with the terms and conditions of the permit and the requirements of Chapter 1513. of the Revised Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-01	Shall	Applications for permits to conduct coal mining and reclamation operations shall be filed in the format required by the chief.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-01	Shall	The application shall be complete and include all the applicable information required under these rules.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-01	Shall	Information set forth in the application shall be current.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-01	Shall	Information set forth in the application shall be presented clearly and concisely.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-01	Shall	Information set forth in the application shall be supported by appropriate references to technical and other written material available to the chief.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-01	Shall	All technical data submitted in the application shall be accompanied by: (i) Names of persons or organizations which collected and analyzed such data;	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-01	Shall	All technical data submitted in the application shall be accompanied by: (ii) Dates of the collection and analyses	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-01	Shall	All technical data submitted in the application shall be accompanied by: (iii) Descriptions of methodology used to collect and analyze the data	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-01	Shall	Technical analyses shall be planned by or under the direction of a professional qualified in the subject to be analyzed.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-01	Shall	The application shall state the name, address and position of officials of each private or academic research organization or governmental agency consulted by the applicant in preparation of the application for information on land uses, soils, geology, vegetation, fish and wildlife, water quantity and quality, air quality, and archeological, cultural and historic features	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-01	Shall	Maps submitted with applications shall be presented in a consolidated format, to the extent possible.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-01	Shall	Maps submitted with applications shall include all the types of information that are set forth on topographic maps of the United States geological survey of the 1:24,000 scale series.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-01	Shall	All maps and plans submitted with the application shall distinguish among each of the phases during which surface coal mining operations were or will be conducted at any place within the life of operations.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-01	Shall	At a minimum, distinctions shall be clearly shown among those portions of the life of operations in which surface coal mining operations occurred: (i) Prior to August 3, 1977;	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-01	Shall	At a minimum, distinctions shall be clearly shown among those portions of the life of operations in which surface coal mining operations occurred: (ii) After August 3, 1977, and prior to (a) May 3, 1978; or	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-01	Shall	At a minimum, distinctions shall be clearly shown among those portions of the life of operations in which surface coal mining operations occurred: (ii) After August 3, 1977, and prior to (b) In the case of an applicant or operator that obtained a small operator’s exemption in accordance with 30 CFR 710.12, January 1, 1979;	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-01	Shall	At a minimum, distinctions shall be clearly shown among those portions of the life of operations in which surface coal mining operations occurred: (iii) After May 3, 1978 (or January 1, 1979, for operators that obtained a small operator’s exemption), and prior to August 16, 1982;	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-01	Shall	At a minimum, distinctions shall be clearly shown among those portions of the life of operations in which surface coal mining operations occurred: (iv) After the estimated date of issuance of a permit by the chief under Ohio’s approved regulatory program.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-01	Shall	Applications for permits, revisions, renewals or transfers, sales or assignments of permit rights shall be verified under oath, by a responsible official of the applicant, that the information contained in the application is true and correct to the best of the official’s information and belief.	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-02	Shall	Any person who intends to conduct coal exploration operations outside a permit area shall, prior to conducting the exploration, file with the chief a written notice of intention to explore.	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	A person intending to conduct coal exploration operations that substantially disturb the natural land surface, including all exploration of lands designated in accordance with Chapter 1501:13-3 of the Administrative Code as unsuitable for coal mining operations, shall, in addition to filing a written notice of intention to explore, be issued an exploration permit prior to conducting the exploration.	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	The written notice required for coal exploration operations under paragraph (A) of this rule shall include: (1) The name, address, and telephone number of the person seeking to explore;	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	The written notice required for coal exploration operations under paragraph (A) of this rule shall include: (2) The name, address, and telephone number of the representative who will be present at and responsible for conducting the exploration activities;	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	The written notice required for coal exploration operations under paragraph (A) of this rule shall include: (3) A description to reasonably identify the exploration area, including a map of a scale of no greater than one inch equals one thousand feet, which shall be attached to the notice of intention showing the location of the exploration area as well as access to the proposed area;	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	The written notice required for coal exploration operations under paragraph (A) of this rule shall include: (4) A statement of the period of intended exploration.	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	The written notice required for coal exploration operations under paragraph (A) of this rule shall include: (5) A description of the methods and equipment to be used to conduct the exploration operation;	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	The written notice required for coal exploration operations under paragraph (A) of this rule shall include: (6) If the surface is owned by a person other than the person seeking to explore, a description of the basis upon which the person seeking to explore claims the right to enter that land for the purpose of conducting exploration and reclamation;	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	The written notice required for coal exploration operations under paragraph (A) of this rule shall include: (7) A description of the practices that will be followed to reclaim the area and to protect the environment from the adverse impacts of the exploration operations; and	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	The written notice required for coal exploration operations under paragraph (A) of this rule shall include: (8) A statement that the person seeking to explore believes that the exploration operations will not substantially disturb the natural land surface.	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	A description to reasonably identify the exploration area, including a map of a scale of no greater than one inch equals one thousand feet, which shall be attached to the notice of intention showing the location of the exploration area as well as access to the proposed area.	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	For exploration operations which the person seeking to explore believes will not substantially disturb the natural land surface, the person shall give reasonable notice to the Division of Mineral Resources Management district office having jurisdiction over the exploration area of the approximate date that the exploration will begin.	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	For exploration operations which the person seeking to explore believes will not substantially disturb the natural land surface, the person shall give telephone notice on the date of commencement of any exploration activities.	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	If the chief or an authorized representative of the chief finds the exploration operations will not substantially disturb the natural land surface, he or she shall provide written notice to the person seeking to explore that the notice of intention has been reviewed and the person may begin exploration.	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law

RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1501:13-4-02	Shall	If the chief or a representative of the chief finds that the exploration operations will substantially disturb the natural land surface, he or she shall notify the person seeking to explore that the notice of intention has been reviewed and the person must submit an application for and be issued an exploration permit before beginning exploration.	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	The chief shall, by order, issue or deny the exploration permit within a reasonable period of time.	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	Any person who intends to conduct coal exploration operations outside a permit area during which more than two hundred fifty tons of coal will be removed or which will substantially disturb the natural land surface, including exploration on lands designated as unsuitable for coal mining operations, shall, prior to conducting the exploration, submit an application and obtain written approval from the chief for an exploration permit.	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	Such exploration shall be subject to the requirements of paragraphs (E) to (L) of this rule.	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	Each application for an exploration permit shall contain, at a minimum, the following information: (1) The name, address, and telephone number of the applicant;	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	Each application for an exploration permit shall contain, at a minimum, the following information: (2) The name, address and telephone number of the applicant’s representative who will be present at and responsible for conducting the exploration activities;	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	Each application for an exploration permit shall contain, at a minimum, the following information: (3) A narrative describing the proposed exploration area;	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	Each application for an exploration permit shall contain, at a minimum, the following information: (4) A narrative description of the methods and equipment to be used to conduct the exploration and reclamation;	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	Each application for an exploration permit shall contain, at a minimum, the following information: (5) An estimated timetable for conducting and completing each phase of the exploration and reclamation;	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	Each application for an exploration permit shall contain, at a minimum, the following information: (6) The estimated amount of coal to be removed and a description of the methods to be used to determine the amount;	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	Each application for an exploration permit shall contain, at a minimum, the following information: (7) If applicable, a statement of why extraction of more than two hundred fifty tons of coal is necessary for exploration;	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	Each application for an exploration permit shall contain, at a minimum, the following information: A description of: (a) Cultural or historical resources listed on the “National Register of Historic Places,” administered by the national parks service, U.S. department of the interior. The website for the “National Register of Historic Places” for Ohio sites is www.nationalregisterofhistoricplaces.com/oh/state.html ;	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	Each application for an exploration permit shall contain, at a minimum, the following information: A description of: (b) Cultural or historical resources known to be eligible for listing on the “National Register of Historic Places,” as referenced in paragraph (D)(8)(a) of this rule;	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	Each application for an exploration permit shall contain, at a minimum, the following information: A description of: (c) Known archeological resources located within the proposed exploration area; and	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	Each application for an exploration permit shall contain, at a minimum, the following information: A description of: (d) Any other information which the chief may require regarding known or unknown historic or archeological resources;	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	Each application for an exploration permit shall contain, at a minimum, the following information: (9) A description of any endangered or threatened species listed pursuant to the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) identified within the proposed exploration area;	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-02	Shall	Each application for an exploration permit shall contain, at a minimum, the following information: (10) A description of the measures to be used to comply with rule 1501:13-8-01 of the Administrative Code;	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	Each application for an exploration permit shall contain, at a minimum, the following information: (11) The name and address of the owner of record of the surface land and of the subsurface mineral estate of the area to be explored;	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	Each application for an exploration permit shall contain, at a minimum, the following information: (12) A map or maps at a scale of 1:24,000, or larger, showing the areas of land to be disturbed by the proposed exploration and reclamation. The map shall specifically show existing roads, occupied dwellings, topographic and drainage features, bodies of surface water, and pipelines; proposed locations of trenches, roads, and other access routes and structures to be constructed; the location of proposed land excavations; the location of exploration holes or other drill holes or underground openings; the location of excavated earth or waste-material disposal areas; and the location of critical habitats of any endangered or threatened species listed pursuant to the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	Each application for an exploration permit shall contain, at a minimum, the following information: (13) If the surface is owned by a person other than the applicant, a description of the basis upon which the applicant claims the right to enter that land for the purpose of conducting exploration and reclamation; and	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	Each application for an exploration permit shall contain, at a minimum, the following information: (14) For any lands listed in rule 1501:13-3-03 of the Administrative Code, a demonstration that, to the extent technologically and economically feasible, the proposed exploration activities have been designed to minimize interference with the values for which those lands were designated as unsuitable for coal mining operations. The application must include documentation of consultation with the owner of the feature causing the land to come under the protection of section 1513.073 of the Revised Code and rules adopted thereunder, and, when applicable, with the agency with primary jurisdiction over the feature with respect to the values that caused the land to come under the protection of section 1513.073 of the Revised Code and rules adopted thereunder.	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	The map shall specifically show existing roads, occupied dwellings, topographic and drainage features, bodies of surface water, and pipelines; proposed locations of trenches, roads, and other access routes and structures to be constructed; the location of proposed land excavations; the location of exploration holes or other drill holes or underground openings; the location of excavated earth or waste-material disposal areas; and the location of critical habitats of any endangered or threatened species listed pursuant to the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	Upon submittal to the chief of an administratively complete application for an exploration permit, the applicant shall place an advertisement providing public notice of the filing of the application in a newspaper of general circulation in the county of the proposed exploration area.	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	The public notice shall state the name and address of the person seeking approval, the filing date of the application, the address of the “Division of Mineral Resources Management, 2045 Morse Road, Building H, Columbus, Ohio 43229” where written comments on the application may be submitted, the closing date of the comment period, and a description of the area of exploration.	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	Any person having an interest which is or may be adversely affected shall have the right to file written comments on the application within ten days after the date the notice was published.	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	A copy of the newspaper advertisement of the application shall be filed with the chief and made part of the complete application.	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	A proof of publication shall be filed with the chief prior to approval of the application.	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-02	Shall	The chief, or a representative of the chief, shall promptly review and within a reasonable period of time act upon an administratively complete application for a coal exploration permit and any written comments.	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	The chief shall approve an application for a coal exploration permit filed in accordance with this rule provided that the application is complete and accurate and the chief finds in writing that the applicant has demonstrated that the exploration and reclamation described in the application will: (a) Be conducted in accordance with this rule, rule 1501:13-8-01 of the Administrative Code, and the applicable provisions of Chapter 1513. of the Revised Code and these rules.	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	The chief shall approve an application for a coal exploration permit filed in accordance with this rule provided that the application is complete and accurate and the chief finds in writing that the applicant has demonstrated that the exploration and reclamation described in the application will: (b) Not jeopardize the continued existence of an endangered or threatened species listed pursuant to section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533) or result in the destruction or adverse modification of critical habitat of those species;	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	The chief shall approve an application for a coal exploration permit filed in accordance with this rule provided that the application is complete and accurate and the chief finds in writing that the applicant has demonstrated that the exploration and reclamation described in the application will: (c) Not adversely affect any cultural or historical resources listed on the “National Register of Historic Places”, as referenced in paragraph (D)(8)(a) of this rule, pursuant to the National Historic Preservation Act, as amended (16 U.S.C. 470 et seq.,), unless the proposed exploration has been approved by both the chief and the agency with jurisdiction over such matters; and	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	The chief shall approve an application for a coal exploration permit filed in accordance with this rule provided that the application is complete and accurate and the chief finds in writing that the applicant has demonstrated that the exploration and reclamation described in the application will: (d) With respect to exploration activities on any lands protected under section 1513.073 of the Revised Code and rules adopted thereunder, minimize interference, to the extent technologically and economically feasible, with the values for which those lands were designated as unsuitable for coal mining operations. Before making this finding, the chief shall provide reasonable opportunity to the owner of the feature causing the land to come under the protection of section 1513.073 of the Revised Code and rules adopted thereunder, and, when applicable, to the agency with primary jurisdiction over the feature with respect to the values that caused the land to come under the protection of section 1513.073 of the Revised Code and rules adopted thereunder, to comment on whether the finding is appropriate.	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	Before making this finding, the chief shall provide reasonable opportunity to the owner of the feature causing the land to come under the protection of section 1513.073 of the Revised Code and rules adopted thereunder, and, when applicable, to the agency with primary jurisdiction over the feature with respect to the values that caused the land to come under the protection of section 1513.073 of the Revised Code and rules adopted thereunder, to comment on whether the finding is appropriate.	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	Terms of approval issued by the chief shall contain conditions necessary to ensure that the exploration and reclamation will be conducted in compliance with this rule, rule 1501:13-8-01 of the Administrative Code, Chapter 1513. of the Revised Code, and these rules.	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	The chief shall notify the applicant, the appropriate local government officials, and other commenters on the application, in writing, of his or her decision on the application.	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-02	Shall	If the application is disapproved, the notice to the applicant shall include a statement of the reason for disapproval.	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	Public notice of the decision on each application shall be posted by the chief at the division of mineral resources management district office responsible for inspection of the proposed exploration operations.	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	Any person who conducts coal exploration operations pursuant to this rule that substantially disturb the natural land surface shall comply with this rule, rule 1501:13-8-01 of the Administrative Code, Chapter 1513. of the Revised Code and these rules, and any exploration permit term or condition imposed by the chief.	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	Any person who conducts coal exploration operations pursuant to this rule that do not substantially disturb the natural land surface shall comply with the methods and practices described in the notice of intention filed pursuant to paragraph (B) of this rule and the requirements of rule 1501:13-9-02 of the Administrative Code.	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	In addition, this person shall notify the division of mineral resources management district office having jurisdiction over the exploration area of the date of completion of the exploration and reclamation.	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	The notice of intent shall expire on the first anniversary of the date of its issuance, unless a request for renewal is filed with the chief at least sixty days before the expiration date.	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	Any person who conducts any coal exploration in violation of this rule, rule 1501:13-8-01 of the Administrative Code, Chapter 1513. of the Revised Code and these rules, or any exploration permit term or condition imposed by the chief shall be subject to the provisions of section 1513.99 of the Revised Code, and rules 1501:13-14-01 to 1501:13-14-06 of the Administrative Code.	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	Except as provided in paragraph (I) (2) of this rule, all information submitted to the chief under this rule shall be made available for public inspection and copying at the local offices of the chief closest to the exploration area.	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall not	The chief shall not make information available for public inspection if the person submitting it requests in writing, at the time of submission, that it not be disclosed and the chief determines that the information is confidential.	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	The chief shall determine that information is confidential only if it concerns trade secrets or is privileged commercial or financial information that relates to the competitive rights of the person intending to conduct coal exploration.	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall not	Information requested to be held as confidential shall not be made publicly available until after notice and opportunity to be heard is afforded persons both seeking and opposing disclosure of the information.	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	Each person conducting a coal exploration operation for which the required exploration permit has been issued shall, while in the exploration area, make the exploration permit available for on-site review by the authorized representative of the chief.	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	Except as provided under paragraph (K) (2) of this rule or parts 3480 to 3487 of Title 43 of the Code of Federal Regulations, any person who intends to commercially use or sell coal extracted during coal exploration operations under an exploration permit, shall first obtain a permit to conduct surface coal mining operations for those operations from the chief under Chapter 1501:13-4 of the Administrative Code.	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	The person conducting the exploration shall file an application for such approval with the chief.	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	The application shall demonstrate that the coal testing is necessary for the development of a coal mining and reclamation operation for which a coal mining operations permit application is to be submitted in the near future, and that the proposed commercial use or sale of coal extracted during exploration operations is solely for the purpose of testing the coal.	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-02	Shall	The application shall contain the following: (a) The name of the testing firm and the locations at which the coal will be tested;	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	The application shall contain the following: (b) If the coal will be sold directly to, or commercially used directly by, the intended end user, a statement from the intended end user, or if the coal is sold indirectly to the intended end user through an agent or broker, a statement from the agent or broker.	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	The application shall contain the following: (b) If the coal will be sold directly to, or commercially used directly by, the intended end user, a statement from the intended end user, or if the coal is sold indirectly to the intended end user through an agent or broker, a statement from the agent or broker. The statement shall include: (i) The specific reason for the test, including why the coal may be so different from the intended user’s other coal supplies as to require testing;	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	The application shall contain the following: (b) If the coal will be sold directly to, or commercially used directly by, the intended end user, a statement from the intended end user, or if the coal is sold indirectly to the intended end user through an agent or broker, a statement from the agent or broker. The statement shall include: (ii) The amount of coal necessary for the test and why a lesser amount is not sufficient; and	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	The application shall contain the following: (b) If the coal will be sold directly to, or commercially used directly by, the intended end user, a statement from the intended end user, or if the coal is sold indirectly to the intended end user through an agent or broker, a statement from the agent or broker. The statement shall include: (iii) A description of the specific tests that will be conducted.	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Shall	If the coal will be sold directly to, or commercially used directly by, the intended end user, a statement from the intended end user, or if the coal is sold indirectly to the intended end user through an agent or broker, a statement from the agent or broker. The statement shall include: (i) The specific reason for the test, including why the coal may be so different from the intended user’s other coal supplies as to require testing; (ii) The amount of coal necessary for the test and why a lesser amount is not sufficient; and (iii) A description of the specific tests that will be conducted.	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Must	If the chief or a representative of the chief finds that the exploration operations will substantially disturb the natural land surface, he or she shall notify the person seeking to explore that the notice of intention has been reviewed and the person must submit an application for and be issued an exploration permit before beginning exploration.	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Must	The application must include documentation of consultation with the owner of the feature causing the land to come under the protection of section 1513.073 of the Revised Code and rules adopted thereunder, and, when applicable, with the agency with primary jurisdiction over the feature with respect to the values that caused the land to come under the protection of section 1513.073 of the Revised Code and rules adopted thereunder.	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-02	Require	With the prior written approval of the chief, no permit to conduct coal mining operations is required for the sale or commercial use of coal extracted during exploration operations if such sale or commercial use is for coal testing purposes only.	1513.072, 1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-03	Shall	Each application shall contain the names, addresses, and telephone numbers, and either the employer identification numbers or the last four digits of the social security numbers of: (a) The permit applicant; (b) The operator, if the operator is a person different from the applicant; (c) The resident agent of the applicant who will accept service of process; and (d) The person who will pay the abandoned mine land reclamation fee.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-03	Shall	Each application shall contain the names, addresses, and telephone numbers, and either the employer identification numbers or the last four digits of the social security numbers of: (a) The permit applicant	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-03	Shall	Each application shall contain the names, addresses, and telephone numbers, and either the employer identification numbers or the last four digits of the social security numbers of: (b) The operator, if the operator is a person different from the applicant .	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-03	Shall	Each application shall contain the names, addresses, and telephone numbers, and either the employer identification numbers or the last four digits of the social security numbers of: (c) The resident agent of the applicant who will accept service of process.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-03	Shall	Each application shall contain the names, addresses, and telephone numbers, and either the employer identification numbers or the last four digits of the social security numbers of: (d) The person who will pay the abandoned mine land reclamation fee.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-03	Shall	Each application shall contain a statement of whether the applicant is a corporation, partnership, single proprietorship, association or other business entity.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-03	Shall	For each person who owns or controls or owned or controlled the applicant according to paragraph (A) of this rule, the application shall contain the following information: (a) The person’s name and address, and either the last four digits of his or her social security number or his or her employer identification number;	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-03	Shall	For each person who owns or controls or owned or controlled the applicant according to paragraph (A) of this rule, the application shall contain the following information: (b) The person’s ownership or control relationship to the applicant, including percentage of ownership and location in organizational structure;	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-03	Shall	For each person who owns or controls or owned or controlled the applicant according to paragraph (A) of this rule, the application shall contain the following information: (c) The title of the person’s position, the date that the position was assumed, and when this information is submitted under paragraph (I) of rule 1501:13-4-06 or paragraph (G)(5) of rule 1501:13-5-01 of the Administrative Code and the person is no longer employed in that position, the date of departure from the position;	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-03	Shall	For each person who owns or controls or owned or controlled the applicant according to paragraph (A) of this rule, the application shall contain the following information: (d) Each additional name and identifying number, including employer identification number or the last four digits of the social security number, and federal or state permit number, and corresponding MSHA number, under which the person owns or controls, or previously owned or controlled, a coal mining and reclamation operation in the United States within the five-year period preceding the date of submission of the application; and	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-03	Shall	For each person who owns or controls or owned or controlled the applicant according to paragraph (A) of this rule, the application shall contain the following information: (e) The application number or other identifier of, and the regulatory authority for, any other pending coal mining operation permit application filed by the person in any state in the United States.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-03	Shall	If any owner, holder, purchaser, or operator identified under paragraphs (B)(1) to (B)(3) of this rule is a business entity other than a single proprietorship, the application shall contain the names and street addresses of their respective principals, officers, and resident agents.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-03	Shall	For any coal mining operation owned or controlled by either the applicant or by any person who owns or controls the applicant under the definition of “owned or controlled” and “owns or controls” in paragraph (A) of this rule, the application shall include the operation’s; (a) Name, address, identifying numbers, including employer identification number, federal or state permit number, and corresponding MSHA number, and the regulatory authority; and	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-03	Shall	For any coal mining operation owned or controlled by either the applicant or by any person who owns or controls the applicant under the definition of “owned or controlled” and “owns or controls” in paragraph (A) of this rule, the application shall include the operation’s; (b) Ownership or control relationship to the applicant, including percentage of ownership and location in organizational structure.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-03	Shall	Each application shall contain the names and addresses of the owners of record of all surface and subsurface areas contiguous to any part of the proposed permit area.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-03	Shall	Each application shall contain the name of the proposed mine and the MSHA identification numbers for all mine-associated structures that require MSHA approval.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-03	Shall	Each application shall contain a statement of all lands, interests in lands, options, or pending bids on interests held or made by the applicant for lands which are contiguous to the area to be covered by the permit.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-03	Shall	If requested by the applicant, any information required by this paragraph which is not on public file pursuant to Ohio law shall be held in confidence by the chief as provided under rule 1501:13-1-10 of the Administrative Code.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-03	Shall	After the applicant is notified that his or her application is approved, but before the permit is issued, the applicant shall, as applicable, update, correct, or indicate that no change has occurred in the information previously submitted under paragraphs (B)(1), (B)(4), (B)(5), and (B)(7), and (J) of this rule.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-03	Shall	The applicant shall submit the information required by paragraphs (B) and (C) of this rule on a form prescribed by the chief.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-03	Shall	Each application shall contain: (1) A statement of whether the applicant or operator, or any subsidiary, affiliate, or persons controlled by or under common control with the applicant or operator has: (a) Had a federal or state coal mining permit suspended or revoked during the five-year period preceding the date of submission of the application; or (b) Forfeited a mining bond, performance security, or similar security deposited in lieu of bond. (2) If any such suspension, revocation, or forfeiture has occurred, a statement of the facts involved, including: (a) Identification number of the permit; (b) Date of suspension, revocation, or forfeiture, and, when applicable, the amount of bond, performance security, or similar security forfeited; (c) Identification of the regulatory authority that suspended or revoked the permit or forfeited the bond, performance security, or similar security, and the stated reasons for that action; (d) The current status of the permit, or of the bond, performance security, or similar security involved; and (e) The date, location, and type of any administrative or judicial proceedings initiated concerning the suspension, revocation or forfeiture, and the current status of these proceedings. (3) The applicant shall submit a listing of: (a) Each violation notice, as that term is defined in rule 1501:13-1-02 of the Administrative Code, received by the applicant or operator in connection with any coal mining and reclamation operation during the three-year period preceding the date of submission of the application for violations of Chapter 1513. of the Revised Code or these rules, or of any law, rule, or regulation of the United States, or of any state law, rule, or regulation enacted pursuant to federal law, rule, or regulation, pertaining to air or water environmental protection; and (b) All unabated violation notices received prior to the date of submission of the application incurred in connection with any coal mining and reclamation operation owned or controlled by either the applicant or the operator or by any person who owns or controls the applicant. (4) For each violation notice reported under paragraph (C)(3)(a) or (C)(3)(b) of this rule, the application shall also contain: (a) Any identifying numbers for the operation, including the federal or state permit number and associated MSHA number, the date of issuance and identification number of the violation notice, the name of the person to whom the	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-03	Shall	The applicant shall submit a listing of: (a) Each violation notice, as that term is defined in rule 1501:13-1-02 of the Administrative Code, received by the applicant or operator in connection with any coal mining and reclamation operation during the three-year period preceding the date of submission of the application for violations of Chapter 1513. of the Revised Code or these rules, or of any law, rule, or regulation of the United States, or of any state law, rule, or regulation enacted pursuant to federal law, rule, or regulation, pertaining to air or water environmental protection; and (b) All unabated violation notices received prior to the date of submission of the application incurred in connection with any coal mining and reclamation operation owned or controlled by either the applicant or the operator or by any person who owns or controls the applicant.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-03	Shall	For each violation notice reported under paragraph (C)(3)(a) or (C)(3)(b) of this rule, the application shall also contain: (a) Any identifying numbers for the operation, including the federal or state permit number and associated MSHA number, the date of issuance and identification number of the violation notice, the name of the person to whom the violation notice was issued, and the name of the issuing regulatory authority, department, or agency; (b) A brief description of the violation alleged in the violation notice; (c) The date, location, and type of any administrative or judicial proceedings initiated concerning the violation notice, including, but not limited to, proceedings initiated by the applicant to obtain administrative or judicial review of the violations; (d) The current status of the proceedings and of the violation notice; (e) If the abatement period for a violation in a notice of violation issued under paragraph (B) of rule 1501:13-14-02 of the Administrative Code, or its equivalent for the federal or another state regulatory program, has not expired, certification that the violation is being abated or corrected to the satisfaction of the agency with jurisdiction over the violation; and (f) For all violations not covered under paragraph (C)(4)(e) of this rule, the actions taken to abate or correct the violation.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-03	Shall	After the applicant is notified that his or her application is approved, but before the permit is issued, the applicant shall, as applicable, update, correct, or indicate that no change has occurred in the information previously submitted under paragraph (C) of this rule.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-03	Shall	Each application shall contain a notarized statement describing the documents upon which the applicant bases his or her legal right to enter and begin coal mining in the permit area, for surface mining operations, or in the permit and shadow areas, for underground mining operations, and whether that right is the subject of pending litigation.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-03	Shall	The notarized statement shall identify those documents by type and date of execution, identify the specific lands to which the document pertains, and explain the legal rights claimed by the applicant.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-03	Shall	Each application shall contain a notarized statement identifying the specific land for which the applicant is negotiating to acquire the legal right to enter and begin coal mining in the permit area, for surface mining operations, or in the permit and shadow areas, for underground mining operations, during the term of the permit and, when requested by the chief, signed statements from each landowner and mineral owner granting authorized representatives of the chief a right of entry to, upon, and through the areas of land upon which coal mining and reclamation operations are proposed.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-03	Shall	Where the private mineral estate to be mined has been severed from the private surface estate and surface disturbance will result from the applicant’s proposed use of a surface mining method, the application shall also provide for lands within the permit area: (a) A copy of the written consent of the surface owner to the surface disturbance that will result from the extraction of coal by the applicant’s proposed surface mining method; (b) A copy of the document of conveyance that expressly grants or reserves the right to extract the coal by surface mining methods that cause surface disturbance; or (c) If the conveyance does not expressly grant the right to extract the coal by surface mining methods that cause disturbance, documentation that under state law, the applicant has the legal authority to extract the coal by those methods.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-03	Shall	Nothing in this rule shall be construed to afford the chief the authority to adjudicate property rights disputes.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-03	Shall	Each application shall contain a statement of available information on whether the proposed permit area is within an area designated unsuitable for coal mining operations under rule 1501:13-3-07 of the Administrative Code or under study for designation in an administrative proceeding under such rule.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-03	Shall	If an applicant claims the exemption provided in paragraph (B)(3) of rule 1501:13-3-05 of the Administrative Code, the application shall contain information supporting the applicant’s assertion that it made substantial legal and financial commitments before January 4, 1977, concerning the proposed coal mining operations.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-03	Shall	If an applicant proposes to conduct coal mining operations within three hundred feet, measured horizontally, of an occupied dwelling, the application shall contain the waiver of the owner of the dwelling as required in paragraph (D) of rule 1501:13-3-04 of the Administrative Code.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-03	Shall	If an applicant proposes to conduct coal mining operations within one hundred feet, measured horizontally, of a public road, the application shall contain the road permit as required under paragraph (C) of rule 1501:13-3-04 of the Administrative Code.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-03	Shall	Each application shall state the anticipated or actual starting and termination date of each phase of the coal mining and the anticipated number of acres of land to be affected during the first year of mining and over the total life of the permit.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-03	Shall	If an applicant proposes a permit term in excess of five years, the application shall: (a) Be complete and accurate covering the specified longer term; and (b) Show that the proposed longer term is reasonably needed to allow the applicant to obtain financing for equipment and for the opening of the operation with the need confirmed, in writing, by the applicant’s proposed source of financing.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-03	Shall	Each application shall identify, by name and address, the public office where the applicant will simultaneously file a copy of the application for public inspection as required by these rules.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-03	Shall	A copy of the newspaper advertisement of the application for a permit or renewal of a permit, or for revision of a permit if notice is required under paragraph (E) of rule 1501:13-4-06 of the Administrative Code, shall be filed with the chief and made a part of the complete application.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-03	Shall	A proof of publication shall be filed with the chief prior to approval of the permit application.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-03	Shall	In accordance with Chapter 1501:13-7 of the Administrative Code, each permittee shall provide performance security for the facility or structure unless the permittees sharing it agree to another arrangement for assuming their respective responsibilities.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-03	Shall	If such agreement is reached, then the application shall include a copy of the agreement between or among the parties setting forth the respective performance security responsibilities of each party for the facility or structure.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-03	Shall	The agreement shall demonstrate to the satisfaction of the chief that all responsibilities under this chapter for the facility or structure will be met.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-03	Shall	The chief shall allow an applicant or permittee to meet the information submittal requirements of paragraph (B) of this rule, paragraph (I) of rule 1501:13-4-06, and paragraph (G)(5) of rule 1501:13-5-01 of the Administrative Code, by submitting the required information to the chief, on a form provided by the chief, with an indication that the information in the form applies to all permits held by the applicant or permittee.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-03	Shall	The applicant or permittee shall swear or affirm, under oath and in writing, that all information provided pursuant to paragraph (J) of this rule is accurate and complete	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-03	Shall	The chief shall establish a central file to house the information submitted pursuant to paragraph (J) of this rule, rather than placing duplicate information in each application file for a permittee.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-03	Shall	The chief shall make the information in this central file available to the public upon request.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-03	Shall	Permittees shall update information in this central file according to the following: (a) If the information already submitted to the chief under paragraph (B) of this rule, paragraph (I) of rule 1501:13-4-06 and paragraph (G)(5) of rule 1501:13-5-01 of the Administrative Code is accurate and complete, the permittee shall certify to the chief, on a form provided by the chief, by swearing or affirming, under oath and in writing, that the information is accurate, complete, and up to date; or (b) If part of the information already submitted to the chief under paragraph (B) of this rule, paragraph (I) of rule 1501:13-4-06 and paragraph (G)(5) of rule 1501:13-5-01 of the Administrative Code is missing or incorrect, the permittee shall submit to the chief, on a form provided by the chief, the necessary information or corrections and swear or affirm, under oath and in writing, that the information is accurate and complete.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-03	Shall	If the information already submitted to the chief under paragraph (B) of this rule, paragraph (I) of rule 1501:13-4-06 and paragraph (G)(5) of rule 1501:13-5-01 of the Administrative Code is accurate and complete, the permittee shall certify to the chief, on a form provided by the chief, by swearing or affirming, under oath and in writing, that the information is accurate, complete, and up to date.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-03	Shall	If part of the information already submitted to the chief under paragraph (B) of this rule, paragraph (I) of rule 1501:13-4-06 and paragraph (G)(5) of rule 1501:13-5-01 of the Administrative Code is missing or incorrect, the permittee shall submit to the chief, on a form provided by the chief, the necessary information or corrections and swear or affirm, under oath and in writing, that the information is accurate and complete.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	This rule shall apply only to coal mining operations other than underground mining operations.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	Each application shall describe and identify the nature of cultural, historic and archeological resources listed or eligible for listing on the "National Register of Historic Places," administered by the national parks service, U.S. department of the interior, and known archeological sites within the proposed permit and adjacent areas.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	The description shall be based on all available information, including, but not limited to, information from the state historic preservation officer and from local archeological, historical, and cultural preservation agencies.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	Each application shall describe and identify the lands subject to coal mining operations over the estimated life of those operations and the size, sequence, and timing of the subareas for which it is anticipated that individual permits for mining will be sought.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	Each application shall contain a description of surface and ground water within the general area, and any water which will flow into or receive discharges of water from the permit area.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	The description shall be prepared in the manner required by paragraphs (B) to (G) of this rule, and conform to the following: (1) Information on hydrology, water quality and quantity, and geology related to hydrology of areas outside the proposed permit area and within the general area shall be provided by the chief, to the extent that this data is available from an appropriate federal or state agency.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall not	(3) The permit shall not be approved by the chief until this information is made available in the application.	1513.02	Yes, both state and federal law	Yes, both state and federal law

Rule Number	Regulatory Restriction	Description of Regulatory Restriction	Statute Under Which the Regulatory Restriction Was Adopted	Is the Regulatory Restriction Expressly or Specifically Required by State or Federal Law?	Is a Law Change Required in Order to Remove the Restriction?
1501:13-4-04	Shall	Each application shall include geologic information in sufficient detail to assist in determining: (a) The probable hydrologic consequences of the operation upon the quality and quantity of surface and ground water in the permit and adjacent areas, including the extent to which surface and groundwater monitoring is necessary. (b) All potentially acid- or toxic-forming strata down to and including the stratum immediately below the lowest coal seam to be mined; and (c) Whether reclamation as required by these rules can be accomplished and whether the proposed operation has been designed to prevent material damage to the hydrologic balance outside the permit area.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	The description shall include a general statement of the geology within the proposed permit area and adjacent areas down to and including the deeper of either the first stratum below the lowest coal seam to be mined or any aquifer below the lowest coal seam to be mined which may be adversely affected by mining.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	It shall also include the areal and structural geology of the permit and adjacent areas, and the other parameters which influence the required reclamation.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	It shall show how the areal and structural geology may affect the occurrence, availability, movement, quantity, and quality of potentially affected surface and ground waters.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	It shall be based on: (i) The cross sections, maps and plans required by paragraph (B) of rule 1501:13-4-08 of the Administrative Code; (ii) The information obtained under paragraph (C)(3) of this rule; and +C3124 (iii) Geologic literature and practices.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	Each application for a permit shall contain the results of tests conducted on the area of land to be mined.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	Unless the chief first approves a fewer number of test holes, such tests shall consist of test holes made by the boring or drilling method and be conducted at the rate of one test hole for each twenty-five acres of land or fraction thereof, which is underlain by coal on the area of land to be mined.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	At least one test hole shall be located on the highest elevation in the area of land to be mined.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	Holes shall be located as far apart as the size and shape of the area of land to be mined will allow.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	Such holes shall be drilled to the bottom of the material underlying the lowest coal seam to be mined	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	Such holes shall be be staked or otherwise marked at the time of filing the application for a permit so as to be clearly visible at the approximate location.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	Such holes shall be numbered.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	Such stakes or other markers shall be maintained until the permit to conduct a coal mining operation is granted or denied.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	Test borings or core samples from the proposed permit area shall be collected and analyzed down to and including the stratum immediately below the lowest coal seam to be mined.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	Individual drilling reports shall be furnished for each test boring or core sampling.	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-04	Shall	Individual drilling reports shall contain the following information on forms prescribed by the chief: (i) Location of subsurface water, if encountered; (ii) Lithologic characteristics including physical properties and thickness of each stratum and each coal seam; (iii) Chemical analyses to include pH, neutralization potential, potential acidity, total or pyritic sulfur, and calcium carbonate deficiency of each stratum; (iv) Analyses of the coal seam for acid-forming or toxic-forming materials, including, but not limited to, an analysis of the total sulfur and the sulfur present in pyrite and marcasite; (v) Identification of the test hole by the number assigned in paragraph (C)(2)(b) of this rule; and (vi) Identification of all coal seams by name and number.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	If the chief grants a waiver the waiver shall be submitted with the permit application.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	The application shall contain a description of the ground water hydrology for the proposed permit and adjacent areas, including, at a minimum: (a) The depth below the surface and the horizontal extent of the water table and aquifers; (b) The lithology and thickness of the aquifers; (c) Known uses of the water in the aquifers and water table; (d) The quality of subsurface water, if encountered; (e) The depth to the water in the coal seam if the seam is a water-bearing stratum, and each water-bearing stratum above and potentially affected water-bearing stratum below the coal seam; and (f) The approximate rate of discharge or usage of the water.	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-04	Shall	The application shall contain a water supply inventory to include, at a minimum: (a) A list of existing water wells on the proposed permit and adjacent areas to describe the quality and quantity of the ground water to include: (i) Identification number of the well; (ii) Surface elevation of the well; (iii) Depth of the well in feet below the land surface; (iv) Static water level of the well in feet below the land surface; (v) The lithology of the aquifer in which each well is developed; and (vi) Name of owner of the well; (b) A list of existing springs on the proposed permit and adjacent areas to include: (i) Identification number of the spring; (ii) Name of owner of any spring that is developed for use as a water supply; (iii) The surface elevation of the spring; and (iv) The aquifer each spring flows from; and (c) A list of the location and type of any public water supply sources on the permit and adjacent areas.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	Where information required in the water supply inventory of paragraph (D)(2) of this rule is unobtainable, a statement to that effect shall be made, giving the reasons therefor.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	The application shall contain the results of water quality analyses and measurements of static water level or discharge, conducted on at least ten (or all if less than ten) of the wells and springs on the permit and adjacent areas or twenty-five per cent of such wells and springs, whichever number is greater.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	Wells and springs chosen for analysis and measurement shall, as a group, represent all known aquifers present in the permit and adjacent areas.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	Wells and springs chosen for analysis and measurement shall, wherever possible, be those nearest to or on the permit area.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	Sampling for water quality analysis shall be conducted at a minimum one time prior to submission of an application for a permit.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	The measurement of static water level or discharge shall be conducted for each well and spring identified in paragraph (D)(4) of this rule at a minimum one time prior to submission of an application for a permit.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	Water samples collected at the sites prescribed in paragraph (D)(4) of this rule shall be analyzed for the following parameters according to the methodology specified in 40 C.F.R. parts 136 and 434: (i) PH in standard units; (ii) Total acidity in milligrams per liter of CaCO3; (iii) Total alkalinity in milligrams per liter of CaCO3 (iv) Total manganese in milligrams per liter; (v) Total iron in milligrams per liter; (vi) Total hardness in milligrams per liter of CaCO3 (vii) Total dissolved solids or specific conductance corrected to twenty-five degrees centigrade; (viii) Total aluminum in milligrams per liter; (ix) Total sulfates in milligrams per liter; and (x) Other such information as the chief determines relevant.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	The results of water quality analyses and measurements prescribed in paragraph (D) of this rule shall be reported on a form to be provided by the chief	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-04	Shall	Water quality and quantity data sufficient to identify seasonal variations pursuant to paragraph (D)(6) or (D)(7) of this rule shall be submitted with an application for a permit.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	For each application, the applicant shall submit three water samples from each required sampling site designated pursuant to paragraphs (D)(4) and (E)(1) of this rule.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	One sample shall be from the low flow period, one sample from the high flow period, and one sample from either of the intermediate flow periods, as established in the following	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	For samples submitted to meet the seasonal variations requirements, the period between consecutive samples shall be at least thirty days, but not more than eighteen months.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	For samples submitted to meet the seasonal variations requirements, no sample shall be collected more than thirty-six months before the date of submission of the application to the chief.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	The description shall include, but is not limited to, land disturbances such as mining operations, highway construction, cut and fill operations, building construction, and dam construction or demolition.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall not	A sample from a substitute site shall not be used as the earliest of the three samples from a designated sampling site.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	The chief shall review this request and determine whether the substitute sampling site and the data collected from the site are acceptable.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	In making the request, the applicant shall: (i) Describe how the substitute sampling site adequately represents the original sampling site; (ii) Demonstrate that the substitute sampling site is located in the same aquifer as the original sampling site; (iii) Demonstrate that the geology of the groundwater recharge area of the substitute site, as well as the surface disturbance of the recharge area of the substitute site, are similar to that of the original site; (iv) Demonstrate that the substitute sampling site represents and performs the same function as the original site; (v) Demonstrate that the analysis of the water quality and quantity data from the substitute site accurately represents the quality and quantity of the water at the original site and explain any anomalies in water quality or quantity at the substitute site; (vi) Demonstrate that the flow obtained at the substitute site was obtained during the flow period missed at the original site; (vii) Include precipitation data for the thirty days prior to the sample date at the substitute site; (viii) Provide a description of the location of the substitute sampling site relative to the original sampling location. The description shall include bearing and distance measurements from the original sampling location to the substitute sampling location; and (ix) Submit additional information if required by the chief to support the use of a substitute sample.	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-04	Shall	Within the proposed permit and adjacent areas, all surface-water bodies such as streams, lakes and impoundments and all discharges from the permit area into surface-water bodies shall be described and sampled for analysis under paragraph (E) of this rule.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	The description shall include the name of any watershed that will receive water discharges, the name, ownership and location of all surface-water bodies and the known uses of the water in these water bodies.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	Water samples collected under paragraph (E) of this rule shall be analyzed according to the methodology specified in 40 C.F.R. parts 136 and 434.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	Surface water information shall include the following water quality data to identify the characteristics of surface waters within the proposed permit and adjacent areas: (a) Total suspended solids in milligrams per liter; (b) Total acidity in milligrams per liter of CaCO3; (c) Total alkalinity in milligrams per liter of CaCO3; (d) pH in standard units; (e) Total iron in milligrams per liter; (f) Total manganese in milligrams per liter; (g) Total dissolved solids or specific conductance corrected to twenty-five degrees centigrade; (h) Total aluminum in milligrams per liter; (i) Total sulfates in milligrams per liter; and (j) Other such information as the chief determines relevant.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	Water quality and quantity data sufficient to identify seasonal variations pursuant to paragraph (D)(6) or (D)(7) of this rule shall be submitted with an application for a permit.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	The results of water quality analyses and measurements prescribed in paragraph (E) of this rule shall be reported on a form to be provided by the chief.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	The application shall identify the extent to which the proposed coal mining operations may proximately result in contamination, diminution, or interruption of an underground or surface source of water that is for domestic, agricultural, industrial, or other legitimate use.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	If contamination, diminution, or interruption may result, then the description shall contain information on water availability and alternative sources of water, including the suitability of alternative water sources for existing premining uses and approved post-mining land uses.	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-04	Shall	If the determination of the probable hydrologic consequences required by paragraph (E)(2) of rule 1501:13-4-05 of the Administrative Code indicates that adverse impacts on or off the proposed permit area may occur to the hydrologic balance, or that acid-forming or toxic-forming material is present that may result in the contamination of ground-water or surface-water supplies, then information supplemental to that required under paragraphs (D) and (E) of this rule shall be provided to evaluate such probable hydrologic consequences and to plan remedial and reclamation activities.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	When required by the chief, the application shall contain a statement of the climatological factors that are representative of the proposed permit area, including: (a) The average seasonal precipitation; (b) The average direction and velocity of prevailing winds; and (c) Seasonal temperature ranges.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	The application shall contain a statement of the condition, capability, and productivity of the land within the proposed permit area, including: (a) A map and supporting narrative of the uses of the land existing at the time of the filing of the application. If the premining use of the land was changed within five years before the anticipated date of beginning the proposed operations, the historic use of the land shall also be described. (b) A narrative of the land capability and productivity, which analyzes the land use described under paragraph (I)(1)(a) of this rule in conjunction with other environmental resources information required under these rules. The narrative shall provide analyses of: (i) The capability of the land before any mining to support a variety of uses, giving consideration to soil and foundation characteristics, topography, vegetative cover and the hydrology of the proposed permit area; and (ii) The productivity of the proposed permit area before mining, including appropriate classification as prime farmlands, as well as the average yield of food, fiber, forage, or wood products from the land obtained under high level of management. The productivity shall be determined by yield data or estimates for similar sites based on current data from the United States department of agriculture, state agricultural universities, or appropriate state natural resources or agricultural agencies.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	A map and supporting narrative of the uses of the land existing at the time of the filing of the application. If the premining use of the land was changed within five years before the anticipated date of beginning the proposed operations, the historic use of the land shall also be described.	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-04	Shall	The narrative shall provide analyses of: (i) The capability of the land before any mining to support a variety of uses, giving consideration to soil and foundation characteristics, topography, vegetative cover and the hydrology of the proposed permit area; and (ii) The productivity of the proposed permit area before mining, including appropriate classification as prime farmlands, as well as the average yield of food, fiber, forage, or wood products from the land obtained under high level of management. The productivity shall be determined by yield data or estimates for similar sites based on current data from the United States department of agriculture, state agricultural universities, or appropriate state natural resources or agricultural agencies.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	The application shall state whether the proposed permit area has been previously mined, and if so, the following information, if available: (a) The type of mining method used; (b) The coal seams or other mineral strata mined; (c) The extent of coal or other minerals removed; (d) The approximate dates of past mining; and (e) The uses of the land preceding mining.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	The application shall contain a description of the existing land uses and land use classifications under local law, if any, of the proposed permit and adjacent areas.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	The applicant shall conduct a pre-application investigation of the proposed permit area to determine whether lands within the area may be prime farmland. The chief, in consultation with the U.S. natural resources conservation service, shall determine the nature and extent of this investigation.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall not	Land shall not be considered prime farmland if the applicant can demonstrate that: (a) The land has not been historically used for cropland; or (b) On the basis of a soil survey of lands within the permit area, there are no soil map units that have been designated prime farmland by the U.S. natural resources conservation service.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	If the investigation establishes that the lands are not prime farmland, the applicant shall submit with the permit application a request for a negative determination which shows that the land for which the negative determination is sought meets one of the criteria of paragraph (J)(2) of this rule.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	If the investigation indicates that lands within the proposed permit area may be prime farmlands, the applicant shall contact the U.S. natural resources conservation service to determine if a soil survey exists for those lands and whether the applicable soil map units have been designated as prime farmlands.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	If no soil survey has been made for the lands within the proposed permit area, the applicant shall cause a survey to be made that is of the detail of a second order soil survey used by the U.S. natural resources conservation service for operational conservation planning.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	This survey shall be used to identify and locate prime farmland soils.	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-04	Shall	When a soil survey made pursuant to paragraph (J)(4) of this rule indicates that the land contains soil map units which have been designated as prime farmlands, the applicant shall submit an application, in accordance with the requirements of paragraph (F) of rule 1501:13-4-12 of the Administrative Code, for such designated land.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Shall	When a soil survey made pursuant to paragraph (J)(4) of this rule indicates that the land contains soil map units which have not been designated as prime farmland after review by the U.S. natural resources conservation service, the applicant shall submit a request for negative determination for non-designated land with the permit application establishing compliance with paragraph (J)(2) of this rule.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Require	The chief may require the applicant to identify and evaluate important historic and archeological resources that may be eligible for listing on the "National Register of Historic Places," as referenced in paragraph (A)(2)(a) of this rule, through: (i) Collection of additional information; (ii) Conduct of field investigations; or (iii) Other appropriate analyses.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Require	To verify the results of the applicant's tests, the chief may, prior to approval of the application, require the applicant to drill additional test holes and provide the information required in paragraph (C)(3)(a) of this rule.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Require	If more precise information than can be provided by drilling techniques is warranted by potentially adverse site conditions, the chief may require that the test hole information required in paragraph (C)(3) of this rule be obtained by core drilling.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-04	Require	Submit additional information if required by the chief to support the use of a substitute sample.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	This rule shall apply only to coal mining operations other than underground mining operations.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-05	Shall	Each application shall contain a description of the mining operations proposed to be conducted during the life of the mine within the proposed permit area, including: (a) A narrative description of the type and method of coal mining procedures and proposed engineering techniques, anticipated annual and total production of coal, by tonnage, and the major equipment to be used for all aspects of those operations; (i) The description shall identify the mining method as area mining, contour mining, another named mining method, or combination of methods to be identified by name; (ii) For contour mining or area mining, the description shall include, at a minimum, the maximum extent of cover to be mined, the location where the mining will begin, the direction the mining will proceed, and the ending point of the operation. If the mining operation will utilize multiple pits, the description shall be included for each mining pit; (iii) For mining methods other than area mining or contour mining, or for combinations of methods, the description shall include each of the items required under paragraph (A)(2)(a)(ii) of this rule and in addition shall include other information that demonstrates the orderly and reasonable progression of mining, including, but not limited to, spoil placement plans, proposed locations of haul roads that will be used or retained for an extended period of time, and the intended timing of mining operations; (iv) The description shall specify for the mining method(s) proposed how the time and distance requirements of rule 1501:13-9-13 of the Administrative Code will be met; and (b) A narrative explaining the construction, modification, use, maintenance, and removal of the following facilities (unless retention of such facilities is necessary for postmining land use as specified in rule 1501:13-9-17 of the Administrative Code and is approved by the chief): (i) Dams, embankments, and other impoundments;	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The description shall identify the mining method as area mining, contour mining, another named mining method, or combination of methods to be identified by name.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	For contour mining or area mining, the description shall include, at a minimum, the maximum extent of cover to be mined, the location where the mining will begin, the direction the mining will proceed, and the ending point of the operation.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	If the mining operation will utilize multiple pits, the description shall be included for each mining pit.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	For mining methods other than area mining or contour mining, or for combinations of methods, the description shall include each of the items required under paragraph (A)(2)(a)(ii) of this rule.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	In addition shall include other information that demonstrates the orderly and reasonable progression of mining, including, but not limited to, spoil placement plans, proposed locations of haul roads that will be used or retained for an extended period of time, and the intended timing of mining operations.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The description shall specify for the mining method(s) proposed how the time and distance requirements of rule 1501:13-9-13 of the Administrative Code will be met.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-05	Shall	Each application shall contain the information required under Chapter 1501:13-4 of the Administrative Code for the proposed permit area in the detail necessary for the chief to determine the estimated cost of reclamation, pursuant to paragraph (B) of rule 1501:13-7-01 of the Administrative Code, if the reclamation has to be performed by the division of mineral resources management in the event of forfeiture of the performance security by the permittee.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	This estimate shall include: (a) Operational detail sufficient to determine the greatest potential reclamation cost liability to the state; and (b) Any other operational detail required by the chief that may affect the cost of reclamation by the division of mineral resources management in the event of forfeiture of the performance security by the permittee.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	Each application shall contain a description of each existing structure proposed to be used in connection with or to facilitate the coal mining and reclamation operation.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The description shall include: (a) Location; (b) Plans of the structure which describe its current condition; (c) Approximate dates on which construction of the existing structure was begun and completed; and (d) A showing, including relevant monitoring data or other evidence, whether the structure meets the performance standards of rules 1501:13-8-01 to 1501:13-13-07 of the Administrative Code.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	Each application shall contain a compliance plan for each existing structure proposed to be modified or reconstructed for use in connection with or to facilitate the coal mining and reclamation operation.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The compliance plan shall include: (a) Design specifications for the modification or reconstruction of the structure to meet the design and performance standards of rules 1501:13-8-01 to 1501:13-13-07 of the Administrative Code; (b) A construction schedule which shows dates for beginning and completing interim steps and final reconstruction; (c) Provisions for monitoring the structure during and after modification or reconstruction to ensure that the performance standards of rules 1501:13-8-01 to 1501:13-13-07 of the Administrative Code are met; and (d) A showing that the risk of harm to the environment or to public health or safety is not significant during the period of modification or reconstruction.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	Each application shall contain a blasting plan for the proposed permit area, explaining how the applicant intends to comply with the blasting requirements of rule 1501:13-9-06 of the Administrative Code and including the following: (1) Information setting forth the limitations the operator will meet with regard to ground vibration and airblast, the bases for those limitations, and the methods to be applied in controlling the adverse effects of blasting operations; (2) A description of any system to be used to monitor compliance with the airblast and ground vibration limits established under paragraph (C)(1) of this rule, including the type, capability, and sensitivity of any blast-monitoring equipment and proposed procedures and locations of monitoring; and (3) For blasting operations within five hundred feet of active underground mines, copies of the approvals given by the state and federal regulatory authorities concerned with the health and safety of underground miners.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	Each application shall contain a plan for describing reclamation of the lands within the proposed permit area, showing how the applicant will comply with the requirements of Chapter 1513. of the Revised Code and rules adopted thereunder.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The plan shall include, at a minimum, all information required under paragraphs (D) to (P) of this rule.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-05	Shall	Each plan shall contain, where appropriate, the following information for the proposed permit area: (a) A detailed timetable for the completion of each major step in the reclamation plan which, at a minimum, addresses the reclamation timing requirements of paragraph (A) of rule 1501:13-9-13 of the Administrative Code, and is specific to the mining method described in accordance with paragraph (A)(2)(a) of this rule; (b) A description of the backfilling, soil stabilization and grading; (c) A description of the removal, storage, and redistribution of topsoil, subsoil, and other material to meet the requirements of rule 1501:13-9-03 of the Administrative Code. A demonstration of the suitability of topsoil substitutes or supplements under rule 1501:13-9-03 of the Administrative Code shall be based upon analysis of the thickness of soil horizons, total depth, texture, per cent coarse fragments, pH, and areal extent of the different kinds of soils. The chief may require other chemical and physical analyses, field-site trials, or greenhouse tests if determined to be necessary or desirable to demonstrate the suitability of the topsoil substitutes or supplements; (d) A description of the revegetation as required in rule 1501:13-9-15 of the Administrative Code, including, but not limited to, descriptions of the: (i) Schedule of revegetation; (ii) Species and amounts per acre of seeds and seedlings to be used; (iii) Methods to be used in planting and seeding; (iv) Mulching techniques; (v) A soil testing plan for evaluation of the results of topsoil handling and reclamation procedures related to revegetation; (vi) Irrigation, if appropriate, and disease, pest and vermin control, if any; and (vii) The measures proposed to be used to determine the success of revegetation as required under rule 1501:13-9-15 of the Administrative Code; (e) A description of the measures to be used to maximize the use and conservation of the coal resources as required by rule 1501:13-9-05 of the Administrative Code; (f) A description of measures to be employed to ensure that all debris, acid-forming and toxic-forming materials, and materials constituting a fire hazard are disposed of in accordance with paragraph (E) of rule 1501:13-9-09 of the Administrative Code and paragraph (J) of rule 1501:13-9-14 of the Administrative Code and a description of the contingency plans which have been developed to preclude sustained combustion of such materials; (g) A description, including appropriate cross sections and maps, of the measures to be used to seal or manage mine	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	Each application shall contain a plan for the protection of the hydrologic balance.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The plan shall be specific to the local hydrologic conditions.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-05	Shall	The plan shall escribe the measures to be taken during and after the proposed coal mining operations in accordance with rule 1501:13-9-04 of the Administrative Code to: (a) Minimize disturbance to the hydrologic balance within the permit and adjacent areas and to prevent material damage outside the permit area; (b) Protect the rights of present users of surface and ground water; (c) Avoid acid or toxic drainage; (d) Control surface water drainage into, through, and out of the proposed permit area, pursuant to rule 1501:13-9-04 of the Administrative Code; (e) Treat, when required under these rules, surface and ground water drainage from the area to be disturbed by the proposed activities, so as not to exceed quantitative limits on pollutants in discharges under paragraph (B) of rule 1501:13-9-04 of the Administrative Code; (f) Restore the approximate recharge capacity of the proposed permit area in accordance with paragraph (L) of rule 1501:13-9-04 of the Administrative Code and protect or replace rights of present water users; (g) Prevent, to the extent possible using the best technology currently available, additional contributions of suspended solids to streamflow, or runoff outside the permit area. Vegetation may be determined by the chief to be the best technology currently available upon a demonstration by the permittee that the requirements of paragraphs (B)(1) to (B)(1)(b) of rule 1501:13-9-04 of the Administrative Code have been met. If the applicant proposes to make such a demonstration after vegetation is established and remove siltation structures sooner than two years after the last augmented seeding of a drainage area, the applicant shall state such intentions in the timetable and plans for removal of sediment control structures required by paragraph (H)(1)(b)(iv) or (H)(1)(c)(iv) of this rule; (h) Address any potential adverse hydrologic consequences identified in the determination of probable hydrologic consequences under paragraph (E)(2) of this rule and include preventative and remedial measures; and (i) Meet applicable state and federal water quality laws and regulations.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	If the applicant proposes to make such a demonstration after vegetation is established and remove siltation structures sooner than two years after the last augmented seeding of a drainage area, the applicant shall state such intentions in the timetable and plans for removal of sediment control structures required by paragraph (H)(1)(b)(iv) or (H)(1)(c)(iv) of this rule	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The plan shall include a determination of the probable hydrologic consequences of the proposed coal mining operations on the proposed permit area and adjacent areas.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	his determination shall be based on baseline hydrologic, geologic and other information collected for the permit application with respect to the hydrologic regime, providing information on the quantity and quality of water in surface and ground-water systems under seasonal conditions, including the contents of dissolved and total suspended solids, total iron, pH, and total manganese.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-05	Shall	The PHC determination shall include findings on: (i) Whether adverse impacts may occur to the hydrologic balance; (ii) Whether acid-forming or toxic-forming materials are present that could result in the contamination of surface- or ground-water supplies; (iii) Whether the proposed operation may proximately result in contamination, diminution or interruption of an underground or surface source of water within the proposed permit or adjacent areas which is used for domestic, agricultural, industrial, or other legitimate purpose; and (iv) What impact the proposed operation will have on: (a) Sediment yield from the disturbed area; (b) Acidity, total suspended and dissolved solids, and other important water quality parameters of local impact; (c) Flooding or streamflow alteration; (d) Ground-water and surface-water availability; and (e) Other characteristics as required by the chief.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	An application for a permit revision shall be reviewed by the chief to determine whether a new or updated PHC determination shall be required.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	To determine whether a new or updated PHC determination shall be required.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The application shall include a ground-water monitoring plan based upon the PHC determination required under paragraph (E)(2) of this rule and the analysis of all baseline hydrologic, geologic and other information in the permit application.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The plan shall provide for the monitoring of parameters that relate to the suitability of the ground water for current and approved postmining land uses and to the objectives for protection of the hydrologic balance set forth in paragraph (E)(1) of this rule.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	It shall identify the quantity and quality parameters to be monitored, sampling frequency, and site locations.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	It shall describe how the data may be used to determine the impacts of the operation upon the hydrologic balance.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	At a minimum, specific conductance corrected to twenty-five degrees centigrade, pH, total iron, total manganese, and water levels shall be monitored.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The data resulting from this monitoring shall be submitted to the chief pursuant to paragraph (N) of rule 1501:13-9-04 of the Administrative Code.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The application shall include a surface-water monitoring plan based upon the PHC determination required under paragraph (E)(2) of this rule and the analysis of all baseline hydrologic, geologic, and other information in the permit application.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The plan shall provide for the monitoring of parameters that relate to the suitability of the surface water for current and approved postmining land uses and to the objectives for protection of the hydrologic balance as set forth in paragraph (E)(1) of this rule as well as the effluent limitations set forth in 40 C.F.R. part 434.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The plan shall identify the surface-water quantity and the quality parameters to be monitored, sampling frequency and site locations.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	It shall describe how the data may be used to determine the impacts of the operation upon the hydrologic balance.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	At all monitoring locations in the permit and adjacent areas, surface-water bodies such as streams, lakes and impoundments, that are potentially affected or into which water will be discharged, and at upstream monitoring locations, the specific conductance corrected to twenty-five degrees centigrade, total suspended solids, pH, total iron, total manganese, and flow shall be monitored.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-05	Shall	For point-source discharges, monitoring shall be conducted in accordance with 40 C.F.R. parts 122, 123 and 434 and as required by the national pollutant discharge elimination system permitting authority.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The data resulting from this monitoring shall be submitted to the chief pursuant to paragraph (N) of rule 1501:13-9-04 of the Administrative Code.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	Each application shall contain a plan for the postmining land use.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The plan shall describe the proposed use following reclamation of the land within the proposed permit area including a discussion of the utility and capacity of the reclaimed land to support a variety of alternative uses, and the relationship of the proposed use to existing land use policies and plans.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	This description shall explain: (a) How the proposed postmining land use is to be achieved and the necessary support activities which may be needed to achieve the proposed land use; and (b) When a land use different from the premining land use is proposed, all materials needed for approval of the alternative use under these rules.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The plan shall be accompanied by a copy of the comments concerning the proposed use by the legal or equitable owner of record of the surface of the proposed permit area and the state and local government agencies which would have to initiate, implement, approve, or authorize the proposed use of the land following reclamation.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall not	In cases where no surface disturbance will result from the applicant’s proposed use of auger/highwall mining, this paragraph shall not apply.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The plan shall describe the consideration which has been given to making all of the proposed coal mining operations consistent with surface owner plans and applicable state and local land use plans and programs.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	Each application shall include a detailed design plan for each proposed siltation structure, water impoundment, and coal mine waste bank, dam, or embankment within the proposed permit area	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	Each plan shall: (i) Be prepared by, or under the direction of, and certified by an engineer; (ii) Contain a description, map, and cross section of the structure and its location; (iii) Contain preliminary hydrologic and geologic information required to assess the hydrologic impact of the structure; and (iv) Contain a survey describing the potential effect on the structure from subsidence of the subsurface strata resulting from past underground mining operations if underground mining has occurred.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	Each detailed design plan for a structure that meets or exceeds the size or other criteria of MSHA, 30 C.F.R. 77.216(a), or meets the class B or C criteria for dams in the U.S department of agriculture, soil conservation service technical release no.. 60, “Earth Dams and Reservoirs,” 1985, shall: (i) Be prepared by, or under the direction of, and certified by an engineer; (ii) Include any geotechnical investigation, design, and construction requirements for the structure; (iii) Describe the operation and maintenance requirements for each structure; and (iv) Describe the timetable and plans to remove each structure, if appropriate. If the applicant proposes to demonstrate that vegetation is the best technology currently available and remove siltation structures sooner than two years after the last augmented seeding of the drainage area, include a statement of such intentions.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-05	Shall	Each detailed design plan for a structure that does not meet the size or other criteria of paragraph (H)(1)(b) of this rule, shall: (i) Be prepared by, or under the direction of, and certified by an engineer; (ii) Include any design and construction requirements for the structure, including any required geotechnical information; (iii) Describe the operation and maintenance requirements for each structure; and (iv) Describe the timetable and plans to remove each structure, if appropriate. If the applicant proposes to demonstrate that vegetation is the best technology currently available and remove siltation structures sooner than two years after the last augmented seeding of the drainage area, include a statement of such intentions.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	Permanent and temporary impoundments shall be designed in compliance with the requirements of paragraph (H) of rule 1501:13-9-04 of the Administrative Code.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The design of any impoundment shall be certified by an engineer experienced in impoundment design and construction.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The certification statement shall state that the structure is designed to meet the requirements of paragraph (H) of rule 1501:13-9-04 of the Administrative Code.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	Each design plan for an impoundment that meets or exceeds the size or other criteria of MSHA, 30 C.F.R. 77.216(a), shall contain the information required under 30 C.F.R. 77.216-2(a).	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The plan required to be submitted to the district manager of MSHA under 30 C.F.R. 77.216 shall also be submitted to the chief as part of the permit application.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The embankment foundation area shall be cleared of all organic matter.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The entire foundation surface shall be scarified.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	If the natural slope of the foundation as measured at right angles to the embankment center line is steeper than 10:1V (ten percent), the embankment shall be benched into the existing slope beginning at the embankment toe and then filled with compacted level lifts.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The embankment fill material shall be free of sod, large roots, other large vegetative matter, and coal processing waste.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The fill shall be brought up in horizontal layers of such thickness as required to facilitate compaction in accordance with prudent construction standards.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The moisture content of the fill material shall be sufficient to secure proper compaction.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The embankment’s combined upstream and downstream side slopes shall be no steeper than the sum of 5h:1v, with neither slope steeper than 2h:1v.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The minimum top width of the embankment shall be (h + 35)/5, where “h” is the embankment height as measured from natural ground at the upstream toe to the top of the embankment.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	Permanent and temporary siltation structures shall be designed in compliance with the requirements of paragraphs (G) and (H) of rule 1501:13-9-04 of the Administrative Code.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The design of any siltation structure shall be certified by an engineer experienced in impoundment design and construction.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The certification shall state that the structure is designed to meet the requirements of paragraphs (G) and (H) of rule 1501:13-9-04 of the Administrative Code.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	In addition to the requirements of paragraph (H)(1) of this rule, the plan shall include a determination of: (i) The required sediment storage volume; and (ii) The detention time provided by the pond.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-05	Shall	Each design plan for a siltation structure that meets or exceeds the size or other criteria of MSHA, 30 C.F.R. 77.216(a), shall contain the information required under 30 C.F.R. 77.216-2(a).	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	Coal mine waste dams and embankments shall be designed to comply with the requirements of paragraphs (A) to (C) of rule 1501:13-9-09 and paragraph (H) of rule 1501:13-9-04 of the Administrative Code.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The design of any coal mine waste dam or embankment shall be certified by an engineer experienced in design of similar earth and waste structures	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The certification statement shall state that the structure is designed to meet the requirements of paragraphs (A) to (C) of rule 1501:13-9-09 and paragraph (H) of rule 1501:13-9-04 of the Administrative Code.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	Each plan shall contain the results of a geotechnical investigation of the proposed dam or embankment foundation area, to determine the structural competence of the foundation which will support the proposed dam or embankment structure and the impounded material.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The geotechnical investigation shall be planned and supervised by an engineer, according to the following: (i) The number, location, and depth of borings and test pits shall be determined using current, prudent engineering practice for the size of the dam or embankment, quantity of material to be impounded, and subsurface conditions; (ii) The character of the overburden and bedrock, the proposed abutment sites, and any adverse geotechnical conditions which may affect the particular dam, embankment, or reservoir site shall be considered; (iii) All springs, seepage, and ground-water flow observed or anticipated during wet periods in the area of the proposed dam or embankment shall be identified on each plan; and (iv) Consideration shall be given to the possibility of mudflows, rock-debris falls, or other landslides into the dam, embankment, or impounded material.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The number, location, and depth of borings and test pits shall be determined using current, prudent engineering practice for the size of the dam or embankment, quantity of material to be impounded, and subsurface conditions;	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The character of the overburden and bedrock, the proposed abutment sites, and any adverse geotechnical conditions which may affect the particular dam, embankment, or reservoir site shall be considered;	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	All springs, seepage, and ground-water flow observed or anticipated during wet periods in the area of the proposed dam or embankment shall be identified on each plan;	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	Consideration shall be given to the possibility of mudflows, rock-debris falls, or other landslides into the dam, embankment, or impounded material.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	Each design plan for a coal mine waste dam or embankment that meets or exceeds the size or other criteria of MSHA, 30 C.F.R. 77.216(a), shall contain the information required under 30 C.F.R. 77.216-2(a).	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	Coal mine waste banks shall be designed to comply with the requirements of paragraphs (A) to (C) of rule 1501:13-9-09 of the Administrative Code, and with the provisions regarding impoundments under paragraph (H) of rule 1501:13-9-04 of the Administrative Code.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The design of any coal mine waste bank shall be certified by an engineer experienced in design of similar earth and waste structures.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The certification shall state that the structure is designed to meet the requirements of paragraphs (A) to (C) of rule 1501:13-9-09 and paragraph (H) of rule 1501:13-9-04 of the Administrative Code using current, prudent engineering practices.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-05	Shall	If the structure meets or exceeds the size or other criteria of MSHA, 30 C.F.R. 77.216(a) or meets the Class B or C criteria for dams in the U.S department of agriculture, soil conservation service 1501:13-4-05 14 technical release no. 60, “Earth Dams and Reservoirs,” 1985, each plan under paragraphs (H)(2), (H)(3), and (H)(4) of this rule shall include a stability analysis of each structure.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The stability analysis shall include, but not be limited to, strength parameters, pore pressures, and long-term seepage conditions.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The plan shall also contain a description of each engineering design assumption and calculation with a discussion of each alternative considered in selecting the specific design parameters and construction methods.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	For surface mining operations within the proposed permit area to be conducted within five hundred feet of an underground mine either active or abandoned, the application shall describe the measures to be used to comply with rule 1501:13-9-08 of the Administrative Code.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	Each application shall contain descriptions, including maps and cross sections, of stream channel diversions and other diversions to be constructed within the proposed permit area to achieve compliance with paragraphs (D) and (F) of rule 1501:13-9-04 of the Administrative Code.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	For any publicly owned parks or any places listed on the “National Register of Historic Places,” administered by the national parks service, U.S. department of the interior, that may be adversely affected by the proposed operation, each application shall describe the measures to be used: (a) To prevent adverse impacts; or (b) If valid existing rights exist or joint agency approval is to be obtained under paragraph (E) of rule 1501:13-3-04 of the Administrative Code, to minimize adverse impacts. The website for the “National Register of Historic Places” for Ohio sites is http://www.nationalregisterofhistoricplaces.com/oh/state.html .	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	Each application shall describe the measures to be used to ensure that the interests of the public and landowners affected are protected if, under paragraph (C) of rule 1501:13-3-04 of the Administrative Code, the applicant seeks to have the chief approve: (1) Conducting the proposed coal mining operations within one hundred feet of the right-of-way line of any public road, except where mine access or haul roads join that right-of-way; or (2) Relocating a public road.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	Each application shall contain a detailed description of each road, conveyor, or rail system to be constructed, used, or maintained within the proposed permit area	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The description shall include a map, appropriate cross sections, and the following: (a) Specifications for each road width, road gradient, road surface, road cut, fill embankment, culvert, bridge, drainage ditch, and drainage structure; (b) A description of measures to be taken to obtain approval of the chief for alteration or relocation of a natural drainageway under rule 1501:13-10-01 of the Administrative Code; (c) A description of measures, other than use of a rock headwall, to be taken to protect the inlet end of a ditch relief culvert, for approval by the chief under rule 1501:13-10-01 of the Administrative Code; (d) Drawings and specifications for each proposed ford of perennial or intermittent streams outside the mined-out area that is used as a temporary route, as necessary for approval of the ford by the chief in accordance with paragraph (D)(1) of rule 1501:13-10-01 of the Administrative Code. (e) A description of plans to remove and reclaim each road that would not be retained under an approved postmining land use, and the schedule for this removal and reclamation.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The embankment foundation area shall be cleared of all organic matter .	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The entire foundation surface shall be scarified.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-05	Shall	If the natural slope of the foundation as measured at right angles to the roadway center line is steeper than 8h:1v, the embankment shall be benched into the existing slope beginning at the embankment toe and then filled with compacted level lifts;	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The embankment fill material shall be free of sod, large roots, other large vegetative matter, and coal processing waste;	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The fill shall be brought up in horizontal layers of such thickness as required to facilitate compaction in accordance with prudent construction standards;	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The moisture content of the fill material shall be sufficient to secure proper compaction;	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The side slopes of the embankment shall be no steeper than 2h:1v;	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	Embankments with upstream and downstream slopes shall have a minimum top width of (h + 35)/5, where “h” is the embankment height as measured from natural ground at the upstream toe to the top of the embankment;	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	Hillside embankments shall have a minimum top width adequate for the intended use; and	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	Culverts shall be placed such that the embankment, as defined in rule 1501:13-1-02 of the Administrative Code, will not impound water for an extended period of time.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	Each application shall contain descriptions, including appropriate maps and cross section drawings, of the proposed disposal site and design of the spoil disposal structures according to rule 1501:13-9-07 of the Administrative Code.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	These plans shall describe the geotechnical investigation, design, construction, operation, maintenance, and removal, if appropriate, of the site and structures	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	Each application shall contain the results of a geotechnical investigation of the proposed disposal site, including the following: (a) The character of bedrock and any adverse geologic conditions in the disposal area; (b) A survey identifying all springs, seepage, and ground-water flow observed or anticipated during wet periods in the area of the disposal site; (c) A survey of the potential effects of subsidence of the subsurface strata due to past and future mining operations; (d) A technical description of the rock materials to be utilized in the construction of those disposal structures containing rock chimney cores or underlain by a rock drainage blanket; and (e) A stability analysis including, but not limited to, strength parameters, pore pressures and long-term seepage conditions. These data shall be accompanied by a description of all engineering design assumptions and calculations and the alternatives considered in selecting the specific design specifications and methods.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	If, under paragraph (D) of rule 1501:13-9-07 of the Administrative Code, rock-toe buttresses or keyway cuts are required, the application shall include the following: (a) The number, location and depth of borings or test pits. The number, location and depth shall be determined with respect to the size of the spoil disposal structure and sub-surface conditions; and (b) Engineering specifications utilized to design the rock-toe buttresses or key-way cuts which shall be determined in accordance with paragraph (N)(2)(e) of this rule.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The number, location and depth of borings or test pits. The number, location and depth shall be determined with respect to the size of the spoil disposal structure and sub-surface conditions; and	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	Engineering specifications utilized to design the rock-toe buttresses or key-way cuts which shall be determined in accordance with paragraph (N)(2)(e) of this rule.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	Each application shall contain an air pollution control plan, in order to address fugitive dust resulting from erosion.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-05	Shall	The plan shall include the following: (1) An air quality monitoring program, if required by the chief, to provide sufficient data to evaluate the effectiveness of the fugitive dust control practices under paragraph (O)(2) of this rule to comply with applicable federal and state air quality standards; and (2) A plan for fugitive dust control practices.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	Each application shall include fish and wildlife resource information for the permit area and adjacent area.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The scope and level of detail for such information shall be determined by the chief in consultation with state and federal agencies with responsibilities for fish and wildlife.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	The scope and level of detail for such information shall be sufficient to design the protection and enhancement plan required under paragraph (P)(2) of this rule.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	Site-specific resource information necessary to address the respective species or habitats shall be required when the permit area or adjacent area is likely to include: (i) Listed or proposed endangered or threatened species of plants or animals or their critical habitats listed by the secretary of the interior under the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.), or those species or habitats protected by similar state statutes; (ii) Habitats of unusually high value for fish and wildlife such as important streams, wetlands, riparian areas, cliffs supporting raptors, areas offering special shelter or protection, migration routes, or reproduction and wintering areas; or (iii) Other species or habitats identified through agency consultation as requiring special protection under state or federal law.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	Each application shall include a description of how, to the extent possible using the best technology currently available, the operator will minimize disturbances and adverse impacts on fish and wildlife and related environmental values, including compliance with the Endangered Species Act, during the surface coal mining and reclamation operations and how enhancement of these resources will be achieved where practicable.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	This description shall: (i) Be consistent with the requirements of rule 1501:13-9-11 of the Administrative Code; (ii) Apply at a minimum, to species and habitats identified under paragraph (P)(1) of this rule; (iii) Include protective measures that will be used during the active mining phase of the operation. Such measures may include the establishment of buffer zones, the selective location and special design of haul roads and powerlines, and the monitoring of surface water quality and quantity; and (iv) Include enhancement measures that will be used during the reclamation and postmining phase of the operation to develop aquatic and terrestrial habitat. Such measures may include restoration of streams and other wetlands, retention of ponds and impoundments, establishment of vegetation for wildlife food and cover, and the replacement of perches and nest boxes. Where the plan does not include enhancement measures, a statement shall be given explaining why enhancement is not practicable.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	Where the plan does not include enhancement measures, a statement shall be given explaining why enhancement is not practicable.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	Upon request, the chief shall provide the resource information required under paragraph (P)(1) of this rule and the protection and enhancement plan required under paragraph (P)(2) of this rule to the U.S. department of the interior, fish and wildlife service regional or field office for their review.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Shall	This information shall be provided within ten days of receipt of the request from the service.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Require	Other characteristics as required by the chief.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-05	Require	An application for a permit revision shall be reviewed by the chief to determine whether a new or updated PHC determination shall be required.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Require	The plan required to be submitted to the district manager of MSHA under 30 C.F.R. 77.216 shall also be submitted to the chief as part of the permit application.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Require	The fill shall be brought up in horizontal layers of such thickness as required to facilitate compaction in accordance with prudent construction standards;	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Require	The chief may require the applicant to protect historic or archeological properties listed on or eligible for listing on the “National Register of Historic Places,” as referenced in paragraph (K)(1) of this rule, through appropriate mitigation and treatment measures.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Require	If, under paragraph (D) of rule 1501:13-9-07 of the Administrative Code, rock-toe buttresses or keyway cuts are required	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Require	An air quality monitoring program, if required by the chief, to provide sufficient data to evaluate the effectiveness of the fugitive dust control practices under paragraph (O)(2) of this rule to comply with applicable federal and state air quality standards.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-05	Require	Site-specific resource information necessary to address the respective species or habitats shall be required when the permit area or adjacent area is likely to include: (i) Listed or proposed endangered or threatened species of plants or animals or their critical habitats listed by the secretary of the interior under the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.), or those species or habitats protected by similar state statutes; (ii) Habitats of unusually high value for fish and wildlife such as important streams, wetlands, riparian areas, cliffs supporting raptors, areas offering special shelter or protection, migration routes, or reproduction and wintering areas; or (iii) Other species or habitats identified through agency consultation as requiring special protection under state or federal law.	1513.02, 1513.161	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-06	Shall	Applications for permits and permit renewals shall: (1) Be submitted on forms provided by the chief; (2) Be filed with the proper number of copies and at places designated by the chief; (3) Be deemed to be complete as submitted to the chief unless the chief, within fourteen business days of the submission, identifies deficiencies in the application in writing and sends a written list of the deficiencies to the applicant. When the application is complete, the chief shall begin processing the application and notify the applicant of the application number assigned by the chief, so that this number may appear in the public notice required by division (A) of section 1513.071 of the Revised Code. An application for an area adjacent to a permit issued pursuant to section 1513.07 of the Revised Code and these rules may reference information previously submitted as part of the application for that permit if the information is applicable; (4) Show the name, address, and telephone number of the person who prepared the application if that person is someone other than an employee of the applicant; (5) Include the name and address of the newspaper in which the applicant is to publish the notice required by division (B)(2)(f) of section 1513.07 of the Revised Code; (6) Include the telephone number of the applicant, of the operator if the applicant is not the operator, and of the statutory agent; and (7) Include the employer identification number of the applicant, or the last four digits of the social security number of the applicant, if the applicant is a sole proprietorship or partnership.	1513.02.	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-06	Shall	Any permit issued shall have the right of successive renewal upon expiration, provided the renewal complies with the requirements of paragraphs (A) and (B) of this rule.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-06	Shall	In addition to the requirements of paragraph (A) of this rule, an application for renewal shall: (a) Be filed with the chief at least one hundred twenty days before the expiration of the permit involved; and (i) Be submitted on an application form for a new permit if the renewal application includes land area that was not in the valid existing permit; or (ii) Be submitted on a permit renewal application form if the renewal application includes only land area that was in the valid existing permit; and (b) Include the name and address of the permittee, the term of the renewal requested, and the permit number; (c) Include evidence that a liability insurance policy or adequate self-insurance under rule 1501:13-7-07 of the Administrative Code will be provided by the applicant for the proposed period of renewal; (d) Include evidence that the performance security in effect for the operation will continue in full force and effect for any renewal requested, as well as any additional performance security required by the chief pursuant to Chapter 1501:13-7 of the Administrative Code; (e) Include additional revised or updated information required by the chief; (f) Be subject to the requirement of division (A)(4) of section 1513.07 of the Revised Code; (g) Include a copy of the newspaper notice and proof of publication as required by paragraph (H) of rule 1501:13-4-03 of the Administrative Code; and (h) Be subject to the public notification, public participation, and hearing provisions in sections 1513.07 and 1513.071 of the Revised Code.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-06	Shall not	If an application for renewal that includes proposed revisions to the permit is submitted on an application form for a new permit pursuant to paragraph (B)(2)(a)(i) of this rule, then the requirements for a permit revision under paragraph (E) of this rule shall not apply.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-06	Shall	If an application for renewal that includes any proposed revisions to the permit is submitted on a permit renewal form pursuant to paragraph (B)(2)(a)(ii) of this rule, then the revisions shall be identified and subject to the requirements of paragraph (E) of this rule.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-06	Shall	In the determination of whether to approve or deny a renewal of a permit, the burden of proof shall be on the opponents of renewal.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-06	Shall	Any revisions to an application shall: (1) Be initialed and dated by the person making revisions. The name of the person shall be provided in the application in the space provided; and (2) Be acknowledged in writing by the signature of the applicant in the application in the space provided. Such acknowledgement shall be dated by the applicant.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-06	Shall	The name of the person shall be provided in the application in the space provided;	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-06	Shall	Be acknowledged in writing by the signature of the applicant in the application in the space provided. Such acknowledgement shall be dated by the applicant.	1513.02.	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-06	Shall	The applicant shall submit: (a) A request in writing to the chief at least sixty days prior to the time that the applicant intends to submit the application for a permit; (b) On forms provided by the chief, the following information: (i) The name of the watershed and location of the stream which will receive drainage discharged from the mining operation (the location of the stream may appear on the hydrologic map); (ii) A statement of the quality and locations of subsurface water as required by division (B)(1)(n)(ii) of section 1513.07 of the Revised Code; (iii) A description of the measures to be taken during mining and reclamation to assure protection of the quality and quantity of surface and ground water systems both on and off-site from the adverse effects of the mining and reclamation operations as required by division (C)(13) of section 1513.07 of the Revised Code; and (iv) A description of the steps to be taken to comply with applicable water quality laws and regulations; (c) A map prepared in accordance with division (B)(1)(m) of section 1513.07 of the Revised Code and Chapter 1501:13-4 of the Administrative Code showing the information required by division (B)(1)(m) of section 1513.07 of the Revised Code and Chapter 1501:13-4 of the Administrative Code; (d) Cross-section maps or plans as related to hydrologic studies prepared in accordance with division (B)(1)(n)(i) of section 1513.07 of the Revised Code and Chapter 1501:13-4 of the Administrative Code, showing the information required by division (B)(1)(n)(i) of section 1513.07 of the Revised Code and Chapter 1501:13-4 of the Administrative Code; and (e) The results of test borings as required by division (C)(12) of section 1513.07 of the Revised Code, submitted on a form provided by the chief;	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-06	Shall not	If the items required by paragraph (D)(1) of this rule are not complete or need revision, the chief shall not be required to prepare the determination of the probable hydrologic consequences.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-06	Shall	The chief shall notify the requestor by certified mail of those items that are incomplete or need revision.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-06	Shall	The sixty-day time period for preparation by the chief shall stop on the date the requestor receives the certified mail or reasonably should have received the certified mail, whichever is earlier.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-06	Shall	The sixty-day period shall resume upon receipt by the division of mineral resources management of the items that need to be completed or revised;	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-06	Shall	The chief shall prepare the determination of the probable hydrologic consequences within sixty days of receipt of the items required by paragraph (D) of this rule.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-06	Shall not	Those days during which the requestor is revising or making the request complete shall not be included in the sixty days allowed the chief;	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-06	Shall	The chief shall submit the prepared determination of the probable hydrologic consequences to the requestor and at the same time return the items that were required to be submitted by the requestor by paragraph (D) of this rule;	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-06	Shall	The person requesting the preparation of the determination of the probable hydrologic consequences shall include the chief's determination as part of a complete application for a permit.	1513.02.	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-06	Shall	Revisions to permits shall: (1) Be obtained when: (a) There are changes from the mining or reclamation operations as described in the approved plans for the original permit; (b) Required by an order issued pursuant to paragraph (G) of this rule; (c) As otherwise required by Chapter 1513. of the Revised Code or these rules; (2) Be subject to the notice and hearing requirements when the changes in the mining and reclamation plan constitute a significant alteration from mining and reclamation operations contemplated in the original permit. Changes which constitute a significant alteration are those which: (a) Revise the plan to include the dumping of hazardous chemical wastes and solid wastes; (b) Revise the plan to include the permanent relocation of a perennial stream; (c) Revise the plan to include the use of explosives; (d) Revise the plan to include the construction of an excess spoil disposal fill; (e) Revise the plan to include the construction of a coal processing waste bank; (f) Revise the plan to include the use of waste material as fill; (g) Revise the plan to change the postmining land use pursuant to rule 1501:13-9-17 of the Administrative Code; (h) Revise the plan to change the subsidence control plan; (i) Revise the plan to change to a concurrent surface and underground mining operation; (j) Revise the plan to include the construction of either a permanent or temporary impoundment that has an embankment more than twenty feet in height, as measured from the upstream toe of the embankment to the crest of the emergency spillway or has a storage volume of twenty-acre feet or more; (k) Revise the plan to include a variance from approximate original contour; or (l) Any other revision which the chief, by order, determines to be significant; (3) Be filed with the chief: (a) Prior to making changes in the mining and reclamation operations; (b) If the change is required by paragraph (G) of this rule, within the time period specified in the order; (4) Be approved or disapproved by the chief within ninety days of receipt of a complete revision request, provided that failure to disapprove shall not be deemed approval and that significant revisions in the reclamation plan shall be subject	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-06	Shall not	Be approved or disapproved by the chief within ninety days of receipt of a complete revision request, provided that failure to disapprove shall not be deemed approval and that significant revisions in the reclamation plan shall be subject to notice and hearing requirements in accordance with paragraph (E)(2) of this rule;	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-06	Shall	and that significant revisions in the reclamation plan shall be subject to notice and hearing requirements in accordance with paragraph (E)(2) of this rule	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-06	Shall	Be reviewed by the chief to determine whether a new or updated probable hydrologic consequences determination shall be required pursuant to either paragraph (E)(2) of rule 1501:13-4-05 or paragraph (E)(2) of rule 1501:13-4-14 of the Administrative Code;	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-06	Shall	Be reviewed by the chief to determine whether a new or updated cumulative hydrologic impact assessment shall be required pursuant to divisions (B)(1)(k) and (E)(2)(c) of section 1513.07 of the Revised Code; and	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-06	Shall	Be reviewed by the chief to determine if an adjustment of the estimated cost of reclamation shall be required pursuant to paragraph (E) of rule 1501:13-7-02 of the Administrative Code.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-06	Shall	Review by the chief shall occur not later than the middle of the permit term or every five years whichever is more frequent.	1513.02.	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-06	Shall	Permits that include provisions for mountaintop removal operations, experimental practices, variances from approximate original contour, or variances for delay in contemporaneous reclamation for combined strip and underground mining operations shall be reviewed by the chief as required by rule 1501:13-4-12 of the Administrative Code.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-06	Shall	The order shall be in writing.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-06	Shall	The order shall set forth the findings that require the revisions or modifications.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-06	Shall	Any person seeking to succeed by transfer, assignment, or sale to the rights granted by a permit shall, prior to the date of such transfer, assignment or sale: (a) Obtain appropriate performance security coverage for the permitted operation by: (i) Obtaining transfer of the original bond performance security coverage of the original permittee, provided that the successor meets the eligibility requirements of paragraph (C)(2)(a) of rule 1501:13-7-01 of the Administrative Code where performance security is to be provided together with reliance on the reclamation forfeiture fund in accordance with paragraph (C)(2) of that rule; or (ii) Providing sufficient performance security in accordance with Chapter 1501:13-7 of the Administrative Code. (b) Obtain insurance coverage in accordance with rule 1501:13-7-07 of the Administrative Code; (c) Provide the chief with an application for approval of such proposed transfer, assignment, or sale including: (i) The name and address of the existing permittee and permit number; (ii) A brief description of the proposed action requiring approval; (iii) The name and address of the person proposing to succeed by such transfer, assignment, or sale and the name and address of that person’s resident agent; and (iv) The same information as is required by rules 1501:13-4-03 and 1501:13-7-07 of the Administrative Code for applications for new permits for those activities; and (d) Obtain the written approval of the chief for transfer, assignment, or sale of rights, according to paragraph (H)(4) of this rule.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-06	Shall	The person applying for approval of such transfer, assignment or sale of rights granted by a permit shall advertise the filing of the application in a newspaper of general circulation in the locality of the operations involved, indicating the name and address of the applicant, the original permittee, the permit number and particular geographic location of the permit, and the address to which written comments may be sent under this paragraph.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-06	Shall	The chief shall notify the permittee, the successor, commenters, and the office of surface mining of his or her findings.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-06	Shall	The successor shall immediately provide written notice to the chief of the consummation of the transfer, assignment, or sale of permit rights.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-06	Shall	The permittee shall notify the chief within a reasonable amount of time not later than thirty days after any addition, departure, or change in the persons required to be shown in the permit application, pursuant to division (B)(1)(d) of section 1513.07 of the Revised Code, by submitting, in writing, the following information: (1) The person’s name, address, and telephone number;	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-06	Shall	The permittee shall notify the chief within a reasonable amount of time not later than thirty days after any addition, departure, or change in the persons required to be shown in the permit application, pursuant to division (B)(1)(d) of section 1513.07 of the Revised Code, by submitting, in writing, the following information: (2) The person’s position title and relationship to the applicant, including percentage of ownership and location in the organizational structure;	1513.02.	Yes, both state and federal law	Yes, both state and federal law

Rule Number	Regulatory Restriction	Description of Regulatory Restriction	Statute Under Which the Regulatory Restriction Was Adopted	Is the Regulatory Restriction Expressly or Specifically Required by State or Federal Law?	Is a Law Change Required in Order to Remove the Restriction?
1501:13-4-06	Shall	The permittee shall notify the chief within a reasonable amount of time not later than thirty days after any addition, departure, or change in the persons required to be shown in the permit application, pursuant to division (B)(1)(d) of section 1513.07 of the Revised Code, by submitting, in writing, the following information: (3) The date the person began functioning in the position;	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-06	Shall	The permittee shall notify the chief within a reasonable amount of time not later than thirty days after any addition, departure, or change in the persons required to be shown in the permit application, pursuant to division (B)(1)(d) of section 1513.07 of the Revised Code, by submitting, in writing, the following information: (4) The date of any departure.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-06	Shall	The applicant shall submit the information required under paragraph (D) of rule 1501:13-6-03 of the Administrative Code at the time of filing his complete permit application.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-06	Shall	Subsequent to any amendment of Chapter 1513. of the Revised Code or adoption of new or amended rules, the applicant shall revise those applications on file with the chief to comply with the permit requirements of the amended chapter or new or amended rules.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-06	Require	Include evidence that the performance security in effect for the operation will continue in full force and effect for any renewal requested, as well as any additional performance security required by the chief pursuant to Chapter 1501:13-7 of the Administrative Code;	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-06	Require	Include additional revised or updated information required by the chief;	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-06	Require	If the items required by paragraph (D)(1) of this rule are not complete or need revision, the chief shall not be required to prepare the determination of the probable hydrologic consequences.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-06	Require	Required by an order issued pursuant to paragraph (G) of this rule;	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-06	Require	As otherwise required by Chapter 1513. of the Revised Code or these rules;	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-06	Require	If the change is required by paragraph (G) of this rule, within the time period specified in the order;	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-06	Require	Review by the chief shall occur not later than the middle of the permit term or every five years whichever is more frequent. After this review, the chief may require, by order to the permittee, reasonable revision or modification of the permit provision to ensure compliance with Chapter 1513. of the Revised Code and these rules.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-06	Require	The order shall be in writing and shall set forth the findings that require the revisions or modifications.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-06	Require	Prior to the approval of the transfer, assignment or sale, the chief may require that any civil penalties assessed on the permit be paid. No transfer, assignment or sale will be approved if the person succeeding to the permit owes civil penalties to the state	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-06	Require	The permittee shall notify the chief within a reasonable amount of time not later than thirty days after any addition, departure, or change in the persons required to be shown in the permit application, pursuant to division (B)(1)(d) of section 1513.07 of the Revised Code, by submitting, in writing, the following information	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-06	Require	The permittee shall notify the chief in writing of any change in the address of the principal place of business required in the permit application,	1513.02.	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-07	Shall	Within thirty days after each anniversary date of the issuance of a coal mining and reclamation permit, the permittee shall file the following with the chief: (A) An annual report that shall: (1) Be on a form prescribed and provided by the chief; (2) Include the following estimates of acreages for the permit area and, as applicable, for the incremental area or for each incremental mining unit: (a) The number of acres affected during the mining year for which the report is being filed; (b) The number of acres to be reclaimed that were affected during the mining year for which the report is being filed; (c) Cumulative total of acres affected during the permit period to include the acres affected during the mining year for which the report is being filed; and (d) The number of acres to be affected during the next year of the mining operation; (3) Provide the following location information for each of the acreage estimates required by paragraph (A)(2) of this rule: (a) County; (b) Township; (c) Township-range designation; and (d) Section number and/or lot number; (4) Provide the following performance security information: (a) The total amount of performance security on file for the permit; (b) The number of acres reported as affected and the number of acres to be affected for which performance security has not been provided; and (c) The incremental mining units reported as affected and the incremental mining units to be affected for which performance security has not been provided; and (5) Include the number of tons of coal produced for the permit during the mining year for which the report is filed. (B) An annual map that shall be prepared by or under the direction of a qualified registered professional surveyor and shall, in addition to other applicable map requirements show: (1) The boundaries of each incremental mining unit affected during the permit year for which the annual report is filed; (2) The incremental area for the permit year for which the annual report is filed and for all preceding permit years;	1513.02.	No, general rulemaking authority	No, general rulemaking authority

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1501:13-4-07	Shall	An annual report that shall: (1) Be on a form prescribed and provided by the chief; (2) Include the following estimates of acreages for the permit area and, as applicable, for the incremental area or for each incremental mining unit: (a) The number of acres affected during the mining year for which the report is being filed; (b) The number of acres to be reclaimed that were affected during the mining year for which the report is being filed; (c) Cumulative total of acres affected during the permit period to include the acres affected during the mining year for which the report is being filed; and (d) The number of acres to be affected during the next year of the mining operation; (3) Provide the following location information for each of the acreage estimates required by paragraph (A)(2) of this rule: (a) County; (b) Township; (c) Township-range designation; and (d) Section number and/or lot number; (4) Provide the following performance security information: (a) The total amount of performance security on file for the permit; (b) The number of acres reported as affected and the number of acres to be affected for which performance security has not been provided; and (c) The incremental mining units reported as affected and the incremental mining units to be affected for which performance security has not been provided; and (5) Include the number of tons of coal produced for the permit during the mining year for which the report is filed.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-07	Shall	An annual map that shall be prepared by or under the direction of a qualified registered professional surveyor.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-07	Shall	An annual map that shall in addition to other applicable map requirements show: (1) The boundaries of each incremental mining unit affected during the permit year for which the annual report is filed; (2) The incremental area for the permit year for which the annual report is filed and for all preceding permit years; (3) The perimeter of the area affected during the permit year that is to be reclaimed during the next permit year; (4) The perimeter of the total area affected during the permit to include that area affected during the mining year for which the annual report is filed; and (5) In table form, all of the acreages required by paragraphs (A)(2), (A)(4) and (B) of this rule, and if applicable the number of acres affected beyond the permit limits.	1513.02.	No, general rulemaking authority	No, general rulemaking authority
1501:13-4-07	Shall	For coal mining operations that have not had any changes in the extent of their affected area, a letter to the chief certifying that the previously submitted information adequately reflects the current operations shall satisfy the reporting requirements of this rule.	1513.02.	No, general rulemaking authority	No, general rulemaking authority
1501:13-4-07	Shall	Within thirty days after the completion of mining operations on a permit, the permittee shall file with the chief a final report that includes the information required under paragraph (A) of this rule and a final map that includes the information required under paragraph (B) of this rule.	1513.02.	No, general rulemaking authority	No, general rulemaking authority

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1501:13-4-07	Must	The letter must state that all areas already affected will be reclaimed or reaffected.	1513.02.	No, general rulemaking authority	No, general rulemaking authority
1501:13-4-08	Shall	The permit application shall include an application map prepared by or under the direction of and certified by a surveyor or jointly by a an engineer and a surveyor, to the extent such joint certification is required by state law, showing: (1) All boundaries of lands and names of present owners of record of those lands, both surface and subsurface, included in or contiguous to the proposed permit area; noting the boundaries of land within the proposed permit area upon which the applicant has the legal right to enter and begin coal mining operations and which areas the applicant does not yet have this right; (2) The location of all buildings on and within one thousand feet of the proposed permit area, with identification of the current use of the buildings using the map symbols set forth in rule 1501:13-4-10 of the Administrative Code; (3) The location of surface and subsurface man-made features within, passing through, or passing over the proposed permit area; (4) The locations of water supply intakes for current users of surface water flowing into, out of, and within a hydrologic area defined by the chief, those surface waters which will receive discharges from affected areas in the proposed permit area and the location of any discharges to any surface body of water on or adjacent to the land to be affected; (5) Each public road located in or within one hundred feet of the proposed permit area; (6) The boundaries of any public park and locations of any cultural or historical resources listed or eligible for listing on the “National Register of Historic Places,” as referenced in paragraph (A)(2)(a) of rule 1501:13-4-04 of the Administrative Code, and known archeological sites within the proposed permit and adjacent areas; (7) Each cemetery that is located in or within one hundred feet of the proposed permit area; (8) Any land within the proposed permit area or adjacent area which is within the boundaries of any units of the national system of trails or the wild and scenic rivers system, including study rivers designated under section 5(a) of the Wild and Scenic Rivers Act, 16 U.S.C. 1271 et seq., or study rivers or study river corridors as established in any guidelines pursuant to that act; (9) The boundaries and names of counties, municipal corporations, townships, section and lot lines located in and within five hundred feet of the proposed permit area; (10) The names, locations, and directions of flow of all perennial and intermittent streams located in and within five hundred feet of the proposed permit area; (11) The name of the drainage basin in which the proposed permit area is located as listed in the “Gazetteer of Ohio Streams,” published by the Ohio department of natural resources;	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-08	Shall	Each application for a permit shall include a hydrologic map.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-08	Shall	A hydrologic map which, in addition to the applicable requirements of rules 1501:13-4-09 and 1501:13-4-10 of the Administrative Code shall be at a scale of not more than five hundred feet to the inch	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-08	Shall	The hydrologic map shall be certified by a surveyor.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-08	Shall	Except as provided in paragraph (D) of this rule, all hydrologic maps shall show the following: (1) The proposed permit area; (2) A line identifying the area within one thousand feet of the proposed permit area; (3) All occupied buildings on or within one thousand feet of the proposed permit area; (4) All perennial and intermittent streams on or within one thousand feet of the proposed permit area; (5) The location of the coal outcrop on the proposed permit area and the name and number of each coal seam to be mined; (6) The location of each cross-section drawn to show hydrogeologic information as required under paragraph (F) of this rule; (7) The location and type of water supply used by the occupant of each building described in paragraph (C) (3) of this rule for the purpose of domestic, agricultural, or industrial use; (8) All springs on or within one thousand feet of the proposed permit area; (9) All seepage zones on and within one thousand feet of the proposed permit area; (10) The location of sampling stations on each stream identified in paragraph (C) (4) of this rule at points just above and below the proposed permit area and the location and elevation of other sampling stations used to gather data on water quality and quantity in the preparation of the permit application; (11) Location and extent of known workings of active, inactive, or abandoned underground mines, including mine openings to the surface, within the proposed permit and adjacent areas; (12) The location of monitoring stations, other than sediment pond outlets, to be monitored during the life of the permit; (13) All existing water wells on or within one thousand feet of the proposed permit area; (14) Any well, well field, reservoir, river, or other water source used for a public water supply on or within one thousand feet of the proposed permit area; and (15) Any land determined to be eligible for remining.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-08	Shall	The map symbols used to identify the items described in paragraphs (C) (8) to (C) (14) of this rule shall be highlighted in red on all hydrologic maps.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-08	Shall	Each application for a permit shall include one or more cross-sections prepared by, or under the direction of an engineer or a professional geologist showing: (1) The location and extent of subsurface water, if encountered, within the proposed permit or adjacent areas; (2) All wells, boreholes, piezometers, springs, or other features used to determine the configuration of the water table or potentiometric surface of each aquifer where such wells, boreholes, piezometers, springs, or other items fall on or reasonably close to the line of the cross-section; (3) Within the permit and adjacent areas, all aquifers and the water table or potentiometric surface of each aquifer above the lowest coal seam to be mined and within the lowest coal seam to be mined if that seam is a water bearing stratum, and each potentially affected water bearing stratum below the lowest coal seam to be mined; and (4) All coal seams to be mined.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-08	Require	Other relevant information required by the chief.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-08	Require	For the items listed in paragraphs (C) (3), (C) (4) and (C) (7) to (C) (14) of this rule, the chief may require additional information outside the thousand-foot limit to be shown on the hydrologic map if such identification is necessary based on site-specific conditions	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-08	Require	to the extent such joint certification is required by state law	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-08	Require	Elevations and locations of monitoring stations used to gather data for water quality and quantity, fish and wildlife, and air quality, if required, in preparation of the application	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-08	Require	Supplementary maps and cross sections, prepared by or under the direction of and certified by an engineer or jointly by an engineer and a surveyor to the extent such joint certification is required by state law	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-08.1	Shall	The permit application shall include an application map prepared by or under the direction of and certified by a surveyor or jointly by an engineer and a surveyor, to the extent such certification is required by state law, showing: (1) All boundaries of land and names of present owners of record of those lands, both surface and subsurface, included in or contiguous to the proposed shadow area; noting the boundaries of land within the proposed shadow area upon which the applicant has the legal right to enter and begin coal mining operations and which areas the applicant does not yet have this right; (2) The location of all buildings on and within one thousand feet of the proposed shadow area for full coal recovery mining operations and on and within three hundred feet of the proposed shadow area for room and pillar mining operations, with identification of the current use of the buildings using the map symbols set forth in rule 1501:13-4-10 of the Administrative Code; (3) The location of surface and subsurface man-made features within, passing through, or passing over the proposed shadow and adjacent areas; (4) The locations of water supply intakes for current users of surface water flowing into, out of, and within a hydrologic area defined by the chief, those surface waters which will receive discharges from the proposed shadow area and the location of any discharges to any surface body of water on or adjacent to the proposed shadow area; (5) Each public road located within the proposed shadow and adjacent areas; (6) The boundaries of any public park and locations of any cultural or historical resources listed or eligible for listing on the “National Register of Historic Places,” as referenced in paragraph (A)(2)(a) of rule 1501:13-4-13 of the Administrative Code, and known archeological sites within the proposed shadow and adjacent areas; (7) Each cemetery that is located within the proposed shadow and adjacent areas; (8) Any land within the proposed shadow area or adjacent area which is within the boundaries of any units of the national system of trails or the wild and scenic rivers system, including study rivers designated under section 5(a) of the Wild and Scenic Rivers Act, 16 U.S.C. 1271 et seq., or study rivers or study river corridors as established in any guidelines pursuant to that act; (9) The boundaries and names of counties, municipal corporations, townships, section and lot lines located in and within five hundred feet of the proposed shadow area; (10) The names, locations, and directions of flow of all perennial and intermittent streams located in and within five hundred feet of the proposed shadow area;	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-08.1	Shall	When necessary under these rules, the application shall include: (1) Supplementary maps and cross sections, prepared by or under the direction of and certified by an engineer or jointly by an engineer and a surveyor to the extent such joint certification is required by state law, showing the nature, depth, and thickness of the coal seams to be mined, each stratum of the overburden, and the stratum immediately below the lowest coal seam to be mined; and (2) Other relevant supplementary maps, cross sections, designs and plans required by the chief.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-08.1	Shall	Each application for a permit shall include a hydrologic map which,	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-08.1	Shall	Each application for a permit shall include a hyrological map, which in addition to the applicable requirements of rules 1501:13-4-09 and 1501:13-4-10 of the Administrative Code, shall be at a scale of not more than five hundred feet to the inch	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-08.1	Shall	The hydrologic map shall be certified by a surveyor and	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-08.1	Shall	The hydrologic map, if required pursuant to paragraph (C) of rule 1501:13-4-09 of the Administrative Code, by an engineer.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-08.1	Shall	Except as provided in paragraph (D) of this rule, all hydrologic maps shall show the following: (1) The proposed permit and shadow areas and the area within one thousand feet of the proposed shadow area for full coal recovery mining operations and within three hundred feet of the proposed shadow area for room and pillar mining operations; (2) A line identifying the area within one thousand feet of the proposed shadow area a for full coal recovery mining operations and within three hundred feet of the proposed shadow area for room and pillar mining operations; (3) All occupied buildings on or within one thousand feet of the proposed shadow area for full coal recovery mining operations and on or within three hundred feet of the proposed shadow area for room and pillar mining operations; (4) All perennial and intermittent streams on or within one thousand feet of the proposed shadow area for full coal recovery mining operations and on or within three hundred feet of the proposed shadow area for room and pillar mining operations; (5) The location of the coal outcrop on the proposed permit area and the name and number of each coal seam to be mined; (6) The location of each cross-section drawn to show hydrogeologic information as required under paragraph (F) of this rule; (7) The location and type of water supply used by the occupant of each building described in paragraph (C)(3) of this rule for the purpose of domestic, agricultural, or industrial use; (8) All springs on or within one thousand feet of the proposed shadow area for full coal recovery mining operations and on or within three hundred feet of the proposed shadow area for room and pillar mining operations; (9) All seepage zones on and within one thousand feet of the proposed shadow area for full coal recovery mining operations and on or within three hundred feet of the proposed shadow area for room and pillar mining operations; (10) The location of sampling stations on each stream identified in paragraph (C)(4) of this rule at points just above and below the proposed permit area and the location and elevation of other sampling stations used to gather data on water quality and quantity in the preparation of the permit application; (11) Location and extent of known workings of active, inactive or abandoned underground mines, including mine openings to the surface, within the proposed shadow and adjacent areas; (12) The location of monitoring stations, other than sediment pond outlets, to be monitored during the life of the permit; (13) All existing water wells on or within one thousand feet of the proposed shadow area for full coal recovery mining	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-08.1	Shall	The map symbols used to identify the items described in paragraphs (C)(8) to (C)(14) of this rule shall be highlighted in red on all hydrologic maps.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-08.1	Shall	Each application for a permit shall include one or more cross-sections prepared by, or under the direction of, an engineer or a professional geologist showing: (1) The location and extent of subsurface water, if encountered, within the proposed shadow or adjacent areas; (2) All wells, boreholes, piezometers, springs, or other features used to determine the configuration of the water table or potentiometric surface of each aquifer where such wells, boreholes, piezometers, springs, or other items fall on or reasonably close to the line of the cross-section; (3) Within the proposed shadow and adjacent areas, all aquifers and the water table or potentiometric surface of each aquifer above the lowest coal seam to be mined and within the lowest coal seam to be mined if that seam is a water bearing stratum, and each potentially affected water bearing stratum below the lowest coal seam to be mined; and (4) All coal seams to be mined.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-08.1	Require	The permit application shall include an application map prepared by or under the direction of and certified by a surveyor or jointly by an engineer and a surveyor, to the extent such certification is required by state law,	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-08.1	Require	Elevations and locations of monitoring stations used to gather data for water quality and quantity, fish and wildlife, and air quality, if required, in preparation of the application	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-08.1	Require	Other relevant information required by the chief.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-08.1	Require	Supplementary maps and cross sections, prepared by or under the direction of and certified by an engineer or jointly by an engineer and a surveyor to the extent such joint certification is required by state law	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-08.1	Require	Other relevant supplementary maps, cross sections, designs and plans required by the chief.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-08.1	Require	The hydrologic map shall be certified by a surveyor and, if required pursuant to paragraph (C) of rule 1501:13-4-09 of the Administrative Code, by an engineer.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-08.1	Require	For the items listed in paragraphs (C)(3), (C)(4), and (C)(7) to (C)(14) of this rule, the chief may require additional information outside the thousand-foot limit of the shadow area for full coal recovery mining operations or outside the three-hundred-foot limit of the proposed shadow area for room and pillar mining operations to be shown on the hydrologic map if such identification is necessary based on site-specific conditions.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-09	Shall	All maps and drawings required by Chapter 1513. of the Revised Code of Chapters 1501:13-1 to 1501:13-14 of the Administrative Code shall, in addition to other applicable requirements, be in quadruplicate and, where the area of land to be permitted is ten acres or less, have a scale of one inch equals one hundred feet; where the area of land to be permitted is greater than ten acres but less than one hundred acres, have a scale of one inch equals two hundred feet; and where the area of land to be permitted is equal to or greater than one hundred acres, have a scale of one inch equals four hundred feet.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-09	Shall	All acreage figures required to be reported or estimated shall be to the nearest one-tenth of an acre.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-09	Shall	All annual maps, progress maps and the final map shall be at the same scale as the application map submitted for the permit.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-09	Shall	North shall be toward the top of the map.	1513.02.	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-09	Shall	All maps shall include the following: (A) A location or quadrangle map placed in the upper right corner of the map, with a scale of one inch equals one mile, which shall depict: (1) A minimum area of four miles by four miles; (2) The site of the area of land to be permitted; (3) State, county, township, and section lines; (4) Federal, state, county, township, or other roads; (5) The north arrow; and (6) Name of the quadrangle map. (B) A legend placed to the right side and below the location map. The legend shall indicate which map symbols from paragraph (C) of rule 1501:13-4-10 of the Administrative Code appear on the map. (C) (1) A notarized map certification by the qualified registered professional surveyor placed to the right side and below the map legend. The certification shall read: “I, the undersigned, hereby certify that this map is correct, and shows to the best of my knowledge and belief all the information required by Chapter 1513. of the Revised Code and rules adopted thereunder.” (2) If the map under paragraph (C)(1) of this rule has the only depiction of design elements for proposed features, the map shall also be signed and sealed by the qualified registered professional engineer who designed those elements. The certification by the engineer shall read: “I, the undersigned, hereby certify that the design elements are correctly depicted on this map.” (D) A title block placed in the lower right corner of the map containing the following information in the order listed: (1) The title of the map describing whether it is an application map, supplemental map, hydrologic map, progress map, annual map, or final map; (2) The name of the applicant; (3) The township and range designation; (4) The name of the township and county; (5) The sections and/or lot numbers; (6) The scale of the map;	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-09	Shall	A location or quadrangle map placed in the upper right corner of the map, with a scale of one inch equals one mile, which shall depict: (1) A minimum area of four miles by four miles; (2) The site of the area of land to be permitted; (3) State, county, township, and section lines; (4) Federal, state, county, township, or other roads; (5) The north arrow; and (6) Name of the quadrangle map.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-09	Shall	The legend shall indicate which map symbols from paragraph (C) of rule 1501:13-4-10 of the Administrative Code appear on the map.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-09	Shall	The certification shall read: “I, the undersigned, hereby certify that this map is correct, and shows to the best of my knowledge and belief all the information required by Chapter 1513. of the Revised Code and rules adopted thereunder.”	1513.02.	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-09	Shall	If the map under paragraph (C)(1) of this rule has the only depiction of design elements for proposed features, the map shall also be signed and sealed by the qualified registered professional engineer who designed those elements.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-09	Shall	The certification by the engineer shall read: “I, the undersigned, hereby certify that the design elements are correctly depicted on this map.”	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-09	Require	The certification shall read: “I, the undersigned, hereby certify that this map is correct, and shows to the best of my knowledge and belief all the information required by Chapter 1513. of the Revised Code and rules adopted thereunder.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-09	Require	All acreage figures required to be reported or estimated shall be to the nearest one-tenth of an acre.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-10	Shall	Coal mining permit application, supplemental, and hydrologic maps and plans shall utilize the following uniform color codes: (1) The proposed or existing permit area shall have its perimeter designated with a dashed black line and the area included therein, excepting the areas required to be designated in paragraphs (A)(2) to (A)(5) of this rule, shall be shaded yellow. (2) Any areas of topsoil, hydric soil, or alternative resoiling material storage shall have its perimeter designated with a dashed black line and the area therein shall be shaded brown. (3) Any areas of existing impoundments or sediment ponds shall have their perimeters designated with solid black lines and the areas therein shall be shaded blue. Any areas of proposed sediment ponds shall have their perimeters designated with dashed black lines and the areas therein shall be shaded blue. Any areas of existing wetlands that have been verified by the U.S. army corps of engineers shall have their perimeters designated with solid black lines and the areas therein shall be cross-hatched in green. Any areas of existing wetlands that have not been verified by the U.S. army corps of engineers shall have their perimeters designated with solid black lines and the areas therein shall be dotted in green. Any areas of proposed/restored/mitigated wetlands shall have their perimeters designated with dashed black lines and the areas therein shall be cross-hatched in green. (4) Any areas within one hundred feet of a perennial or intermittent stream shall have their perimeters designated with solid red lines. Any areas within one hundred feet of a perennial or intermittent stream where the buffer area will not be disturbed shall have their perimeters designated with solid red lines and the areas therein shall be shaded red. (5) Any areas identified as prime farmland shall have their perimeters designated with dashed black lines and the areas therein shall be shaded green. (6) Any area determined to be eligible for remining shall have its perimeter designated with a dashed black line and the area therein clearly labeled “remine.” (7) Any shadow area shall have its perimeter designated with a dashed line that is black with a yellow highlight.	1513.02.	No, general rulemaking authority	No, general rulemaking authority
1501:13-4-10	Shall	The proposed or existing permit area shall have its perimeter designated with a dashed black line and the area included therein.	1513.02.	No, general rulemaking authority	No, general rulemaking authority
1501:13-4-10	Shall	Excepting the areas required to be designated in paragraphs (A)(2) to (A)(5) of this rule, shall be shaded yellow.	1513.02.	No, general rulemaking authority	No, general rulemaking authority
1501:13-4-10	Shall	Any areas of topsoil, hydric soil, or alternative resoiling material storage shall have its perimeter designated with a dashed black line	1513.02.	No, general rulemaking authority	No, general rulemaking authority
1501:13-4-10	Shall	The area therein shall be shaded brown.	1513.02.	No, general rulemaking authority	No, general rulemaking authority

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1501:13-4-10	Shall	Any areas of existing impoundments or sediment ponds shall have their perimeters designated with solid black lines.	1513.02.	No, general rulemaking authority	No, general rulemaking authority
1501:13-4-10	Shall	The areas therein shall be shaded blue.	1513.02.	No, general rulemaking authority	No, general rulemaking authority
1501:13-4-10	Shall	Any areas of proposed sediment ponds shall have their perimeters designated with dashed black lines.	1513.02.	No, general rulemaking authority	No, general rulemaking authority
1501:13-4-10	Shall	The areas therein shall be shaded blue.	1513.02.	No, general rulemaking authority	No, general rulemaking authority
1501:13-4-10	Shall	Any areas of existing wetlands that have been verified by the U.S. army corps of engineers shall have their perimeters designated with solid black lines.	1513.02.	No, general rulemaking authority	No, general rulemaking authority
1501:13-4-10	Shall	The areas therein shall be cross-hatched in green.	1513.02.	No, general rulemaking authority	No, general rulemaking authority
1501:13-4-10	Shall	Any areas of existing wetlands that have not been verified by the U.S. army corps of engineers shall have their perimeters designated with solid black lines.	1513.02.	No, general rulemaking authority	No, general rulemaking authority
1501:13-4-10	Shall	The areas therein shall be dotted in green.	1513.02.	No, general rulemaking authority	No, general rulemaking authority
1501:13-4-10	Shall	Any areas of proposed/restored/mitigated wetlands shall have their perimeters designated with dashed black lines.	1513.02.	No, general rulemaking authority	No, general rulemaking authority
1501:13-4-10	Shall	The areas therein shall be cross-hatched in green.	1513.02.	No, general rulemaking authority	No, general rulemaking authority
1501:13-4-10	Shall	Any areas within one hundred feet of a perennial or intermittent stream shall have their perimeters designated with solid red lines.	1513.02.	No, general rulemaking authority	No, general rulemaking authority
1501:13-4-10	Shall	Any areas within one hundred feet of a perennial or intermittent stream where the buffer area will not be disturbed shall have their perimeters designated with solid red lines.	1513.02.	No, general rulemaking authority	No, general rulemaking authority
1501:13-4-10	Shall	The areas therein shall be shaded red.	1513.02.	No, general rulemaking authority	No, general rulemaking authority
1501:13-4-10	Shall	Any areas identified as prime farmland shall have their perimeters designated with dashed black lines.	1513.02.	No, general rulemaking authority	No, general rulemaking authority
1501:13-4-10	Shall	The areas therein shall be shaded green.	1513.02.	No, general rulemaking authority	No, general rulemaking authority
1501:13-4-10	Shall	Any area determined to be eligible for remining shall have its perimeter designated with a dashed black line.	1513.02.	No, general rulemaking authority	No, general rulemaking authority
1501:13-4-10	Shall	Any shadow area shall have its perimeter designated with a dashed line that is black with a yellow highlight.	1513.02.	No, general rulemaking authority	No, general rulemaking authority

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1501:13-4-10	Shall	Annual maps and final maps shall utilize the following uniform color codes: (1) The existing permit area shall have its perimeter designated with a solid black line. (2) The perimeters of the areas affected during each mining year that are not to be reaffected during the following mining year shall be designated by a solid red line and shall be shaded as follows: (a) First year - blue (b) Second year - green (c) Third year - yellow (d) Fourth year - red (e) Fifth year - brown (3) The perimeter of remaining areas affected during each mining year that are not to be reaffected during the following mining year shall be designated by a dashed black line and the area therein clearly labeled “remain.” The first year shall be shaded blue and the second year shall be shaded green. (4) The perimeter of the total area affected as reported on the annual reports shall be designated on the annual map by a solid orange line. (5) The perimeter of the total area affected as reported on the final report shall be designated on the final map by a solid orange line and the areas reported on the annual reports shall be designated by solid red lines and shaded as required by paragraph (B) (2) of this rule.	1513.02.	No, general rulemaking authority	No, general rulemaking authority
1501:13-4-10	Shall	The existing permit area shall have its perimeter designated with a solid black line.	1513.02.	No, general rulemaking authority	No, general rulemaking authority
1501:13-4-10	Shall	he perimeters of the areas affected during each mining year that are not to be reaffected during the following mining year shall be designated by a solid red line and shall be shaded as follows: (a) First year - blue (b) Second year - green (c) Third year - yellow (d) Fourth year - red (e) Fifth year - brown	1513.02.	No, general rulemaking authority	No, general rulemaking authority
1501:13-4-10	Shall	The perimeter of remaining areas affected during each mining year that are not to be reaffected during the following mining year shall be designated by a dashed black line.	1513.02.	No, general rulemaking authority	No, general rulemaking authority
1501:13-4-10	Shall	The first year shall be shaded blue.	1513.02.	No, general rulemaking authority	No, general rulemaking authority
1501:13-4-10	Shall	The second year shall be shaded green.	1513.02.	No, general rulemaking authority	No, general rulemaking authority
1501:13-4-10	Shall	The perimeter of the total area affected as reported on the annual reports shall be designated on the annual map by a solid orange line.	1513.02.	No, general rulemaking authority	No, general rulemaking authority
1501:13-4-10	Shall	The perimeter of the total area affected as reported on the final report shall be designated on the final map by a solid orange line.	1513.02.	No, general rulemaking authority	No, general rulemaking authority
1501:13-4-10	Shall	The areas reported on the annual reports shall be designated by solid red lines and shaded as required by paragraph (B) (2) of this rule.	1513.02.	No, general rulemaking authority	No, general rulemaking authority
1501:13-4-10	Shall	All maps required by Chapter 1513. of the Revised Code or rules adopted thereunder shall utilize the following uniform map symbols listed in this paragraph.	1513.02.	No, general rulemaking authority	No, general rulemaking authority
1501:13-4-10	Shall not	This size and location shall not obscure other necessary information on the map.	1513.02.	No, general rulemaking authority	No, general rulemaking authority

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1501:13-4-10	Require	All maps required by Chapter 1513. of the Revised Code or rules adopted thereunder shall utilize the following uniform map symbols listed in this paragraph.	1513.02.	No, general rulemaking authority	No, general rulemaking authority
1501:13-4-11	Shall	All maps required by Chapter 1513. of the Revised Code or Chapters 1501:13-4 to 1501:13-14 of the Administrative Code showing land affected under a permit and reaffected under a subsequent permit, shall conform to the requirements of paragraph (A) of rule 1501:13-4-08 of the Administrative Code.	1513.02.	No, general rulemaking authority	No, general rulemaking authority
1501:13-4-11	Shall	All maps required by Chapter 1513. of the Revised Code or Chapter 1501:13-4 to 1501:13-14 of the Administrative Code showing land affected under an existing permit reaffected by any person with valid existing rights shall conform to the requirements of paragraph (A) of rule 1501:13-4-08 to the Administrative Code.	1513.02.	No, general rulemaking authority	No, general rulemaking authority
1501:13-4-11	Shall	In addition to other applicable requirements, all maps shall show the following information in the prescribed manner: (1) The perimeter of the area of land affected under the existing permit, designated by a solid orange line;	1513.02.	No, general rulemaking authority	No, general rulemaking authority
1501:13-4-11	Shall	In addition to other applicable requirements, all maps shall show the following information in the prescribed manner: (2) The perimeter of the area of land reaffected by any person with existing rights, or by the landowner designated by a solid black line;	1513.02.	No, general rulemaking authority	No, general rulemaking authority
1501:13-4-11	Shall	In addition to other applicable requirements, all maps shall show the following information in the prescribed manner: (3) The common area included by the lines drawn pursuant to paragraphs (B)(1) and (B)(2) of this rule, shaded red (referred to as the “reaffected area”);	1513.02.	No, general rulemaking authority	No, general rulemaking authority
1501:13-4-11	Shall	In addition to other applicable requirements, all maps shall show the following information in the prescribed manner: (4) The acreage of the reaffected area;	1513.02.	No, general rulemaking authority	No, general rulemaking authority
1501:13-4-11	Shall	In addition to other applicable requirements, all maps shall show the following information in the prescribed manner: (5) The following certification placed on the map and signed by the permittee, or his or her authorized representative: The following certification placed on the map and signed by the permittee, or his or her authorized representative: “I, the undersigned, hereby certify that _____ acres affected by permit no. _____ have been reaffected by _____.” (any person with valid existing rights.)	1513.02.	No, general rulemaking authority	No, general rulemaking authority
1501:13-4-11	Require	All maps required by Chapter 1513. of the Revised Code or Chapter 1501:13-4 to 1501:13-14 of the Administrative Code showing land affected under an existing permit reaffected by any person with valid existing rights shall conform to the requirements of paragraph (A) of rule 1501:13-4-08 to the Administrative Code	1513.02.	No, general rulemaking authority	No, general rulemaking authority
1501:13-4-12	Shall	No person shall engage in or maintain any experimental practice, unless that practice is first approved in a permit by the chief and the director of the office of surface mining.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	Each person who desires to conduct an experimental practice shall submit a permit application for the approval of the chief and the director of the office of surface mining.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-12	Shall	The permit application shall contain descriptions, maps, plans, and data which show: (a) The nature of the experimental practice, including a description of the performance standards for which variances are requested, the duration of the experimental practice, and the special monitoring which will be conducted;	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	The permit application shall contain descriptions, maps, plans, and data which show: (b) How use of the experimental practice: (i) Encourages advances in mining and reclamation technology;	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	The permit application shall contain descriptions, maps, plans, and data which show: (b) How use of the experimental practice: (ii) Allows a postmining land use for industrial, commercial, residential, or public use (including recreational facilities), on an experimental basis, when the results are not otherwise attainable under Chapter 1513. of the Revised Code and rules adopted thereunder;	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	The permit application shall contain descriptions, maps, plans, and data which show: (c) That the mining and reclamation operations proposed for using an experimental practice are not larger nor more numerous than necessary to determine the effectiveness and economic feasibility of the experimental practice;	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	The permit application shall contain descriptions, maps, plans, and data which show: (d) That the experimental practice: (i) Is potentially more, or at least as, environmentally protective during and after the proposed mining and reclamation operations as those practices otherwise required under these rules; and	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	The permit application shall contain descriptions, maps, plans, and data which show: (d) That the experimental practice: (ii) Will not reduce the protection afforded public health and safety below that provided by the requirements of these rules; and	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	The permit application shall contain descriptions, maps, plans, and data which show: (e) That the applicant will conduct special monitoring with respect to the experimental practice during and after the operations involved. The monitoring program shall: (i) Ensure the collection, analysis and reporting of sufficient and reliable data to enable the chief and the director of the office of surface mining to make adequate comparisons with other coal mining and reclamation operations employing similar experimental practices; and	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	The permit application shall contain descriptions, maps, plans, and data which show: (e) That the applicant will conduct special monitoring with respect to the experimental practice during and after the operations involved. The monitoring program shall: (ii) Include requirements designed to identify, as soon as possible, potential risks to the environment and public health and safety from the use of the experimental practice.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-12	Shall	That the applicant will conduct special monitoring with respect to the experimental practice during and after the operations involved. The monitoring program shall: (ii) Include requirements designed to identify, as soon as possible, potential risks to the environment and public health and safety from the use of the experimental practice.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	Each application shall set forth the environmental protection performance standards of these rules which will be implemented in the event the objective of the experimental practice is a failure.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	All experimental practices for which variances are sought shall be specifically identified through newspaper advertisements by the applicant and the written notifications by the chief required in sections 1513.07 and 1513.071 of the Revised Code.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	No permit authorizing an experimental practice shall be issued, unless the chief first finds, in writing, upon the basis of both a complete application filed in accordance with the requirements of paragraph (B) of this rule and the concurrence of the director of the office of surface mining that:	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	Each permit which authorizes the use of an experimental practice shall be reviewed in its entirety by the chief at a frequency set forth in the approved permit but no less frequently than every two and one-half years.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	After review, the chief may require such reasonable revision or modification of the permit provisions necessary to ensure that the operations involved are conducted to protect fully the environment and public health and safety. Copies of the decision of the chief shall be provided to the permittee and be subject to review as provided by section 1513.13 of the Revised Code.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	Any person who conducts or intends to conduct surface mining operations by mountaintop removal mining shall apply for a variance from approximate original contour restoration requirements in accordance with the requirements of paragraph (C) of this rule	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	Any permits incorporating a variance issued under paragraph (C) of this rule shall be reviewed by the chief to evaluate the progress and development of the mining operations to establish that the operator is proceeding in accordance with the terms of the variance: (i) Within the sixth month preceding the third year from the date of its issuance;	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	Any permits incorporating a variance issued under paragraph (C) of this rule shall be reviewed by the chief to evaluate the progress and development of the mining operations to establish that the operator is proceeding in accordance with the terms of the variance: (ii) Before each permit renewal;	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	Any permits incorporating a variance issued under paragraph (C) of this rule shall be reviewed by the chief to evaluate the progress and development of the mining operations to establish that the operator is proceeding in accordance with the terms of the variance: (iii) Not later than the middle of each permit term.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	Any person who conducts or intends to conduct steep slope coal mining and reclamation operations shall comply with the requirements of paragraph (D) of this rule except in any of the following situations: (a) An operator proposes to conduct coal mining and reclamation operations on flat or gently rolling terrain, leaving a plain or predominantly flat area, but on which an occasional steep slope is encountered as the mining operation proceeds;	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	Any person who conducts or intends to conduct steep slope coal mining and reclamation operations shall comply with the requirements of paragraph (D) of this rule except in any of the following situations: (b) A person obtains a permit under the provisions of paragraph (C) of this rule;	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-12	Shall	Any person who conducts or intends to conduct steep slope coal mining and reclamation operations shall comply with the requirements of paragraph (D) of this rule except in any of the following situations: (c) To the extent that a person obtains a permit incorporating a variance under paragraph (E) of this rule.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	Any application for a permit for coal mining and reclamation operations covered by paragraph (D) of this rule shall contain sufficient information to establish that the operations will be conducted in accordance with the requirements of rule 1501:13-13-05 of the Administrative Code.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	No permit shall be issued for any operations covered by paragraph (D) of this rule unless the chief finds, in writing, that in addition to meeting all other requirements of this rule, the operation will be conducted in accordance with the substantive requirements of rule 1501:13-13-05 of the Administrative Code.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	All spoil not retained on the bench shall be placed in accordance with rule 1501:13-9-07 of the Administrative Code;	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	The request shall be made separately from any surface owner consent given for the operations under paragraph (D) of rule 1501:13-4-03 of the Administrative Code.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	The request shall show an understanding that the variance could not be granted without the surface owners's request.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	The requirements of paragraph (E) of this rule shall be made a specific condition of the permit.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	The permit shall be specifically marked as containing a variance from approximate original contour.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	Any permits incorporating a variance issued under paragraph (E) of this rule shall be reviewed by the chief to evaluate the progress and development of the mining operations and to establish that the operator is proceeding in accordance with the terms of the variance: (a) Within the sixth month preceding the third year from the date of its issuance; (b) Before each permit renewal; and (c) Not later than the middle of each permit term.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	A pit shall be deemed to be a single continuous mining pit even if portions of the pit are crossed by a road, pipeline, railroad, or powerline or similar crossing.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	If land within the proposed permit area is identified as prime farmland under paragraph (J) of rule 1501:13-4-04 or paragraph (J) of rule 1501:13-4-13 of the Administrative Code, the applicant shall submit a plan for the mining and restoration of the land.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-12	Shall	Each plan shall contain, at a minimum: (a) A soil survey of the permit area according to the standards of the national cooperative soil survey and in accordance with the procedures set forth in the United States department of agriculture handbooks 436 (“Soil Taxonomy,” 1975) and 18 (“Soil Survey Manual,” 1951); (i) These publications are hereby incorporated by reference as they exist on the date of adoption of paragraph (F)(2)(a) of this rule. Notices of changes made to these publications will be periodically published by the office of surface mining in the “Federal Register.” Agriculture handbooks 436 (“Soil Taxonomy”) and 18 (“Soil Survey Manual”) are on file and available for inspection at “The Office of Surface Mining Central Office, United States Department of the Interior, South Interior Building, Washington, D.C. 20240,” at each office of surface mining state office and at the central office of the division of mineral resources management. Copies of these documents are also available from “The Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20402,” stock number 001-000-02597-0 and stock number 10100-0688-6. In addition, these documents are available for inspection at all offices of the division of mineral resources management; (ii) The soil survey shall include a description of soil mapping units and a representative soil profile description as determined by the U.S. natural resources conservation service, including, but not limited to, soil-horizon depths, pH, and the range of soil densities for each prime farmland soil unit within the permit area. Other representative soil profile descriptions from the locality, prepared in conjunction with the national cooperative survey, may be used if their use is approved by the state conservationist, U.S. natural resources conservation service; (b) The proposed method and type of equipment to be used for removal, storage, and replacement of the soil in accordance with rule 1501:13-13-03 of the Administrative Code; (c) The method to be employed in avoiding excessive compaction in the replacement of soil; (d) The location of areas to be used for the separate stockpiling of the soil and plans for soil stabilization before redistribution; (e) Plans for seeding or cropping the final graded disturbed land and the conservation practices to be used to adequately control erosion and sedimentation and to restore an adequate soil moisture regime, during the period from completion of regrading until release of the performance security as required by Chapter 1513. of the Revised Code and these rules. Proper adjustments for seasons must be proposed so that final graded land is not exposed to erosion during seasons when vegetation or conservation practices cannot be established due to weather conditions;	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	The soil survey shall include a description of soil mapping units and a representative soil profile description as determined by the U.S. natural resources conservation service, including, but not limited to, soil-horizon depths, pH, and the range of soil densities for each prime farmland soil unit within the permit area.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	In all cases, soil productivity for prime farmlands shall be returned to equivalent levels of yield as non-mined land of the same soil type in the surrounding area under equivalent management practices as determined from the soil survey performed pursuant to paragraph (F)(2)(a) of this rule	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	Before any permit is issued for areas that include prime farmlands, the chief shall consult with the United States secretary of agriculture.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	The United States secretary of agriculture shall provide for review of and comment on the proposed method of soil reconstruction in the plan submitted under paragraph (F)(2) of this rule.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	f the United States secretary of agriculture considers those methods to be inadequate, he or she shall suggest revisions resulting in more complete and adequate reconstruction.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	The natural resources conservation service shall carry out consultation and review through the conservationist for the State of Ohio.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-12	Shall	Any person who conducts or intends to conduct combined surface mining and underground coal mining operations, where contemporaneous reclamation as required by rule 1501:13-9-13 of the Administrative Code is not practicable and a delay is requested to allow underground mining operations to be conducted before the reclamation operation for the surface mining operations can be completed, shall meet the requirements of paragraph (G) of this rule.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	Any person who desires to obtain a variance under paragraph (G) of this rule shall file with the chief complete applications for both the surface mining and underground mining operations which are to be combined.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	The mining and reclamation operation plans for these permits shall contain appropriate narratives, maps and plans, which: (a) Show why the proposed underground mining operations are necessary or desirable to assure maximum practical recovery of coal;	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	The mining and reclamation operation plans for these permits shall contain appropriate narratives, maps and plans, which: (b) Show how the multiple future disturbances of surface lands or waters will be avoided;	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	The mining and reclamation operation plans for these permits shall contain appropriate narratives, maps and plans, which: (c) Identify the specific surface areas for which a variance is sought and the particular provisions of Chapter 1513. of the Revised Code and these rules from which a variance is being sought;	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	The mining and reclamation operation plans for these permits shall contain appropriate narratives, maps and plans, which: (d) Show how the operations will comply with rule 1501:13-9-08 of the Administrative Code;	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	The mining and reclamation operation plans for these permits shall contain appropriate narratives, maps and plans, which: (e) Show why the variance sought is necessary for the implementation of the proposed underground mining operations;	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	The mining and reclamation operation plans for these permits shall contain appropriate narratives, maps and plans, which: (f) Provide an assessment of the adverse environmental consequences and damages, if any, that will result if the reclamation of coal mining operations is delayed; and	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	The mining and reclamation operation plans for these permits shall contain appropriate narratives, maps and plans, which: (g) Show how off-site storage of spoil will be conducted to comply with the applicable requirements of rule 1501:13-9-07 of the Administrative Code.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	Any application for a permit for operations covered by paragraph (H) of this rule shall contain, in the mining and reclamation plan, a description of the augering methods to be used and the measures to be used to comply with the provisions of rule 1501:13-13-02 of the Administrative Code.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law

Rule Number	Regulatory Restriction	Description of Regulatory Restriction	Statute Under Which the Regulatory Restriction Was Adopted	Is the Regulatory Restriction Expressly or Specifically Required by State or Federal Law?	Is a Law Change Required in Order to Remove the Restriction?
1501:13-4-12	Shall	Each application shall contain the information required under Chapter 1501:13-4 of the Administrative Code for the proposed permit area in sufficient detail for the chief to determine the estimated cost of reclamation, pursuant to paragraph (B) of rule 1501:13-7-01 of the Administrative Code, if the reclamation has to be performed by the division of mineral resources management in the event of forfeiture of the performance security by the permittee.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	This estimate shall include: (a) Operational detail sufficient to determine the greatest potential reclamation cost liability to the state	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	This estimate shall include: (b) Any other operational detail required by the chief that may affect the cost of reclamation by the division of mineral resources management in the event of forfeiture of the performance security by the permittee.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	No permit shall be issued for any operations covered by paragraph (H) of this rule unless the chief finds, in writing, that in addition to meeting all other applicable requirements of this rule, the operation will be conducted in compliance with rule 1501:13-13-02 of the Administrative Code.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	Any person who operates such a preparation plant or support facility shall have obtained a permit from the chief in accordance with the requirements of paragraph (I) of this rule.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	Any application for a permit for operations covered by paragraph (I) of this rule shall contain in the mining and reclamation plan, specific plans, including descriptions, maps and cross sections of the construction, operation, maintenance and removal of the preparation plants and support facilities.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	The plan shall demonstrate that those operations will be conducted in compliance with rule 1501:13-13-06 of the Administrative Code.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	No permit shall be issued for any operation covered by paragraph (I) of this rule, unless the chief finds, in writing, that, in addition to meeting all other applicable requirements of Chapter 1501:13-4 of the Administrative Code, the operations will be conducted in compliance with the requirements of rule 1501:13-13-06 of the Administrative Code.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	Any application for a permit for operations covered by paragraph (J) of this rule shall be made according to all requirements of these rules applicable to underground mining operations.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	In addition, the mining and reclamation operations plan for operations involving in situ processing activities shall contain information establishing that those operations will be conducted in compliance with the applicable requirements of rule 1501:13-13-07 of the Administrative Code, including: (b) Specifications of drill holes and casings proposed to be used;	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	In addition, the mining and reclamation operations plan for operations involving in situ processing activities shall contain information establishing that those operations will be conducted in compliance with the applicable requirements of rule 1501:13-13-07 of the Administrative Code, including: (a) Delineation of proposed holes and wells and production zone for approval of the chief;	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-12	Shall	In addition, the mining and reclamation operations plan for operations involving in situ processing activities shall contain information establishing that those operations will be conducted in compliance with the applicable requirements of rule 1501:13-13-07 of the Administrative Code, including: (c) A plan for treatment, confinement or disposal of all acid-forming, toxic-forming or radioactive gases, solids or liquids constituting a fire, health, safety, or environmental hazard caused by the mining and recovery process;	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	In addition, the mining and reclamation operations plan for operations involving in situ processing activities shall contain information establishing that those operations will be conducted in compliance with the applicable requirements of rule 1501:13-13-07 of the Administrative Code, including: (d) Plans for monitoring surface and ground water and air quality, as required by the chief.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	No permit shall be issued for operations covered by paragraph (J) of this rule unless the chief first finds, in writing, upon the basis of a complete application made in accordance with paragraph (I)(2) of this rule, that the operation will be conducted in compliance with all requirements of Chapter 1501:13-4 of the Administrative Code relating to underground mining operations and the requirements of Chapters 1501:13-9 to 1501:13-12 and rule 1501:13-13-07 of the Administrative Code.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	The operator of the remining operation shall demonstrate in writing to the chief that the volume of all reasonably available spoil is insufficient to completely backfill the reaffected or enlarged highwall.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	If the operator makes the proper demonstration to the chief under paragraph (K)(1) of this rule and the chief issues a permit with a variance for previously mined areas, the remining operation shall be conducted in accordance with the requirements of paragraph (L)(3) of rule 1501:13-9-14 of the Administrative Code.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	Paragraph (L) of this rule applies to any person who proposes to conduct coal mining and reclamation operations on areas eligible for remining. The requirements of this paragraph shall apply until September 30, 2004, or any later date authorized by federal law	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	This identification shall be based on a due diligence investigation.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Shall	This identification shall include visual observations at the site, a record review of past mining at the site, and environmental sampling tailored to current site conditions.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Must	Proper adjustments for seasons must be proposed so that final graded land is not exposed to erosion during seasons when vegetation or conservation practices cannot be established due to weather conditions.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Must	If the prime farmland acreage is to be restored in a location other than the premining location, the relocation must be approved by the chief.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Must	If the prime farmland acreage is to be restored in a location other than the premining location, the permittee must obtain the consent of all affected surface owners.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Must	The application for a permit containing areas proposed to be remined must include the following: (1) A description of the proposed lands eligible for remining and a demonstration, to the satisfaction of the chief, how such lands meet the eligibility requirements specified by section 1513.37 of the Revised Code.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Must	The application for a permit containing areas proposed to be remined must include the following: (2) Identification, to the extent not otherwise addressed in the permit application, of any potential environmental and safety problems related to the prior mining activity at the site which could be reasonably anticipated to occur. This identification shall be based on a due diligence investigation which shall include visual observations at the site, a record review of past mining at the site, and environmental sampling tailored to current site conditions.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-12	Must	The application for a permit containing areas proposed to be remined must include the following: (3) A description, with regard to potential environmental and safety problems identified in paragraph (L)(2) of this rule, of the mitigative measures that will be taken to ensure that the applicable reclamation requirements of Chapter 1513. of the Revised Code and rules adopted thereunder can be met.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Require	with such additional requirements as the chief or the director of the office of surface mining may require.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Require	After review, the chief may require such reasonable revision or modification of the permit provisions necessary to ensure that the operations involved are conducted to protect fully the environment and public health and safety.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Require	Any review required under paragraph (C)(3) of this rule need not be held if the permittee has demonstrated and the chief finds, in writing, within three months before the scheduled review, that all operations under the permit are proceeding and will continue to be conducted in accordance with the terms of the permit and requirements of Chapter 1513. of the Revised Code and these rules.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Require	If the permittee demonstrates to the chief at any of the times specified in paragraph (E)(3) of this rule that the operations involved have been and continue to be conducted in compliance with the terms and conditions of the permit, the requirements of Chapter 1513. of the Revised Code and these rules, the review required at that time need not be held.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Require	Plans for seeding or cropping the final graded disturbed land and the conservation practices to be used to adequately control erosion and sedimentation and to restore an adequate soil moisture regime, during the period from completion of regrading until release of the performance security as required by Chapter 1513. of the Revised Code and these rules.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Require	Liability under the performance security required to be filed by the applicant with the chief pursuant to Chapter 1513. of the Revised Code and these rules shall be for the duration of the underground mining operations and until all requirements of Chapter 1513. of the Revised Code and rules adopted thereunder have been complied with	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Require	Each application shall contain the information required under Chapter 1501:13-4 of the Administrative Code for the proposed permit area in sufficient detail for the chief to determine the estimated cost of reclamation, pursuant to paragraph (B) of rule 1501:13-7-01 of the Administrative Code, if the reclamation has to be performed by the division of mineral resources management in the event of forfeiture of the performance security by the permittee.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Require	Any other operational detail required by the chief that may affect the cost of reclamation by the division of mineral resources management in the event of forfeiture of the performance security by the permittee.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-12	Require	Plans for monitoring surface and ground water and air quality, as required by the chief.	1513.02, 1513.16, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	Each application shall describe and identify the nature of cultural, historic and archeological resources listed or eligible for listing on the “National Register of Historic Places,” administered by the national parks service, U.S. department of the interior, and known archeological sites within the proposed permit and adjacent areas.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	The description shall be based on all available information, including, but not limited to, information from the state historic preservation officer and from local archeological, historical, and cultural preservation agencies.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	Each application shall describe and identify the lands subject to coal mining operations over the estimated life of those operations and the size, sequence, and timing of the subareas for which it is anticipated that individual permits for mining will be sought.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-13	Shall	Each application shall contain a description of surface and ground water within the permit area, adjacent area, and general area, and any water which will flow into or receive discharges of water from the permit and adjacent area.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	The description shall be prepared in the manner required by paragraphs (B) to (G) of this rule and conform to the following: (1) Information on hydrology, water quality and quantity, and geology related to hydrology of areas outside the proposed permit area and within the adjacent area shall be provided by the chief, to the extent that this data is available from an appropriate federal or state agency.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	The description shall be prepared in the manner required by paragraphs (B) to (G) of this rule and conform to the following: (2) If this information is not available from those agencies, the applicant may gather and submit this information to the chief as part of the permit application.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	The description shall be prepared in the manner required by paragraphs (B) to (G) of this rule and conform to the following: (3) The permit shall not be approved by the chief until this information is made available in the application.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	The permit shall not be approved by the chief until this information is made available in the application.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	Each application shall include geologic information in sufficient detail to assist in: (a) Determining the probable hydrologic consequences of the operation upon the quality and quantity of surface and ground water in the permit and adjacent areas, including the extent to which surface-and ground-water monitoring is necessary.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	Each application shall include geologic information in sufficient detail to assist in: (b) Determining all potentially acid- or toxic-forming strata down to and including the stratum immediately below the lowest coal seam to be mined;	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	Each application shall include geologic information in sufficient detail to assist in: (c) Determining whether reclamation as required by these rules can be accomplished and whether the proposed operation has been designed to prevent material damage to the hydrologic balance outside the permit area; and	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	Each application shall include geologic information in sufficient detail to assist in: (d) Preparing the subsidence control plan required under paragraph (M) of rule 1501:13-4-14 of the Administrative Code.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	The description shall include a general statement of the geology within the proposed permit and adjacent areas down to and including the deeper of either the stratum immediately below the lowest coal seam to be mined or any aquifer below the lowest coal seam to be mined which may be adversely affected by mining.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	It shall also include the areal and structural geology of the permit and adjacent areas, and the other parameters which influence the required reclamation	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	It shall show how the areal and structural geology may affect the occurrence, availability, movement, quantity, and quality of potentially affected surface and ground waters.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-13	Shall	It shall also be based on: (i) The cross sections, maps and plans required by paragraph (B) of rule 1501:13-4-08 of the Administrative Code and paragraph (B) of rule 1501:13-4-08.1 of the Administrative Code;	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	It shall also be based on: (ii) The information obtained under paragraphs (C)(2)(c) to (C)(2)(f) of this rule;	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	It shall also be based on: (iii) Geologic literature and practices.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	The geology for all areas proposed to be affected by underground mining surface operations, those surface lands overlying coal to be mined, and the coal to be mined shall be separately described.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	Geology of all the strata to be affected by underground mining operations shall be described	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	The description shall include, at a minimum, the lithologic characteristics and physical and chemical properties of each stratum.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	For those areas to be affected by underground mining surface operations where removal of the overburden down to the level of the coal seam will occur, the geology of the strata down to and including the deeper of either the stratum immediately below any coal seam to be mined, or any aquifer below the lowest coal seam to be mined which may be adversely affected by mining shall be described	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	This description shall include the following data resulting from analyses of test borings or core samplings down to and including the stratum immediately below any coal seam to be mined: (i) The location of areas where subsurface water will be exposed at the face-up area;	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	This description shall include the following data resulting from analyses of test borings or core samplings down to and including the stratum immediately below any coal seam to be mined: (ii) The logs of drill holes showing the lithologic characteristics of the strata to be affected;	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	This description shall include the following data resulting from analyses of test borings or core samplings down to and including the stratum immediately below any coal seam to be mined: (iii) The physical properties of each stratum within the overburden;	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	This description shall include the following data resulting from analyses of test borings or core samplings down to and including the stratum immediately below any coal seam to be mined: (iv) Chemical analyses of each stratum to be affected, including the stratum immediately below the lowest coal seam to be mined, to identify, at a minimum, those horizons which contain potential acid-forming, toxic-forming, or alkalinity-producing materials; and	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	This description shall include the following data resulting from analyses of test borings or core samplings down to and including the stratum immediately below any coal seam to be mined: (v) Analyses of the coal seam for acid- or toxic-forming materials, including, but not limited to, an analysis of the total sulfur and the sulfur present in pyrite, except that the chief may find that the analysis of sulfur present in pyrite is unnecessary.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	Each application shall contain the results from test holes bored or drilled on lands above the underground workings: (ii) At a minimum of one test hole per one hundred sixty acres.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-13	Shall	The application shall contain a description of the ground-water hydrology for the proposed permit and adjacent areas and the area above the underground workings, including, at a minimum: (a) The depth below the surface and the horizontal extent of the water table and aquifers; (b) The lithology and thickness of the aquifers; (c) Known uses of the water in the aquifers and water table; (d) The quality of subsurface water, if encountered; (e) The depth to the water in the coal seam if the seam is a water-bearing stratum, and each water-bearing stratum above and potentially affected water-bearing stratum below the coal seam; and (f) Additional information which describes the recharge and storage characteristics of aquifers, the approximate rate of discharge or usage, and the quality and quantity of ground water.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	The application shall contain a water supply inventory to include, at a minimum: (a) A list of existing water wells on the proposed permit and adjacent areas to describe the quality and quantity of the ground water to include: (i) The identification number of each well;	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	The application shall contain a water supply inventory to include, at a minimum: (a) A list of existing water wells on the proposed permit and adjacent areas to describe the quality and quantity of the ground water to include: (ii) Surface elevation of the well;	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	The application shall contain a water supply inventory to include, at a minimum: (a) A list of existing water wells on the proposed permit and adjacent areas to describe the quality and quantity of the ground water to include: (iii) Depth of the well in feet below the land surface	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	The application shall contain a water supply inventory to include, at a minimum: (a) A list of existing water wells on the proposed permit and adjacent areas to describe the quality and quantity of the ground water to (iv) Static water level of the well in feet below the land surface;	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	The application shall contain a water supply inventory to include, at a minimum: (a) A list of existing water wells on the proposed permit and adjacent areas to describe the quality and quantity of the ground water to include: (v) The lithology of the aquifer in which each well is developed; and	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	The application shall contain a water supply inventory to include, at a minimum: (a) A list of existing water wells on the proposed permit and adjacent areas to describe the quality and quantity of the ground water to include: (vi) Name of owner of the well;	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-13	Shall	The application shall contain a water supply inventory to include, at a minimum: (b) A list of existing springs on the proposed permit area and existing developed springs on the adjacent area to include: (i) The identification number of each spring;	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	The application shall contain a water supply inventory to include, at a minimum: (b) A list of existing springs on the proposed permit area and existing developed springs on the adjacent area to include: (ii) Name of owner of any spring that is developed for use as a water supply;	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	The application shall contain a water supply inventory to include, at a minimum: (b) A list of existing springs on the proposed permit area and existing developed springs on the adjacent area to include: (iii) The surface elevation of the spring; and	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	The application shall contain a water supply inventory to include, at a minimum: (b) A list of existing springs on the proposed permit area and existing developed springs on the adjacent area to include: (iv) The aquifer each spring flows from; and	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	The application shall contain a water supply inventory to include, at a minimum: (c) A list of the location and type of any public water supply sources on the permit and adjacent areas.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	Water quality and quantity data sufficient to identify seasonal variations pursuant to paragraph (D)(6) or (D)(7) of this rule shall be submitted with an application for a permit.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	Identifying seasonal variations for ground water and surface water. For each application, the applicant shall submit three water samples from each required sampling site designated pursuant to paragraphs (D)(4) and (E)(1) of this rule.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	One sample shall be from the low flow period, one sample from the high flow period, and one sample from either of the intermediate flow periods, as established in the following table:	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	For samples submitted to meet the seasonal variations requirements, the period between consecutive samples shall be at least thirty days, but not more than eighteen months,	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	No sample shall be collected more than thirty-six months before the date of submission of the application to the chief.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	The description shall include, but is not limited to, land disturbances such as mining operations, highway construction, cut and fill operations, building construction, and dam construction or demolition.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall not	A sample from a substitute site shall not be used as the earliest of the three samples from a designated sampling site.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	The chief shall review this request and determine whether the substitute sampling site and the data collected from the site are acceptable.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	In making the request, the applicant shall: (i) Describe how the substitute sampling site adequately represents the original sampling site;	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-13	Shall	In making the request, the applicant shall: (ii) Demonstrate that the substitute sampling site is located in the same aquifer as the original sampling site	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	In making the request, the applicant shall: (iii) Demonstrate that the geology of the groundwater recharge area of the substitute site, as well as the surface disturbance of the recharge area of the substitute site, are similar to that of the original site;	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	In making the request, the applicant shall: (iv) Demonstrate that the substitute sampling site represents and performs the same function as the original site;	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	In making the request, the applicant shall: (v) Demonstrate that the analysis of the water quality and quantity data from the substitute site accurately represents the quality and quantity of the water at the original site and explain any anomalies in water quality or quantity at the substitute site	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	In making the request, the applicant shall: (vi) Demonstrate that the flow obtained at the substitute site was obtained during the flow period missed at the original site;	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	In making the request, the applicant shall: (vii) Include precipitation data for the thirty days prior to the sample date at the substitute site;	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	In making the request, the applicant shall: (viii) Provide a description of the location of the substitute sampling site relative to the original sampling location. The description shall include bearing and distance measurements from the original sampling location to the substitute sampling location	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	In making the request, the applicant shall: (ix) Submit additional information if required by the chief to support the use of a substitute sample.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	Surface-water information shall include: (a) Minimum, maximum, and average discharge conditions, which identify critical low flows and peak discharge rates of streams; and	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	Surface-water information shall include: (b) The following water quality data to identify the characteristics of surface waters within the proposed permit and adjacent areas: (i) Total suspended solids in milligrams per liter;	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	Surface-water information shall include: (b) The following water quality data to identify the characteristics of surface waters within the proposed permit and adjacent areas: (ii) Total acidity in milligrams per liter of CaCO3	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-13	Shall	Surface-water information shall include: (b) The following water quality data to identify the characteristics of surface waters within the proposed permit and adjacent areas: (iii) Total alkalinity in milligrams per liter of CaCO3	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	Surface-water information shall include: (b) The following water quality data to identify the characteristics of surface waters within the proposed permit and adjacent areas: (iv) PH in standard units;	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	Surface-water information shall include: (b) The following water quality data to identify the characteristics of surface waters within the proposed permit and adjacent areas: (v) Total iron in milligrams per liter;	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	Surface-water information shall include: (b) The following water quality data to identify the characteristics of surface waters within the proposed permit and adjacent areas: (vi) Total manganese in milligrams per liter;	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	Surface-water information shall include: (b) The following water quality data to identify the characteristics of surface waters within the proposed permit and adjacent areas: (vii) Total dissolved solids or specific conductance corrected to twenty-five degrees centigrade;	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	Surface-water information shall include: (b) The following water quality data to identify the characteristics of surface waters within the proposed permit and adjacent areas: (viii) Total aluminum in milligrams per liter;	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	Surface-water information shall include: (b) The following water quality data to identify the characteristics of surface waters within the proposed permit and adjacent areas: (ix) Total sulfates in milligrams per liter; and	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	Surface-water information shall include: (b) The following water quality data to identify the characteristics of surface waters within the proposed permit and adjacent areas: (x) Other such information as the chief determines relevant.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	If required by the chief, the application shall contain a statement of the climatological factors that are representative of the proposed permit and adjacent areas, including: (a) The average seasonal precipitation;	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-13	Shall	If required by the chief, the application shall contain a statement of the climatological factors that are representative of the proposed permit and adjacent areas, including: (b) The average direction and velocity of prevailing winds; and	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	If required by the chief, the application shall contain a statement of the climatological factors that are representative of the proposed permit and adjacent areas, including: (c) Seasonal temperature ranges.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	The application shall contain a statement of the condition, capability, and productivity of the land within the proposed permit area, including: (a) A map and supporting narrative of the uses of the land existing at the time of the filing of the application. If the premining use of the land was changed within five years before the anticipated date of beginning the proposed operations, the historic use of the land shall also be described. (b) A narrative of the land capability and productivity, which analyzes the land use described under paragraph (I)(1)(a) of this rule in conjunction with other environmental resources information required under these rules. The narrative shall provide analyses of: (i) The capability of the land before any mining to support a variety of uses, giving consideration to soil and foundation characteristics, topography, vegetative cover and the hydrology of the area proposed to be affected by underground mining surface operations or facilities; and (ii) The productivity of the area proposed to be affected by underground mining surface operations or facilities before mining, including appropriate classification as prime farmlands, as well as the average yield of food, fiber, forage or wood products from the land obtained under high levels of management. The productivity shall be determined by yield data or estimates for similar sites based on current data from the United States department of agriculture, state agricultural universities, or appropriate state natural resources or agricultural agencies.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	A map and supporting narrative of the uses of the land existing at the time of the filing of the application. If the premining use of the land was changed within five years before the anticipated date of beginning the proposed operations, the historic use of the land shall also be described.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	The narrative shall provide analyses of: (i) The capability of the land before any mining to support a variety of uses, giving consideration to soil and foundation characteristics, topography, vegetative cover and the hydrology of the area proposed to be affected by underground mining surface operations or facilities; and	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	The narrative shall provide analyses of: (ii) The productivity of the area proposed to be affected by underground mining surface operations or facilities before mining, including appropriate classification as prime farmlands, as well as the average yield of food, fiber, forage or wood products from the land obtained under high levels of management. The productivity shall be determined by yield data or estimates for similar sites based on current data from the United States department of agriculture, state agricultural universities, or appropriate state natural resources or agricultural agencies.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	The productivity shall be determined by yield data or estimates for similar sites based on current data from the United States department of agriculture, state agricultural universities, or appropriate state natural resources or agricultural agencies.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-13	Shall	The application shall state whether the proposed permit area has been previously mined, and if so, the following information, if available: (a) The type of mining method used;	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	The application shall state whether the proposed permit area has been previously mined, and if so, the following information, if available: (b) The coal seams or other mineral strata mined;	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	The application shall state whether the proposed permit area has been previously mined, and if so, the following information, if available: (c) The extent of coal or other minerals removed;	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	The application shall state whether the proposed permit area has been previously mined, and if so, the following information, if available: (d) The approximate dates of past mining; and	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	The application shall state whether the proposed permit area has been previously mined, and if so, the following information, if available: (e) The uses of the land preceding mining.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	The applicant shall conduct a pre-application investigation of the area proposed to be affected by surface operations or facilities to determine whether lands within the area may be prime farmland	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	The chief, in consultation with the U.S. natural resources conservation service, shall determine the nature and extent of this investigation.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall not	Land shall not be considered prime farmland if the applicant can demonstrate that: (a) The land has not been historically used for cropland; or	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall not	Land shall not be considered prime farmland if the applicant can demonstrate that: (b) On the basis of a soil survey of lands within the permit area, there are no soil map units that have been designated prime farmland by the U.S. natural resources conservation service.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	If the investigation establishes that the lands are not prime farmland, the applicant shall submit with the permit application a request for a negative determination which shows that the land for which the negative determination is sought meets one of the criteria of paragraph (J)(2) of this rule.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	If the investigation indicates that lands within the area proposed to be affected by surface operations and facilities may be prime farmlands, the applicant shall contact the U.S. natural resources conservation service to determine if a soil survey exists for those lands and whether the applicable soil map units have been designated as prime farmlands	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	If no soil survey has been made for these lands, the applicant shall cause a survey to be made that is of the detail of a second order soil survey used by the U.S. natural resources conservation service for operational conservation planning.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	This survey shall be used to identify and locate prime farmland soils.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-13	Shall	When a soil survey made pursuant to paragraph (J)(4) of this rule indicates that the land contains soil map units which have been designated as prime farmlands, the applicant shall submit an application, in accordance with the requirements of paragraph (F) of rule 1501:13-4-12 of the Administrative Code, for such designated land.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Shall	When a soil survey made pursuant to paragraph (J)(4) of this rule indicates that the land contains soil map units which have not been designated as prime farmland after review by the U.S. natural resources conservation service, the applicant shall submit a request for negative determination for non-designated land with the permit application establishing compliance with paragraph (J)(2) of this rule.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Require	The chief may require the applicant to identify and evaluate important historical and archeological resources that may be eligible for listing on the “National Register of Historic Places,” as referenced in paragraph (A)(2)(a) of this rule, through: (i) Collection of additional information; (ii) Conduct of field investigations; or (iii) Other appropriate analyses.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Require	Additional test hole data or test holes may be required by the chief at specific sites when necessary to describe localized conditions or variations in geology which may affect the ability of the underground coal mining operation to be conducted in accordance with these rules.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Require	If more precise information than can be provided by drilling techniques is warranted by potentially adverse site conditions, the chief may require that the test hole information required in paragraph (C) of this rule be obtained by core drilling	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Require	The applicant is not required to collect samples from consecutive flow periods.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Require	At least one of the three required samples is obtained during a flow period other than a transition period	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Require	Submit additional information if required by the chief to support the use of a substitute sample.	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-13	Require	If required by the chief, the application shall contain a statement of the climatological factors that are representative of the proposed permit and adjacent areas, including:	1513.02, 1513.35.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	This rule shall apply only to underground mining operations.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	Each application shall contain a description of the mining operations proposed to be conducted during the life of the mine including: (a) A narrative description of the type and method of coal mining procedures and proposed engineering techniques, anticipated annual and total production of coal, by tonnage, and the major equipment to be used for all aspects of those operations; and (b) A narrative explaining the construction, modification, use, maintenance, and removal of the following facilities (unless retention of such facilities is necessary for postmining land use as specified in rule 1501:13-9-17 of the Administrative Code and is approved by the chief): (i) Dams, embankments, and other impoundments; (ii) Overburden and topsoil handling and storage areas and structures; (iii) Coal removal, handling, storage, cleaning, and transportation areas and structures; (iv) Spoil, coal processing, waste, and noncoal waste removal, handling, storage, transportation, and disposal areas and structures; (v) Mine facilities; and (vi) Water and air pollution control facilities.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-14	Shall	Each application shall contain the information required under Chapter 1501:13-4 of the Administrative Code for the proposed permit area in the detail necessary for the chief to determine the estimated cost of reclamation, pursuant to paragraph (B) of rule 1501:13-7-01 of the Administrative Code, if the reclamation has to be performed by the division of mineral resources management in the event of forfeiture of the performance security by the permittee.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	This estimate shall include: (a) Operational detail sufficient to determine the greatest potential reclamation cost liability to the state; and (b) Any other operational detail required by the chief that may affect the cost of reclamation by the division of mineral resources management in the event of forfeiture of the performance security by the permittee.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	Each application shall contain a description of each existing structure proposed to be used in connection with or to facilitate the coal mining and reclamation operation	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The description shall include: (a) Location; (b) Plans of the structure which describe its current condition; (c) Approximate dates on which construction of the existing structure was begun and completed; and (d) A showing, including relevant monitoring data or other evidence, of whether the structure meets the performance standards of rules 1501:13-8-01 to 1501:13-13-07 of the Administrative Code.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	Each application shall contain a compliance plan for each existing structure proposed to be modified or reconstructed for use in connection with or to facilitate the coal mining and reclamation operation.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The compliance plan shall include: (a) Design specifications for the modification or reconstruction of the structure to meet the design and performance standards of rules 1501:13-8-01 to 1501:13-13-07 of the Administrative Code; (b) A construction schedule which shows dates for beginning and completing interim steps and final reconstruction; (c) Provisions for monitoring the structure during and after modification or reconstruction to ensure that the performance standards of rules 1501:13-8-01 to 1501:13-13-07 of the Administrative Code are met; and (d) A showing that the risk of harm to the environment or to public health or safety is not significant during the period of modification or reconstruction.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	If surface blasting incident to the underground mine operation is to be conducted, the application shall contain a blasting plan for the proposed permit area, explaining how the applicant intends to comply with the blasting requirements of rule 1501:13-9-06 of the Administrative Code and including the following: (1) Information setting forth the limitations the operator will meet with regard to ground vibration and airblast, the bases for those limitations, and the methods to be applied in controlling the adverse effects of blasting operations; (2) Description of any system to be used to monitor compliance with the airblast and ground vibration limits established under paragraph (C)(1) of this rule, including the type, capability, and sensitivity of any blast-monitoring equipment and proposed procedures and locations of monitoring; and (3) For blasting operations within five hundred feet of active underground mines, copies of the approvals given by the state and federal authorities concerned with the health and safety of underground miners.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	Each application shall contain a plan for describing reclamation of the lands within the proposed permit area, showing how the applicant will comply with the requirements of Chapter 1513. of the Revised Code and rules adopted thereunder.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-14	Shall	The plan shall include, at a minimum, all information required under paragraphs (D) to (R) of this rule.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	Each plan shall contain, where appropriate, the following information for the proposed permit area: (a) A detailed timetable for the completion of each major step in the reclamation plan; (b) A plan for the backfilling, soil stabilization, compacting, and grading, with contour maps or cross sections that show the anticipated final surface configuration of the proposed permit area, in accordance with rule 1501:13-9-14 of the Administrative Code; (c) A description of the removal, storage, and redistribution of the topsoil, subsoil, and other material to meet the requirements of rule 1501:13-9-03 of the Administrative Code. A demonstration of the suitability of topsoil substitutes or supplements under rule 1501:13-9-03 of the Administrative Code shall be based upon analysis of the thickness of soil horizons, total depth, texture, per cent coarse fragments, pH, and areal extent of the different kinds of soils. The chief may require other chemical and physical analyses, field-site trials, or greenhouse tests if determined to be necessary or desirable to demonstrate the suitability of the topsoil substitutes or supplements; (d) A description of the revegetation as required in rule 1501:13-9-15 of the Administrative Code, including, but not limited to, descriptions of the: (i) Schedule of revegetation; (ii) Species and amounts per acre of seeds and seedlings to be used; (iii) Methods to be used in planting and seeding; (iv) Mulching techniques; (v) A soil testing plan for evaluation of the results of topsoil handling and reclamation procedures related to revegetation; (vi) Irrigation, if appropriate, and disease, pest and vermin control, if any; and (vii) The measures proposed to be used to determine the success of revegetation as required under rule 1501:13-9-15 of the Administrative Code; (e) A description of the measures to be used to maximize the use and conservation of the coal resources as required by rule 1501:13-9-05 of the Administrative Code; (f) A description of measures to be employed to ensure that all debris, acid-forming and toxic-forming materials and materials constituting a fire hazard are disposed of in accordance with paragraph (E) of rule 1501:13-9-09 and paragraph (J) of rule 1501:13-9-14 of the Administrative Code and a description of the contingency plans which have been developed to preclude sustained combustion of such materials; (g) A description, including appropriate cross sections and maps, of the measures to be used to seal or manage mine	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	A demonstration of the suitability of topsoil substitutes or supplements under rule 1501:13-9-03 of the Administrative Code shall be based upon analysis of the thickness of soil horizons, total depth, texture, per cent coarse fragments, pH, and areal extent of the different kinds of soils.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	Each application shall contain a plan for the protection of the hydrologic balance.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-14	Shall	The plan shall be specific to the local hydrologic conditions and shall describe the measures to be taken during and after the proposed underground mining operations in accordance with rule 1501:13-9-04 of the Administrative Code to: (a) Minimize disturbance to the hydrologic balance within the permit and adjacent areas and to prevent material damage outside the permit area; (b) Protect the rights of present users of surface and ground waters within the permit area and adjacent areas; (c) Avoid acid or toxic drainage; (d) Control surface-water drainage into, through, and out of the proposed permit area, pursuant to rule 1501:13-9-04 of the Administrative Code; (e) Treat, when required under these rules, surface- and ground-water drainage from the area to be disturbed by the proposed underground mining surface operations, so as not to exceed quantitative limits on pollutants in discharges under paragraph (B) of rule 1501:13-9-04 of the Administrative Code; (f) Prevent, to the extent possible using the best technology currently available, additional contributions of suspended solids to streamflow, or runoff outside the permit area. Vegetation may be determined by the chief to be the best technology currently available upon a demonstration by the permittee that the requirements of paragraphs (B)(1) to (B)(1)(b) of rule 1501:13-9-04 of the Administrative Code have been met. If the applicant proposes to make such a demonstration after vegetation is established and remove siltation structures sooner than two years after the last augmented seeding of a drainage area, the applicant shall state such intentions in the timetable and plans for removal of sediment control structures required by paragraph (H)(1)(b)(iv) or (H)(1)(c)(iv) of this rule; (g) Address any potential adverse hydrologic consequences identified in the determination of probable hydrologic consequences under paragraph (E)(2) of this rule and include preventative and remedial measures; and (h) Meet applicable federal and state water quality laws and regulations.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-14	Shall	shall describe the measures to be taken during and after the proposed underground mining operations in accordance with rule 1501:13-9-04 of the Administrative Code to: (a) Minimize disturbance to the hydrologic balance within the permit and adjacent areas and to prevent material damage outside the permit area; (b) Protect the rights of present users of surface and ground waters within the permit area and adjacent areas; (c) Avoid acid or toxic drainage; (d) Control surface-water drainage into, through, and out of the proposed permit area, pursuant to rule 1501:13-9-04 of the Administrative Code; (e) Treat, when required under these rules, surface- and ground-water drainage from the area to be disturbed by the proposed underground mining surface operations, so as not to exceed quantitative limits on pollutants in discharges under paragraph (B) of rule 1501:13-9-04 of the Administrative Code; (f) Prevent, to the extent possible using the best technology currently available, additional contributions of suspended solids to streamflow, or runoff outside the permit area. Vegetation may be determined by the chief to be the best technology currently available upon a demonstration by the permittee that the requirements of paragraphs (B)(1) to (B)(1)(b) of rule 1501:13-9-04 of the Administrative Code have been met. If the applicant proposes to make such a demonstration after vegetation is established and remove siltation structures sooner than two years after the last augmented seeding of a drainage area, the applicant shall state such intentions in the timetable and plans for removal of sediment control structures required by paragraph (H)(1)(b)(iv) or (H)(1)(c)(iv) of this rule; (g) Address any potential adverse hydrologic consequences identified in the determination of probable hydrologic consequences under paragraph (E)(2) of this rule and include preventative and remedial measures; and (h) Meet applicable federal and state water quality laws and regulations.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	If the applicant proposes to make such a demonstration after vegetation is established and remove siltation structures sooner than two years after the last augmented seeding of a drainage area, the applicant shall state such intentions in the timetable and plans for removal of sediment control structures required by paragraph (H)(1)(b)(iv) or (H)(1)(c)(iv) of this rule	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The plan shall include a determination of the probable hydrologic consequences of the proposed underground mining operations on the proposed permit area and adjacent areas.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	This determination shall be based on baseline hydrologic, geologic and other information collected for the permit application with respect to the hydrologic regime, providing information on the quantity and quality of water in surface- and ground-water systems under seasonal conditions, including the contents of dissolved and total suspended solids, total iron, pH, and total manganese.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-14	Shall	The PHC determination shall include findings on: (i) Whether adverse impacts may occur to the hydrologic balance; (ii) Whether acid-forming or toxic-forming materials are present that could result in the contamination of surface- or ground-water supplies; (iii) Whether the proposed operation may proximately result in contamination, diminution or interruption of an underground or surface source of water within the proposed permit or adjacent areas which is used for domestic, agricultural, industrial, or other legitimate purpose; and (iv) What impact the proposed operation will have on: (a) Sediment yield from the disturbed area; (b) Acidity, total suspended and dissolved solids, and other important water quality parameters of local impact; (c) Flooding or streamflow alteration; (d) Ground-water and surface-water availability; and (e) Other characteristics as required by the chief.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	An application for a permit revision shall be reviewed by the chief to determine whether a new or updated PHC determination shall be required.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	To determine whether a new or updated PHC determination shall be required.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	Each plan shall contain a detailed description, with appropriate drawings, of permanent entry seals and downslope barriers designed to ensure stability under anticipated hydraulic heads developed while promoting mine inundation after mine closure for the proposed permit area.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The application shall include a ground-water monitoring plan based upon the PHC determination required under paragraph (E)(2) of this rule and the analysis of all baseline hydrologic, geologic and other information in the permit application.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The plan shall provide for the monitoring of parameters that relate to the suitability of the ground water for current and approved postmining land uses and to the objectives for protection of the hydrologic balance set forth in paragraph (E)(1) of this rule.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	It shall identify the quantity and quality parameters to be monitored, sampling frequency, and site locations.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	It shall describe how the data may be used to determine the impacts of the operation upon the hydrologic balance	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	At a minimum, specific conductance corrected to twenty-five degrees centigrade, pH, total iron, total manganese, and water levels shall be monitored.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	Data resulting from monitoring shall be submitted to the chief pursuant to paragraph (N) of rule 1501:13-9-04 of the Administrative Code.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The application shall include a surface-water monitoring plan based upon the PHC determination required under paragraph (E)(2) of this rule and the analysis of all baseline hydrologic, geologic, and other information in the permit application.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The plan shall provide for the monitoring of parameters that relate to the suitability of the surface water for current and approved postmining land uses and to the objectives for protection of the hydrologic balance as set forth in paragraph (E)(1) of this rule as well as the effluent limitations set forth in 40 C.F.R. part 434.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The plan shall identify the surface-water quantity and quality parameters to be monitored, sampling frequency and site locations.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-14	Shall	It shall describe how the data may be used to determine the impacts of the operation upon the hydrologic balance.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	At all monitoring locations in the permit and adjacent areas, surface-water bodies such as streams, lakes and impoundments, that are potentially affected or into which water will be discharged, and at upstream monitoring locations, the specific conductance corrected to twenty-five degrees centigrade, total suspended solids, pH, total iron, total manganese, and flow shall be monitored.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	For point-source discharges, monitoring shall be conducted in accordance with 40 C.F.R. parts 122, 123 and 434 and as required by the national pollutant discharge elimination system permitting authority.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	Data resulting from this monitoring shall be submitted to the chief pursuant to paragraph (N) of rule 1501:13-9-04 of the Administrative Code.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	Each application shall contain a plan for the postmining land use.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The plan shall describe the proposed use following reclamation of the land within the proposed permit area, including a discussion of the utility and capacity of the reclaimed land to support a variety of alternative uses, and the relationship of the proposed use to existing land use polices and plans	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	This description shall explain: (a) How the proposed postmining land use is to be achieved and the necessary support activities which may be needed to achieve the proposed land use; and (b) When a land use different from the premining land use is proposed, all materials needed for approval of the alternatives used under these rules.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The plan shall be accompanied by a copy of the comments concerning the proposed use by the legal or equitable owner of record of the surface of the proposed permit area and the state and local government agencies which would have to initiate, implement, approve, or authorize the proposed use of the land following reclamation	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The plan shall describe the consideration which has been given to making all of the proposed coal mining operations consistent with surface owner plans and applicable state and local land use plans and programs.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	Each application shall include a detailed design plan for each proposed siltation structure, water impoundment, and coal mine waste bank, dam, or embankment within the proposed permit area.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	Each plan shall: (i) Be prepared by, or under the direction of, and certified by an engineer; (ii) Contain a description, map, and cross section of the structure and its location; (iii) Contain preliminary hydrologic and geologic information required to assess the hydrologic impact of the structure; and (iv) Contain a survey describing the potential effect on the structure from subsidence of the subsurface strata resulting from past underground mining operations if underground mining has occurred.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law

Rule Number	Regulatory Restriction	Description of Regulatory Restriction	Statute Under Which the Regulatory Restriction Was Adopted	Is the Regulatory Restriction Expressly or Specifically Required by State or Federal Law?	Is a Law Change Required in Order to Remove the Restriction?
1501:13-4-14	Shall	Each detailed design plan for a structure that meets or exceeds the size or other criteria of MSHA, 30 C.F.R. 77.216(a), or meets the class B or C criteria for dams in the U.S department of agriculture, soil conservation service technical release no. 60, “Earth Dams and Reservoirs,” 1985, shall: (i) Be prepared by, or under the direction of, and certified by an engineer; (ii) Include any geotechnical investigation, design, and construction requirements for the structure; (iii) Describe the operation and maintenance requirements for each structure; and (iv) Describe the timetable and plans to remove each structure, if appropriate. If the applicant proposes to demonstrate that vegetation is the best technology currently available and remove siltation structures sooner than two years after the last augmented seeding of the drainage area, include a statement of such intentions.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	Each detailed design plan for a structure that does not meet the size or other criteria of paragraph (H)(1)(b) of this rule, shall: (i) Be prepared by, or under the direction of, and certified by an engineer; (ii) Include any design and construction requirements for the structure including any required geotechnical information; (iii) Describe the operation and maintenance requirements for each structure; and (iv) Describe the timetable and plans to remove each structure, if appropriate. If the applicant proposes to demonstrate that vegetation is the best technology currently available and remove siltation structures sooner than two years after the last augmented seeding of the drainage area, include a statement of such intentions.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	Permanent and temporary impoundments shall be designed in compliance with the requirements of paragraph (H) of rule 1501:13-9-04 of the Administrative Code.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The design of any impoundment shall be certified by an engineer experienced in impoundment design and construction.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The certification statement shall state that the structure is designed to meet the requirements of paragraph (H) of rule 1501:13-9-04 of the Administrative Code.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	Each design plan for an impoundment that meets or exceeds the size or other criteria of MSHA, 30 C.F.R. 77.216(a), shall contain the information required under 30 C.F.R. 77-216-2(a).	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The plan required to be submitted to the district manager of MSHA under 30 C.F.R. 77.216 shall also be submitted to the chief as part of the permit application.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The embankment foundation area shall be cleared of all organic matter.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The entire foundation surface shall be scarified.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	If the natural slope of the foundation as measured at right angles to the embankment center line is steeper than 10h:1v (ten per cent), the embankment shall be benched into the existing slope beginning at the embankment toe and then filled with compacted level lifts.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The embankment fill material shall be free of sod, large roots, other large vegetative matter, and coal processing waste.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The fill shall be brought up in horizontal layers of such thickness as required to facilitate compaction in accordance with prudent construction standards.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The moisture content of the fill material shall be sufficient to secure proper compaction. (An indication of sufficient moisture content is that when kneaded by hand the soil should just form a ball which does not readily separate.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-14	Shall	When it is necessary to use materials of varying texture and gradation, the more impervious material shall be placed in the upstream and center portions of the embankment.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The more pervious material shall be placed in the downstream portion of the fill.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The embankment’s combined upstream and downstream side slopes shall be no steeper than the sum of 5h:1v, with neither slope steeper than 2h:1v.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The minimum top width of the embankment shall be (h + 35)/5, where “h” is the embankment height as measured from natural ground at the upstream toe to the top of the embankment.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	Permanent and temporary siltation structures shall be designed in compliance with the requirements of paragraphs (G) and (H) of rule 1501:13-9-04 of the Administrative Code.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The design of any siltation structure shall be certified by an engineer experienced in impoundment design and construction.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The certification shall state that the structure is designed to meet the requirements of paragraphs (G) and (H) of rule 1501:13-9-04 of the Administrative Code.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	In addition to the requirements of paragraph (H)(1) of this rule, the plan shall include a determination of: (i) The required sediment storage volume; and (ii) The detention time provided by the pond.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	Each design plan for a siltation structure that meets or exceeds the size or other criteria of MSHA, 30 C.F.R. 77.216(a), shall contain the information required under 30 C.F.R. 77.216-2(a).	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	Coal mine waste dams and embankments shall be designed to comply with the requirements of paragraphs (A) to (C) of rule 1501:13-9-09 and paragraph (H) of rule 1501:13-9-04 of the Administrative Code.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The design of any coal mine waste dam or embankment shall be certified by an engineer experienced in design of similar earth and waste structures.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The certification statement shall state that the structure is designed to meet the requirements of paragraphs (A) to (C) of rule 1501:13-9-09 and paragraph (H) of rule 1501:13-9-04 of the Administrative Code.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	Each plan shall contain the results of a geotechnical investigation of the proposed dam or embankment foundation area, to determine the structural competence of the foundation which will support the proposed dam or embankment structure and the impounded material.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The geotechnical investigation shall be planned and supervised by an engineer, according to the following: (i) The number, location, and depth of borings and test pits shall be determined using current, prudent engineering practice for the size of the dam or embankment, quantity of material to be impounded, and subsurface conditions; (ii) The character of the overburden and bedrock, the proposed abutment sites, and any adverse geotechnical conditions which may affect the particular dam, embankment, or reservoir site shall be considered; (iii) All springs, seepage, and ground-water flow observed or anticipated during wet periods in the area of the proposed dam or embankment shall be identified on each plan; and (iv) Consideration shall be given to the possibility of mudflows, rock-debris falls, or other landslides into the dam, embankment, or impounded material.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The number, location, and depth of borings and test pits shall be determined using current, prudent engineering practice for the size of the dam or embankment, quantity of material to be impounded, and subsurface condition.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The character of the overburden and bedrock, the proposed abutment sites, and any adverse geotechnical conditions which may affect the particular dam, embankment, or reservoir site shall be considered	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-14	Shall	All springs, seepage, and ground-water flow observed or anticipated during wet periods in the area of the proposed dam or embankment shall be identified on each plan	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	Consideration shall be given to the possibility of mudflows, rock-debris falls, or other landslides into the dam, embankment, or impounded material.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	Each design plan for a coal mine waste dam or embankment that meets or exceeds the size or other criteria of MSHA, 30 C.F.R. 77.216(a), shall contain the information required under 30 C.F.R. 77.216-2(a).	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	Coal mine waste banks shall be designed to comply with the requirements of paragraphs (A) to (C) of rule 1501:13-9-09 of the Administrative Code, and with the provisions regarding impoundments under paragraph (H) of rule 1501:13-9-04 of the Administrative Code.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The design of any coal mine waste bank shall be certified by an engineer experienced in design of similar earth and waste structures.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The certification shall state that the structure is designed to meet the requirements of paragraphs (A) to (C) of rule 1501:13-9-09 and paragraph (H) of rule 1501:13-9-04 of the Administrative Code using current, prudent engineering practices.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	If the structure meets or exceeds the size or other criteria of MSHA, 30 C.F.R. 77.216 (a), or meets the Class B or C criteria for dams in the U.S department of agriculture, soil conservation service technical release no. 60, “Earth Dams and Reservoirs,” 1985, each plan under paragraphs (H)(2), (H)(3), and (H)(4) of this rule shall include a stability analysis of each structure.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The stability analysis shall include, but not limited to, strength parameters, pore pressures, and long-term seepage conditions.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The plan shall also contain a description of each engineering design assumption and calculation with a discussion of each alternative considered in selecting the specific design parameters and construction methods.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	Each application shall contain descriptions, including maps and cross sections, of stream channel diversions and other diversions to be constructed within the proposed permit area to achieve compliance with paragraphs (D) and (F) of rule 1501:13-9-04 of the Administrative Code.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	For any publicly owned parks or any places listed on the “National Register of Historic Places,” administered by the national parks service, U.S. department of the interior, that may be adversely affected by the proposed operation, each application shall describe the measures to be used: (a) To prevent adverse impacts; or (b) If valid existing rights exist or joint agency approval is to be obtained under paragraph (E) of rule 1501:13-3-04 of the Administrative Code to minimize adverse impacts. The website for the “National Register of Historic Places” for Ohio sites is www.nationalregisterofhistoricplaces.com/oh/state.html .	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	Each application shall describe the measures to be used to ensure that the interests of the public and landowners affected are protected if, under paragraph (C) of rule 1501:13-3-04 of the Administrative Code, the applicant seeks to have the chief approve: (1) Conducting the proposed coal mining operation within one hundred feet of the right-of-way line of any public road, except where mine access or haul roads join that right-of-way; or (2) Relocating a public road.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	Each application shall contain a detailed description of each road, conveyor, or rail system to be constructed, used, or maintained within the proposed permit area.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-14	Shall	The description shall include a map, appropriate cross sections, and the following: (a) Specifications for each road width, road gradient, road surface, road cut, fill embankment, culvert, bridge, drainage ditch, and drainage structure; (b) A description of measures to be taken to obtain approval of the chief for alteration or relocation of a natural drainageway under rule 1501:13-10-01 of the Administrative Code; (c) A description of measures, other than use of a rock headwall, to be taken to protect the inlet end of a ditch relief culvert, for approval by the chief under rule 1501:13-10-01 of the Administrative Code; (d) Drawings and specifications for each proposed ford of perennial or intermittent streams outside the mined-out area that is used as a temporary route, as necessary for approval of the ford by the chief in accordance with paragraph (D)(1) of rule 1501:13-10-01 of the Administrative Code; and (e) A description of plans to remove and reclaim each road that would not be retained under an approved postmining land use, and the schedule for this removal and reclamation.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The embankment foundation area shall be cleared of all organic matter.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The entire foundation surface shall be scarified.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	If the natural slope of the foundation as measured at right angles to the roadway center line is steeper than 8h:1v, the embankment shall be benched into the existing slope beginning at the embankment toe and then filled with compacted level lifts.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The embankment fill material shall be free of sod, large roots, other large vegetative matter, and coal processing waste.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The fill shall be brought up in horizontal layers of such thickness as required to facilitate compaction in accordance with prudent construction standards.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The moisture content of the fill material shall be sufficient to secure proper compaction.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The side slopes of the embankment shall be no steeper than 2h:1v.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	Embankments with upstream and downstream slopes shall have a minimum top width of (h + 35)/5, where “h” is the embankment height as measured from natural ground at the upstream toe to the top of the embankment.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	Hillside embankments shall have a minimum top width adequate for the intended use.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	Culverts shall be placed such that the embankment, as defined in rule 1501:13-1-02 of the Administrative Code, will not impound water for an extended period of time.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The application shall include, for the shadow area, the most recent available U.S. geologic survey 7.5-minute topographic map showing: (a) The extent of underground workings proposed for the term of the permit, including existing works that will continue to be used under the permit, all shown on a year-by-year basis; (b) Those parts of the proposed underground workings from which there will be full coal recovery; (c) The angle of draw for the workings described in paragraphs (M)(1)(a) and (M)(1)(b) of this rule; and (d) Those areas in which measures will be taken to prevent or minimize subsidence and subsidence-related damage.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The application shall include an inventory.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-14	Shall	The application shall show whether structures or renewable resource lands exist within the proposed permit and adjacent areas and whether subsidence, if it occurred, could cause material damage or diminution of the reasonably foreseeable use of such structures or renewable resource lands	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The application shall include a subsidence control plan.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	the application shall include a subsidence control plan hich shall contain the following information: (a) A description of the method of coal removal, such as longwall, room-and-pillar removal, hydraulic mining, or other extraction methods, including the size, sequence, and timing for the development of underground workings; (b) A map of the shadow area which describes the location and extent of areas in which planned-subsidence mining methods will be used and which includes all areas where the measures described in paragraphs (M)(2)(d) and (M)(2)(e) of this rule will be taken to prevent or minimize subsidence and subsidence-related damage; and, where appropriate, to correct subsidence-related material damage; (c) A description of the physical conditions, such as depth of cover, seam thickness, and lithology, which affect the likelihood or extent of subsidence and subsidence-related damage; (d) A description of monitoring, if any, needed to determine the commencement and degree of subsidence so that, when appropriate, other measures can be taken to prevent, reduce, or correct material damage in accordance with rule 1501:13-12-03 of the Administrative Code; (e) Except for those areas where planned subsidence is projected to be used, a detailed description of the subsidence control measures that will be taken to prevent or minimize subsidence and subsidence-related damage, including such measures as: (i) Backstowing or backfilling voids; (ii) Leaving support pillars of coal; (iii) Leaving areas in which no coal is removed, including a description of the overlying area to be protected by leaving the coal in place; and (iv) Taking measures on the surface to prevent material damage or lessening of the value or reasonably foreseeable use of the surface; (f) A description of the anticipated effects of planned subsidence, if any; (g) A general description of the measures to be taken, in accordance with rule 1501:13-12-03 of the Administrative Code, to mitigate or remedy any subsidence-related damage to or diminution in value or reasonably foreseeable use of: (i) The land; or (ii) Structures, buildings, features, or facilities to the extent required pursuant to rule 1501:13-12-03 of the Administrative Code; and (h) Other information required by the chief as necessary to demonstrate that the operation will be conducted in	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	Each application shall contain a plan for the return of coal mine wastes to abandoned underground workings.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The plan shall describe the design, operation and maintenance of any proposed coal processing waste disposal facility, including flow diagrams and any other necessary drawings and maps, for the approval of the chief and MSHA under paragraph (A)(6) of rule 1501:13-9-09 of the Administrative Code.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The plan shall describe the source and quality of waste to be stowed, area to be backfilled, per cent of the mine void to be filled, method of constructing underground retaining walls, influence of the backfilling operation on active underground mine operations, surface area to be supported by the backfill, and the anticipated occurrence of surface effects following backfilling.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-14	Shall	The applicant shall describe the source of the hydraulic transport mediums, method of dewatering the placed backfill, retainment of water underground, treatment of water if released to surface streams, and the effect on the hydrologic regime.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The plan shall describe each permanent monitoring well to be located in the backfilled area, the stratum underlying the mined coal, and gradient from the backfilled area.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The requirements of paragraphs (N)(1) to (N)(4) of this rule shall also apply to pneumatic backfilling operations, except where the operations are exempted by the chief from requirements specifying hydrologic monitoring.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	Each plan shall contain descriptions, including appropriate maps and cross section drawings, of the proposed disposal methods and sites for placing underground development waste and excess spoil generated at surface areas affected by underground mining surface operations and facilities according to rule 1501:13-9-07 of the Administrative Code.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	Each plan shall describe the geotechnical investigation, design, construction, operation, maintenance, and removal, if appropriate, of the structures and be prepared according to paragraph (P) of this rule.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	Each application shall contain descriptions, including appropriate maps and cross section drawings, of the proposed disposal site and design of the spoil disposal structures according to rule 1501:13-9-07 of the Administrative Code.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	These plans shall describe the geotechnical investigation, design, construction, operation, maintenance, and removal, if appropriate, of the site and structures.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	Each application shall contain the results of a geotechnical investigation of the proposed disposal site, including the following: (a) The character of bedrock and any adverse geologic conditions in the disposal area; (b) A survey identifying all springs, seepage, and ground-water flow observed or anticipated during wet periods in the area of the disposal site; (c) A survey of the potential effects of subsidence of the subsurface strata due to past and future mining operations; (d) A technical description of the rock materials to be utilized in the construction of those disposal structures containing rock chimney cores or underlain by a rock drainage blanket; and (e) A stability analysis including, but not limited to, strength parameters, pore pressures and long-term seepage conditions. These data shall be accompanied by a description of all engineering design assumptions and calculations and the alternatives considered in selecting the specific design specifications and methods.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	These data shall be accompanied by a description of all engineering design assumptions and calculations and the alternatives considered in selecting the specific design specifications and methods.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	If, under paragraph (D) of rule 1501:13-9-07 of the Administrative Code, rock-toe buttresses or keyway cuts are required, the application shall include the following: (a) The number, location, and depth of borings or test pits. The number, location, and depth shall be determined with respect to the size of the spoil disposal structure and sub-surface conditions; and (b) Engineering specifications utilized to design the rock-toe buttresses or keyway cuts which shall be determined in accordance with paragraph (P)(2)(e) of this rule.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The number, location, and depth of borings or test pits. The number, location, and depth shall be determined with respect to the size of the spoil disposal structure and sub-surface conditions.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	Engineering specifications utilized to design the rock-toe buttresses or keyway cuts which shall be determined in accordance with paragraph (P)(2)(e) of this rule.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-14	Shall	For all underground mining surface operations, the application shall contain an air pollution control plan in order to address fugitive dust resulting from erosion.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The plan shall include the following: (1) An air quality monitoring program, if required by the chief, to provide sufficient data to evaluate the effectiveness of the fugitive dust control practices under paragraph (Q)(2) of this rule to comply with applicable federal and state air quality standards; and (2) A plan for fugitive dust control practices.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	Each application shall include fish and wildlife resource information for the permit area and adjacent area.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The scope and level of detail for such information shall be determined by the chief in consultation with state and federal agencies with responsibilities for fish and wildlife	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	The scope and level of detail for such information shall be sufficient to design the protection and enhancement plan required under paragraph (R)(2) of this rule.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	Site-specific resource information necessary to address the respective species or habitats shall be required when the permit area or adjacent area is likely to include: (i) Listed or proposed endangered or threatened species of plants or animals or their critical habitats listed by the secretary of the interior under the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.), or those species or habitats protected by similar state statutes; (ii) Habitats of unusually high value for fish and wildlife such as important streams, wetlands, riparian areas, cliffs supporting raptors, areas offering special shelter or protection, migration routes, or reproduction and wintering areas; or (iii) Other species or habitats identified through agency consultation as requiring special protection under state or federal law.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	Each application shall include a description of how, to the extent possible using the best technology currently available, the operator will minimize disturbances and adverse impacts on fish and wildlife and related environmental values, including compliance with the Endangered Species Act, during the surface coal mining and reclamation operations and how enhancement of these resources will be achieved where practicable.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	This description shall: (i) Be consistent with the requirements of rule 1501:13-9-11 of the Administrative Code; (ii) Apply at a minimum, to species and habitats identified under paragraph (R)(1) of this rule; (iii) Include protective measures that will be used during the active mining phase of operation. Such measures may include the establishment of buffer zones, the selective location and special design of haul roads and powerlines, and the monitoring of surface water quality and quantity; and (iv) Include enhancement measures that will be used during the reclamation and postmining phase of operation to develop aquatic and terrestrial habitat. Such measures may include restoration of streams and other wetlands, retention of ponds and impoundments, establishment of vegetation for wildlife food and cover, and the replacement of perches and nest boxes. Where the plan does not include enhancement measures, a statement shall be given explaining why enhancement is not practicable.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	Where the plan does not include enhancement measures, a statement shall be given explaining why enhancement is not practicable.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Shall	Upon request, the chief shall provide the resource information required under paragraph (R)(1) of this rule and the protection and enhancement plan required under paragraph (R)(2) of this rule to the U.S. department of the interior, fish and wildlife service regional or field office for their review.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-14	Shall	This information shall be provided within ten days of receipt of the request from the service.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Require	Each application shall contain the information required under Chapter 1501:13-4 of the Administrative Code for the proposed permit area in the detail necessary for the chief to determine the estimated cost of reclamation, pursuant to paragraph (B) of rule 1501:13-7-01 of the Administrative Code, if the reclamation has to be performed by the division of mineral resources management in the event of forfeiture of the performance security by the permittee	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Require	Any other operational detail required by the chief that may affect the cost of reclamation by the division of mineral resources management in the event of forfeiture of the performance security by the permittee.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Require	The chief may require other chemical and physical analyses, field-site trials, or greenhouse tests if determined to be necessary or desirable to demonstrate the suitability of the topsoil substitutes or supplements;	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Require	Treat, when required under these rules, surface- and ground-water drainage from the area to be disturbed by the proposed underground mining surface operations, so as not to exceed quantitative limits on pollutants in discharges under paragraph (B) of rule 1501:13-9-04 of the Administrative Code;	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Require	Other characteristics as required by the chief.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Require	An application for a permit revision shall be reviewed by the chief to determine whether a new or updated PHC determination shall be required.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Require	For point-source discharges, monitoring shall be conducted in accordance with 40 C.F.R. parts 122, 123 and 434 and as required by the national pollutant discharge elimination system permitting authority.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Require	Contain preliminary hydrologic and geologic information required to assess the hydrologic impact of the structure.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Require	Include any design and construction requirements for the structure including any required geotechnical information	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Require	Each design plan for an impoundment that meets or exceeds the size or other criteria of MSHA, 30 C.F.R. 77.216(a), shall contain the information required under 30 C.F.R. 77-216-2(a).	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Require	The fill shall be brought up in horizontal layers of such thickness as required to facilitate compaction in accordance with prudent construction standards;	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Require	The required sediment storage volume	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Require	Each design plan for a siltation structure that meets or exceeds the size or other criteria of MSHA, 30 C.F.R. 77.216(a), shall contain the information required under 30 C.F.R. 77.216-2(a).	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Require	Each design plan for a coal mine waste dam or embankment that meets or exceeds the size or other criteria of MSHA, 30 C.F.R. 77.216(a), shall contain the information required under 30 C.F.R. 77.216-2(a).	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Require	The chief may require the applicant to protect historic or archeological properties listed on or eligible for listing on the “National Register of Historic Places,” as referenced in paragraph (J)(1) of this rule, through appropriate mitigation and treatment measures.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Require	Appropriate mitigation and treatment measures may be required to be taken after permit issuance.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Require	Provided that the required measures are completed before the properties are affected by any mining operation.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Require	The fill shall be brought up in horizontal layers of such thickness as required to facilitate compaction in accordance with prudent construction standards;	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-14	Require	Other information required by the chief as necessary to demonstrate that the operation will be conducted in accordance with the performance standards of rule 1501:13-12-03 of the Administrative Code for subsidence control	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Require	An air quality monitoring program, if required by the chief, to provide sufficient data to evaluate the effectiveness of the fugitive dust control practices under paragraph (Q)(2) of this rule to comply with applicable federal and state air quality standards.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-14	Require	Site-specific resource information necessary to address the respective species or habitats shall be required when the permit area or adjacent area is likely to include: (i) Listed or proposed endangered or threatened species of plants or animals or their critical habitats listed by the secretary of the interior under the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.), or those species or habitats protected by similar state statutes; (ii) Habitats of unusually high value for fish and wildlife such as important streams, wetlands, riparian areas, cliffs supporting raptors, areas offering special shelter or protection, migration routes, or reproduction and wintering areas; or (iii) Other species or habitats identified through agency consultation as requiring special protection under state or federal law.	1513.35, 1513.161, 1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-15	Shall	This rule shall apply to applicants who seek authorization to conduct coal mining operations under modified effluent limitations of a remining NPDES permit on certain previously mined areas in which the earlier coal mining operations have resulted in continuing water pollution, and sets forth the terms and conditions under which the chief may release performance security to permittees who have received the authorization.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-15	Shall	Any applicant who requests authorization under this rule shall comply with the permit application requirements of Chapters 1501:13-4 to 1501:13-6 of the Administrative Code unless otherwise specifically provided in this rule.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-15	Shall	The applicant shall also: (1) Delineate on a map the proposed pollution abatement area, including the location of the pre-existing discharge(s); (2) Except as provided in paragraph (C)(4) of this rule, provide data necessary to determine the base line pollution load of the proposed pollution abatement area. The sampling locations from which the data is collected shall be selected from among all surface-water bodies such as lakes and impoundments at points within and, for streams, at points upstream and downstream of the proposed pollution abatement area, all ground-water sites, and all discharges from the proposed pollution abatement area into surface-water bodies. The applicant shall submit data from a minimum of twelve samples taken at regular intervals at each selected sampling location and collected over a period of twelve months, unless these sampling requirements are modified by the chief to increase the number of samples or to lengthen the sampling period; (3) Subject to paragraph (D)(5) of this rule, be exempt from meeting the numeric requirements of total suspended solids and settleable solids if the chief determines that it is infeasible or impractical to set numeric limits on total suspended solids and settleable solids based on the site specific conditions of the soil, climate, topography, steep slopes, or other baseline conditions, provided the applicant demonstrates that significant reductions of total suspended solids and settleable solids will be achieved through the incorporation of sediment control best management practices into the pollution abatement plan as required under paragraph (C)(6) of this rule; (4) Be exempt from meeting numeric effluent limitations for the pollution abatement area if: (a) The chief determines that it is infeasible for the applicant to collect samples for establishing the baseline pollution load and that remining will result in significant improvement that would not otherwise occur. Pre-existing discharges for which it is infeasible to collect samples for determination of baseline pollutant levels include, but are not limited to, a discharge that exists as a diffuse groundwater flow that cannot be assessed via sample collection; a base flow to a receiving stream that cannot be monitored separate from the receiving stream; a discharge on a steep or hazardous slope that is inaccessible for sample collection; or a number of discharges so extensive that monitoring of individual discharges is infeasible; and (b) The chief recommends and the Ohio environmental protection agency issues a non-numeric remining NPDES permit. Under this permit, the operator shall implement a pollution abatement plan incorporating best management practices designed to reduce the pollutant levels of acidity, iron, manganese, and settleable and suspended solids in pre-existing discharges. The monitoring plan shall be determined by the chief. An operator who is issued a non-numeric remining NPDES permit shall not be subject to paragraphs (F)(2) to (F)(6) or paragraphs (H)(2) (c) and (H)(3)(c) of this	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-15	Shall	The sampling locations from which the data is collected shall be selected from among all surface-water bodies such as lakes and impoundments at points within and, for streams, at points upstream and downstream of the proposed pollution abatement area, all ground-water sites, and all discharges from the proposed pollution abatement area into surface-water bodies.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-15	Shall	The applicant shall submit data from a minimum of twelve samples taken at regular intervals at each selected sampling location and collected over a period of twelve months, unless these sampling requirements are modified by the chief to increase the number of samples or to lengthen the sampling period;	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-15	Shall	The chief recommends and the Ohio environmental protection agency issues a non-numeric remining NPDES permit. Under this permit, the operator shall implement a pollution abatement plan incorporating best management practices designed to reduce the pollutant levels of acidity, iron, manganese, and settleable and suspended solids in pre-existing discharges	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-15	Shall	The monitoring plan shall be determined by the chief.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-15	Shall not	An operator who is issued a non-numeric remining NPDES permit shall not be subject to paragraphs (F)(2) to (F)(6) or paragraphs (H)(2) (c) and (H)(3)(c) of this rule;	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-15	Shall	The base line pollution load shall be determined from the data collected using this sampling program.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-15	Shall	The test holes shall be representative of the pollution abatement area with at least one test hole drilled through spoil.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-15	Shall	No authorization shall be granted under this rule unless the applicant seeking the authorization affirmatively demonstrates to the satisfaction of the chief on the basis of information set forth in the application that	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-15	Shall	Any permittee who receives an authorization under this rule shall comply with Chapters 1501:13-9 to 1501:13-13 of the Administrative Code unless otherwise specifically provided in this rule.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-15	Shall	The permittee shall also: (1) Implement and maintain the approved water quality and quantity monitoring program for the pollution abatement area until the requirements of paragraph (H) of this rule are met; (2) Implement the approved abatement plan; and (3) As required in the authorization, submit a certification by the supervising professional engineer of the proper construction of certain steps of the abatement plan which may include, but not be limited to, the completion of mine seals, compaction tests, subsurface drains and, where necessary, stability analyses.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-15	Shall	For any pre-existing discharges from or on the pollution abatement area that are commingled with active mining wastewater, the permittee shall comply with paragraph (B) of rule 1501:13-9-04 of the Administrative Code until the pollution abatement plan is implemented and the commingling has ceased.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-15	Shall	The permittee shall treat the pre-existing discharges from or on the pollution abatement area in the event that the numeric effluent limitations established in the remining NPDES permit are exceeded as determined by using procedures contained in Appendix B of 40 C.F.R. Part 434.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-15	Shall	Treatment shall be initiated if necessary to meet the numeric effluent limitations established in the remining NPDES permit.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-15	Shall	Treatment shall be continued or reinitiated as long or as often as necessary to meet the numeric effluent limitations established in the remining NPDES permit prior to final performance security release pursuant to paragraph (H) (3) of this rule.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-15	Shall	Sampling sites for water samples collected to ensure compliance with 40 C.F.R. Part 434 shall be determined by the chief	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-15	Shall not	Any discontinuance of treatment pursuant to paragraph (F) (5) of this rule shall not be deemed or construed to be or to authorize a release of performance security under rule 1501:13-7-05 or rule 1501:13-7-05.1 of the Administrative Code	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-15	Shall	Paragraph (H) of this rule shall apply to the release of performance security for pollution abatement areas authorized by this rule.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-15	Shall	Paragraph (B) of rule 1501:13-7-05 and paragraph (B) of rule 1501:13-7-05.1 of the Administrative Code shall be inapplicable to such release of performance security.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-15	Shall	The chief shall release up to fifty per cent of the amount of performance security for the authorized pollution abatement area if the permittee demonstrates and the chief finds that:	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-15	Shall	The chief shall release an additional amount not to exceed thirty-five per cent of the amount of performance security for the authorized pollution abatement area if the permittee demonstrates and the chief finds that:	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-15	Shall	The chief shall release the remaining portion of the amount of performance security on the authorized pollution abatement area if the permittee demonstrates and the chief finds that:	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-15	Require	A permittee required to treat pre-existing discharges pursuant to paragraph (F)(2) of this rule will be allowed to discontinue treating the discharges when the permittee affirmatively demonstrates to the chief's satisfaction that	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-15	Require	As required in the authorization, submit a certification by the supervising professional engineer of the proper construction of certain steps of the abatement plan which may include, but not be limited to, the completion of mine seals, compaction tests, subsurface drains and, where necessary, stability analyses.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-16	Shall	Continued qualification for the exemption from the requirements of Chapter 1513. of the Revised Code shall depend upon annual demonstration of maintenance of the required ratios between cumulative coal production and revenues and cumulative mineral production and revenues.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-16	Shall	This rule shall apply to the extraction of coal incidental to the extraction of other minerals where coal does not exceed sixteen and two-thirds percent of the total tonnage of coal and other minerals removed for purposes of commercial use or sale.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-16	Shall	Any person who plans to commence or continue coal extraction after the effective date of this rule in reliance on the incidental mining exemption shall file a complete request for exemption with the chief for each mining area.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-16	Shall	A person shall not commence coal extraction based upon the exemption until the chief approves such request, except as provided in paragraph (E)(3) of this rule.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-16	Shall	The cumulative measurement period shall be considered to have begun: (a) For mining areas where coal or other minerals were extracted prior to August 3, 1977, the date extraction of coal or other minerals commenced at that mining area or August 3, 1977; or (b) For mining areas where extraction of coal or other minerals commenced on or after August 3, 1977, the date extraction of coal or other minerals commenced at that mining area, whichever is earlier.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-16	Shall not	Coal extraction shall not continue after such sixty-day period unless that person files an administratively complete request for exemption with the chief.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-16	Shall	The chief shall notify the person seeking exemption if the request for exemption is incomplete and may at any time require submittal of additional information.	1513.02.	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-16	Shall	A request for exemption shall include at a minimum: (1) The name and address of the person seeking exemption; (2) A list of the minerals sought to be extracted; (3) Estimates of annual production of coal and the other minerals within each mining area over the anticipated life of the mining operation; (4) Estimated annual revenues to be derived from bona fide sales of coal and other minerals to be extracted within the mining area; (5) Where coal or the other minerals are to be used rather than sold, estimated annual fair market values at the time of projected use of the coal and other minerals to be extracted from the mining area; (6) The basis for all annual production, revenue, and fair market value estimates; (7) A description, including county, township if any, and boundaries of the land, of sufficient certainty that the mining areas may be located and distinguished from other mining areas; (8) An estimate to the nearest acre of the number of acres that will compose the mining area over the anticipated life of the mining operation; (9) Evidence of one-time publication, in a newspaper of general circulation in the county of the mining area, of a public notice that a request for exemption has been filed with the chief. The public notice must identify the person claiming the exemption, must contain a description of the proposed operation and its locality that is sufficient for interested persons to identify the operation, and must specify that comments may be submitted within thirty days to the “Division of Mineral Resources Management, 2045 Morse Road, Building H, Columbus, Ohio 43229”; (10) Representative stratigraphic cross-section(s) based on test borings or on other information identifying and showing the relative position, approximate thickness and density of the coal and each other mineral to be extracted for commercial use or sale and the relative position and thickness of the innerburden and overburden;” (11) A map of appropriate scale which clearly identifies the mining area; (12) A general description of mining and mineral processing activities for the mining area; (13) A summary of sales commitments and agreements for future delivery, if any, which the person seeking exemption has received for other minerals to be extracted from the mining area, or a description of potential markets for such minerals; (14) If the other minerals are to be commercially used by the person seeking exemption, a description specifying the use;	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-16	Shall	No later than ninety days after filing of a complete request for exemption, the chief shall make a written determination whether, and under what conditions, the persons claiming the exemption is exempt under this rule.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-16	Shall	No later than ninety days after filing of a complete request for exemption, the chief shall notify the person seeking exemption and person submitting comments on the request for exemption of the determination and the basis for the determination.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-16	Shall	The determination of exemption shall be based upon information contained in the request for exemption and any other information available to the chief at that time.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-16	Shall not	If the chief fails to provide a person seeking exemption with the determination as specified in paragraph (E)(1) of this rule, such a person who has not begun may commence coal extraction pending a determination on the request for exemption unless the chief issues an interim finding, together with reasons therefor, that the person shall not begin coal extraction.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-16	Shall not	A notice of appeal filed under section 1513.13 of the Revised Code shall not suspend the effect of a determination under paragraph (E) of this rule.	1513.02.	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-16	Shall	For the purposes of this paragraph, the term immediately below means that the coal to be mined shall be located not more than three feet below the lowest other mineral to be mined;	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-16	Shall	The cumulative revenue derived from the coal extracted from the mining area and calculated annually shall not exceed fifty percent of the total combined cumulative revenue derived from the coal and other minerals removed for purposes of bona fide sale or reasonable commercial use.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-16	Shall	If the coal extracted or the minerals removed are used by the operator or transferred to a related entity for use instead of being sold in a bona fide sale, then the fair market value of the coal or other minerals shall be calculated at the time of use.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-16	Shall	It shall be used to calculate cumulative revenue;	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-16	Shall	Other minerals mined in a mining area but not in the stratigraphic column of coal removed shall not be used to calculate cumulative production under paragraph (G)(1)(a) of this rule or cumulative revenue under paragraph (G)(1)(c) of this rule;	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-16	Shall	A person seeking or that has obtained an exemption from the requirements of Chapter 1513. of the Revised Code shall comply with the following: (a) Each mineral other than coal upon which an exemption under this rule is based must be a commercially valuable mineral for which a market exists or which is mined in bona fide anticipation that a market will exist for the mineral in the reasonably foreseeable future, not to exceed twelve months from the end of the current period for which cumulative production is calculated. A legally binding agreement for the future sale of other minerals is sufficient to demonstrate the above standard. The initial request for exemption may be approved by the chief conditioned upon receipt, prior to the commencement of mining, of a legally binding agreement for the future sale of other minerals. (b) If either coal or other minerals are transferred or sold by the operator to a related entity for its use or sale, the transaction must be made for legitimate business purposes.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-16	Shall	A person extracting coal in accordance with this rule shall: (1) Maintain on-site or at other locations available to authorized representatives of the chief and of the U.S. secretary of the interior information necessary to verify the exemption including, but not limited to, commercial use and sales information, extraction tonnages, and a copy of the request for exemption and exemption approved by the chief; (2) Notify the chief upon the completion of the mining operation or permanent cessation of all coal extraction activities; and (3) Conduct operations in accordance with the approved request for exemption or, when authorized to extract coal under paragraph (C)(1) or (E)(3) of this rule prior to submittal or approval of request for exemption, in accordance with the standards of this rule.	1513.02.	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-16	Shall	The chief shall disallow all or part of an operator’s tonnages of stockpiled other minerals for purposes of meeting the requirements of this rule if: (i) The operator fails to maintain adequate and verifiable records of: (a) The mining area of origin; or (b) The disposition of stockpiles; or; (ii) The disposition of the stockpiles indicates the lack of commercial use or market for the minerals. (b) The chief may only allow an operator to utilize tonnages of stockpiled other minerals for purposes of meeting the requirements of this rule if: (i) The stockpiling is necessary to meet market conditions or is consistent with generally accepted industry practices; and (ii) Except as provided in paragraph (I)(2)(c) of this rule, the stockpiled other minerals do not exceed a twelve-month supply of the mineral required for future sales as relied upon by the chief in the approved request for exemption. (c) The chief may allow an operator to utilize tonnages of stockpiled other minerals beyond the twelve-month limit established in paragraph (I)(2)(b) of this rule if the operator can demonstrate to the chief’s satisfaction that the additional tonnage is required to meet future business obligations of the operator, such as may be demonstrated by a legally binding agreement for future delivery of the minerals. (d) The chief may periodically revise the other mineral stockpile tonnage limits in accordance with the criteria established by paragraphs (I)(2)(b) and (I)(2)(c) of this rule based on additional information available to the chief.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-16	Shall	Except as provided in paragraph (J)(2) of this rule, all information submitted to the chief under this rule shall be made available in accordance with section 149.43 of the Revised Code for public inspection and copying at the district office nearest the mining operation claiming exemption until at least three years after expiration of the period during which the subject mining area is active.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-16	Shall	Information requested to be held as confidential under paragraph (J)(2)(a) of this rule shall not be made publicly available until after notice and opportunity to be heard is afforded persons both seeking and opposing disclosure of the information.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-16	Shall	Following approval by the chief of an exemption for a mining area, the person receiving the exemption shall, for each mining area, file a written report annually with the chief, on a form provided by the chief, containing the information specified in paragraph (K)(4) of this rule.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-16	Shall	For purposes of the report, the cumulative measurement period defined in paragraph (B)(1) of this rule shall end on the anniversary of the date of issuance of the surface mining permit required under Chapter 1514. of the Revised Code.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-16	Shall	The report shall be filed no later than thirty days after each anniversary date of issuance of the surface mining permit.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-16	Shall	The information in the report shall cover: (a) Annual production of coal and other minerals and annual revenue derived from coal and other minerals during the preceding twelve-month period; and (b) The cumulative production of coal and other minerals and the cumulative revenue derived from coal and other minerals.	1513.02.	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-16	Shall	The report shall specify for each mining area, over both the preceding twelve-month period and the cumulative measurement period: (a) The number of tons of extracted coal sold in bona fide sales and total revenue derived from such sales; (b) The number of tons of coal extracted and used by the operator or transferred to or used by a related entity and the estimated total fair market value of such coal; (c) The number of tons of coal stockpiled; (d) The number of tons of other commercially valuable minerals extracted and sold in bona fide sales and total revenue derived from such sales; (e) The number of tons of other commercially valuable minerals extracted and used by the operator or transfered to or used by a related entity and the estimated total fair market value of such minerals; and (f) The number of tons of other commercially valuable minerals extracted and stockpiled by the operator.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-16	Shall	The report shall include projections for each mining area of the anticipated production of coal and of other minerals in the upcoming twelve-month period.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-16	Shall	The report shall be accompanied by documentation that a market will exist in the upcoming twelve-month period for each mineral other than coal on which the exemption is based. A legally binding agreement for the future sale of other minerals is sufficient to demonstrate this standard.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-16	Must	Each pit or excavation site contained in a single surface mining permit may be included in a single exemption, but must individually comply with all of the requirements of this rule.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-16	Must	The public notice must identify the person claiming the exemption	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-16	Must	The public notice must contain a description of the proposed operation and its locality that is sufficient for interested persons to identify the operation	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-16	Must	The public notice must specify that comments may be submitted within thirty days to the “Division of Mineral Resources Management, 2045 Morse Road, Building H, Columbus, Ohio 43229”;	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-16	Must	For operations having extracted coal or other minerals prior to filing a request for exemption, in addition to the information required above, the following information must also be submitted (a) Any relevant documents the operator has received from the chief documenting its exemption from the requirements of the Chapter 1513. of the Revised Code; (b) The cumulative production of the coal and the cumulative production of other minerals from the mining area; and (c) Estimated tonnages of stockpiled coal and other minerals; and (16) Any other information pertinent to the qualification of the operation as exempt.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-16	Must	Each mineral other than coal upon which an exemption under this rule is based must be a commercially valuable mineral for which a market exists or which is mined in bona fide anticipation that a market will exist for the mineral in the reasonably foreseeable future, not to exceed twelve months from the end of the current period for which cumulative production is calculated.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-16	Must	If either coal or other minerals are transferred or sold by the operator to a related entity for its use or sale, the transaction must be made for legitimate business purposes.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-16	Require	Continued qualification for the exemption from the requirements of Chapter 1513. of the Revised Code shall depend upon annual demonstration of maintenance of the required ratios between cumulative coal production and revenues and cumulative mineral production and revenue	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-16	Require	The chief shall notify the person seeking exemption if the request for exemption is incomplete and may at any time require submittal of additional information.	1513.02.	Yes, both state and federal law	Yes, both state and federal law

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1501:13-4-16	Require	Up to an amount equaling a twelve-month supply of the coal required for future sale, transfer or use as calculated based upon the average annual sales, transfer and use from the mining area over the two preceding years	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-16	Require	For a mining area where coal has been extracted for a period of less than two years, up to an amount that would represent a twelve-month supply of the coal required for future sales, transfer or use as calculated based on the average amount of coal sold, transferred or used each month.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-16	Require	Except as provided in paragraph (I)(2)(c) of this rule, the stockpiled other minerals do not exceed a twelve-month supply of the mineral required for future sales as relied upon by the chief in the approved request for exemption.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-16	Require	The chief may allow an operator to utilize tonnages of stockpiled other minerals beyond the twelve-month limit established in paragraph (I)(2)(b) of this rule if the operator can demonstrate to the chief’s satisfaction that the additional tonnage is required to meet future business obligations of the operator, such as may be demonstrated by a legally binding agreement for future delivery of the minerals.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-4-16	Require	For purposes of the report, the cumulative measurement period defined in paragraph (B)(1) of this rule shall end on the anniversary of the date of issuance of the surface mining permit required under Chapter 1514. of the Revised Code.	1513.02.	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-01	Shall	After the chief determines an application for a permit, for a significant revision to a permit, or for a permit renewal to be complete, the applicant shall place an advertisement in a local newspaper of general circulation in the locality of the proposed coal mining and reclamation operations at least once a week for four consecutive weeks.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-01	Shall	The advertisement shall contain, at a minimum, the following information: (a) The name and business address of the applicant;	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-01	Shall	(b) A description which shall : (i) Clearly describe towns, rivers, streams, or other bodies of water, local landmarks, and any other information, including routes, streets, or roads and accurate distance measurements, necessary to allow local residents to readily identify the proposed permit area; (ii) Clearly describe the exact location and boundaries of the proposed permit area; and (iii) State the name of the U.S. geological survey 7.5 minute quadrangle map(s) which contains the area described	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-01	Shall	Upon receipt of a complete application for a permit, for a significant revision to a permit or for a permit renewal, the chief shall issue written notification of:	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-01	Shall	The written notification described in paragraph (A) (2) of this rule shall be sent to:	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-01	Shall	The applicant shall make a full copy of the complete application for a permit, a significant permit revision, or a permit renewal available for the public to inspect and copy.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-01	Shall	This shall be done by filing a copy of the application submitted to the chief at the division of mineral resources management district office responsible for inspection of the proposed operation, or if no such office is maintained in the county where the mining is proposed to occur,	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-01	Shall	the applicant shall file a copy of the application with the county recorder of that county or at the office of the natural resources conservation service of the United States department of agriculture located in the county where the mining is proposed to occur.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-01	Shall	The applicant shall file the copy of the complete application under paragraph (A) (4) (a) of this rule by the first date of newspaper advertisement of the application.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-01	Shall	The applicant shall file any subsequent changes to the application with the public office at the same time the change is submitted to the chief.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law

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1501:13-5-01	Shall	The applicant shall file any subsequent changes to the application with the public office at the same time the change is submitted to the chief.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-01	Shall	The chief shall review the complete application and any written comments or written objections submitted, and records of any informal conference held under rule 1501:13-14-05 of the Administrative Code.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-01	Shall	The applicant for a permit, revision to a permit, or permit renewal shall have the burden of establishing that the application is in compliance with all of the requirements of Chapter 1513. of the Revised Code and these rules.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-01	Shall	If there has been no informal conference held pursuant to section 1513.071 of the Revised Code, the chief shall submit to the applicant for a permit the written finding of the chief granting or denying the permit in whole or in part and stating the reasons therefor within the time frames established in paragraph (D)(2)(b) of this rule.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-01	Shall	If there has been an informal conference held pursuant to section 1513.071 of the Revised Code, the chief shall submit to the applicant for a permit the written finding of the chief granting or denying the permit in whole or in part and stating the reasons therefor within the time frames established in paragraph (B)(3) of rule 1501:13-14-05 of the Administrative Code and paragraph (D)(2)(b) of this rule.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-01	Shall	The chief shall grant or deny a permit not later than two hundred forty business days after the submission of a complete application for the permit.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-01	Shall not	Any time during which the applicant is making revisions to the application or providing additional information requested by the chief regarding an application shall not be included in the two hundred forty business days.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-01	Shall	If the chief determines that a permit cannot be granted or denied within the two-hundred-forty-business-day time frame, the chief, If the chief determines that a permit cannot be granted or denied within the two-hundred-forty-business-day time frame, the chief, not later than two hundred ten business days after the submission of a complete application for the permit, shall provide the applicant with written notice of the expected delay.later than two hundred ten business days after the submission of a complete application for the permit, shall provide the applicant with written notice of the expected delay.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-01	Shall	If the chief decides to approve the application, he Or she shall require that the applicant file the performance security before the permit is issued, in accordance with the requirements of Chapter 1513. of the Revised Code and these rules.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-01	Require	If the chief decides to approve the application, he Or she shall require that the applicant file the performance security before the permit is issued, in accordance with the requirements of Chapter 1513. of the Revised Code and these rules.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-01	Shall	The chief shall determine, based on the list of violation notices submitted as part of the application under paragraph (C) (3) of rule 1501:13-4-03 of the Administrative Code or on available information concerning federal or state failure-to-abate cessation orders,	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-01	Shall not	If this determination cannot be made, the chief shall not issue the permit	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-01	Shall	The chief shall require the applicant, before the issuance of the permit, to either:	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-01	Require	The chief shall require the applicant, before the issuance of the permit, to either:	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-01	Shall	If the administrative or judicial hearing authority affirms the violation, then any coal mining operations being conducted under a permit issued according to this paragraph shall be immediately terminated, unless and until the provisions of paragraph (D)(4) (a) of this rule are satisfied.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-01	Shall	No permit shall be issued to an applicant if a determination is made by the chief that the applicant, anyone who owns or controls the applicant, or the operator specified in the application controls or has controlled mining operations with a demonstrated pattern of willful violations of Chapter 1513.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law

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1501:13-5-01	Shall	Any permit that is issued on the basis of proof submitted under paragraph (D)(4) (a) of this rule that a violation is in the process of being corrected, or pending the outcome of an appeal described in paragraph (D)(4) (b) of this rule, shall be conditionally issued.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-01	Shall not	Subsequent to the effective date of this rule, the prohibitions of paragraph (D)(4) of this rule regarding the issuance of a new permit, shall not apply to any violation that:	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-01	Shall	For permits issued under paragraph (L) of rule 1501:13-4-12 of the Administrative Code, an event or condition shall be presumed to be unanticipated for the purposes of this paragraph if it:	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-01	Shall	Criteria for approval or denial of an application. — No application for a permit, significant revision to a permit, or permit renewal shall be approved unless the application affirmatively demonstrates, and the chief finds, in writing, on the basis of information set forth in the application or from information otherwise available, that is documented in the approval and made available to the applicant, that:	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-01	Shall	Final compliance review. — After an application is approved, but before the permit is issued, the chief shall reconsider his or her decision to approve the application	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-01	Shall	Conditions of permits: general and right of entry. — Each permit issued by the chief shall ensure and contain specific conditions requiring that:	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-01	Shall	Except to the extent that the chief otherwise directs in the permit that specific actions be taken, the permittee shall conduct all coal mining and reclamation operations as described in the complete application;	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-01	Shall	The permittee shall allow the authorized representatives of the secretary of the department of the interior, including, but not limited to, inspectors and fee compliance officers, and the chief and his or her authorized representatives, without advance notice or a search warrant, upon presentation of appropriate credentials, and without delay, to	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-01	Shall	The permittee shall conduct coal mining and reclamation operations only on those lands specifically designated on the maps submitted under rules 1501:13-4-04, 1501:13-4-05, 1501:13-4-07, 1501:13-4-08, 1501:13-4-08.1, 1501:13-4-13 and	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-01	Shall	The permit shall contain a specific condition to prohibit the commencement of coal mining operations on any land that is located within the permit area or the shadow area if the permittee has not provided to the chief documents that form the basis of the permittee’s legal right to enter and conduct coal mining operations on that land	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-01	Prohibit	The permit shall contain a specific condition to prohibit the commencement of coal mining operations on any land that is located within the permit area or the shadow area if the permittee has not provided to the chief documents that form the basis of the permittee’s legal right to enter and conduct coal mining operations on that land	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-01	Shall not	The permittee shall not operate without adequate performance security coverage in effect at all times; and	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-01	Shall	Within thirty days after a cessation order is issued under rule 1501:13-14-02 of the Administrative Code or 30 C.F.R. 843.11, for operations conducted under the permit, except where a stay of the cessation order is granted and remains in effect, the permittee shall submit to the chief the following information, current to the date the cessation order was issued, or notify the chief in writing that there has been no change since the immediately preceding submittal of such information:	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-01	Shall	Conditions of permits: environment, public health and safety. — Each permit issued by the chief shall ensure and contain specific conditions requiring that:	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-01	Shall	Conditions of permits: environment, public health and safety. — Each permit issued by the chief shall ensure and contain specific conditions requiring that:	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law

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1501:13-5-01	Shall	The permittee shall dispose of solids, sludge, filter backwash, or pollutants removed in the course of treatment or control of waters or emissions to the air in the manner required by Chapter 1513. of the Revised Code and all rules adopted thereunder and which prevents violation of any other applicable state or federal law;	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-01	Shall	The permittee shall conduct his or her operations:	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-01	Shall	As applicable, the permittee shall comply with paragraph (C) of rule 1501:13-1-01 of the Administrative Code and with the permanent or interim program requirements of these rules for compliance, modification, or abandonment of existing structures; and	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-01	Shall	The permittee shall pay all reclamation fees, as required by Subchapter R of Chapter VII of Title 30 of the Federal Code of Regulations for coal produced under the permit for sale, transfer or use.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-02	Shall	If the chief has reason to believe that a coal mining and reclamation permit was improvidently issued, the chief shall review the circumstances under which the permit was issued using the criteria in this rule.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-02	Shall	The chief shall make a preliminary finding that a coal mining and reclamation permit was improvidently issued if	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-02	Shall	When the chief makes a preliminary finding under paragraph (B)(1) of this rule, the chief shall serve the permittee with a written notice of the preliminary finding,	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-02	Shall	which shall be based on evidence sufficient to establish a prima facie case that the permit was improvidently issued.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-02	Shall	If, in accordance with paragraph (B) of this rule and after considering any evidence submitted under paragraph (B)(3) of this rule, the chief finds that, because of an unabated or uncorrected violation a permit was improvidently issued, the chief shall use one or more of the following remedial measures:	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-02	Shall	If, in accordance with paragraph (B) of this rule, the chief finds that a permit was improvidently issued, and if, under paragraph (C)(3) or (C)(4) of this rule, the chief elects to suspend or rescind the permit, the chief shall serve on the permittee notice of proposed suspension and rescission which includes the reasons for the finding and states that in sixty days the permit will be suspended, or in one hundred and twenty days the permit will be rescinded, unless, within either of those periods of time, the permittee submits proof, and the chief finds that:	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-02	Shall	When the chief suspends or rescinds a permit pursuant to this rule, the chief shall :	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-02	Shall	After permit suspension or rescission, the permittee shall cease all coal mining and reclamation operations under the permit, except for violation abatement or correction and for reclamation and other environmental protection measures as required by the chief.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-03	Shall	The chief shall conduct an annual review of compliance with each exemption for coal extraction incidental to the extraction of other minerals approved under rule 1501:13-4-16 of the Administrative Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-03	Shall	The chief shall utilize the annual report submitted in accordance with paragraph (K) of rule 1501:13-4-16 of the Administrative Code, information obtained during an on-site inspection, and any other information available to the chief.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-03	Shall	If the chief has reason to believe that a specific mining area was not exempt from the requirements of Chapter 1513. of the Revised Code under the provisions of rule 1501:13-4-16 of the Administrative Code at the end of the previous reporting period, is not exempt, or will be unable to satisfy the exemption criteria at the end of the current reporting period, the chief shall notify the operator that the exemption may be revoked and the reason(s) therefore.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-03	Shall	The exemption shall be revoked unless the operator demonstrates to the chief within thirty days that the mining area in question should continue to be exempt	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-5-03	Shall	If the chief finds that an operator has not demonstrated that activities conducted in the mining area qualify for the exemption from the requirements of Chapter 1513. of the Revised Code for incidental coal extraction under rule 1501:13-4-16 of the Administrative Code, the chief shall revoke the exemption and immediately notify the operator by order of the chief.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-03	Shall	If a decision is made not to revoke an exemption, the chief shall immediately notify the operator.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-03	Shall	he chief shall also immediately notify any person who submitted written comments in accordance with paragraph (C)(3) of rule 1501:13-4-16 of the Administrative Code, regarding the request for exemption, of the decision to revoke or not to revoke the exemption.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-03	Shall not	A notice of appeal filed under section 1513.13 of the Revised Code shall not suspend the effect of a decision whether to revoke an exemption.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-03	Shall not	A notice of appeal filed under section 1513.13 of the Revised Code shall not suspend the effect of a decision whether to revoke an exemption.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-03	Shall	An operator who does not conduct activities in accordance with the terms of an approved exemption and knows or should know such activities are not in accordance with the approved exemption shall be subject to direct enforcement action for violations of Chapter 1513. of the Revised Code which occur during the period of such activities.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-03	Shall	Upon revocation of an exemption or denial of an exemption application, an operator shall stop conducting surface coal mining operations until a permit to conduct coal mining operations is obtained and shall comply with the reclamation standards of Chapter 1513. of the Revised Code and these rules with regard to conditions, areas and activities existing at the time of revocation or denial.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-5-03	Shall	Upon revocation of an exemption or denial of an exemption application, an operator shall stop conducting surface coal mining operations until a permit to conduct coal mining operations is obtained and shall comply with the reclamation standards of Chapter 1513. of the Revised Code and these rules with regard to conditions, areas and activities existing at the time of revocation or denial.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-6-03	Shall	The chief shall provide financial assistance under division (B)(3) of section 1513.07 of the Revised Code to the extent funds are appropriated by congress specifically for this program.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-6-03	Shall	The chief shall :	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-6-03	Shall	The chief shall develop policies and procedures for:	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-6-03	Shall	The chief shall ensure that applicable equal opportunity in employment provisions are included within any contract or other procurement documents.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-6-03	Shall	To the extent possible with available funds, the chief shall , for eligible small operators who request financial assistance, select and pay a qualified laboratory or reimburse an eligible operator to hire a qualified laboratory selected by the division of mineral resources management to provide those services requested and eligible under paragraph (a) of this rule.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-6-03	Shall	In determining an applicant’s eligibility his or her production figures will be verified by referencing production figures on file at the Ohio department of taxation and the Ohio department of natural resources. Production from the following operations shall be attributed to the permittee:	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-6-03	Shall	Filing for assistance. — Each applicant shall submit the following information to the chief:	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-6-03	Shall	A schedule of the estimated total production of coal from the proposed permit area and all other locations from which production is attributed to the applicant under paragraph (C) of this rule. The schedule shall include for each location:	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law

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1501:13-6-03	Shall	If the chief finds the applicant eligible, and he or she does not have information readily available which would preclude issuance of a permit to the applicant for mining in the area proposed, he or she shall provide for the acquisition of the necessary information by qualified laboratories to fulfill the data requirements of paragraph (F) of this rule.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-6-03	Shall	If the chief finds the applicant eligible, the chief shall inform the applicant in writing that the application is approved. If the chief finds the applicant ineligible, the chief shall inform the applicant in writing that the application is denied and shall state the reasons for denial.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-6-03	Shall	If the chief finds the applicant eligible, the chief shall inform the applicant in writing that the application is approved. If the chief finds the applicant ineligible, the chief shall inform the applicant in writing that the application is denied and shall state the reasons for denial.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-6-03	Shall	If the chief finds the applicant eligible, the chief shall inform the applicant in writing that the application is approved. If the chief finds the applicant ineligible, the chief shall inform the applicant in writing that the application is denied and shall state the reasons for denial.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-6-03	Shall not	The granting of assistance under this part shall not be a factor in decisions by the chief on a subsequent permit application	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-6-03	Shall	The chief shall determine the data collection requirements for each applicant or group of applicants. Data collection and analysis may proceed concurrently with the development of mining and reclamation plans by the applicant. The data requirements will be based on:	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-6-03	Shall	The data, results, analyses, and statements provided to the chief shall be sufficient to satisfy the requirements for:	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-6-03	Shall	The determination of the probable hydrologic consequences of the mining and reclamation operations on the proposed permit area and adjacent areas, including the engineering analyses and designs necessary for the determination, shall be made by a qualified laboratory.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-6-03	Shall	The data for this determination shall include that information required by division (B)(1)(k) of section 1513.07 of the Revised Code and paragraph (E)(2) of rule 1501:13-4-05 or paragraph (E)(2) of rule 1501:13-4-14 of the Administrative Code;	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-6-03	Shall	Data collected under this program shall be made available to all interested persons, except information related to the chemical and physical properties of coal.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-6-03	Shall	Information regarding the mineral or elemental content of the coal which is potentially toxic in the environment shall be made available.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-6-03	Shall	The program administrator shall develop procedures for interstate coordination and exchange of data.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-6-03	Shall	The chief shall establish a list of qualified laboratories which may be used under the procedures of this rule.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-6-03	Shall	Persons who desire to be included in the list of qualified laboratories shall apply to the division of mineral resources management and provide such information as is necessary to establish the qualifications required by paragraph (G)(2) of this rule.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-6-03	Shall	To qualify for designation, the laboratory shall demonstrate that it:	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-6-03	Shall	The qualified laboratory shall be capable of performing services for either the determination(s) or statement(s) under paragraph (F)(2) of this rule.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law

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1501:13-6-03	Shall not	Funds specifically authorized to cover payments for services rendered by qualified laboratories under this program shall not be used to cover state administrative costs. In addition to the basic services authorized under paragraph (A)(1) of this rule the following costs are allowed under payments to qualified laboratories or eligible small operators provided that on a case-by-case basis the information is determined necessary to complete the determination and statement required under divisions (B)(1)(k) and (B)(1)(o) of section 1513.07 of the Revised Code:	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-6-03	Shall	The chief shall , to the extent practicable, establish procedures for allocating funds to provide services for eligible small operators if available funds are less than those required to provide the services pursuant to this rule.	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-6-03	Shall	The applicant shall reimburse the division of mineral resources management for the cost of the services performed pursuant to this rule if the applicant:	1513.02, 1513.07	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-01	Shall	After an application for a permit to conduct coal mining and reclamation operations has been approved under these rules, the applicant shall file with the chief a performance security in compliance with these rules.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-01	Shall	If the applicant provides performance security together with reliance on the reclamation forfeiture fund in accordance with paragraph (C)(2) of this rule, the applicant shall file performance security for:	1513.02	Yes, state law	Yes, state law
1501:13-7-01	Shall	If the applicant provides performance security without reliance on the reclamation forfeiture fund in accordance with paragraph (C)(1) of this rule, the applicant shall file performance security for:	1513.02	Yes, state law	Yes, state law
1501:13-7-01	May not	Once coal extraction begins under an approved permit, a permittee providing performance security without reliance on the reclamation forfeiture fund in accordance with paragraph (C)(1) of this rule may not change to providing performance security together with reliance on the reclamation forfeiture fund in accordance with paragraph (C)(2) of this rule.	1513.02	Yes, state law	Yes, state law
1501:13-7-01	Shall	No person shall disturb surface acreage, either by coal mining and reclamation operations conducted on the surface of land or as a result of surface impacts incidental to an underground coal mine, prior to filing with the chief a performance security covering the areas of land to be affected.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-01	Shall	Liability on the performance security shall cover all coal mining and reclamation operations to be conducted within the permit area until the end of the permittee’s period of reclamation responsibility.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-01	Shall	No area affected by a coal mining and reclamation operation within a permit shall be identified with a specific performance security.	1513.02	Yes, state law	Yes, state law
1501:13-7-01	Shall	Performance security shall apply to the permit area and to all revisions to the permit, including incidental boundary revisions and adjacent area permits.	1513.02	Yes, state law	Yes, state law
1501:13-7-01	Shall	The applicant that provides performance security together with reliance on the reclamation forfeiture fund in accordance with paragraph (C)(2) of this rule shall as part of the permit application process:	1513.02	Yes, state law	Yes, state law
1501:13-7-01	Shall	The applicant that provides performance security without reliance on the reclamation forfeiture fund in accordance with paragraph (C)(1) of this rule shall as part of the permit application process:	1513.02	Yes, state law	Yes, state law
1501:13-7-01	Shall	Thirty days before affecting more than the number of acres or incremental mining units for which performance security has been filed with the chief, the permittee shall file additional performance security for the number of additional acres to be affected in the permit year or for the next incremental mining unit or units to be affected by the mining and reclamation operation;	1513.02	Yes, state law	Yes, state law
1501:13-7-01	Shall	The permittee shall within thirty days after the end of every permit year:i) Identify on the annual map each incremental area or incremental mining unit for the first through most recent permit year in accordance with the requirements of these rules; and (ii) File performance bond with the chief, concurrently with the submittal of the annual map	1513.02	Yes, state law	Yes, state law

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1501:13-7-01	May not	After a permit is issued, a permittee that has chosen to provide incremental performance security may elect instead to provide performance security for the entire permit area and file the entire performance security required during the term of the permit; and, but a permittee who has filed the entire performance bond required during the term of the permit may not change to incremental bonding.	1513.02	Yes, state law	Yes, state law
1501:13-7-01	May not	After a permit is issued, a permittee that provides performance security together with reliance on the reclamation forfeiture fund in accordance with paragraph (C)(2) of this rule and that has filed the entire performance security required during the term of the permit may not change to incremental performance security.	1513.02	Yes, state law	Yes, state law
1501:13-7-01	Shall	A permittee that has filed performance security for the entire permit area instead of filing performance security incrementally shall identify an incremental area or incremental mining unit at the end of each permit year in the manner prescribed in paragraph (A)(6)(d)(i) of this rule and may obtain release of performance security by incremental area or by incremental mining unit, pursuant to rule 1501:13-7-05 or rule 1501:13-7-05.1 of the Administrative Code, as applicable.	1513.02	Yes, state law	Yes, state law
1501:13-7-01	Shall	The chief shall determine the estimated cost of reclamation under the initial term of the permit if the reclamation has to be performed by the division of mineral resources management in the event of forfeiture of the performance security by the permittee.	1513.02	Yes, state law	Yes, state law
1501:13-7-01	Shall	The chief shall determine the estimated cost of reclamation using:	1513.02	Yes, state law	Yes, state law
1501:13-7-01	Require	The information contained in the permit application and in the approved mining and reclamation plan, as required by the chief and submitted by the applicant under rule 1501:13-4-05 of the Administrative Code , rule 1501:13-4-14 of the Administrative Code or paragraph (I) of rule 1501:13-4-12 of the Administrative Code ; and	1513.02	Yes, state law	Yes, state law
1501:13-7-01	Shall	The chief shall provide the applicant a copy of the estimated cost of reclamation along with the unit costs used to support the estimated cost of reclamation.	1513.02	Yes, state law	Yes, state law
1501:13-7-01	Shall	The chief shall send written notice of the amount of the estimated cost of reclamation by certified mail to the applicant.	1513.02	Yes, state law	Yes, state law
1501:13-7-01	Shall	The applicant shall send written notice to the chief indicating the method by which the applicant will provide the performance security.	1513.02	Yes, state law	Yes, state law
1501:13-7-01	Shall	The method of providing performance security shall apply to the entire permit.	1513.02	Yes, state law	Yes, state law
1501:13-7-01	Shall	The applicant shall provide the performance security in an amount using one of the following:	1513.02	Yes, state law	Yes, state law
1501:13-7-01	Shall	If the applicant provides performance security without reliance on the reclamation forfeiture fund created in section 1513.18 of the Revised Code, the applicant shall provide as performance security the amount of the estimated cost of reclamation as determined by the chief under paragraph (B) of this rule and in accordance with paragraphs (B) and (C) of rule 1501:13-7-02 of the Administrative Code.	1513.02	Yes, state law	Yes, state law
1501:13-7-01	Shall	If the applicant provides performance security together with reliance on the reclamation forfeiture fund created in section 1513.18 of the Revised Code, the applicant shall , in addition to paying the tax on the severance of coal levied under division (A)(8) of section 5749.02 of the Revised Code, provide performance security in the amount required under paragraphs (A) and (C) of rule 1501:13-7-02 of the Administrative Code.	1513.02	Yes, state law	Yes, state law
1501:13-7-01	Shall	To be eligible to provide performance security in accordance with paragraph (C)(2) of this rule, the applicant, an owner and controller of the applicant, or an affiliate of the applicant shall have held a permit issued under this chapter for any coal mining and reclamation operation for a period of not less than five years.	1513.02	Yes, state law	Yes, state law

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1501:13-7-01	Shall	In the event of forfeiture of performance security that was provided in accordance with paragraph (C)(2) of this rule, the difference between the amount of that performance security and the estimated cost of reclamation as determined by the chief under paragraph (B) of this rule shall be obtained from the money in the reclamation forfeiture fund created in section 1513.18 of the Revised Code as needed to complete the reclamation.	1513.02	Yes, state law	Yes, state law
1501:13-7-01 (A) (1) (a)	Shall	If, upon receipt by the chief of the final map and final report, the number of acres affected is less than the number of acres for which performance security has been provided, the chief shall release the excess performance security to the permittee.	1513.02	Yes, state law	Yes, state law
1501:13-7-01	Shall	The chief shall prescribe and furnish forms for filing performance security	1513.02	Yes, state law	Yes, state law
1501:13-7-01	Shall	The chief shall determine the estimated cost of reclamation in accordance with paragraph (B) of this rule.	1513.02	Yes, state law	Yes, state law
1501:13-7-01	Shall	The chief shall adjust the amount of the estimated cost of reclamation and the amount of a permittee’s performance security provided required for the permit area in accordance with paragraph (E) of rule 1501:13-7-02 of the Administrative Code	1513.02	Yes, state law	Yes, state law
1501:13-7-01	Shall	The chief shall release the permittee from his performance security obligations in accordance with rule 1501:13-7-05 or rule 1501:13-7-05.1 of the Administrative Code.	1513.02	Yes, state law	Yes, state law
1501:13-7-01	Shall	The chief shall cause all or part of a performance security to be forfeited in accordance with rule 1501:13-7-06 of the Administrative Code.	1513.02	Yes, state law	Yes, state law
1501:13-7-01	Shall	The chief shall require as a condition of the permit that adequate performance security coverage be in effect at all times.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-02	Shall	The amount of the performance security shall be two thousand five hundred dollars per acre of land on which the permittee will conduct a coal mining and reclamation operation under the initial term of the permit as indicated in the application.	1513.02, 1513.08	Yes, state law	Yes, state law
1501:13-7-02	Shall	The amount of performance security shall be equal to the estimated cost of reclamation, as determined by the chief under paragraph (B) of rule 1501:13-7-01 of the Administrative Code, for:	1513.02, 1513.08	Yes, state law	Yes, state law
1501:13-7-02	Shall	A permittee’s responsibility for repairing material damage and replacement of water supplies resulting from subsidence shall be satisfied by either of the following:	1513.02, 1513.08	Yes, state law	Yes, state law
1501:13-7-02	Shall	The insurance policy shall contain terms and conditions that specifically provide coverage for repairing material damage and replacement of water supplies resulting from subsidence; or	1513.02, 1513.08	Yes, state law	Yes, state law
1501:13-7-02	Shall	The amount of the performance security for coal mining and reclamation operations shall be ten thousand dollars at a minimum for the entire area under one permit and the minimum amount shall be maintained on deposit until such time as the permittee is released from all liability in accordance with rule 1501:13-7-05 or rule 1501:13-7-05.1 of the Administrative Code.	1513.02, 1513.08	Yes, state law	Yes, state law
1501:13-7-02	Shall	The amount of the performance security for coal mining and reclamation operations shall be ten thousand dollars at a minimum for the entire area under one permit and the minimum amount shall be maintained on deposit until such time as the permittee is released from all liability in accordance with rule 1501:13-7-05 or rule 1501:13-7-05.1 of the Administrative Code.	1513.02, 1513.08	Yes, state law	Yes, state law
1501:13-7-02	Shall	Liability under a performance security or securities applicable to a permit shall continue until all reclamation and restoration work under the requirements of Chapter 1513. of the Revised Code, these rules, and the provisions of the mining and reclamation plan has been completed, the period of extended responsibility for revegetation has expired in accordance with rule 1501:13-9-15 of the Administrative Code, and the permittee is released from liability in accordance with rule 1501:13-7-05 or rule 1501:13-7-05.1 of the Administrative Code.	1513.02, 1513.08	Yes, state law	Yes, state law
1501:13-7-02	Shall	The performance security liability of the permittee shall include only those actions which the permittee is obligated to take under the permit,	1513.02, 1513.08	Yes, state law	Yes, state law

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1501:13-7-02	Shall	The chief shall adjust the amount of the estimated cost of reclamation determined under paragraph (B) of rule 1501:13-7-01 of the Administrative Code if the land that is affected by mining increases or decreases or if the cost of reclamation increases or decreases.	1513.02, 1513.08	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-02	Shall	For permits for which the permittee provides performance security without reliance on the reclamation forfeiture fund in accordance with paragraph (C)(1) of rule 1501:13-7-01 of the Administrative Code, the chief shall adjust the amount of a permittee’s performance security provided in accordance with this rule if the land that is affected by mining increases or if the cost of reclamation increases and shall allow the permittee the option of reducing the amount of performance security provided in accordance with this rule if the land that is affected by mining decreases or if the cost of reclamation decreases.	1513.02, 1513.08	Yes, state law	Yes, state law
1501:13-7-02	Shall	For permits for which the permittee provides performance security without reliance on the reclamation forfeiture fund in accordance with paragraph (C)(1) of rule 1501:13-7-01 of the Administrative Code, the chief shall adjust the amount of a permittee’s performance security provided in accordance with this rule if the land that is affected by mining increases or if the cost of reclamation increases and shall allow the permittee the option of reducing the amount of performance security provided in accordance with this rule if the land that is affected by mining decreases or if the cost of reclamation decreases.	1513.02, 1513.08	Yes, state law	Yes, state law
1501:13-7-02	Shall	The chief may review at any time during the term of the permit the estimated cost of reclamation determined under paragraph (B) of rule 1501:13-7-01 of the Administrative Code and the amount of a permittee’s performance security provided in accordance with this rule to determine whether an adjustment is needed, but at a minimum the chief shall review the estimated cost of reclamation and the amount of a permittee’s performance security at the following times:	1513.02, 1513.08	Yes, state law	Yes, state law
1501:13-7-02	Shall	The chief shall notify, in writing, persons involved in performance security coverage of any proposed performance security adjustments. For purposes of this rule a person involved in performance security coverage shall include the permittee, the surety, and any other person with a property interest in collateral posted under these rules who has in writing to the chief requested such notification at the time the collateral is posted or the interest is acquired, whichever occurs later.	1513.02, 1513.08	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-02	Shall	The chief shall notify, in writing, persons involved in performance security coverage of any proposed performance security adjustments. For purposes of this rule a person involved in performance security coverage shall include the permittee, the surety, and any other person with a property interest in collateral posted under these rules who has in writing to the chief requested such notification at the time the collateral is posted or the interest is acquired, whichever occurs later.	1513.02, 1513.08	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-02	Shall	The permittee may request an informal conference with the chief concerning a performance security adjustment made under paragraph (E) of this rule, and the chief shall provide such an informal conference in accordance with rule 1501:13-14-05 of the Administrative Code.	1513.02, 1513.08	Yes, state law	Yes, state law
1501:13-7-02	Shall	If the chief increases the amount of performance security under paragraph (E) of this rule, the permittee shall provide additional performance security in an amount determined by the chief.	1513.02, 1513.08	Yes, state law	Yes, state law
1501:13-7-02	Shall	If the chief decreases the amount of performance security under paragraph (E) of this rule, the chief shall determine the amount of the reduction of the performance security and send written notice of the amount of reduction to the permittee.	1513.02, 1513.08	Yes, state law	Yes, state law
1501:13-7-02	Shall	The chief shall examine the documentation and determine whether the permittee’s performance security exceeds the estimated cost of reclamation.	1513.02, 1513.08	Yes, state law	Yes, state law
1501:13-7-02	Shall	If the chief determines that the performance security exceeds that estimated cost, the chief shall determine the amount of the reduction of the performance security and send written notice of the amount to the permittee.	1513.02, 1513.08	Yes, state law	Yes, state law

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1501:13-7-02	Shall not	An adjustment in the amount of performance security under paragraph (E) of this rule shall not be considered release of performance security and is not subject to division (F) of section 1513.16 of the Revised Code.	1513.02, 1513.08	Yes, state law	Yes, state law
1501:13-7-03	Shall	Form of the performance security. — The performance security to be submitted by the applicant or permittee shall be on forms furnished by the chief	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall	Form of the performance security. — The performance security to be submitted by the applicant or permittee shall be on forms furnished by the chief. The chief shall allow for:	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall	The performance security shall be in an amount determined by the chief as provided in paragraphs (A) and (C) of rule 1501:13-7-02 of the Administrative Code for permits for which the applicant or permittee provides performance security together with reliance on the reclamation forfeiture fund, or as provided in paragraphs (B) and (C) of rule 1501:13-7-02 of the Administrative Code for permits for which the applicant or permittee provides performance security without reliance on the reclamation forfeiture fund.	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall	The performance security shall be payable to the state and conditioned upon the faithful performance of all the requirements of Chapter 1513. of the Revised Code, rules adopted thereunder, and the provisions of the applicant’s approved mining and reclamation plan.	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall	Except for performance security provided in accordance with rule 1501:13-7-04 of the Administrative Code, the name of the permittee on the performance security shall be identical to the name of the permittee on the permit.	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall	The duration of the performance security shall be that described in paragraph (D) of rule 1501:13-7-02 of the Administrative Code.	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall	Surety bonds shall be subject to the following conditions:	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall not	The chief shall not accept the bonds of a surety company unless the bond is noncancellable by the surety at any time for any reason including, but not limited to, non-payment of premium or bankruptcy of the permittee during the period of liability	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall not	The chief shall not accept a surety bond in excess of ten per cent of the surety company’s capital surplus account;	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall not	The chief shall not accept a surety bond from a surety company for any operator if the sum of such bond and all other surety bonds issued by the surety company on any and all the permits of that operator is in excess of thirty percent of the surety company’s capital surplus account;	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall	The surety bond shall be issued by a corporate surety licensed to do business in Ohio;	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall	The chief may provide in the bond that the amount shall be confessed to judgment upon forfeiture as provided in section 2323.13 of the Revised Code;	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall	The bond shall provide that the surety and the permittee shall be jointly and severally liable; and	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall	The bond shall provide that the surety and the permittee shall be jointly and severally liable; and	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall	The bond shall provide that the surety will give prompt notice to the permittee and the chief of any notice received or action filed alleging the insolvency or bankruptcy of the surety	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall	Collateral bonds, except for letters of credit, shall be subject to the following conditions:	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall	The chief shall deliver to the treasurer of state all collateral deposited by the permittee or applicant to be held until authorized for release or replacement as provided in these rules.	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall	The treasurer shall hold it in trust for the purposes for which it has been deposited;	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall	The chief shall value collateral at their current market value, not face value	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall not	The chief shall not accept a certificate of deposit unless it is payable to the state, both in writing and upon the records of the bank issuing such certificates;	1513.02	Yes, state law	Yes, state law

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1501:13-7-03	Shall not	The chief shall not accept an individual certificate or cash account for a denomination in excess of the maximum insurable amount as determined by F.D.I.C. and F.S.L.I.C.;	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall	If the performance security is a cash deposit or negotiable certificates of deposit of a bank or savings and loan association, the bank or savings and loan association shall be licensed and operating in Ohio;	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall	A certificate of deposit shall be automatically renewable and issued with a maturity date of not less than twelve months;	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall	At the time a certificate of deposit is being closed and rolled over into a new certificate of deposit, the permittee shall notify the chief of any change of account numbers by submitting a revised collateral bond indemnity agreement form;	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall	The chief shall require the applicant to deposit sufficient amounts of certificates of deposit to assure that upon forfeiture the chief will be able to liquidate those certificates prior to maturity for the amount of the performance security required by rules 1501:13-7-01 to 1501:13-7-06 of the Administrative Code ; and	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Require	The chief shall require the applicant to deposit sufficient amounts of certificates of deposit to assure that upon forfeiture the chief will be able to liquidate those certificates prior to maturity for the amount of the performance security required by rules 1501:13-7-01 to 1501:13-7-06 of the Administrative Code ; and	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall	Letters of credit shall be subject to the following	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall	The initial term of the letter of credit shall be for not less than one year from the issue date	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall	and shall be automatically renewable for a period of not less than one year from the scheduled expiration date, unless the bank notifies the chief by certified or registered mail at least sixty days before the expiration date that the bank will not renew the letter of credit.	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall	Upon notice of a bank’s intent not to renew the letter of credit, the permittee shall replace performance security, at least thirty days before the expiration date of the letter of credit agreement with other letters of credit, other forms of security supporting the collateral bond indemnity agreement, or another form of performance security.	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall	If the letter of credit is not replaced at least thirty days prior to the expiration date, the chief shall demand and obtain payment on it before it expires;	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall	The letter shall be payable to the state, in part or in full, upon written demand by the chief and, except as provided in paragraph (B)(7)(b) of this rule, accompanied by a written statement signed by the chief declaring one or more of the following:	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall	The chief may require in the indemnity agreement that the amount shall be confessed in judgment upon forfeiture as provided in section 2323.13 of the Revised Code; and	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall	The letters of credit shall provide that:	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall	The estimated bond value of all collateral provided as performance security assurance under paragraphs (B)(6) and (B)(7) of this rule shall be subject to a margin, which is the ratio of bond value to market value, as determined by the chief.	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall	The margin shall reflect legal and liquidation fees, as well as value depreciation, marketability and fluctuations which might affect the net cash available to the chief in performing reclamation.	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall	The bond value of collateral may be evaluated at any time, but it shall be evaluated as part of permit renewal and if necessary, the performance security amount increased or decreased.	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall	Persons with an interest in a collateral bond provided as performance security, and who desire notification of actions pursuant to the collateral bond, shall request the notification in writing to the chief at the time collateral bond is offered.	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall	Trust funds for performance security under this rule shall be subject to the following conditions:	1513.02	Yes, state law	Yes, state law

RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1501:13-7-03	Shall	The trust fund shall be in an amount equal to the estimated cost of reclamation as determined by the chief under paragraph (B) of rule 1501:13-7-01 of the Administrative Code excluding all cost of administration of the trust fund;	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall	The trust fund agreement shall be in a form approved by the chief and shall contain all terms and conditions required by the chief;	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall	The trust fund agreement shall be in a form approved by the chief and shall contain all terms and conditions required by the chief;	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall	The chief shall specify the investment objectives of the trust fund;	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall	If a surety, bank, savings and loan association, trust company, or other financial institution that holds the performance security required under this rule becomes incapacitated by reason of bankruptcy, insolvency, or suspension or revocation of its license, the permittee shall be deemed to be without performance security coverage in violation of paragraph (A) of rule 1501:13-7-01 of the Administrative Code and shall promptly notify the chief.	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall	If a surety, bank, savings and loan association, trust company, or other financial institution that holds the performance security required under this rule becomes incapacitated by reason of bankruptcy, insolvency, or suspension or revocation of its license, the permittee shall be deemed to be without performance security coverage in violation of paragraph (A) of rule 1501:13-7-01 of the Administrative Code and shall promptly notify the chief.	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall	The chief shall notify, in writing, any permittee who is without performance security to submit a plan for replacement performance security within thirty days after receipt of such notice from the chief.	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall	If performance security is not replaced within the period set forth in paragraph (B)(11)(a) or (B)(11)(b) of this rule, the permittee shall cease all coal extraction being conducted under the permit and shall immediately begin to conduct reclamation operations in accordance with the reclamation plan.	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall	If performance security is not replaced within the period set forth in paragraph (B)(11)(a) or (B)(11)(b) of this rule, the permittee shall cease all coal extraction being conducted under the permit and shall immediately begin to conduct reclamation operations in accordance with the reclamation plan.	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall not	Mining shall not resume until the chief has determined that an acceptable performance security has been filed in accordance with paragraph (A) of rule 1501:13-7-01 of the Administrative Code.	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall	For a permit for which performance security is provided without reliance on the reclamation forfeiture fund in accordance with paragraph (C)(1) of rule 1501:13-7-01 of the Administrative Code, the permittee shall provide the replacement performance security within ninety days after receipt of written notice from the chief that the permittee is without performance security	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall	For a permit for which performance security is provided together with reliance on the reclamation forfeiture fund in accordance with paragraph (C)(2) of rule 1501:13-7-01 of the Administrative Code, the permittee shall continue to pay the severance tax levied under division (A)(8) of section 5749.02 of the Revised Code and shall provide the replacement performance security within one year after receipt of written notice from the chief that the permittee is without performance security.	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall	For a permit for which performance security is provided together with reliance on the reclamation forfeiture fund in accordance with paragraph (C)(2) of rule 1501:13-7-01 of the Administrative Code, the permittee shall continue to pay the severance tax levied under division (A)(8) of section 5749.02 of the Revised Code and shall provide the replacement performance security within one year after receipt of written notice from the chief that the permittee is without performance security.	1513.02	Yes, state law	Yes, state law

RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1501:13-7-03	Shall not	The chief shall not release existing performance security until the permittee has submitted and the chief has approved acceptable replacement performance security.	1513.02	Yes, state law	Yes, state law
1501:13-7-03	Shall not	A replacement of performance security pursuant to paragraph (C) of this rule shall not constitute a release of performance security.	1513.02	Yes, state law	Yes, state law
1501:13-7-05	Shall	After all reclamation, restoration, and abatement work in a reclamation phase, as defined in paragraph (B)(1) of this rule, is completed on the entire permit area or on an incremental area, the permittee, or any person authorized to act on his or her behalf, shall file a request with the chief for approval of that reclamation.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05	Shall	A request for approval of a reclamation phase shall include a request for release of performance security.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05	Shall	Every request for approval of reclamation for a particular reclamation phase shall include:	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05	Shall	The request for approval of reclamation phase II or any attachments to the request shall also include:	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05	Shall	The request for approval of reclamation phase III or any attachments to the request shall also state:	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05	Shall	With every request for approval of reclamation for a particular reclamation phase, the permittee shall submit copies of the letters the permittee has sent to adjoining property owners, local government bodies, planning agencies, and sewage and water treatment authorities or water companies in the locality in which the coal mining and reclamation activities took place, notifying them of the permittee’s intention to seek release of performance security.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05	Shall	At the time that a request for release of performance security is filed with the chief, the permittee shall publish an advertisement, described in division (F)(1) of section 1513.16 of the Revised Code, at least once a week for four successive weeks in a newspaper of general circulation in the locality of the coal mining operation	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05	Shall	In addition to the requirements specified in division (F)(1) of section 1513.16 of the Revised Code, the advertisement shall contain the permittee’s name and shall state that written comments, objections, and requests for a performance security release conference may be submitted to the chief pursuant to rule 1501:13-7-08 of the Administrative Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05	Shall	In addition to the requirements specified in division (F)(1) of section 1513.16 of the Revised Code, the advertisement shall contain the permittee’s name and shall state that written comments, objections, and requests for a performance security release conference may be submitted to the chief pursuant to rule 1501:13-7-08 of the Administrative Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05	Shall	The advertisement shall also provide the address to which, and closing date by which, written comments, objections and requests for performance security release conferences must be sen	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05	Must	The advertisement shall also provide the address to which, and closing date by which, written comments, objections and requests for performance security release conferences must be sent	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05	Shall	Within thirty days after filing a request for release with the chief, the permittee shall submit a copy of this advertisement to the chief.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05	Require	After the publication required by paragraph (A)(3) of this rule and prior to the release of performance security, the permittee shall submit to the chief a notarized proof of publication from the newspaper that published the advertisement.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05	Shall	After the publication required by paragraph (A)(3) of this rule and prior to the release of performance security, the permittee shall submit to the chief a notarized proof of publication from the newspaper that published the advertisement.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05	Shall	Within thirty days after the permittee has complied with the requirements of paragraphs (A)(1), (A)(2), and (A)(3) of this rule, the chief shall conduct an inspection and evaluation of the reclamation work involved.	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-7-05	Shall	The surface owner, or agent or lessee of the surface owner, shall be given notice of such inspection and may participate with the chief or his or her authorized representative in making the performance security release inspection.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05	Shall	The chief shall consider during inspection and evaluation of the reclamation:	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05	Shall	The chief shall notify in writing the permittee and any other interested parties of his or her decision to approve or disapprove the request for release and his or her decision to release or not to release all or part of the performance security:	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05	Shall	If the chief disapproves a request for release, the chief shall notify the permittee in writing, stating the reasons for disapproval, recommending corrective action necessary to secure release, and informing the permittee of his or her right to appeal this decision to the reclamation commission.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05	Shall	If the chief intends to release the performance security, the chief shall notify the municipal corporation in which the coal mining operation is located by certified mail at least thirty days before release of all or part of the performance security.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05	Shall not	The chief shall not release performance security until proceedings in review of a decision to release are terminated or, if rights to administrative and judicial review have not been exercised, until periods allowed for filing applications for review have expired.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05	Shall	Reclamation phase I shall be determined to be completed when, in accordance with the approved mining and reclamation plan:	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05	Shall	Reclamation phase II shall be determined to be completed when:	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05	Shall	Reclamation phase III shall be determined to be completed when:	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05	Shall	Before determining that extended liability should apply to only a portion of the incremental area, the chief shall determine such portion:	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05	Shall	If an area is separated under paragraph (B)(2)(c) of this rule, that portion shall have performance security provided separately and the applicable period of liability,	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05	Shall	in accordance with rule 1501:13-7-02 of the Administrative Code, shall commence anew.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05	Shall	he period of liability for the remaining area shall continue in effect without extension.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05	Shall	A portion of an incremental area requiring a reduced period of liability because of its classification as a remining area shall be separated from the rest of the incremental area and shall be eligible for phase III performance security release pursuant to paragraph (O) of rule 1501:13-9-15 of the Administrative Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05	Shall	A portion of an incremental area requiring a reduced period of liability because of its classification as a remining area shall be separated from the rest of the incremental area and shall be eligible for phase III performance security release pursuant to paragraph (O) of rule 1501:13-9-15 of the Administrative Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05	Shall	When reclamation phase I is approved by the chief for an incremental or the entire permit area, the chief shall release performance security liability in the amount of fifty per cent of the performance security for the incremental area or the entire permit area on which the reclamation phase I is complete.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05	Shall	When reclamation phase II is approved by the chief for an incremental area or the entire permit area, the chief shall release performance security liability in an amount not exceeding thirty-five per cent of the original performance security for the incremental area or the entire permit area on which the reclamation phase II is complete.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05	Shall	When reclamation phase III is approved by the chief for an incremental area or the entire permit area, the chief shall release the remaining performance security liability for the incremental area or entire permit area.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05	Shall	Order of release. — With the exception of certificates of deposit, trust funds, and cash, which shall be released in any manner and order as determined by the chief,	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-7-05	Shall	other forms of performance security shall be released under paragraph (B)(3) of this rule in the order in which they were filed, and according to the following order by form of performance security:	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05.1	Shall	After all reclamation, restoration, and abatement work in a reclamation phase, as defined in paragraph (B)(1) of this rule, is completed on the entire permit area or on an entire incremental mining unit, the permittee, or any person authorized to act on his or her behalf, shall file a request with the chief for approval of that reclamation.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05.1	Shall	A request for approval of a reclamation phase for the entire permit area or for an entire incremental mining unit shall include a request for release of performance security.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05.1	Shall not	A request for approval under this paragraph shall not include a request for release of performance security.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05.1	Shall	Every request for approval of reclamation for a particular reclamation phase shall include:	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05.1	Shall	The request for approval of reclamation phase II or any attachments to the request shall also include:	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05.1	Shall	The request for approval of reclamation phase III or any attachments to the request shall also state:	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05.1	Shall	With every request for approval of reclamation for a particular reclamation phase, the permittee shall submit copies of the letters the permittee has sent to adjoining property owners, local government bodies, planning agencies, and sewage and water treatment authorities or water companies in the locality in which the coal mining and reclamation activities took place, notifying them of the permittee’s request for reclamation phase approval and, when included, the permittee’s request for release of performance security.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05.1	Shall	At the time that a request for approval of a reclamation phase or a request for release of performance security is filed with the chief, the permittee shall publish an advertisement, described in division (F)(1) of section 1513.16 of the Revised Code, at least once a week for four successive weeks in a newspaper of general circulation in the locality of the coal mining operation.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05.1	Shall	In addition to the requirements specified in division (F)(1) of section 1513.16 of the Revised Code, the advertisement shall contain the permittee’s name and shall state that written comments, objections, and requests for a reclamation phase approval conference or a performance security release conference may be submitted to the chief pursuant to rule 1501:13-7-08 of the Administrative Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05.1	Shall	In addition to the requirements specified in division (F)(1) of section 1513.16 of the Revised Code, the advertisement shall contain the permittee’s name and shall state that written comments, objections, and requests for a reclamation phase approval conference or a performance security release conference may be submitted to the chief pursuant to rule 1501:13-7-08 of the Administrative Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05.1	Shall	The advertisement shall also provide the address to which, and closing date by which, written comments,	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05.1	Must	objections and requests for a reclamation phase approval conference or a performance security release conference must be sent.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05.1	Shall	Within thirty days after filing a request for approval of a reclamation phase or a request for approval of a release with the chief, the permittee shall submit a copy of this advertisement to the chief.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05.1	Shall	After the publication required by paragraph (A)(3) of this rule and prior to the approval of the reclamation phase or the release of performance security, the permittee shall submit to the chief a notarized proof of publication from the newspaper that published the advertisement	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05.1	Shall	Within thirty days after the permittee has complied with the requirements of paragraphs (A)(1), (A)(2), and (A)(3) of this rule, the chief shall conduct an inspection and evaluation of the reclamation work involved.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05.1	Shall	The surface owner, or agent or lessee of the surface owner, shall be given notice of such inspection and may participate with the chief or his or her authorized representative in making the reclamation phase approval inspection.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05.1	Shall	The chief shall consider during inspection and evaluation of the reclamation:	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-7-05.1	Shall	The chief shall notify in writing the permittee and any other interested parties of his or her decision to approve or disapprove a reclamation phase or a request for release and his or her decision to release or not to release all or part of the performance security:	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05.1	Shall	If the chief disapproves a reclamation phase or a request for release, the chief shall notify the permittee in writing, stating the reasons for disapproval, recommending corrective action necessary to secure approval or release, and informing the permittee of his or her right to appeal this decision to the reclamation commission.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05.1	Shall	If the chief intends to release the performance security, the chief shall notify the municipal corporation in which the coal mining operation is located by certified mail at least thirty days before release of all or part of the performance security.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05.1	Shall not	The chief shall not release performance security until proceedings in review of a decision to release are terminated or, if rights to administrative and judicial review have not been exercised, until periods allowed for filing applications for review have expired.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05.1	Shall	Reclamation phase I shall be determined to be completed when, in accordance with the approved mining and reclamation plan	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05.1	Shall	Reclamation phase II shall be determined to be completed when:	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05.1	Shall	Reclamation phase III shall be determined to be completed when:	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05.1	Shall	Before determining that extended liability should apply to only a portion of the incremental mining unit, the chief shall determine such portion:	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05.1	Shall	f an area is separated under paragraph (B)(2)(c) of this rule, that portion shall have performance security provided separately and the applicable period of liability	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05.1	Shall	in accordance with rule 1501:13-7-02 of the Administrative Code, shall commence anew.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05.1	Shall	The period of liability for the remaining area shall continue in effect without extension. The amount of performance security on the original incremental mining unit may be adjusted in accordance with rule 1501:13-7-02 of the Administrative Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05.1	Shall	A portion of an incremental mining unit requiring a reduced period of liability because of its classification as a remining area shall be separated from the rest of the incremental mining unit and shall be eligible for phase III performance security release pursuant to paragraph (O) of rule 1501:13-9-15 of the Administrative Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05.1	Shall	A portion of an incremental mining unit requiring a reduced period of liability because of its classification as a remining area shall be separated from the rest of the incremental mining unit and shall be eligible for phase III performance security release pursuant to paragraph (O) of rule 1501:13-9-15 of the Administrative Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05.1	Shall	When reclamation phase I is approved by the chief for an incremental mining unit or the entire permit area, the chief shall release performance security liability in an amount of up to fifty per cent of the performance security for the incremental mining unit or the entire permit area on which the reclamation phase I is complete.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05.1	Shall	When reclamation phase II is approved by the chief for an incremental mining unit or the entire permit area, the chief shall release performance security liability in an amount of up to thirty-five per cent of the original performance security for the incremental mining unit or the entire permit area on which the reclamation phase II is complete.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05.1	Shall	When reclamation phase III is approved by the chief for an incremental mining unit or the entire permit area, the chief shall release the remaining performance security liability for the incremental mining unit or entire permit area.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-05.1	Shall	With the exception of certificates of deposit, trust funds, and cash, which shall be released in any manner and order as determined by the chief	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-7-05.1	Shall	other forms of performance security shall be released under paragraph (B)(3) of this rule in the order in which they were filed, and according to the following order by form of performance security:	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-06	Shall	The chief shall forfeit performance security under the procedures contained in paragraph (C) of this rule whenever any of the following criteria applies:	1513.02, 1513.16	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-06	Shall	Before performance security is forfeited under the criteria of paragraph (A)(2) or (A)(3) of this rule, because of abandonment of the coal mining and reclamation operation or inability of the permittee to comply, the chief shall order the permittee to show cause why the operation should not be deemed abandoned or why the permittee has the ability to comply with the requirements of Chapter 1513. of the Revised Code.	1513.02, 1513.16	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-06	Shall	The show cause order shall : a) Identify the coal mining and reclamation operations covered by the performance security to be forfeited; (b) Give notice of the time, date, place, and purpose of the show cause hearing at which the permittee may show cause why the operation should not be deemed abandoned or why the permittee has the ability to comply with the requirements of Chapter 1513. of the Revised Code; and (c) Be issued at least twenty-one days before the show cause hearing is held.	1513.02, 1513.16	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-06	Shall	If the chief determines that the show cause order sent by certified mail is not received by the permittee within seven days after the order is mailed, the chief shall , as soon as possible, publish notice of the date, time, place, and purpose of the show cause hearing in a newspaper of general circulation in the locality of the operation.	1513.02, 1513.16	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-06	Shall	When performance security is to be forfeited, the chief shall issue a performance security forfeiture order to the permittee.	1513.02, 1513.16	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-06	Shall	The chief shall identify in the performance security forfeiture order the entire permit area or, when applicable, the incremental area or the incremental mining unit, for which performance security is to be forfeited.	1513.02, 1513.16	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-06	Shall	The order shall forfeit all remaining performance security on deposit for the permit.	1513.02, 1513.16	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-06	Shall	The performance security forfeiture order may include the terms of a reclamation agreement with the chief which, if complied with, shall result in avoidance of the forfeiture.	1513.02, 1513.16	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-06	Shall	The terms of the agreement shall include performance of reclamation operations and abatement of all unabated violations in accordance with a compliance schedule which meets the conditions of the permit, the reclamation plan, Chapter 1513. of the Revised Code and these rules, and a timetable specified by the chief.	1513.02, 1513.16	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-06	Shall	If the permittee fails to enter into a reclamation agreement within twenty days of the issuance of a performance security forfeiture order containing such agreement, the chief shall immediately forfeit the performance security and notify the permittee’s surety, if applicable, of the permittee’s failure to comply.	1513.02, 1513.16	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-06	Shall	If the permittee demonstrates to the chief’s satisfaction within twenty days of the issuance of a performance security forfeiture order that the permittee has the ability to meet the terms and conditions of the reclamation agreement contained in the performance security forfeiture order, the chief shall monitor compliance with the terms and conditions of the reclamation agreement.	1513.02, 1513.16	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-06	Shall	Upon the permittee’s satisfactory performance under the terms and conditions of the reclamation agreement, the chief shall rescind the performance security forfeiture order.	1513.02, 1513.16	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-06	Shall	Upon the permittee’s failure to comply with any of the terms or conditions of the reclamation agreement, the chief shall immediately forfeit the performance security and notify the permittee’s surety, if applicable, of the permittee’s failure to comply.	1513.02, 1513.16	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-06	Shall not	The surety’s time to elect to reclaim under paragraph (E) of this rule shall not begin to run until the permittee has failed to enter into an agreement under paragraph (C)(2) of this rule or has failed to comply with the terms of such agreement, and the surety has been notified of such failure.	1513.02, 1513.16	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-06	Shall	The performance security forfeiture order shall be sent by certified mail, return receipt requested, and shall inform the permittee and surety of the reasons for the forfeiture.	1513.02, 1513.16	Yes, both state and federal law	Yes, both state and federal law

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1501:13-7-06	Shall	The performance security forfeiture order shall be sent by certified mail, return receipt requested, and shall inform the permittee and surety of the reasons for the forfeiture.	1513.02, 1513.16	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-06	Shall	Cash, certificates of deposit or negotiable government bonds, then the order shall declare the cash, certificates of deposit, or negotiable government bonds property of the state;	1513.02, 1513.16	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-06	Shall	A letter of credit, then the order shall inform the permittee that the state will immediately draw on the letter of credit;	1513.02, 1513.16	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-06	Shall	A trust fund, then the order shall inform the permittee that the state will proceed as set forth in the terms of the trust agreement.	1513.02, 1513.16	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-06	Shall	If the performance security filed with the division of mineral resources management is in the form of a surety bond, the chief shall also issue a performance security forfeiture order to all sureties involved, and, in addition to the requirements of paragraphs (C)(1) and (C)(3) of this rule	1513.02, 1513.16	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-06	Shall	the order shall inform each surety of its rights and the extent of its obligations and liabilities for the entire permit area or, when applicable, for the incremental area or the incremental mining unit.	1513.02, 1513.16	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-06	Shall	Shall notify the chief that it will not complete reclamation and shall make payment under the surety bond for the full amount of its liability under the surety bond; or	1513.02, 1513.16	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-06	Shall	Shall notify the chief that it will not complete reclamation and shall make payment under the surety bond for the full amount of its liability under the surety bond; or	1513.02, 1513.16	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-06	Shall	Shall notify the chief that it will complete reclamation and shall submit to the chief a plan, including a timetable for performing reclamation in accordance with the reclamation plan and the requirements of Chapter 1513. of the Revised Code and these rules.	1513.02, 1513.16	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-06	Shall	Shall notify the chief that it will complete reclamation and shall submit to the chief a plan, including a timetable for performing reclamation in accordance with the reclamation plan and the requirements of Chapter 1513. of the Revised Code and these rules.	1513.02, 1513.16	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-06	Shall	The rights of a surety to perform reclamation shall be terminated if the surety fails to: (a) Notify the chief within sixty days after receipt of the performance security forfeiture order, or within sixty days of notification of the permittee's failure to elect to enter into a reclamation agreement under paragraph (C)(2) of this rule or the permittee's failure to comply with the terms of a reclamation agreement under paragraph (C)(2) of this rule, that it will or will not perform reclamation (b) Submit a reclamation timetable at the same time it notifies the chief that it will perform reclamation; or (c) Commence, continue, or complete reclamation in accordance with the reclamation timetable.	1513.02, 1513.16	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-06	Shall	When the chief determines that the rights of a surety shall be terminated,	1513.02, 1513.16	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-06	Shall	the chief shall issue an order terminating the rights of the surety and demanding payment from the surety for the entire amount of performance security filed with the chief by the surety for the entire permit area or, when applicable, for the incremental area or incremental mining unit.	1513.02, 1513.16	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-06	Shall	After receiving the moneys collected under paragraph (C) or (E) of this rule, the chief shall proceed to reclaim the entire permit area or, when applicable, the incremental area or the incremental mining unit, in accordance with:	1513.02, 1513.16	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-06	Shall	Any revisions that the chief wishes to make to the approved reclamation plan of a permanent program permit on which the performance security has been forfeited shall be made in accordance with paragraph (E)	1513.02, 1513.16	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-06.1	Shall	This rule shall apply to a permittee providing performance security together with reliance on the reclamation forfeiture fund in accordance with paragraph (C)(2) of rule	1513.02	Yes, state law	Yes, state law
1501:13-7-06.1	Shall	The chief shall identify forfeited permits that may be eligible for reclamation under this rule.	1513.02	Yes, state law	Yes, state law

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1501:13-7-06.1	Shall	Permittee eligibility. Only a permittee in good standing pursuant to Chapter 1513. of the Revised Code shall be eligible to perform reclamation under this rule. No permittee is eligible if he or she:	1513.02	Yes, state law	Yes, state law
1501:13-7-06.1	Shall	The application shall include:	1513.02	Yes, state law	Yes, state law
1501:13-7-06.1	Shall	The chief shall approve, disapprove, or approve with modifications an application submitted under this rule.	1513.02	Yes, state law	Yes, state law
1501:13-7-06.1	Shall	Contract for reclamation. If an application is approved under paragraph (D)(3) of this rule, the chief shall prepare a contract for reclamation pursuant to section 1513.27 of the Revised Code.	1513.02	Yes, state law	Yes, state law
1501:13-7-06.1	Shall	Upon the completion of the reclamation to the satisfaction of the chief, including all contract specifications for the project, the chief shall conduct a substantial completion inspection, during which he or she will complete an accounting of the final actual costs of the project.	1513.02	Yes, state law	Yes, state law
1501:13-7-06.1	Shall	The chief shall issue a numbered reclamation tax credit certificate showing the amount of the credit and the identity of the recipient.	1513.02	Yes, state law	Yes, state law
1501:13-7-06.1	Shall	The amount of the credit shall be equal to the final actual costs of the project as determined under paragraph (G)(1) of this rule, provided the final actual costs do not exceed the estimated cost of reclamation as determined by the chief pursuant to paragraph (E)(3) of rule 1501:13-7-02 of the Administrative Code.	1513.02	Yes, state law	Yes, state law
1501:13-7-06.1	Shall	Prior to the close of the fiscal quarter in which a tax credit certificate is issued under paragraph (G)(2) of this rule, the chief shall certify to the tax commissioner the amount of the credit and the identity of the recipient.	1513.02	Yes, state law	Yes, state law
1501:13-7-07	Shall	An application for a permit shall contain a certificate issued by an insurance company authorized to do business in this state certifying that the applicant has a public liability insurance policy in force for those coal mining and reclamation operations for which the permit is sought,	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-07	Require	or a notarized certification acknowledging that a current proof of liability insurance and rider required by paragraph (B)(3) of this rule is part of the central file for identity information authorized by paragraph (J) of rule 1501:13-4-03 of the Administrative Code, or evidence that the applicant has satisfied other state self-insurance requirements or, for reclamation operations, evidence that an agent performing reclamation for the applicant has a public liability insurance policy.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-07	Shall	The public liability insurance policy shall : (1) Be in effect during the term of the permit or any renewal, including the length of all reclamation operations; (2) Provide for personal injury and property damage protection in amounts adequate to compensate any persons injured or property damaged as a result of coal mining and reclamation operations, including the use of explosives.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-07	Shall	The minimum insurance coverage for bodily injury and property damage shall be three hundred thousand dollars for each occurrence and five hundred thousand dollars in the aggregate; and	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-07	Require	Include a rider requiring that the insurer notify the chief whenever substantive changes are made in the policy, including any termination or failure to renew.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-08	Require	Within thirty days after the last publication of the notice required by paragraph (A)(3) of rule 1501:13-7-05 or by paragraph (A)(3) of rule 1501:13-7-05.1 of the Administrative Code,	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-08	Shall	If written objections are filed and a conference is requested, the chief shall inform all interested parties of the time and place	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-08	Shall	of the conference and shall hold the conference within thirty days after receipt of the request for the conference.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-08	Shall	The date, time, and location of the conference shall be advertised by the chief in a newspaper of general circulation in the locality of the coal mining operation proposed for reclamation phase approval or performance security release at least once a week for two consecutive weeks.	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-7-08	Shall	The conference shall be held in the locality of the coal mining operation proposed for reclamation phase approval or performance security release or in Franklin county at the option of the person requesting the conference.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-08	Shall	The conference shall be held in the locality of the coal mining operation proposed for reclamation phase approval or performance security release or in Franklin county at the option of the person requesting the conference.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-08	Shall	Such record shall be maintained and	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-08	Shall	and shall be accessible to all parties until at least five years after expiration of the period during which the permit is covered by any portion of a reclamation performance security.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-08	Shall	The conference shall be conducted by the chief or a representative of the chief.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-7-08	Shall	The chief shall issue his or her decision to approve or disapprove a reclamation phase approval or a performance security release in accordance with paragraph (A)(7) of rule 1501:13-7-05 or paragraph (A)(7) of rule 1501:13-7-05.1 of the Administrative Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-10-01	Shall	Each road shall be classified as either a primary road or a secondary road.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-10-01	Shall	Primary and secondary roads shall be located, designed, constructed, reconstructed, used, maintained and reclaimed so as to: (1) Control or prevent erosion, siltation and the air pollution attendant to erosion, including road dust as well as dust occurring on other exposed surfaces, by measures such as vegetating or otherwise stabilizing all exposed surfaces in accordance with current, prudent engineering practices; (2) Control or prevent damage to fish, wildlife or their habitat and related environmental values; (3) Control or prevent additional contributions of suspended solids to stream flow or runoff outside the permit area; (4) Neither cause nor contribute to, directly or indirectly, the violation of state or federal water quality standards applicable to receiving waters; (5) Minimize the diminution to or degradation of the quality or quantity of surface- and ground-water systems; (6) Refrain from significantly altering the normal flow of water in streambeds or drainage channels; (7) Prevent or control damage to public or private property; and (8) Use nonacid- or nontoxic-forming substances in road surfacing.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-10-01	Shall	To ensure environmental protection and safety appropriate for their planned duration and use, including consideration of the type and size of equipment used, the design and construction or reconstruction of roads shall incorporate appropriate limits for grade, width, surface materials, surface drainage control, culvert placement, culvert size, and any necessary design criteria established by the chief.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-10-01	Shall	No part of any road shall be located in the channel of an intermittent or perennial stream unless specifically approved by the chief in accordance with paragraphs (A), (B), (E), (F), (J), (K) and (M) of rule 1501:13-9-04 of the Administrative Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-10-01	Shall	Roads shall be located to minimize downstream sedimentation and flooding.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-10-01	Shall	A road shall be maintained throughout the life of the permit to meet the performance standards of this rule and any additional criteria specified by the chief.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-10-01	Shall	A road damaged by a catastrophic event, such as a flood or earthquake, shall be repaired as soon as practical after the damage has occurred.	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-10-01	Shall	A road not to be retained for use under an approved postmining land use shall be reclaimed immediately after it is no longer needed for mining and reclamation operations, including:(1) Closing the road to traffic; (2) Removing all bridges and culverts; (3) Restoring the natural drainage patterns; (4) Reshaping all cut and fill slopes to be compatible with the postmining land use and to complement the drainage pattern of the surrounding terrain; (4) Reshaping all cut and fill slopes to be compatible with the postmining land use and to complement the drainage pattern of the surrounding terrain; (4) Reshaping all cut and fill slopes to be compatible with the postmining land use and to complement the drainage pattern of the surrounding terrain; (5) Scarifying or ripping the road bed, replacing topsoil and revegetating disturbed surfaces in accordance with rules 1501:13-9-03 and 1501:13-9-15 of the Administrative Code; and (6) Removing or otherwise disposing of road-surfacing materials that interfere with the postmining land use.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-10-01	Shall	In addition to paragraphs (A) to (F) of this rule, primary roads shall meet the requirements of paragraph (G) of this rule.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-10-01	Require	In addition to paragraphs (A) to (F) of this rule, primary roads shall meet the requirements of paragraph (G) of this rule.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-10-01	Shall	The plans and drawings of primary roads shall be prepared by, or under the direction of, an engineer, and shall be certified by an engineer, or jointly by an engineer and a surveyor to the extent such joint certification is permitted by state law, as meeting the requirements of Chapters 1501:13-1 to 1501:13-14 of the Administrative Code; current, prudent engineering practices; and any design criteria established by the chief.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-10-01	Shall	The plans and drawings of primary roads shall be prepared by, or under the direction of, an engineer, and shall be certified by an engineer, or jointly by an engineer and a surveyor to the extent such joint certification is permitted by state law, as meeting the requirements of Chapters 1501:13-1 to 1501:13-14 of the Administrative Code; current, prudent engineering practices; and any design criteria established by the chief.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-10-01	Shall	The construction or reconstruction of primary roads shall be certified in a report to the chief by an engineer or a surveyor, or jointly by an engineer and a surveyor to the extent required by state law, as having been completed as designed and in accordance with the approved plan.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-10-01	Prohibit	Stream fords by primary roads are prohibited unless they are specifically approved by the chief as temporary routes during periods of construction.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-10-01	Shall	Each primary road embankment shall have a minimum static safety factor of 1.3 or be designed in accordance with paragraph (M)(2) of rule 1501:13-4-05 or paragraph (L)(2) of rule 1501:13-4-14 of the Administrative Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-10-01	Shall	Each primary road shall be designed, constructed or reconstructed, and maintained to have adequate drainage control, using structures such as, but not limited to, bridges, ditches, cross drains, and ditch relief drains.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-10-01	Shall	The drainage control system shall be designed to pass the peak runoff safely from a ten-year, six-hour precipitation event or greater event, as specified by the chief.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-10-01	Shall	Drainage pipes and culverts shall be constructed to avoid plugging or collapse and erosion at inlets and outlets.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-10-01	Shall	Drainage ditches shall be designed to prevent uncontrolled drainage over the road surface and embankment.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-10-01	Shall	Trash racks and debris basins shall be installed in the drainage ditches where debris from the drainage area may impair the functions of drainage and sediment control structures.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-10-01	Shall	Culverts shall be designed, installed, and maintained to sustain the vertical soil pressure, the passive resistance of the foundation, and the weight of vehicles using the road.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-10-01	Shall not	Natural stream channels shall not be altered or relocated without the prior approval of the chief in accordance with rule 1501:13-9-04 of the Administrative Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-10-01	Shall	Except as provided in paragraph (G)(2)(b) of this rule, drainage structures for stream channel crossings shall be made using bridges, culverts or other structures designed, constructed, and maintained using current, prudent engineering practices.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-10-01	Shall	Primary roads shall be surfaced with rock, crushed gravel, asphalt, or other material approved by the chief as being sufficiently durable for the anticipated volume of traffic and the weight and speed of vehicles using the road.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-10-01	Shall	Routine maintenance of primary roads shall include repairs to the road surface, blading, filling potholes and adding replacement gravel or asphalt.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-10-01	Shall	It shall also include revegetation, brush removal, and minor reconstruction of road segments as necessary.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-11-01	Shall	Railroad loops, spurs, sidings, surface conveyor systems, chutes, aerial tramways, or other transportation facilities shall be designed, constructed or reconstructed, and maintained and the area restored to: (A) Prevent, to the extent possible using the best technology currently available:(1) Damage to fish, wildlife, and related environmental values; and (2) Additional contributions of suspended solids to streamflow or runoff outside the permit area. Any such contributions shall not be in excess of limitations of state or federal law.(B) Control and minimize diminution or degradation of water quality and quantity;(C) Control and minimize erosion and siltation; and(D) Prevent damage to public or private property.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-11-01	Shall not	Additional contributions of suspended solids to streamflow or runoff outside the permit area. Any such contributions shall not be in excess of limitations of state or federal law.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-11-02	Shall	Each applicant for a coal mining and reclamation permit shall submit a description, plans and drawings for each support facility to be constructed, used or maintained within the proposed permit area, in addition to mapping of certain support facilities, as required in paragraphs (A)(30) to (A)(36) of rule 1501:13-4-08 of the Administrative Code and paragraph (A)(23) of rule 1501:13-4-08.1 of the Administrative Code, submittal of narrative explanations and descriptions as required in paragraphs (A)(2)(b) and (B)(1)(d) of rules 1501:13-4-05 and 1501:13-4-14 of the Administrative Code, and submittal of descriptions, including maps and cross-sections, as required in paragraph (M) of rule 1501:13-4-05 of the Administrative Code and paragraph (L) of rule 1501:13-4-14 of the Administrative Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-11-02	Shall	The plans and drawings shall include a map, appropriate cross sections, design drawings, and specifications sufficient to demonstrate compliance with paragraph (B) of this rule.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-11-03	Require	Support facilities required for, or used incidentally to, the operation of the mine, including, but not limited to, mine buildings, coal loading facilities at or near the minesite, coal storage facilities, equipment storage facilities, fan buildings, hoist buildings, preparation plants, sheds, shops, and other buildings shall be designed, constructed or reconstructed and located to prevent or control erosion and siltation, water pollution, and damage to public or private property.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-11-02	Shall	Support facilities required for, or used incidentally to, the operation of the mine, including, but not limited to, mine buildings, coal loading facilities at or near the minesite, coal storage facilities, equipment storage facilities, fan buildings, hoist buildings, preparation plants, sheds, shops, and other buildings shall be designed, constructed or reconstructed and located to prevent or control erosion and siltation, water pollution, and damage to public or private property.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-11-02	Shall	Support facilities shall be designed, constructed or reconstructed, maintained and used in a manner which prevents, to the extent possible using the best technology currently available:(1) Damage to fish, wildlife, and related environmental values;(2) Additional contributions of suspended solids to streamflow or runoff outside the permit area. Any such contributions shall not be in excess of limitations of state or federal law.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-11-02	Shall not	Any such contributions shall not be in excess of limitations of state or federal law.	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-11-02	Shall	All coal mining operations shall be conducted in a manner which minimizes damage, destruction, or disruption of services provided by oil, gas, and water wells, oil, gas, and coal-slurry pipelines, railroads, electric lines, telephone and other telecommunication lines, and water and sewage lines which pass over, under, or through the permit area, unless otherwise approved by the owner of those facilities and the chief.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-12-01	Shall	Underground operations shall comply with Chapters 1501:13-1 to 1501:13-14 of the Administrative Code except where indicated otherwise.	1513.02, 1513.35	Yes, both state and federal law	Yes, both state and federal law
1501:13-12-01	Shall	Underground operations shall comply with all applicable requirements of Chapter 1513. of the Revised Code.	1513.02, 1513.35	Yes, both state and federal law	Yes, both state and federal law
1501:13-12-03	Shall	The permittee shall either:(1) Adopt measures consistent with known technology which prevent subsidence from causing material damage to the extent technologically and economically feasible, maximize mine stability, and maintain the value and reasonably foreseeable use of surface lands; or (2) Adopt mining technology which provides for planned subsidence in a predictable and controlled manner. Nothing in this part shall be construed to prohibit the standard method of room-and-pillar mining.	1513.02, 1513.35	Yes, both state and federal law	Yes, both state and federal law
1501:13-12-03	Shall	Nothing in this part shall be construed to prohibit the standard method of room-and-pillar mining.	1513.02, 1513.35	Yes, both state and federal law	Yes, both state and federal law
1501:13-12-03	Prohibit	Nothing in this part shall be construed to prohibit the standard method of room-and-pillar mining.	1513.02, 1513.35	Yes, both state and federal law	Yes, both state and federal law
1501:13-12-03	Shall	The permittee and the operator shall comply with all provisions of the approved subsidence-control plan prepared pursuant to paragraph (M) of rule 1501:13-4-14 of the Administrative Code.	1513.02, 1513.35	Yes, both state and federal law	Yes, both state and federal law
1501:13-12-03	Shall	The chief or his or her authorized representative shall notify the permittee of any material damage to structures or surface land, or of any failure to maintain the value or reasonably foreseeable use of surface lands.	1513.02, 1513.35	Yes, both state and federal law	Yes, both state and federal law
1501:13-12-03	Shall	Except where such damage or failure may be a part of a set of circumstances which constitute a violation (for example, material damage which results from a failure to adopt measures consistent with known technology which prevent subsidence from causing material damage), notification shall be by letter or inspection report and shall not be deemed a notice of violation.	1513.02, 1513.35	Yes, both state and federal law	Yes, both state and federal law
1501:13-12-03	Shall not	Except where such damage or failure may be a part of a set of circumstances which constitute a violation (for example, material damage which results from a failure to adopt measures consistent with known technology which prevent subsidence from causing material damage), notification shall be by letter or inspection report and shall not be deemed a notice of violation.	1513.02, 1513.35	Yes, both state and federal law	Yes, both state and federal law
1501:13-12-03	Shall not	Such notification shall not be subject to formal review by the chief, the reclamation commission, or the courts unless and until it serves as the basis for issuance of a notice of violation or chief’s order.	1513.02, 1513.35	Yes, both state and federal law	Yes, both state and federal law
1501:13-12-03	Shall	The underground mine permittee shall correct any material damage caused to surface lands, to the extent technologically and economically feasible, by restoring the land surface to a condition capable of maintaining the value and reasonably foreseeable uses which it was capable of supporting before subsidence.	1513.02, 1513.35	Yes, both state and federal law	Yes, both state and federal law
1501:13-12-03	Shall	Any agreement between the permittee and a surface owner which addresses the repair of or the compensation for damage to the surface owner’s structures shall take precedence over the provisions of this rule and the provisions of this rule shall not apply to any damage to such structures.	1513.02, 1513.35	Yes, both state and federal law	Yes, both state and federal law
1501:13-12-03	Shall not	Any agreement between the permittee and a surface owner which addresses the repair of or the compensation for damage to the surface owner’s structures shall take precedence over the provisions of this rule and the provisions of this rule shall not apply to any damage to such structures.	1513.02, 1513.35	Yes, both state and federal law	Yes, both state and federal law
1501:13-12-03	Shall	If the permittee and the owner of structures have no agreement for repair and compensation, the permittee shall promptly repair, or compensate the owner for, material damage resulting from subsidence caused to any non-commercial building or occupied residential dwelling and structures related thereto that existed at the time of mining.	1513.02, 1513.35	Yes, both state and federal law	Yes, both state and federal law
1501:13-12-03	Shall	If the repair option is selected, the permittee shall fully rehabilitate, restore or replace the damaged structure.	1513.02, 1513.35	Yes, both state and federal law	Yes, both state and federal law

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1501:13-12-03	Shall	If compensation is selected, the permittee shall compensate the owner of the damaged structure for the full amount of the diminution in value resulting from the subsidence-related damage.	1513.02, 1513.35	Yes, both state and federal law	Yes, both state and federal law
1501:13-12-03	Shall	Structures or facilities not listed in paragraphs (J)(1) to (J)(3) of this rule shall be exempted from the requirements of this paragraph, if the permittee or operator submits to the chief copies of documents showing clearly and convincingly that, and the chief determines that, the owner of the structure or facility is the permittee or operator.	1513.02, 1513.35	Yes, both state and federal law	Yes, both state and federal law
1501:13-12-03	Shall	If and when subsidence occurs which causes material damage to structures listed in paragraphs (J)(1) to (J)(3) of this rule, or to surface lands, or reduces the foreseeable use or value of surface lands, the underground permittee shall submit to the chief within thirty days after the damage occurs:(1) Site specific plans for the repair or mitigation of the damage, including a time schedule for performance of the remedial actions;(2) A request for more time to prepare such plans; or (3) Written notification that the permittee feels that repair or restoration measures are not technologically feasible. If repair or restoration measures are not desired by the owner of a structure or if repair or restoration measures are not technologically feasible, describe other mitigatory measures to be taken as provided for in this rule.	1513.02, 1513.35	Yes, both state and federal law	Yes, both state and federal law
1501:13-12-03	Shall	The underground permittee or operator shall submit to the chief within thirty days after receipt of the notice provided under paragraph (C) of this rule:(a) Site specific plans for the repair of or compensation for the damage, including a time schedule for repair or compensation; or(b) A request for more time to prepare such plans;	1513.02, 1513.35	Yes, both state and federal law	Yes, both state and federal law
1501:13-12-03	Shall	The permittee or operator shall fully perform the obligations specified in any plan submitted in accordance with paragraph (H)(1) of this rule within the time period stated in the plan, provided that the surface owner does not prevent the permittee or operator from performing his or her obligations under the plan; and	1513.02, 1513.35	Yes, both state and federal law	Yes, both state and federal law
1501:13-12-03	Shall	If the surface owner prevents the implementation of the permittee’ or operator’s plan for repair or compensation, then the chief shall take no further action and the surface owner may pursue whatever private rights of action may be available to the surface owner.	1513.02, 1513.35	Yes, both state and federal law	Yes, both state and federal law
1501:13-12-03	Shall	All remedial, restoration, and mitigatory actions required under this rule shall be performed as soon as practicable.	1513.02, 1513.35	Yes, both state and federal law	Yes, both state and federal law
1501:13-12-03	Require	All remedial, restoration, and mitigatory actions required under this rule shall be performed as soon as practicable.	1513.02, 1513.35	Yes, both state and federal law	Yes, both state and federal law
1501:13-12-03	Shall not	Unless the subsidence control plan demonstrates that subsidence will not cause material damage or reduce the reasonably foreseeable use of such features or facilities, underground mining activities shall not be conducted beneath or adjacent to:(1) Public buildings and facilities;(2) Churches, schools, and hospitals; or(3) Impoundments with a storage capacity of twenty acre feet or more, or bodies of water with a volume of twenty acre feet or more.	1513.02, 1513.35	Yes, both state and federal law	Yes, both state and federal law
1501:13-12-03	Shall	The chief shall suspend underground coal mining operations under urbanized areas, cities, towns, and communities, and adjacent to industrial or commercial buildings, major impoundments, or perennial streams, if imminent danger is found to inhabitants of the urbanized areas, cities, towns, or communities.	1513.02, 1513.35	Yes, both state and federal law	Yes, both state and federal law
1501:13-12-03	Shall	Within a schedule approved by the chief, the permittee shall submit a detailed plan of the underground workings.	1513.02, 1513.35	Yes, both state and federal law	Yes, both state and federal law
1501:13-12-03	Shall	The detailed plan shall include maps and descriptions, as appropriate, of significant features of the underground mine, including pillar and entry size, configuration, and approximate locations; extraction ratios; measures taken to prevent or minimize subsidence and related damage; areas of full extraction; and other information required by the chief.	1513.02, 1513.35	Yes, both state and federal law	Yes, both state and federal law

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1501:13-12-03	Shall	The permittee shall mail written notice to owners and occupants of surface property or structures, including wells and buried oil, gas, or utility lines, of the intention of the permittee to mine under such property or structures.	1513.02, 1513.35	Yes, both state and federal law	Yes, both state and federal law
1501:13-12-03	Shall	Notification shall be mailed at least six months before the mining is to occur or, if a lesser period is approved by the chief, may be mailed less than six months before mining is to occur.	1513.02, 1513.35	Yes, both state and federal law	Yes, both state and federal law
1501:13-12-03	Shall	The notice shall contain:(1) Identification of specific areas in which mining will take place;(2) Approximate dates that specific areas will be undermined;(3) The location or locations where the subsidence control plan of the permittee may be examined; and(4) A statement of the permittee’s intent to conduct a pre-subsidence survey of all structures, buildings, features and facilities protected under this rule to determine their condition prior to mining, including information on when the survey will be conducted and the area the survey will include. The permittee shall prepare a written report of the survey and provide a copy to the owner or resident of the property which is the subject of the survey and retain a copy for inspection by the chief.	1513.02, 1513.35	Yes, both state and federal law	Yes, both state and federal law
1501:13-12-03	Shall	The permittee shall prepare a written report of the survey and provide a copy to the owner or resident of the property which is the subject of the survey and retain a copy for inspection by the chief.	1513.02, 1513.35	Yes, both state and federal law	Yes, both state and federal law
1501:13-12-04	Shall	Surface entries and access to underground workings, including adits and slopes, shall be located, designed, constructed, and utilized to prevent or control gravity discharge of water from the mine.	1513.02, 1513.35	Yes, both state and federal law	Yes, both state and federal law
1501:13-12-04	Require	All of the following three requirements are met: (a) The discharge is conveyed to a treatment facility in the permit area in accordance with rule 1501:13-9-04 of the Administrative Code; (b) All water from the underground mine discharged from the treatment facility meets the effluent limitations of all applicable state and federal statutes and regulations; and (c) Consistent maintenance of the treatment facility will occur throughout the anticipated period of gravity discharge.	1513.02, 1513.35	Yes, both state and federal law	Yes, both state and federal law
1501:13-12-04	Shall	Notwithstanding anything to the contrary in paragraphs (A) and (B) of this rule, for a drift mine first used after August 16, 1982 and located in acid-producing or iron-producing coal seams, surface entries and accesses shall be located in such a manner as to prevent any gravity discharge from the mine.	1513.02, 1513.35	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-02	Shall	Auger mining operations shall be conducted in accordance with the requirements of Chapters 1501:13-9 to 1501:13-11 of the Administrative Code, except as provided in this rule.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-02	Prohibit	The chief may prohibit auger mining, if necessary, to: (a) Maximize the utilization, recoverability, or conservation of the solid-fuel resource; or (b) Protect against adverse water-quality impacts.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-02	Shall	Auger mining shall be conducted so as to maximize the utilization and conservation of the coal in accordance with rule 1501:13-9-05 of the Administrative Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-02	Shall	Auger mining shall be planned and conducted to maximize recoverability of mineral reserves remaining after the operation and reclamation are complete.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-02	Shall	Each person who conducts auger mining operations shall leave areas of undisturbed coal, as approved by the chief, to provide access for future underground mining operations to coal reserves remaining after augering is complete, unless it is established that the coal reserves have been depleted or are so limited in thickness or extent that it will not be practicable to recover the remaining coal.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-02	Shall	This determination shall be made by the chief upon presentation of appropriate technical evidence by the operator.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-02	Shall	Auger mining shall be planned and conducted to minimize disturbances of the prevailing hydrologic balance in accordance with the requirements of rule 1501:13-9-04 of the Administrative Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-13-02	Shall	All auger holes, except as provided in paragraph (C)(3) of this rule, shall be: (a) Sealed within seventy-two hours after completion with an impervious and noncombustible material, if the holes are discharging water containing acid- or toxic-forming material. If sealing is not possible within seventy-two hours, the discharge shall be treated commencing within seventy-two hours after completion to meet applicable effluent limitations and water-quality standards until the holes are sealed; and (b) Sealed with an impervious noncombustible material, as contemporaneously as practicable with the augering operation, as approved by the chief, if the holes are not discharging water containing acid- or toxic-forming material.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-02	Shall	All auger holes, except as provided in paragraph (C)(3) of this rule, shall be: (a) Sealed within seventy-two hours after completion with an impervious and noncombustible material, if the holes are discharging water containing acid- or toxic-forming material. If sealing is not possible within seventy-two hours, the discharge shall be treated commencing within seventy-two hours after completion to meet applicable effluent limitations and water-quality standards until the holes are sealed; and (b) Sealed with an impervious noncombustible material, as contemporaneously as practicable with the augering operation, as approved by the chief, if the holes are not discharging water containing acid- or toxic-forming material.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-02	Require	Auger holes need not be sealed with an impervious material so as to prevent drainage if the chief determines that: (a) The resulting impoundment of water may create a hazard to the environment or public health or safety; and (b) The drainage from the auger holes will: (i) Not pose a threat of pollution of surface water; and (ii) Comply with the requirements of rule 1501:13-9-04 of the Administrative Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-02	Shall	Auger mining shall be conducted in accordance with the requirements of paragraphs (A) and (D) of rule 1501:13-12-03 of the Administrative Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-02	Require	Auger mining shall be conducted in accordance with the requirements of paragraphs (A) and (D) of rule 1501:13-12-03 of the Administrative Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-02	Shall	Auger mining shall be conducted in accordance with the backfilling and grading requirements of rule 1501:13-9-14 of the Administrative Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-02	Shall not	Auger holes shall not extend closer than five hundred feet (measured horizontally) to any abandoned or active underground mine workings, except as approved in accordance with rule 1501:13-9-08 of the Administrative Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-02	Shall	Auger mining operations that affect previously mined areas containing a preexisting highwall shall comply with the requirements of rule 1501:13-9-14 of the Administrative Code except as provided in paragraph (K) of rule 1501:13-4-12 of the Administrative Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-02	Require	Auger mining operations that affect previously mined areas containing a preexisting highwall shall comply with the requirements of rule 1501:13-9-14 of the Administrative Code except as provided in paragraph (K) of rule 1501:13-4-12 of the Administrative Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-13-03	Shall	Coal mining and reclamation operations conducted on prime farmland shall meet the following requirements: (1) A permit shall be obtained for those operations under paragraph (F) of rule 1501:13-4-12 of the Administrative Code; and (2) Soil materials to be used in the reconstruction of the prime farmland soil shall be removed before drilling, blasting, or mining, in accordance with paragraphs (B) and (C) of this rule and in a manner that prevents mixing or contaminating these materials with undesirable material. Where removal of soil materials results in erosion that may cause air and water pollution, the chief shall specify methods to control erosion of exposed overburden.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-03	Require	Coal mining and reclamation operations conducted on prime farmland shall meet the following requirements: (1) A permit shall be obtained for those operations under paragraph (F) of rule 1501:13-4-12 of the Administrative Code; and (2) Soil materials to be used in the reconstruction of the prime farmland soil shall be removed before drilling, blasting, or mining, in accordance with paragraphs (B) and (C) of this rule and in a manner that prevents mixing or contaminating these materials with undesirable material. Where removal of soil materials results in erosion that may cause air and water pollution, the chief shall specify methods to control erosion of exposed overburden.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-03	Shall	Coal mining and reclamation operations conducted on prime farmland shall meet the following requirements: (1) A permit shall be obtained for those operations under paragraph (F) of rule 1501:13-4-12 of the Administrative Code; and (2) Soil materials to be used in the reconstruction of the prime farmland soil shall be removed before drilling, blasting, or mining, in accordance with paragraphs (B) and (C) of this rule and in a manner that prevents mixing or contaminating these materials with undesirable material. Where removal of soil materials results in erosion that may cause air and water pollution, the chief shall specify methods to control erosion of exposed overburden.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-03	Shall	Coal mining and reclamation operations conducted on prime farmland shall meet the following requirements: (1) A permit shall be obtained for those operations under paragraph (F) of rule 1501:13-4-12 of the Administrative Code; and (2) Soil materials to be used in the reconstruction of the prime farmland soil shall be removed before drilling, blasting, or mining, in accordance with paragraphs (B) and (C) of this rule and in a manner that prevents mixing or contaminating these materials with undesirable material. Where removal of soil materials results in erosion that may cause air and water pollution, the chief shall specify methods to control erosion of exposed overburden.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-03	Shall	Coal mining and reclamation operations conducted on prime farmland shall meet the following requirements: (1) A permit shall be obtained for those operations under paragraph (F) of rule 1501:13-4-12 of the Administrative Code; and (2) Soil materials to be used in the reconstruction of the prime farmland soil shall be removed before drilling, blasting, or mining, in accordance with paragraphs (B) and (C) of this rule and in a manner that prevents mixing or contaminating these materials with undesirable material. Where removal of soil materials results in erosion that may cause air and water pollution, the chief shall specify methods to control erosion of exposed overburden.	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-13-03	Shall	The chief shall use soil reconstruction specifications established by the U.S. natural resources conservation service for prime farmland soil removal, storage, replacement, and reconstruction as guidelines in carrying out his or her responsibilities under paragraph (F) of rule 1501:13-4-12 of the Administrative Code and Chapter 1501:13-7 of the Administrative Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-03	Shall	Coal mining and reclamation operations on prime farmland shall be conducted to: (a) Separately remove the topsoil or other suitable soil materials if such soil materials will create a final soil having a greater productive capacity than that which existed prior to mining. If not utilized immediately the material shall be stockpiled separately from other rooting medium and spoil; and (b) Separately remove the B horizon of the soil, or a combination of B horizon and underlying C horizon, or other suitable soil material if such soil material will create a reconstructed soil of equal or greater productive capacity than that which existed before mining.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-03	Shall	Coal mining and reclamation operations on prime farmland shall be conducted to: (a) Separately remove the topsoil or other suitable soil materials if such soil materials will create a final soil having a greater productive capacity than that which existed prior to mining. If not utilized immediately the material shall be stockpiled separately from other rooting medium and spoil; and (b) Separately remove the B horizon of the soil, or a combination of B horizon and underlying C horizon, or other suitable soil material if such soil material will create a reconstructed soil of equal or greater productive capacity than that which existed before mining.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-03	Shall	The minimum depth of soil and soil material to be removed for use in reconstruction of prime farmland soils shall be sufficient to meet the soil replacement requirements of paragraph (E)(1) of this rule.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-03	Require	The minimum depth of soil and soil material to be removed for use in reconstruction of prime farmland soils shall be sufficient to meet the soil replacement requirements of paragraph (E)(1) of this rule.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-03	Shall	If not utilized immediately, the topsoil or other suitable soil materials specified in paragraph (C)(1)(a) of this rule and the B horizon or other suitable soil materials specified in paragraph (C)(1)(b) of this rule shall be stored separately from each other and from spoil.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-03	Shall	These stockpiles shall be placed within the permit area where they are not disturbed or exposed to excessive water or wind erosion before the stockpiled horizons can be redistributed.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-03	Shall	Stockpiles in place for more than thirty days shall meet the requirements of paragraph (E) of rule 1501:13-9-03 of the Administrative Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-03	Require	Stockpiles in place for more than thirty days shall meet the requirements of paragraph (E) of rule 1501:13-9-03 of the Administrative Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-13-03	Shall	Coal mining and reclamation operations on prime farmland shall be conducted according to the following: (1) The minimum depth of soil and soil material to be reconstructed for prime farmland shall be forty-eight inches, or a depth equal to the depth to a subsurface horizon in the natural soil that inhibits root penetration, whichever is shallower. The chief shall specify a depth greater than forty-eight inches, wherever necessary to restore productive capacity. Soil horizons shall be considered as inhibiting root penetration if their densities, chemical properties, or water supplying capacities restrict or prevent penetration by roots of plants common to the vicinity of the permit area and have little or no beneficial effect on soil productive capacity; (2) Soil material shall only be replaced on land which has been first returned to final grade and scarified according to paragraph (C) of rule 1501:13-9-03 of the Administrative Code, unless site-specific evidence is provided and approved by the chief showing that scarification or its equivalent will not enhance the capability of the reconstructed soil to achieve equivalent or higher levels of yield; (3) The soil horizons or other suitable soil materials shall be replaced with proper compaction and uniform depth; (4) The B horizon or other suitable material specified in paragraph (C)(1)(b) of this rule shall be replaced to the thickness needed to meet the requirements of paragraph (E) of this rule; (5) The topsoil or other suitable soil materials specified in paragraph (C)(1)(a) of this rule shall be replaced as the final surface soil layer. This surface soil layer shall equal or exceed the thickness of the original soil, as determined in paragraph (F)(2)(a) of rule 1501:13-4-12 of the Administrative Code, and shall be placed in a manner that protects the surface layer from wind and water erosion before it is seeded or planted; and (6) Nutrients and soil amendments shall be applied as needed to establish vegetative growth quickly.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-03	Shall	The minimum depth of soil and soil material to be reconstructed for prime farmland shall be forty-eight inches, or a depth equal to the depth to a subsurface horizon in the natural soil that inhibits root penetration, whichever is shallower.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-03	Shall	The chief shall specify a depth greater than forty-eight inches, wherever necessary to restore productive capacity.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-03	Shall	Soil horizons shall be considered as inhibiting root penetration if their densities, chemical properties, or water supplying capacities restrict or prevent penetration by roots of plants common to the vicinity of the permit area and have little or no beneficial effect on soil productive capacity;	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-03	Shall	Soil material shall only be replaced on land which has been first returned to final grade and scarified according to paragraph (C) of rule 1501:13-9-03 of the Administrative Code, unless site-specific evidence is provided and approved by the chief showing that scarification or its equivalent will not enhance the capability of the reconstructed soil to achieve equivalent or higher levels of yield;	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-03	Shall	The soil horizons or other suitable soil materials shall be replaced with proper compaction and uniform depth;	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-03	Shall	The B horizon or other suitable material specified in paragraph (C)(1)(b) of this rule shall be replaced to the thickness needed to meet the requirements of paragraph (E) of this rule;	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-03	Shall	The topsoil or other suitable soil materials specified in paragraph (C)(1)(a) of this rule shall be replaced as the final surface soil layer.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-03	Shall	This surface soil layer shall equal or exceed the thickness of the original soil, as determined in paragraph (F)(2)(a) of rule 1501:13-4-12 of the Administrative Code, and shall be placed in a manner that protects the surface layer from wind and water erosion before it is seeded or planted; and	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-03	Shall	This surface soil layer shall equal or exceed the thickness of the original soil, as determined in paragraph (F)(2)(a) of rule 1501:13-4-12 of the Administrative Code, and shall be placed in a manner that protects the surface layer from wind and water erosion before it is seeded or planted; and	1513.02	Yes, both state and federal law	Yes, both state and federal law

RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1501:13-13-03	Shall	Nutrients and soil amendments shall be applied as needed to establish vegetative growth quickly.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-03	Shall	Each person who conducts coal mining and reclamation operations on prime farmland shall meet the ground-cover and cropping requirements specified under rule 1501:13-9-15 of the Administrative Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-04	Shall	Mountaintop removal mining operations shall be exempt from the requirements of rule 1501:13-9-14 of the Administrative Code for achieving approximate original contour, if the following requirements are met: (1) The chief grants a variance under paragraph (C) of rule 1501:13-4-12 of the Administrative Code; (2) An industrial, commercial, agricultural, residential, or public facility (including recreation facilities) use is proposed for the affected land; (3) The alternative land use criteria in rule 1501:13-9-17 of the Administrative Code are met and the proposal is approved by the chief; and (4) All other applicable requirements of these rules and the requirements of division (B) of section 1513.16 of the Revised Code will be met.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-04	Require	Mountaintop removal mining operations shall be exempt from the requirements of rule 1501:13-9-14 of the Administrative Code for achieving approximate original contour, if the following requirements are met: (1) The chief grants a variance under paragraph (C) of rule 1501:13-4-12 of the Administrative Code; (2) An industrial, commercial, agricultural, residential, or public facility (including recreation facilities) use is proposed for the affected land; (3) The alternative land use criteria in rule 1501:13-9-17 of the Administrative Code are met and the proposal is approved by the chief; and (4) All other applicable requirements of these rules and the requirements of division (B) of section 1513.16 of the Revised Code will be met.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-04	Shall	Coal mining and reclamation operations conducted under this rule shall comply with the following standards: (1) An outcrop barrier of sufficient width, consisting of the toe of the lowest coal seam and its associated overburden, shall be retained to prevent slides and erosion. The chief may permit an exemption to the requirement that the coal barrier be retained if the following conditions are satisfied: (a) The proposed mine site was mined prior to May 3, 1978, and the toe of the lowest seam has been removed; or (b) A coal barrier adjacent to a head-of-hollow fill may be removed after the elevation of head-of-hollow fill attains the elevation of the coal barrier if the head-of-hollow fill provides the stability otherwise ensured by the retention of a coal barrier; (2) The final graded top plateau slopes on the mined area shall be less than 1v:5h so as to create a level plateau or gently rolling configuration and the out slopes of the plateau shall not exceed 1v:2h, except where engineering data substantiates and the chief finds that a minimum static safety factor of 1.5 will be attained; (3) The resulting level or gently rolling contour shall be graded to drain inward from the outslope except at specific points where it drains over the outslope in protected stable channels. The chief may waive this requirement if environmental problems would be caused by such inward drainage; (4) Natural watercourses below the area to be mined shall not be damaged; (5) Spoil shall be placed on the mountaintop bench as is necessary to achieve the postmining land use approved under rule 1501:13-9-17 of the Administrative Code. All excess spoil material not retained on the mountaintop shall be placed in accordance with the standards of rule 1501:13-9-07 of the Administrative Code; and (6) All waste and acid-forming or toxic-forming materials, including the strata immediately below the coal seam, shall be covered with non-toxic spoil to prevent pollution and achieve the approved postmining land use.	1513.02	Yes, both state and federal law	Yes, both state and federal law

RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1501:13-13-04	Shall	An outcrop barrier of sufficient width, consisting of the toe of the lowest coal seam and its associated overburden, shall be retained to prevent slides and erosion.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-04	Shall	The final graded top plateau slopes on the mined area shall be less than 1v:5h so as to create a level plateau or gently rolling configuration and the out slopes of the plateau shall not exceed 1v:2h, except where engineering data substantiates and the chief finds that a minimum static safety factor of 1.5 will be attained;	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-04	Shall not	The final graded top plateau slopes on the mined area shall be less than 1v:5h so as to create a level plateau or gently rolling configuration and the out slopes of the plateau shall not exceed 1v:2h, except where engineering data substantiates and the chief finds that a minimum static safety factor of 1.5 will be attained;	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-04	Shall	The resulting level or gently rolling contour shall be graded to drain inward from the outslope except at specific points where it drains over the outslope in protected stable channels.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-04	Shall not	Natural watercourses below the area to be mined shall not be damaged;	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-04	Shall	Spoil shall be placed on the mountaintop bench as is necessary to achieve the postmining land use approved under rule 1501:13-9-17 of the Administrative Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-04	Shall	All excess spoil material not retained on the mountaintop shall be placed in accordance with the standards of rule 1501:13-9-07 of the Administrative Code; and	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-04	Shall	All waste and acid-forming or toxic-forming materials, including the strata immediately below the coal seam, shall be covered with non-toxic spoil to prevent pollution and achieve the approved postmining land use.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-04	Shall	All permits giving approval for mountaintop removal mining shall be reviewed not more than three years from the date of issuance of the permit, unless the operator affirmatively demonstrates and the chief finds that all operations are proceeding in accordance with the terms of the permit and applicable requirements of Chapter 1513. of the Revised Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-05	Shall	The operator conducting coal mining and reclamation operations on natural slopes that exceed twenty degrees, or on lesser slopes that require measures to protect the area from disturbance, as determined by the chief after consideration of soils, climate, the method of operation, geology, and other regional characteristics, shall meet the performance standards of this rule.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-05	Shall not	Spoil, waste materials or debris, including that from clearing and grubbing and abandoned or disabled equipment, shall not be placed or allowed to remain on the downslope;	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-05	Shall	The highwall shall be completely covered with compacted spoil and the disturbed area graded to comply with the provisions of rule 1501:13-9-14 of the Administrative Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-05	Shall not	Land above the highwall shall not be disturbed unless the chief finds that this disturbance will facilitate compliance with the environmental protection standards of these rules and the disturbance is limited to that necessary to facilitate compliance.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-05	Must	The person who conducts the coal mining and reclamation operation must demonstrate to the chief, using standard geotechnical analysis, that the minimum static factor of safety for the stability of all portions of the reclaimed land is at least 1.3;	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-05	Shall	Material in excess of that required to meet the provisions of rule 1501:13-9-14 of the Administrative Code shall be disposed of in accordance with the requirements of paragraph (B) of this rule;	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-05	Require	Material in excess of that required to meet the provisions of rule 1501:13-9-14 of the Administrative Code shall be disposed of in accordance with the requirements of paragraph (B) of this rule;	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-05	Shall not	Unlined or unprotected drainage channels shall not be constructed on backfills unless approved by the chief as stable and not subject to erosion.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-05	Shall	An operator conducting steep slope mining shall place all excess spoil material resulting from coal mining and reclamation operations in such a manner that it complies with rule 1501:13-9-07 of the Administrative Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law

Rule Number	Regulatory Restriction	Description of Regulatory Restriction	Statute Under Which the Regulatory Restriction Was Adopted	Is the Regulatory Restriction Expressly or Specifically Required by State or Federal Law?	Is a Law Change Required in Order to Remove the Restriction?
1501:13-13-06	Shall	Each person who operates a coal preparation plant or support facility in connection with a coal mine but not located within the permit area for a specific mine shall obtain a permit in accordance with paragraph (I) of rule 1501:13-4-12 of the Administrative Code, obtain a performance security in accordance with section 1513.08 of the Revised Code and these rules, and operate the plant or support facility in accordance with these rules.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-06	Shall	Construction, operation, maintenance, modification, reclamation, and removal activities at operations covered by this rule shall comply with the following: (1) Signs and markers for the coal preparation plant, coal mine waste disposal area, and water treatment facilities shall comply with rule 1501:13-9-01 of the Administrative Code; (2) Roads, transport, and associated structures shall be constructed, maintained, and reclaimed in accordance with rules 1501:13-10-01, 1501:13-11-01 and 1501:13-11-02 of the Administrative Code; (3) Any stream or channel diversion shall comply with paragraph (F) of rule 1501:13-9-04 of the Administrative Code; (4) Any disturbed area related to the coal preparation plant or support facilities shall have sediment control structures, in compliance with paragraphs (D) and (G) of rule 1501:13-9-04 of the Administrative Code and all discharges from these areas shall meet the requirements of paragraphs (A) and (B) of rule 1501:13-9-04 of the Administrative Code and any other applicable state or federal law; (5) Permanent impoundments associated with coal preparation plants shall meet the requirements of paragraphs (H) and (R) of rule 1501:13-9-04 of the Administrative Code. Dams constructed of or impounding coal mine waste shall comply with rule 1501:13-9-09 of the Administrative Code; (6) Use of water wells shall comply with paragraph (O) of rule 1501:13-9-04 of the Administrative Code and water rights shall be protected in accordance with paragraph (P) of rule 1501:13-9-04 of the Administrative Code; (7) Disposal of coal mine waste, solid waste, and any excavated materials shall comply with the requirements of rules 1501:13-9-09 and 1501:13-9-07 of the Administrative Code; (8) Discharge structures for diversions and sediment control structures shall comply with paragraph (I) of rule 1501:13-9-04 of the Administrative Code; (9) Fish, wildlife and related environmental values shall be protected in accordance with rule 1501:13-9-11 of the Administrative Code; (10) Slide areas and other surface areas shall comply with rule 1501:13-9-12 of the Administrative Code; (11) Adverse effects upon or resulting from nearby underground coal mining operations shall be minimized by appropriate measures including, but not limited to, compliance with paragraph (Q) of rule 1501:13-9-04 of the Administrative Code and rule 1501:13-9-08 of the Administrative Code; (12) Conveyors, buildings, storage bins or stockpiles, water treatment facilities, water storage facilities, and any structure or system related to the coal preparation plant shall comply with rules 1501:13-9-01 to 1501:13-9-17, 1501:13-	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-06	Shall	Signs and markers for the coal preparation plant, coal mine waste disposal area, and water treatment facilities shall comply with rule 1501:13-9-01 of the Administrative Code;	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-06	Shall	Roads, transport, and associated structures shall be constructed, maintained, and reclaimed in accordance with rules 1501:13-10-01, 1501:13-11-01 and 1501:13-11-02 of the Administrative Code;	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-06	Shall	Any stream or channel diversion shall comply with paragraph (F) of rule 1501:13-9-04 of the Administrative Code	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-06	Shall	Any disturbed area related to the coal preparation plant or support facilities shall have sediment control structures, in compliance with paragraphs (D) and (G) of rule 1501:13-9-04 of the Administrative Code and all discharges from these areas shall meet the requirements of paragraphs (A) and (B) of rule 1501:13-9-04 of the Administrative Code and any other applicable state or federal law;	1513.02	Yes, both state and federal law	Yes, both state and federal law

RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1501:13-13-06	Shall	Any disturbed area related to the coal preparation plant or support facilities shall have sediment control structures, in compliance with paragraphs (D) and (G) of rule 1501:13-9-04 of the Administrative Code and all discharges from these areas shall meet the requirements of paragraphs (A) and (B) of rule 1501:13-9-04 of the Administrative Code and any other applicable state or federal law;	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-06	Require	Any disturbed area related to the coal preparation plant or support facilities shall have sediment control structures, in compliance with paragraphs (D) and (G) of rule 1501:13-9-04 of the Administrative Code and all discharges from these areas shall meet the requirements of paragraphs (A) and (B) of rule 1501:13-9-04 of the Administrative Code and any other applicable state or federal law;	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-06	Shall	Permanent impoundments associated with coal preparation plants shall meet the requirements of paragraphs (H) and (R) of rule 1501:13-9-04 of the Administrative Code. Dams constructed of or impounding coal mine waste shall comply with rule 1501:13-9-09 of the Administrative Code;	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-06	Require	Permanent impoundments associated with coal preparation plants shall meet the requirements of paragraphs (H) and (R) of rule 1501:13-9-04 of the Administrative Code. Dams constructed of or impounding coal mine waste shall comply with rule 1501:13-9-09 of the Administrative Code;	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-06	Shall	Permanent impoundments associated with coal preparation plants shall meet the requirements of paragraphs (H) and (R) of rule 1501:13-9-04 of the Administrative Code. Dams constructed of or impounding coal mine waste shall comply with rule 1501:13-9-09 of the Administrative Code;	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-06	Shall	Use of water wells shall comply with paragraph (O) of rule 1501:13-9-04 of the Administrative Code and water rights shall be protected in accordance with paragraph (P) of rule 1501:13-9-04 of the Administrative Code;	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-06	Shall	Use of water wells shall comply with paragraph (O) of rule 1501:13-9-04 of the Administrative Code and water rights shall be protected in accordance with paragraph (P) of rule 1501:13-9-04 of the Administrative Code;	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-06	Shall	Disposal of coal mine waste, solid waste, and any excavated materials shall comply with the requirements of rules 1501:13-9-09 and 1501:13-9-07 of the Administrative Code;	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-06	Require	Disposal of coal mine waste, solid waste, and any excavated materials shall comply with the requirements of rules 1501:13-9-09 and 1501:13-9-07 of the Administrative Code;	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-06	Shall	Discharge structures for diversions and sediment control structures shall comply with paragraph (I) of rule 1501:13-9-04 of the Administrative Code;	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-06	Shall	Fish, wildlife and related environmental values shall be protected in accordance with rule 1501:13-9-11 of the Administrative Code;	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-06	Shall	Slide areas and other surface areas shall comply with rule 1501:13-9-12 of the Administrative Code;	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-06	Shall	Adverse effects upon or resulting from nearby underground coal mining operations shall be minimized by appropriate measures including, but not limited to, compliance with paragraph (Q) of rule 1501:13-9-04 of the Administrative Code and rule 1501:13-9-08 of the Administrative Code;	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-06	Shall	Conveyors, buildings, storage bins or stockpiles, water treatment facilities, water storage facilities, and any structure or system related to the coal preparation plant shall comply with rules 1501:13-9-01 to 1501:13-9-17, 1501:13-10-01, 1501:13-11-01 and 1501:13-11-02 of the Administrative Code;	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-06	Shall	Any coal preparation plant or support structures located on prime farmland shall meet the requirements of rule 1501:13-13-03 of the Administrative Code;	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-06	Require	Any coal preparation plant or support structures located on prime farmland shall meet the requirements of rule 1501:13-13-03 of the Administrative Code;	1513.02	Yes, both state and federal law	Yes, both state and federal law

RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1501:13-13-06	Shall	All exposed surface areas shall be protected and stabilized to control erosion and air pollution attendant to erosion effectively; and	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-06	Shall	Reclamation shall follow proper topsoil handling, backfilling and grading, revegetation, and postmining land use procedures in accordance with these rules.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-07	Shall	The person who conducts in situ processing activities shall comply with the provisions of this rule.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-07	Shall	In situ processing activities shall be planned and conducted to minimize disturbance to the prevailing hydrologic balance by: (a) Avoiding discharge of fluids into holes or wells, other than as approved by the chief; (b) Injecting process recovery fluids only into geologic zones or intervals approved as production zones by the chief; (c) Avoiding annular injection between the wall of the drill hole and the casing; and (d) Preventing discharge of process fluid into surface waters.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-07	Shall	Each person who conducts in situ processing activities shall submit for approval as part of the application for permit and follow after approval, a plan that ensures that all acid-forming, toxic-forming, or radioactive gases, solids, or liquids constituting a fire, health, safety, or environmental hazard and caused by the mining and recovery process are promptly treated, confined, or disposed of, in a manner that prevents contamination of ground and surface waters, damage to fish, wildlife and related environmental values, and threats to the public health and safety.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-07	Shall	Each person who conducts in situ processing activities shall prevent flow of the process recovery fluid: (a) Horizontally beyond the affected area identified in the permit; and (b) Vertically into overlying or underlying aquifers.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-07	Shall	Each person who conducts in situ processing activities shall restore the quality of affected ground water in the permit and adjacent area, including ground water above and below the production zone, to the approximate premining levels or better, to ensure that the potential for use of the ground water is not diminished.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-07	Shall	Each person who conducts in situ processing activities shall monitor the quality and quantity of surface and ground water and the subsurface flow and storage characteristics in a manner approved by the chief to measure changes in the quantity and quality of water in surface and ground water systems in the permit and in adjacent areas.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-07	Shall	Water quality monitoring shall be conducted in accordance with monitoring programs approved by the chief as necessary according to appropriate federal and state water quality standards.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-13-08	Shall	The permittee shall restore on the permit area streams and wetlands affected by mining operations unless the chief approves restoration off the permit area by means of mitigation pursuant to division (A)(25) of section 1513.16 of the Revised Code and this rule.	1513.02	Yes, state law	Yes, state law
1501:13-13-08	Shall	An applicant’s or permittee’s request for restoration off the permit area pursuant to division (A)(25) of section 1513.16 of the Revised Code and this rule, submitted to the chief as part of an application for a permit or a revision to a permit, shall be subject to the requirements of these rules for applications for permits and revisions to permits.	1513.02	Yes, state law	Yes, state law
1501:13-13-08	Require	An applicant’s or permittee’s request for restoration off the permit area pursuant to division (A)(25) of section 1513.16 of the Revised Code and this rule, submitted to the chief as part of an application for a permit or a revision to a permit, shall be subject to the requirements of these rules for applications for permits and revisions to permits.	1513.02	Yes, state law	Yes, state law
1501:13-13-08	Shall	Areas off the permit area proposed for restoration shall be in compliance with paragraph (E) of rule 1501:13-9-04 of the Administrative Code.	1513.02	Yes, state law	Yes, state law

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1501:13-13-08	Shall	An applicant or permittee seeking approval of restoration off the permit area pursuant to division (A)(25) of section 1513.16 of the Revised Code and this rule shall submit a hydrologic and engineering assessment of the affected lands to the chief, on a form provided by the chief, as part of an application for a permit or revision to a permit.	1513.02	Yes, state law	Yes, state law
1501:13-13-08	Shall	The hydrologic and engineering assessment of the affected lands shall include, as applicable, the following information: (1) Identification of the stream (in linear feet) or the wetland (in acreage) that cannot be restored on the permit area; (2) A detailed explanation of why restoration of the stream or wetland on the permit area is not possible, including the following: (a) A description of available water sources and their potential for restoration; (b) A description of methods such as compaction or lining of the streambed that have been considered and an assessment of why those methods are not viable options to reduce infiltration and restore the stream; (c) One or more reclamation cross sections showing that each stream and wetland, or portion thereof, cannot be restored on the permit area. The cross section shall include the location of the final highwall and any aquifers;	1513.02	Yes, state law	Yes, state law
1501:13-13-08	Shall	The cross section shall include the location of the final highwall and any aquifers;	1513.02	Yes, state law	Yes, state law
1501:13-13-08	Shall	An applicant or permittee seeking approval of restoration off the permit area pursuant to division (A)(25) of section 1513.16 of the Revised Code and this rule shall submit to the chief the proposed mitigation plan and proposed mitigation activities that the applicant or permittee intends to perform pursuant to a permit issued under sections 401 and 404 of the “Federal Water Pollution Control Act” as defined in section 6111.01 of the Revised Code or an isolated wetland permit issued under Chapter 6111. of the Revised Code or pursuant to a no-cost reclamation contract for the restoration of water resources affected by past mining activities pursuant to section 1513.37 of the Revised Code.	1513.02	Yes, state law	Yes, state law
1501:13-13-08	Shall	The mitigation plan shall describe the mitigation activities for the stream or wetland, or the portion of the stream or wetland, for which restoration on the permit area is not possible and, as applicable, identify the location where mitigation activities off the permit area are to be constructed.	1513.02	Yes, state law	Yes, state law
1501:13-13-08	Shall	The applicant or permittee shall notify the owner of record of the surface of the permit area by certified mail, on a form provided by the chief, that the applicant or permittee intends to request restoration off the permit area by means of mitigation for a stream or wetland or a portion of a stream or wetland that cannot be restored on the portion of the permit area owned by the owner of record.	1513.02	Yes, state law	Yes, state law
1501:13-13-08	Shall	The applicant or permittee shall submit a copy of the landowner notification to the chief as part of the application for a permit or revision to a permit.	1513.02	Yes, state law	Yes, state law

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1501:13-13-08	Shall	No request for restoration off the permit area pursuant to division (A)(25) of section 1513.16 of the Revised Code and this rule shall be approved unless the application affirmatively demonstrates, and the chief makes written determinations, on the basis of information set forth in the application or from information otherwise available, that is documented in the approval and made available to the applicant, that: (a) The hydrologic and engineering assessment submitted under paragraph (B) of this rule demonstrates that restoration on the permit area is not possible; (b) The proposed mitigation plan under which mitigation activities described in paragraph (C) of this rule will be conducted is limited to a stream or wetland, or a portion of a stream or wetland, for which restoration on the permit area is not possible; (c) The mitigation activities off the permit area, including mitigation banking, payment of in-lieu mitigation fees or other alternative approved mitigation activities, will be performed pursuant to a permit issued under sections 401 and 404 of the “Federal Water Pollution Control Act” as defined in section 6111.01 of the Revised Code or an isolated wetland permit issued under Chapter 6111. of the Revised Code or pursuant to a no-cost reclamation contract for the restoration of water resources affected by past mining activities pursuant to section 1513.37 of the Revised Code; and (d) The proposed mitigation plan and mitigation activities comply with the standards established in section 1513.16 of the Revised Code and these rules.	1513.02	Yes, state law	Yes, state law
1501:13-13-08	Shall	The chief shall review any comments and any other relevant information received about the proposed restoration off the permit area.	1513.02	Yes, state law	Yes, state law
1501:13-13-08	Require	Review and approval or disapproval by the chief of a request for restoration off the permit area pursuant to division (A)(25) of section 1513.16 of the Revised Code and this rule is subject to the requirements of these rules for applications for permits and revisions to permits.	1513.02	Yes, state law	Yes, state law
1501:13-13-08	Shall	If the chief approves restoration off the permit area by means of mitigation in accordance with division (A)(25) of section 1513.16 of the Revised Code and this rule, the permittee shall complete all mitigation construction or other activities required by the mitigation plan in the approved permit.	1513.02	Yes, state law	Yes, state law
1501:13-13-08	Require	If the chief approves restoration off the permit area by means of mitigation in accordance with division (A)(25) of section 1513.16 of the Revised Code and this rule, the permittee shall complete all mitigation construction or other activities required by the mitigation plan in the approved permit.	1513.02	Yes, state law	Yes, state law
1501:13-13-08	Shall	If the chief approves restoration off the permit area by means of mitigation in accordance with division (A)(25) of section 1513.16 of the Revised Code and this rule, the chief shall release performance security for reclamation activities on the permit area pursuant to division (F) of section 1513.16 of the Revised Code, except that the chief shall not release the remaining portion of performance security under division (F) (3)(c) of section 1513.16 of the Revised Code prior to completion of construction, to the satisfaction of the chief, of the required mitigation activities off the permit area, as specified in the approved mitigation plan.	1513.02	Yes, state law	Yes, state law
1501:13-13-08	Shall not	If the chief approves restoration off the permit area by means of mitigation in accordance with division (A)(25) of section 1513.16 of the Revised Code and this rule, the chief shall release performance security for reclamation activities on the permit area pursuant to division (F) of section 1513.16 of the Revised Code, except that the chief shall not release the remaining portion of performance security under division (F) (3)(c) of section 1513.16 of the Revised Code prior to completion of construction, to the satisfaction of the chief, of the required mitigation activities off the permit area, as specified in the approved mitigation plan.	1513.02	Yes, state law	Yes, state law

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1501:13-13-08	Require	If the chief approves restoration off the permit area by means of mitigation in accordance with division (A)(25) of section 1513.16 of the Revised Code and this rule, the chief shall release performance security for reclamation activities on the permit area pursuant to division (F) of section 1513.16 of the Revised Code, except that the chief shall not release the remaining portion of performance security under division (F) (3)(c) of section 1513.16 of the Revised Code prior to completion of construction, to the satisfaction of the chief, of the required mitigation activities off the permit area, as specified in the approved mitigation plan.	1513.02	Yes, state law	Yes, state law
1501:13-13-08	Require	If the approved mitigation plan includes only mitigation activities which require no construction, such as mitigation banking or payment of in-lieu mitigation fees or alternative mitigation approved in a permit issued under section 401 and 404 of the “Federal Water Pollution Control Act” as defined in section 6111.01 of the Revised Code or an isolated wetland permit issued under Chapter 6111. of the Revised Code, the chief, upon his or her approval of restoration off the permit area in accordance with division (A)(25) of section 1513.16 of the Revised Code and this rule, shall release performance security pursuant to division (F) of section 1513.16 of the Revised Code.	1513.02	Yes, state law	Yes, state law
1501:13-13-08	Shall	If the approved mitigation plan includes only mitigation activities which require no construction, such as mitigation banking or payment of in-lieu mitigation fees or alternative mitigation approved in a permit issued under section 401 and 404 of the “Federal Water Pollution Control Act” as defined in section 6111.01 of the Revised Code or an isolated wetland permit issued under Chapter 6111. of the Revised Code, the chief, upon his or her approval of restoration off the permit area in accordance with division (A)(25) of section 1513.16 of the Revised Code and this rule, shall release performance security pursuant to division (F) of section 1513.16 of the Revised Code.	1513.02	Yes, state law	Yes, state law
1501:13-14-01	Shall	“Chief” shall mean the chief, his or her authorized representative, or any inspection officer.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-01	Shall	The chief shall have a right of entry to, upon, or through any coal mining and reclamation operations, coal exploration operations, any premises in which any records required to be maintained are located and any area of land upon which the chief has reason to believe that coal mining and reclamation operations are being conducted.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-01	Shall	The chief shall conduct an average of at least one partial inspection per month of each active coal mining and reclamation operation under his or her jurisdiction, and shall conduct such partial inspections of each inactive coal mining and reclamation operation under his or her jurisdiction as are necessary to ensure effective enforcement.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-01	Shall	The chief shall conduct an average of at least one partial inspection per month of each active coal mining and reclamation operation under his or her jurisdiction, and shall conduct such partial inspections of each inactive coal mining and reclamation operation under his or her jurisdiction as are necessary to ensure effective enforcement.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-01	Shall	If the chief or his or her authorized representative conducts an aerial inspection, the aerial inspection shall be conducted in a manner which reasonably ensures the identification and documentation of conditions at each coal mining and reclamation site inspected.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-01	Shall	Any potential violation observed during an aerial inspection shall be investigated on site within three calendar days after the aerial inspection, provided that any indication of a condition, practice or violation constituting cause for issuance of a cessation order under division (D)(1) of section 1513.02 of the Revised Code shall be investigated on site immediately, and provided further that an on-site investigation of a potential violation observed during an aerial inspection shall not be considered to be an additional partial or complete inspection for the purposes of paragraph (C) or (D) of this rule.	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-14-01	Shall	Any potential violation observed during an aerial inspection shall be investigated on site within three calendar days after the aerial inspection, provided that any indication of a condition, practice or violation constituting cause for issuance of a cessation order under division (D)(1) of section 1513.02 of the Revised Code shall be investigated on site immediately, and provided further that an on-site investigation of a potential violation observed during an aerial inspection shall not be considered to be an additional partial or complete inspection for the purposes of paragraph (C) or (D) of this rule.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-01	Shall not	Any potential violation observed during an aerial inspection shall be investigated on site within three calendar days after the aerial inspection, provided that any indication of a condition, practice or violation constituting cause for issuance of a cessation order under division (D)(1) of section 1513.02 of the Revised Code shall be investigated on site immediately, and provided further that an on-site investigation of a potential violation observed during an aerial inspection shall not be considered to be an additional partial or complete inspection for the purposes of paragraph (C) or (D) of this rule.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-01	Shall	The chief shall conduct an average of at least one complete inspection per calendar quarter of each active and inactive coal mining and reclamation operation under his jurisdiction.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-01	Shall	In lieu of the inspection frequency established in paragraphs (C) and (D) of this rule, the chief shall inspect each abandoned site on a set frequency commensurate with the public health and safety and environmental considerations present at each specific site, but in no case shall the inspection frequency be set at less than one complete inspection per calendar year.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-01	Shall	In lieu of the inspection frequency established in paragraphs (C) and (D) of this rule, the chief shall inspect each abandoned site on a set frequency commensurate with the public health and safety and environmental considerations present at each specific site, but in no case shall the inspection frequency be set at less than one complete inspection per calendar year.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-01	Shall	In selecting an alternate inspection frequency authorized under paragraph (E) of this rule, the chief shall first conduct a complete inspection of the abandoned site and provide public notice under paragraph (E)(2) of this rule.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-01	Shall	Following the inspection and public notice, the chief shall prepare and maintain for public review a written finding justifying the alternative inspection frequency selected.	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-14-01	Shall	This written finding shall justify the new inspection frequency by affirmatively addressing in detail all of the following criteria:(a) How the site meets each of the criteria under the definition of an abandoned site under paragraph (A)(3) of this rule and thereby qualifies for a reduction in inspection frequency; (b) Whether, and to what extent, there exist on the site impoundments, earthen structures, or other conditions that pose, or may reasonably be expected to pose imminent dangers to the health or safety of the public or significant environmental harms to land, air, or water resources; (c) The extent to which existing impoundments or earthen structures were constructed and certified in accordance with prudent engineering designs approved in the permit; (d) The degree to which erosion and sediment control is present and functioning; (e) The extent to which the site is located near or above urbanized areas, communities, occupied dwellings, schools, and other public or commercial buildings and facilities; (f) The extent of reclamation completed prior to abandonment and the degree of stability of unreclaimed areas, taking into consideration the physical characteristics of the land mined and the extent of settlement or revegetation that has occurred naturally with time; and (g) Based on a review of the complete and partial inspection report record for the site during at least the last two consecutive years, the rate at which adverse environmental or public health and safety conditions have and can be expected to progressively deteriorate.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-01	Shall	The public notice and opportunity to comment required under paragraph (E)(1) of this rule shall be provided as follows: (a) The chief shall place a notice in the newspaper with the broadest circulation in the locality of the abandoned site providing the public with a thirty-day period in which to submit written comments; and (b) The public notice shall contain the permittee’s name, the permit number, the precise location of the land affected, the inspection frequency proposed, the general reasons for reducing the inspection frequency, the performance security status of the permit, the telephone number and address where written comments on the reduced inspection frequency may be submitted, and the closing date of the comment period.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-01	Shall	The chief shall place a notice in the newspaper with the broadest circulation in the locality of the abandoned site providing the public with a thirty-day period in which to submit written comments; and	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-01	Shall	The public notice shall contain the permittee’s name, the permit number, the precise location of the land affected, the inspection frequency proposed, the general reasons for reducing the inspection frequency, the performance security status of the permit, the telephone number and address where written comments on the reduced inspection frequency may be submitted, and the closing date of the comment period.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-01	Shall	The chief shall conduct such inspections of all coal exploration operations as are necessary to ensure compliance with Chapter 1513. of the Revised Code and rules adopted thereunder.	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-14-01	Shall	Except as provided in paragraph (M) of this rule, the inspections required under paragraphs (C), (D), (E), and (F) of this rule shall: (1) Occur without advance notice or search warrant and upon presentation of appropriate credentials; (2) Be carried out on an irregular basis, so as to monitor compliance at all operations, including those which operate nights, holidays, and weekends; (3) Occur without prior notice to the permittee or operator being inspected or any agent or employee of such permittee or operator, except for necessary on-site meetings; (4) Include the prompt filing of inspection reports or other documents adequate to enforce the requirements of and to carry out the terms and purposes of Chapter 1513. of the Revised Code and rules adopted thereunder; (5) Include the collection of evidence with respect to every violation; and (6) Allow for inspection of any monitoring equipment or method of exploration or operation and allow access to and acquisition of copies of any records required to be maintained under Chapter 1513. of the Revised Code and rules adopted thereunder.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-01	Require	Except as provided in paragraph (M) of this rule, the inspections required under paragraphs (C), (D), (E), and (F) of this rule shall: (1) Occur without advance notice or search warrant and upon presentation of appropriate credentials; (2) Be carried out on an irregular basis, so as to monitor compliance at all operations, including those which operate nights, holidays, and weekends; (3) Occur without prior notice to the permittee or operator being inspected or any agent or employee of such permittee or operator, except for necessary on-site meetings; (4) Include the prompt filing of inspection reports or other documents adequate to enforce the requirements of and to carry out the terms and purposes of Chapter 1513. of the Revised Code and rules adopted thereunder; (5) Include the collection of evidence with respect to every violation; and (6) Allow for inspection of any monitoring equipment or method of exploration or operation and allow access to and acquisition of copies of any records required to be maintained under Chapter 1513. of the Revised Code and rules adopted thereunder.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-01	Shall	The identity of any person supplying the information to the chief in a request for an inspection shall remain confidential, if requested by the person, unless the person elects to accompany the inspector on the inspection or unless disclosure is required under the state’s freedom of information laws.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-01	Shall	If an inspection is to be conducted as a result of information provided by the citizen, the citizen shall be notified as far in advance as is practicable when the inspection is to occur and shall be allowed to accompany the inspector.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-01	Shall	If an inspection is to be conducted as a result of information provided by the citizen, the citizen shall be notified as far in advance as is practicable when the inspection is to occur and shall be allowed to accompany the inspector.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-01	Shall	The citizen shall be in the presence of and under control, direction, and supervision of the inspector during the inspection.	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-14-01	Shall	Except as provided in paragraph (M) of this rule, the inspections required under paragraphs (C), (D), (E), and (F) of this rule shall: (1) Occur without advance notice or search warrant and upon presentation of appropriate credentials;(2) Be carried out on an irregular basis, so as to monitor compliance at all operations, including those which operate nights, holidays, and weekends;(3) Occur without prior notice to the permittee or operator being inspected or any agent or employee of such permittee or operator, except for necessary on-site meetings;(4) Include the prompt filing of inspection reports or other documents adequate to enforce the requirements of and to carry out the terms and purposes of Chapter 1513. of the Revised Code and rules adopted thereunder;(5) Include the collection of evidence with respect to every violation; and(6) Allow for inspection of any monitoring equipment or method of exploration or operation and allow access to and acquisition of copies of any records required to be maintained under Chapter 1513. of the Revised Code and rules adopted thereunder.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-01	Shall	The identity of any person supplying the information to the chief in a request for an inspection shall remain confidential, if requested by the person, unless the person elects to accompany the inspector on the inspection or unless disclosure is required under the state’s freedom of information laws.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-01	Shall	If an inspection is to be conducted as a result of information provided by the citizen, the citizen shall be notified as far in advance as is practicable when the inspection is to occur and shall be allowed to accompany the inspector.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-01	Shall	The citizen shall be in the presence of and under control, direction, and supervision of the inspector during the inspection.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-01	Shall	Within ten days of the inspection or, if there is no inspection, within fifteen days of receipt of the citizen’s written statement, the chief or his or her representative shall send the citizen and the permittee the following:(a) If an inspection was made, a description of the enforcement action taken or an explanation of why no enforcement action was taken;(b) If no inspection was conducted, an explanation of the reason why; and(c) An explanation of the citizen’s right to informal review of the action of the chief.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-01	Shall	The chief shall give copies of all materials in paragraphs (H)(4)(a) and (H)(4)(b) of this rule within the time limits specified in those paragraphs to the person, permittee, or operator alleged to be in violation, except that the name of the citizen shall be removed unless disclosure of the citizen’s identity is permitted under paragraph (H)(2) of this rule.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-01	Shall	The chief shall give copies of all materials in paragraphs (H)(4)(a) and (H)(4)(b) of this rule within the time limits specified in those paragraphs to the person, permittee, or operator alleged to be in violation, except that the name of the citizen shall be removed unless disclosure of the citizen’s identity is permitted under paragraph (H)(2) of this rule.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-01	Shall	Authorized representatives of the chief and of the U.S. secretary of the interior shall have the right to conduct inspections of operations claiming the exemption from the requirements of Chapter 1513. of the Revised Code in accordance with rule 1501:13-4-16 of the Administrative Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-01	Shall	Each authorized representative of the chief or of the U.S. secretary of the interior conducting an inspection under paragraph (I)(1) of this rule:Shall have a right of entry to, upon, and through any mining and reclamation operations without advance notice or a search warrant, upon presentation of appropriate credentials;(b) May, at reasonable times and without delay, have access to and copy any records relevant to the exemption; and (c) Shall have a right to gather physical and photographic evidence to document conditions, practices, or violations at a site.	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-14-01	Shall	Each authorized representative of the chief or of the U.S. secretary of the interior conducting an inspection under paragraph (I)(1) of this rule:Shall have a right of entry to, upon, and through any mining and reclamation operations without advance notice or a search warrant, upon presentation of appropriate credentials;(b) May, at reasonable times and without delay, have access to and copy any records relevant to the exemption; and (c) Shall have a right to gather physical and photographic evidence to document conditions, practices, or violations at a site.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-01	Shall	No search warrant shall be required with respect to any activity under paragraphs (I)(1) and (I)(2) of this rule, except that a search warrant may be required for entry into a building.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-01	Require	No search warrant shall be required with respect to any activity under paragraphs (I)(1) and (I)(2) of this rule, except that a search warrant may be required for entry into a building.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-01	Shall	The request for review shall include a statement of how the person is or may be adversely affected and why the decision merits review.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-01	Shall	The chief shall conduct the review and inform the person, in writing, of the results of the review within thirty days of receipt of the request.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-01	Shall	The person alleged to be in violation shall also be given a copy of the results of the review, except that the name of the person who is or may be adversely affected shall not be disclosed unless confidentiality has been waived or disclosure is required under the state’s freedom of information laws.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-01	Shall not	The person alleged to be in violation shall also be given a copy of the results of the review, except that the name of the person who is or may be adversely affected shall not be disclosed unless confidentiality has been waived or disclosure is required under the state’s freedom of information laws.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-01	Shall	Informal review under this rule shall not affect any right to formal review or to a citizen’s suit under Chapter 1513. of the Revised Code and rules adopted thereunder.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-01	Shall	The notification shall include sufficient information to create a reasonable belief that this rule is not being complied with and to demonstrate that the person is or may be adversely affected.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-01	Shall	The chief shall, within fifteen days of receipt of the notification, determine whether this rule is being complied with, and if not, shall immediately order an inspection.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-01	Shall	The chief shall furnish the complainant with a written finding, stating his determination and actions.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-01	Shall not	Any such review shall not constitute an inspection within the meaning of division (C)(1) of section 1513.09 of the Revised Code or paragraph (C), (D), (E), or (F) of this rule.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-01	Shall	The chief or his or her authorized representative shall, at any compliance review, review the proposed conditions and practices in order to advise whether any such condition or practice may become a violation of any requirement under Chapter 1513. of the Revised Code, these rules, or the permit.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-01	Shall	Neither the holding of a compliance review under this rule nor any opinion given by the chief or his or her authorized representative at such review shall affect:(a) Any rights or obligations of the state or the permittee with respect to any inspection, notice of violation or cessation order, whether prior or subsequent to such compliance review; or(b) The validity of any notice of violation or cessation order issued with respect to any condition or practice reviewed at the compliance review.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	An authorized representative of the chief shall immediately order a cessation of coal mining and reclamation operations or of the relevant portion thereof, if he or she finds on the basis of any inspection, any condition or practice, or any violation of Chapter 1513. of the Revised Code and rules adopted thereunder, or any condition of a coal exploration approval or permit or a coal mining and reclamation permit, which:	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-14-02	Shall	If the cessation ordered under paragraph (A)(1)(a) of this rule will not completely abate the imminent danger or harm in the most expeditious manner physically possible, the authorized representative of the chief shall impose affirmative obligations on the person to whom it is issued to abate the condition, practice or violation.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	The order shall specify the time by which abatement shall be accomplished.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	The order shall specify the time by which abatement shall be accomplished.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	An authorized representative of the chief shall immediately order the cessation of coal exploration or coal mining and reclamation operations, or of the relevant portion thereof, when a notice of violation has been issued under paragraph (B) of this rule and the person to whom it was issued fails to abate the violation within the abatement period fixed or subsequently extended by the authorized representative.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	A cessation order issued under paragraph (A)(3) of this rule shall require the person to whom it is issued to take all steps the authorized representative of the chief deems necessary to abate the violations covered by the order in the most expeditious manner physically possible.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Require	A cessation order issued under paragraph (A)(3) of this rule shall require the person to whom it is issued to take all steps the authorized representative of the chief deems necessary to abate the violations covered by the order in the most expeditious manner physically possible.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	Whenever a permittee fails to abate a violation contained in a notice of violation or cessation order within the abatement period set in the notice or order or as subsequently extended, the chief shall review the permittee’s history of violations to determine whether a pattern of violations exists pursuant to this rule, and shall issue an order to show cause as appropriate pursuant to paragraph (C) of this rule.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	Whenever a permittee fails to abate a violation contained in a notice of violation or cessation order within the abatement period set in the notice or order or as subsequently extended, the chief shall review the permittee’s history of violations to determine whether a pattern of violations exists pursuant to this rule, and shall issue an order to show cause as appropriate pursuant to paragraph (C) of this rule.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	A cessation order issued under paragraph (A)(1) or (A)(3) of this rule shall be in writing, signed by the authorized representative who issues it, and shall set forth with reasonable specificity:(a) The nature of the condition, practice, or violation;(b) The remedial action or affirmative obligation required, if any, including interim steps, if appropriate;(c) The time established for abatement, if appropriate, including the time for meeting any interim steps; and(d) A reasonable description of the portion of the coal exploration or coal mining and reclamation operation to which it applies. The order shall remain in effect until the condition, practice or violation has been abated or until the order is vacated, modified or terminated in writing by an authorized representative of the chief.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	A cessation order issued under paragraph (A)(1) or (A)(3) of this rule shall be in writing, signed by the authorized representative who issues it, and shall set forth with reasonable specificity:(a) The nature of the condition, practice, or violation;(b) The remedial action or affirmative obligation required, if any, including interim steps, if appropriate;(c) The time established for abatement, if appropriate, including the time for meeting any interim steps; and(d) A reasonable description of the portion of the coal exploration or coal mining and reclamation operation to which it applies. The order shall remain in effect until the condition, practice or violation has been abated or until the order is vacated, modified or terminated in writing by an authorized representative of the chief.	1513.02	Yes, both state and federal law	Yes, both state and federal law

RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1501:13-14-02	Shall	A cessation order issued under paragraph (A)(1) or (A)(3) of this rule shall be in writing, signed by the authorized representative who issues it, and shall set forth with reasonable specificity:(a) The nature of the condition, practice, or violation;(b) The remedial action or affirmative obligation required, if any, including interim steps, if appropriate;(c) The time established for abatement, if appropriate, including the time for meeting any interim steps; and(d) A reasonable description of the portion of the coal exploration or coal mining and reclamation operation to which it applies. The order shall remain in effect until the condition, practice or violation has been abated or until the order is vacated, modified or terminated in writing by an authorized representative of the chief.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	Reclamation operations and other activities intended to protect public health and safety and the environment shall continue during the period of any order unless otherwise provided in the order.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	An authorized representative of the chief shall terminate a cessation order, by written notice to the person to whom the order was issued, when he or she determines that all conditions, practices, or violations listed in the order have been abated.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall not	Termination shall not affect the right of the chief to assess civil penalties for those violations under rule 1501:13-14-03 of the Administrative Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	Within thirty days after a cessation order is issued, the permittee shall submit to the chief the information required pursuant to paragraph (G)(5) of rule 1501:13-5-01 of the Administrative Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Require	If performance security was provided together with reliance on the reclamation forfeiture fund in accordance with paragraph (C)(2) of rule 1501:13-7-01 of the Administrative Code and the chief has issued a cessation order under paragraph (A)(3) of this rule for failure to abate a violation of the contemporaneous reclamation requirement under rule 1501:13-9-13 of the Administrative Code, the chief may require the permittee to increase the amount of performance security for the permit from twenty-five hundred dollars per acre of land to five thousand dollars per acre of land.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	Within sixty days after issuing a cessation order, the chief shall notify in writing any person who has been identified under paragraph (B)(5) or (B)(7) of rule 1501:13-4-03 or paragraph (G)(5) of rule 1501:13-5-01 of the Administrative Code as owning or controlling the permittee that the cessation order was issued and that the person has been identified as an owner or controller.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	If the chief orders the permittee to increase the amount of performance security under paragraph (A)(9)(a) or (A)(9)(b) of this rule, the chief shall also order the permittee to show cause why the permittee has the ability to comply with the requirements of Chapter 1513. of the Revised Code in accordance with paragraph (B) of rule 1501:13-7-06 of the Administrative Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	If the chief orders the permittee to increase the amount of performance security under paragraph (A)(9)(a) or (A)(9)(b) of this rule, the increased performance security shall remain in effect for the permit, including all future acreage of the permit, until the chief determines that the amount of performance security may be reduced.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	The chief shall determine, in writing, whether or not the performance security may be reduced and the amount of performance security reduction, if any, based on the overall site conditions of the permit, the success of the reclamation performed, the permittee’s compliance with other enforcement actions, and the outcome of the show cause hearing held pursuant to paragraph (B) of rule 1501:13-7-06 of the Administrative Code or of any show cause hearing requested under paragraph (C) of this rule.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall not	A reduction in the amount of performance security under paragraph (A)(9)(d) of this rule shall not be considered release of performance security and is not subject to division (F) of section 1513.16 of the Revised Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-14-02	Shall	An authorized representative of the chief shall issue a notice of violation, if, on the basis of an inspection, he or she finds a violation of Chapter 1513. of the Revised Code or rules adopted thereunder or any condition of a permit or an exploration permit, which does not create an imminent danger or harm for which a cessation order must be issued under paragraph (A) of this rule.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Must	An authorized representative of the chief shall issue a notice of violation, if, on the basis of an inspection, he or she finds a violation of Chapter 1513. of the Revised Code or rules adopted thereunder or any condition of a permit or an exploration permit, which does not create an imminent danger or harm for which a cessation order must be issued under paragraph (A) of this rule.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	A notice of violation issued under this rule shall be in writing, signed by the authorized representative of the chief who issued it, and shall set forth with reasonable specificity:(a) The nature of the violation;(b) The remedial action required, which may include interim steps;(c) A reasonable time for abatement, which may include time for accomplishment of interim steps; and(d) A reasonable description of the portion of the coal exploration or coal mining and reclamation operation to which it applies.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	A notice of violation issued under this rule shall be in writing, signed by the authorized representative of the chief who issued it, and shall set forth with reasonable specificity:(a) The nature of the violation;(b) The remedial action required, which may include interim steps;(c) A reasonable time for abatement, which may include time for accomplishment of interim steps; and(d) A reasonable description of the portion of the coal exploration or coal mining and reclamation operation to which it applies.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall not	The total time for abatement under a notice of violation, including all extensions, shall not exceed ninety days from the date of issuance, except upon a showing by the permittee that it is not feasible to abate the violation within ninety calendar days due to one or more of the circumstances listed in paragraph (B)(3) of this rule.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall not	An extended abatement date pursuant to this rule shall not be granted when the permittee’s failure to abate within ninety days has been caused by lack of diligence or intentional delay by the permittee in completing the remedial action required.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	Whenever an abatement time in excess of ninety days is granted, interim abatement measures shall be imposed to the extent necessary to minimize harm to the public or the environment.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall not	The authorized representative shall not grant or deny such an abatement period without the concurrence of the chief and the abatement period granted shall not exceed the shortest possible time necessary to abate the violation.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall not	The authorized representative shall not grant or deny such an abatement period without the concurrence of the chief and the abatement period granted shall not exceed the shortest possible time necessary to abate the violation.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	The permittee shall have the burden of establishing by clear and convincing proof that he or she is entitled to an extension under the provisions of paragraph (B)(3) of this rule.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	The authorized representative shall promptly and fully document in the file his or her reasons for granting or denying the request.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	The authorized representative’s immediate supervisor shall review this document before concurring in or disapproving the extended abatement date and shall promptly and fully document the reasons for his or her concurrence or disapproval in the file.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	The authorized representative’s immediate supervisor shall review this document before concurring in or disapproving the extended abatement date and shall promptly and fully document the reasons for his or her concurrence or disapproval in the file.	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-14-02	Shall	Any determination made under paragraph (B)(5) of this rule shall be in writing and shall contain a right of appeal to the reclamation commission.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	Any determination made under paragraph (B)(5) of this rule shall be in writing and shall contain a right of appeal to the reclamation commission.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	If the person to whom the notice was issued fails to meet any time set for abatement or for accomplishment of an interim step, the authorized representative shall issue a cessation order under paragraph (A) of this rule.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	An authorized representative of the chief shall terminate a notice of violation by written notice to the person to whom it was issued, when he or she determines that all violations listed in the notice of violation have been abated.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall not	Termination shall not affect the right of the chief to assess civil penalties for those violations under rule 1501:13-14-03 of the Administrative Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	If the chief determines that, for any permit, there exists or has existed a pattern of violations or any requirements of Chapter 1513. of the Revised Code, these rules, or any permit condition, and that the violations were caused by the permittee willfully or through unwarranted failure to comply with those requirements or conditions, then the chief shall issue an order to the permittee requiring him or her to show cause why his or her permit and right to mine should not be suspended or revoked.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Require	If the chief determines that, for any permit, there exists or has existed a pattern of violations or any requirements of Chapter 1513. of the Revised Code, these rules, or any permit condition, and that the violations were caused by the permittee willfully or through unwarranted failure to comply with those requirements or conditions, then the chief shall issue an order to the permittee requiring him or her to show cause why his or her permit and right to mine should not be suspended or revoked.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	Violations by any person conducting coal mining operations on behalf of the permittee shall be attributed to the permittee, unless the permittee establishes that they were acts of deliberate sabotage.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	The chief shall determine that a pattern of violations exists, if he or she finds that there were violations of the same or related requirements of Chapter 1513. of the Revised Code, these rules, or the permit during three or more inspections of the permit area within any twelve-month period.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	A show cause order shall set forth in the order itself or in attachments to the order: (a) A list of the unwarranted or willful violations which contribute to a pattern of violations; (b) A copy of each order or notice which contains one or more of the violations listed as contributing to a pattern of violations; (c) A brief statement indicating the basis for determining that the violations were caused by the permittee willfully or through unwarranted failure to comply; (d) The chief's intent to either revoke or suspend the permit, including the length and terms of a suspension; and (e) A statement advising the permittee that if he or she wishes a show cause hearing, he or she must, within thirty days from receipt of the show cause order, file an answer to the show cause order and request a hearing.	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-14-02	Must	A show cause order shall set forth in the order itself or in attachments to the order: (a) A list of the unwarranted or willful violations which contribute to a pattern of violations; (b) A copy of each order or notice which contains one or more of the violations listed as contributing to a pattern of violations; (c) A brief statement indicating the basis for determining that the violations were caused by the permittee willfully or through unwarranted failure to comply; (d) The chief's intent to either revoke or suspend the permit, including the length and terms of a suspension; and (e) A statement advising the permittee that if he or she wishes a show cause hearing, he or she must, within thirty days from receipt of the show cause order, file an answer to the show cause order and request a hearing.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	The permittee's answer to a show cause order shall contain a statement setting forth: (a) The reasons in detail why a pattern of violations does not exist or has not existed including all the reasons for contesting: (i) The fact of any of the violations alleged by the chief as constituting a pattern of violations; (ii) The willfulness of such violations; or (iii) Whether such violations were caused by the unwarranted failure of the permittee; (b) All mitigating factors the permittee believes exist in determining the terms of the revocation or the length of terms of the suspension; and (c) Any other alleged relevant facts.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	If the permittee files an answer to the show cause order and requests a show cause hearing, the chief shall give thirty days written notice of the date, time and place of the hearing to all interested parties.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	The chief shall publish notice of the hearing, if practicable, in a newspaper of general circulation in the area of the coal mining and reclamation operations, and shall post it at the division of mineral resources management district office closest to the coal mining and reclamation operations.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	The chief shall publish notice of the hearing, if practicable, in a newspaper of general circulation in the area of the coal mining and reclamation operations, and shall post it at the division of mineral resources management district office closest to the coal mining and reclamation operations.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	f the permittee files an answer and requests a hearing, the chief or his or her representative shall hold a show cause hearing, which shall be a public adjudicatory hearing of record.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	f the permittee files an answer and requests a hearing, the chief or his or her representative shall hold a show cause hearing, which shall be a public adjudicatory hearing of record.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	The permittee issued the order to show cause shall appear at the hearing.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	An electronic or stenographic record shall be made of the hearing.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	The record shall be maintained and shall be accessible to the parties of the hearing until final release of the permittee's security required by Chapter 1513. of the Revised Code and rules adopted thereunder.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	The record shall be maintained and shall be accessible to the parties of the hearing until final release of the permittee's security required by Chapter 1513. of the Revised Code and rules adopted thereunder.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	In a show cause hearing, the chief shall have the burden of going forward to establish a prima facie case for suspension or revocation of the permit.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	The ultimate burden of persuasion that the permit should not be suspended or revoked shall rest with the permittee.	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-14-02	Shall	Within sixty days following the show cause hearing: (a) The chief shall issue a written determination as to whether a pattern of violations exists and, if appropriate, an order for the suspension or revocation of the permit. (i) In making a determination that a pattern of violations exists, the chief need not find that all the violations listed in the show cause order occurred, but only that sufficient violations occurred to establish a pattern; (ii) If the permit is suspended, the minimum suspension period shall be three working days unless the chief finds that imposition of the minimum suspension period would result in manifest injustice and would not further the purposes of Chapter 1513. of the Revised Code; and (b) The chief shall furnish the permittee and all other parties of the hearing with the written determination, which shall state the reasons for this determination issued pursuant to paragraph (C)(9)(a) of this rule.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	Within sixty days following the show cause hearing: (a) The chief shall issue a written determination as to whether a pattern of violations exists and, if appropriate, an order for the suspension or revocation of the permit. (i) In making a determination that a pattern of violations exists, the chief need not find that all the violations listed in the show cause order occurred, but only that sufficient violations occurred to establish a pattern; (ii) If the permit is suspended, the minimum suspension period shall be three working days unless the chief finds that imposition of the minimum suspension period would result in manifest injustice and would not further the purposes of Chapter 1513. of the Revised Code; and (b) The chief shall furnish the permittee and all other parties of the hearing with the written determination, which shall state the reasons for this determination issued pursuant to paragraph (C)(9)(a) of this rule.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	Within sixty days following the show cause hearing: (a) The chief shall issue a written determination as to whether a pattern of violations exists and, if appropriate, an order for the suspension or revocation of the permit. (i) In making a determination that a pattern of violations exists, the chief need not find that all the violations listed in the show cause order occurred, but only that sufficient violations occurred to establish a pattern; (ii) If the permit is suspended, the minimum suspension period shall be three working days unless the chief finds that imposition of the minimum suspension period would result in manifest injustice and would not further the purposes of Chapter 1513. of the Revised Code; and (b) The chief shall furnish the permittee and all other parties of the hearing with the written determination, which shall state the reasons for this determination issued pursuant to paragraph (C)(9)(a) of this rule.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	Within sixty days following the show cause hearing: (a) The chief shall issue a written determination as to whether a pattern of violations exists and, if appropriate, an order for the suspension or revocation of the permit. (i) In making a determination that a pattern of violations exists, the chief need not find that all the violations listed in the show cause order occurred, but only that sufficient violations occurred to establish a pattern; (ii) If the permit is suspended, the minimum suspension period shall be three working days unless the chief finds that imposition of the minimum suspension period would result in manifest injustice and would not further the purposes of Chapter 1513. of the Revised Code; and (b) The chief shall furnish the permittee and all other parties of the hearing with the written determination, which shall state the reasons for this determination issued pursuant to paragraph (C)(9)(a) of this rule.	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-14-02	Shall	Whenever the chief orders the revocation or suspension of the permit in the determination issued pursuant to paragraph (C)(9)(a) of this rule, the permittee shall immediately cease coal mining operations on the permit area and shall: (a) If the permit and the right to mine are revoked, complete reclamation within the time specified in the order or the chief shall declare as forfeited the performance security for the operation; or (b) If the permit and right to mine are suspended, complete all affirmative obligations to abate all conditions, practices or violations, as specified in the order.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	Whenever the chief orders the revocation or suspension of the permit in the determination issued pursuant to paragraph (C)(9)(a) of this rule, the permittee shall immediately cease coal mining operations on the permit area and shall: (a) If the permit and the right to mine are revoked, complete reclamation within the time specified in the order or the chief shall declare as forfeited the performance security for the operation; or (b) If the permit and right to mine are suspended, complete all affirmative obligations to abate all conditions, practices or violations, as specified in the order.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	Any notice or order shall be served on the person to whom it is directed or his or her designated agent promptly after issuance, as follows: (a) By tendering a copy at the coal exploration or coal mining and reclamation operation to the person to whom it is directed or to the designated agent, or to the individual who, based upon reasonable inquiry by the chief’s authorized representative, appears to be in charge of the coal exploration or coal mining and reclamation operation referred to in the notice or order. If no such individual can be located at the site, a copy may be tendered to any individual at the site who appears to be an employee or agent of the person to whom the notice or order is issued. In the event a notice or order is tendered to anyone other than to whom it is directed or his or her designated agent, service shall also be made by certified mail. Service shall be complete upon tender of the notice or order and shall not be deemed incomplete because of refusal to accept; or (b) As an alternative to paragraph (D)(1)(a) of this rule, service may be made by sending a copy of the notice or order by certified mail to the address shown as current on the permit in accordance with paragraph (B)(1)(a) of rule 1501:13-4-03 of the Administrative Code or by hand to the person to whom it is issued or his or her designated agent. Service shall be complete upon tender of the notice or order of the mail and shall not be deemed incomplete because of refusal to accept. (c) In the event that attempts to deliver the notice or order by hand or by certified mail are unsuccessful, service of the notice or order may be made by first class mail to the most current address on file with the division of mineral resources management.	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-14-02	Shall	Any notice or order shall be served on the person to whom it is directed or his or her designated agent promptly after issuance, as follows: (a) By tendering a copy at the coal exploration or coal mining and reclamation operation to the person to whom it is directed or to the designated agent, or to the individual who, based upon reasonable inquiry by the chief’s authorized representative, appears to be in charge of the coal exploration or coal mining and reclamation operation referred to in the notice or order. If no such individual can be located at the site, a copy may be tendered to any individual at the site who appears to be an employee or agent of the person to whom the notice or order is issued. In the event a notice or order is tendered to anyone other than to whom it is directed or his or her designated agent, service shall also be made by certified mail. Service shall be complete upon tender of the notice or order and shall not be deemed incomplete because of refusal to accept; or (b) As an alternative to paragraph (D)(1)(a) of this rule, service may be made by sending a copy of the notice or order by certified mail to the address shown as current on the permit in accordance with paragraph (B)(1)(a) of rule 1501:13-4-03 of the Administrative Code or by hand to the person to whom it is issued or his or her designated agent. Service shall be complete upon tender of the notice or order of the mail and shall not be deemed incomplete because of refusal to accept. (c) In the event that attempts to deliver the notice or order by hand or by certified mail are unsuccessful, service of the notice or order may be made by first class mail to the most current address on file with the division of mineral resources management.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	Any notice or order shall be served on the person to whom it is directed or his or her designated agent promptly after issuance, as follows: (a) By tendering a copy at the coal exploration or coal mining and reclamation operation to the person to whom it is directed or to the designated agent, or to the individual who, based upon reasonable inquiry by the chief’s authorized representative, appears to be in charge of the coal exploration or coal mining and reclamation operation referred to in the notice or order. If no such individual can be located at the site, a copy may be tendered to any individual at the site who appears to be an employee or agent of the person to whom the notice or order is issued. In the event a notice or order is tendered to anyone other than to whom it is directed or his or her designated agent, service shall also be made by certified mail. Service shall be complete upon tender of the notice or order and shall not be deemed incomplete because of refusal to accept; or (b) As an alternative to paragraph (D)(1)(a) of this rule, service may be made by sending a copy of the notice or order by certified mail to the address shown as current on the permit in accordance with paragraph (B)(1)(a) of rule 1501:13-4-03 of the Administrative Code or by hand to the person to whom it is issued or his or her designated agent. Service shall be complete upon tender of the notice or order of the mail and shall not be deemed incomplete because of refusal to accept. (c) In the event that attempts to deliver the notice or order by hand or by certified mail are unsuccessful, service of the notice or order may be made by first class mail to the most current address on file with the division of mineral resources management.	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-14-02	Shall not	Any notice or order shall be served on the person to whom it is directed or his or her designated agent promptly after issuance, as follows:(a) By tendering a copy at the coal exploration or coal mining and reclamation operation to the person to whom it is directed or to the designated agent, or to the individual who, based upon reasonable inquiry by the chief’s authorized representative, appears to be in charge of the coal exploration or coal mining and reclamation operation referred to in the notice or order. If no such individual can be located at the site, a copy may be tendered to any individual at the site who appears to be an employee or agent of the person to whom the notice or order is issued. In the event a notice or order is tendered to anyone other than to whom it is directed or his or her designated agent, service shall also be made by certified mail. Service shall be complete upon tender of the notice or order and shall not be deemed incomplete because of refusal to accept; or(b) As an alternative to paragraph (D)(1)(a) of this rule, service may be made by sending a copy of the notice or order by certified mail to the address shown as current on the permit in accordance with paragraph (B)(1)(a) of rule 1501:13-4-03 of the Administrative Code or by hand to the person to whom it is issued or his or her designated agent. Service shall be complete upon tender of the notice or order of the mail and shall not be deemed incomplete because of refusal to accept.(c) In the event that attempts to deliver the notice or order by hand or by certified mail are unsuccessful, service of the notice or order may be made by first class mail to the most current address on file with the division of mineral resources management.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	Any notice or order shall be served on the person to whom it is directed or his or her designated agent promptly after issuance, as follows: (a) By tendering a copy at the coal exploration or coal mining and reclamation operation to the person to whom it is directed or to the designated agent, or to the individual who, based upon reasonable inquiry by the chief’s authorized representative, appears to be in charge of the coal exploration or coal mining and reclamation operation referred to in the notice or order. If no such individual can be located at the site, a copy may be tendered to any individual at the site who appears to be an employee or agent of the person to whom the notice or order is issued. In the event a notice or order is tendered to anyone other than to whom it is directed or his or her designated agent, service shall also be made by certified mail. Service shall be complete upon tender of the notice or order and shall not be deemed incomplete because of refusal to accept; or (b) As an alternative to paragraph (D)(1)(a) of this rule, service may be made by sending a copy of the notice or order by certified mail to the address shown as current on the permit in accordance with paragraph (B)(1)(a) of rule 1501:13-4-03 of the Administrative Code or by hand to the person to whom it is issued or his or her designated agent. Service shall be complete upon tender of the notice or order of the mail and shall not be deemed incomplete because of refusal to accept. (c) In the event that attempts to deliver the notice or order by hand or by certified mail are unsuccessful, service of the notice or order may be made by first class mail to the most current address on file with the division of mineral resources management.	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-14-02	Shall not	Any notice or order shall be served on the person to whom it is directed or his or her designated agent promptly after issuance, as follows: (a) By tendering a copy at the coal exploration or coal mining and reclamation operation to the person to whom it is directed or to the designated agent, or to the individual who, based upon reasonable inquiry by the chief’s authorized representative, appears to be in charge of the coal exploration or coal mining and reclamation operation referred to in the notice or order. If no such individual can be located at the site, a copy may be tendered to any individual at the site who appears to be an employee or agent of the person to whom the notice or order is issued. In the event a notice or order is tendered to anyone other than to whom it is directed or his or her designated agent, service shall also be made by certified mail. Service shall be complete upon tender of the notice or order and shall not be deemed incomplete because of refusal to accept; or (b) As an alternative to paragraph (D)(1)(a) of this rule, service may be made by sending a copy of the notice or order by certified mail to the address shown as current on the permit in accordance with paragraph (B)(1)(a) of rule 1501:13-4-03 of the Administrative Code or by hand to the person to whom it is issued or his or her designated agent. Service shall be complete upon tender of the notice or order of the mail and shall not be deemed incomplete because of refusal to accept. (c) In the event that attempts to deliver the notice or order by hand or by certified mail are unsuccessful, service of the notice or order may be made by first class mail to the most current address on file with the division of mineral resources management.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	Designation by any person of an agent for service of notices and orders shall be made in writing to the division of mineral resources management.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall	Except as provided in paragraph (E)(2) of this rule, a notice of violation or order which requires cessation of mining shall expire within thirty days after it is served unless a hearing has been held pursuant to section 1513.13 of the Revised Code within that time.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall not	A notice of violation or cessation order shall not expire as provided in paragraph (E)(1) of this rule, if the condition, practice, or violation in question has not been abated or if the hearing has been waived by the person to whom the notice or order was issued.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	Shall not	The filing of an application for review and request for a hearing under paragraph (F) of this rule shall not operate as a stay of any notice or order, or of any modification, termination or vacation of either.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-02	May not	Inability to comply may not be considered in determining whether a pattern of violations exists pursuant to paragraph (C) of this rule.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-03	Shall	The chief shall review each notice of violation and cessation order in accordance with the assessment procedures described in this rule to determine whether a civil penalty shall be assessed, the amount of the penalty, and whether each day of a continuing violation will be deemed a separate violation for purposes of the total penalty assessed.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-03	Shall	The chief shall review each notice of violation and cessation order in accordance with the assessment procedures described in this rule to determine whether a civil penalty shall be assessed, the amount of the penalty, and whether each day of a continuing violation will be deemed a separate violation for purposes of the total penalty assessed.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-03	Shall	The chief shall assess a penalty for each cessation order.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-03	Shall	In all other instances, the chief shall consider the factors listed in paragraph (C) of this rule in determining whether to assess a penalty.	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-14-03	Shall	In determining the amount of the penalty, the chief shall consider: (1) The permittee’s history of previous violations at the particular coal mining operation; (2) The seriousness of the violation, including any irreparable harm to the environment and any hazard to the health or safety of the public; (3) Whether the permittee was negligent; (a) “Negligence” means the failure of a permittee to prevent the occurrence of any violation of the conditions of the permit or Chapter 1513. of the Revised Code or rules adopted thereunder due to indifference, lack of diligence, or lack of reasonable care, or the failure to abate any violation of the permit or the law due to indifference, lack of diligence, or lack of reasonable care; (b) A “greater degree of fault than negligence” means reckless, knowing, or intentional conduct; and	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-03	Shall	In determining whether to make such an assessment, the chief shall consider the factors listed in paragraph (C) of this rule and may consider the extent to which the person to whom the notice or order was issued gained any economic benefit as a result of a failure to comply.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-03	Shall	In addition to the civil penalty provided for in paragraph (D)(1) of this rule and pursuant to section 1513.02 of the Revised Code, whenever a violation contained in a notice of violation, cessation order or other order has not been abated within the abatement period in the order, a civil penalty of not less than seven hundred fifty dollars shall be assessed for each day during which such failure continues, provided that such penalty for the failure to abate a violation shall not be assessed for more than thirty days for each such violation.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-03	Shall not	In addition to the civil penalty provided for in paragraph (D)(1) of this rule and pursuant to section 1513.02 of the Revised Code, whenever a violation contained in a notice of violation, cessation order or other order has not been abated within the abatement period in the order, a civil penalty of not less than seven hundred fifty dollars shall be assessed for each day during which such failure continues, provided that such penalty for the failure to abate a violation shall not be assessed for more than thirty days for each such violation.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-03	Shall	If the permittee has not abated the violation within the thirty-day period, the chief shall within the next thirty days take appropriate action pursuant to section 1513.17 or 1513.40 of the Revised Code, or division (D)(3) of section 1513.02 of the Revised Code, or division (A) of section 1513.15 of the Revised Code, to ensure that abatement occurs or to ensure that there will not be a reoccurrence of the failure to abate.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-03	Shall	If the person to whom the notice or order was issued initiates review proceedings with respect to the violation, the abatement period shall be extended as follows: (a) If the chairman of the reclamation commission determines, in a temporary relief proceeding held under section 1513.13 of the Revised Code, that the person to whom the notice or order was issued will suffer irreparable loss or damage from the application of the requirements, the period permitted for abatement shall not end until the date on which the chairman of the reclamation commission issues a final order with respect to the violation in question; and (b) If the person to whom the notice or order was issued initiates review proceedings under section 1513.14 of the Revised Code with respect to the violation in which the obligations to abate are stayed by the court, the daily assessment of a penalty shall not be made for any period before entry of a final order by the court.	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-14-03	Shall not	If the person to whom the notice or order was issued initiates review proceedings with respect to the violation, the abatement period shall be extended as follows: (a) If the chairman of the reclamation commission determines, in a temporary relief proceeding held under section 1513.13 of the Revised Code, that the person to whom the notice or order was issued will suffer irreparable loss or damage from the application of the requirements, the period permitted for abatement shall not end until the date on which the chairman of the reclamation commission issues a final order with respect to the violation in question; and (b) If the person to whom the notice or order was issued initiates review proceedings under section 1513.14 of the Revised Code with respect to the violation in which the obligations to abate are stayed by the court, the daily assessment of a penalty shall not be made for any period before entry of a final order by the court.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-03	Shall not	If the person to whom the notice or order was issued initiates review proceedings with respect to the violation, the abatement period shall be extended as follows: (a) If the chairman of the reclamation commission determines, in a temporary relief proceeding held under section 1513.13 of the Revised Code, that the person to whom the notice or order was issued will suffer irreparable loss or damage from the application of the requirements, the period permitted for abatement shall not end until the date on which the chairman of the reclamation commission issues a final order with respect to the violation in question; and (b) If the person to whom the notice or order was issued initiates review proceedings under section 1513.14 of the Revised Code with respect to the violation in which the obligations to abate are stayed by the court, the daily assessment of a penalty shall not be made for any period before entry of a final order by the court.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-03	Shall	The chief shall, within thirty days of the issuance of the notice or order, serve a copy of the proposed assessment, by certified mail, on the person to whom the notice of violation or order was issued at the address specified in the sign required under paragraph (B) of rule 1501:13-9-01 of the Administrative Code, or at any address at which the person is in fact located.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-03	Shall	Service shall be deemed complete when the certified mail service requirements of paragraph (D)(1)(b) of rule 1501:13-14-02 of the Administrative Code are met.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-03	Shall	The recipient of the proposed assessment shall be advised of the right to an informal assessment conference under this rule.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-03	Shall	The chief shall consider any information so submitted in determining the facts surrounding the violation and the amount of the penalty.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-03	Shall	The informal assessment conference shall constitute the public hearing required by division (E)(2) of section 1513.02 of the Revised Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-03	Shall	A person who does not submit a timely request for an informal assessment conference shall be considered to have waived the opportunity for a conference.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-03	Shall	A timely request for an informal assessment conference under this rule shall toll the time permitted for appeal of the proposed assessment to the reclamation commission pursuant to section 1513.13 of the Revised Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-03	Shall	The chief shall appoint a conference officer to conduct the informal assessment conference.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-03	Shall	The conference officer shall be a person other than the inspector who issued the notice of violation upon which the penalty is based.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-03	Shall not	The assessment conference shall not be governed by Chapter 119. of the Revised Code regarding the requirements for formal adjudicatory hearings.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-03	Shall	The assessment conference shall be held within sixty days after receipt of the written request required by paragraph (F)(1) of this rule.	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-14-03	Shall not	A failure by the chief to hold the assessment conference within the prescribed time limit shall not be grounds for rescission or reduction of all or a part of the proposed assessment unless the person against whom the proposed penalty is assessed makes a timely written objection to the delay and proves to the chief that actual prejudice results from the delay.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-03	Shall	The chief shall post notice of the date, time and place of the conference at least five days prior to the conference at the district office of the division of mineral resources management from which the underlying notice of violation was issued.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-03	Shall	Within thirty days after the conference, the conference officer shall issue a written notice of his or her action as a result of the conference, which notice shall be served on the persons who participated in the conference by certified mail in accordance with paragraph (D)(1)(b) of rule 1501:13-14-02 of the Administrative Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-03	Shall	Within thirty days after the conference, the conference officer shall issue a written notice of his or her action as a result of the conference, which notice shall be served on the persons who participated in the conference by certified mail in accordance with paragraph (D)(1)(b) of rule 1501:13-14-02 of the Administrative Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-03	Shall	The notice shall contain the decision of the conference officer to affirm, raise, lower or vacate the proposed assessment.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-03	Shall	The conference officer shall consider such information as is relevant to the assessment.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-03	Shall	The conference officer shall either: (a) Settle the issues, in which case a settlement agreement shall be prepared and signed by the conference officer, chief and by the person assessed; or (b) Affirm, raise, lower or vacate the penalty.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-03	Shall	The person served with the proposed assessment shall bear the burden of proving at the conference the existence or non-existence of any or all of the factors subject to consideration by the conference officer.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-03	Shall	The written notice of the conference officer’s decision shall be accompanied by the worksheet if the proposed assessment has been raised or lowered.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-03	Shall	The reasons for the conference officer’s action on the proposed assessment shall be fully documented in the appropriate file.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-03	Shall not	If the conference officer increases or decreases the proposed assessment by more than twenty-five per cent and five hundred dollars, the notice of decision required by paragraph (F)(6) of this rule shall not be final unless approved by the chief or his or her designee, evidenced by the appropriate signature thereon.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-03	Shall	At the time this appeal is filed, the person shall forward the amount of the penalty to the secretary of the reclamation commission for placement in an escrow account.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-03	Shall	Failure to forward the money to the secretary of the reclamation commission within thirty days from receipt of the proposed assessment shall result in a waiver of all legal rights to contest the violation or the amount of the penalty.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-03	Shall	The reclamation commission shall hold all funds submitted under paragraph (G)(1) of this rule in escrow pending completion of the administrative and judicial review process, at which time it shall disburse them as provided in paragraph (I) of this rule.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-03	Shall	The reclamation commission shall hold all funds submitted under paragraph (G)(1) of this rule in escrow pending completion of the administrative and judicial review process, at which time it shall disburse them as provided in paragraph (I) of this rule.	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-14-03	Shall	If, upon appeal, the reclamation commission affirms or modifies the proposed amount of the penalty, the person so assessed shall have thirty days from service of the commission’s written decision, unless otherwise provided by Chapter 1513. of the Revised Code, within which to pay such amount in full, or file an appeal with the court of appeals.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-03	Shall	If the person to whom a notice of violation or cessation order is issued fails to request a review as provided in paragraph (G) of this rule, a proposed assessment shall become a final order of the chief and the penalty assessed shall become due and payable upon expiration of the time allowed to request a hearing.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-03	Shall	If the person to whom a notice of violation or cessation order is issued fails to request a review as provided in paragraph (G) of this rule, a proposed assessment shall become a final order of the chief and the penalty assessed shall become due and payable upon expiration of the time allowed to request a hearing.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-03	Shall	If any party requests judicial review of a final order of the reclamation commission, the proposed penalty shall continue to be held in escrow until completion of the review.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-03	Shall	Otherwise, subject to paragraph (I)(3) of this rule, the escrowed funds shall be transferred to the chief in payment of the penalty, and the escrow shall end.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-03	Shall	Otherwise, subject to paragraph (I)(3) of this rule, the escrowed funds shall be transferred to the chief in payment of the penalty, and the escrow shall end.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-03	Shall	If the final decision in the administrative and judicial review results in an order reducing or eliminating the proposed penalty assessed under this rule, the reclamation commission shall, within thirty days of receipt of the order, refund to the person assessed all or part of the escrowed amount, with interest, from the date of payment into escrow to the date of the refund.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-04	Must	The petition for an award of costs and expenses including attorneys’ fees must be filed with the chief within forty-five days of receipt of such order.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-04	Shall	A petition filed under paragraph (A)(1) of this rule shall include the name of the person from whom costs and expenses are sought and the following shall be submitted in support of the petition: (i) An affidavit setting forth in detail all costs and expenses including attorneys’ fees reasonably incurred for, or in connection with, the person’s participation in the proceeding; (ii) Receipts or other evidence of such costs and expenses; and (iii) Where attorneys’ fees are claimed, evidence concerning the hours expended on the case, the customary commercial rate of payment for such services in the area, and the experience, reputation and ability of the individual or individuals performing the services.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-04	Shall	A petition filed under paragraph (A)(1) of this rule shall include the name of the person from whom costs and expenses are sought and the following shall be submitted in support of the petition: (i) An affidavit setting forth in detail all costs and expenses including attorneys’ fees reasonably incurred for, or in connection with, the person’s participation in the proceeding; (ii) Receipts or other evidence of such costs and expenses; and (iii) Where attorneys’ fees are claimed, evidence concerning the hours expended on the case, the customary commercial rate of payment for such services in the area, and the experience, reputation and ability of the individual or individuals performing the services.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-04	Shall	Any person served with a copy of the petition shall have thirty days from service of the petition within which to file an answer to such petition.	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-14-05	Shall	The request shall: (1) Briefly summarize the issues to be raised at the conference by the person requesting the conference; and (2) (a) Be filed with the chief not later than thirty days after the last publication of the newspaper advertisement placed by the applicant under paragraph (A)(1) of rule 1501:13-5-01 of the Administrative Code; or (b) Be filed with the chief not later than thirty days after receipt by the permittee of the proposed performance security adjustment.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-05	Shall	Except as provided in paragraph (C) of this rule, if an informal conference is requested in accordance with paragraph (A) of this rule, the chief shall hold an informal conference within a reasonable time not to exceed sixty days following: (a) The close of the comment period required by paragraph (B)(1) of rule 1501:13-5-01 of the Administrative Code for a permit application, an application for significant revision to a permit or an application for renewal of a permit; or (b) Receipt by the permittee of a performance security adjustment under paragraph (E) of rule 1501:13-7-02 of the Administrative Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-05	Shall	The informal conference shall be conducted as follows: (a) The conference shall be held in the county where the largest portion of the area permitted or to be permitted is located; (b) The date, time, and location of the informal conference shall be sent to the applicant or permittee and other parties to the conference and advertised by the chief in a newspaper of general circulation in the locality of the proposed permit or existing permit at least two weeks prior to the scheduled conference; (c) If requested, in writing, by the person requesting the conference at a reasonable time prior to the conference, the chief may arrange with the applicant or permittee to grant parties to the conference access to the proposed permit or existing permit area and, to the extent that the applicant or permittee has the right to grant access to it, to the adjacent area, prior to the established date of the conference for the purpose of gathering information relevant to the conference; and (d) The conference shall be conducted by the chief or a representative of the chief. The chief or his or her representative may accept oral or written statements and any other relevant information from any party to the conference. An electronic or stenographic record shall be made of the conference proceeding, unless waived by all the parties. The record shall be maintained and shall be accessible to the parties of the conference until final release of the applicant's or permittee's performance security required by Chapter 1513. of the Revised Code and these rules.	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-14-05	Shall	The informal conference shall be conducted as follows: (a) The conference shall be held in the county where the largest portion of the area permitted or to be permitted is located; (b) The date, time, and location of the informal conference shall be sent to the applicant or permittee and other parties to the conference and advertised by the chief in a newspaper of general circulation in the locality of the proposed permit or existing permit at least two weeks prior to the scheduled conference; (c) If requested, in writing, by the person requesting the conference at a reasonable time prior to the conference, the chief may arrange with the applicant or permittee to grant parties to the conference access to the proposed permit or existing permit area and, to the extent that the applicant or permittee has the right to grant access to it, to the adjacent area, prior to the established date of the conference for the purpose of gathering information relevant to the conference; and (d) The conference shall be conducted by the chief or a representative of the chief. The chief or his or her representative may accept oral or written statements and any other relevant information from any party to the conference. An electronic or stenographic record shall be made of the conference proceeding, unless waived by all the parties. The record shall be maintained and shall be accessible to the parties of the conference until final release of the applicant’s or permittee’s performance security required by Chapter 1513. of the Revised Code and these rules.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-05	Shall	The informal conference shall be conducted as follows: (a) The conference shall be held in the county where the largest portion of the area permitted or to be permitted is located; (b) The date, time, and location of the informal conference shall be sent to the applicant or permittee and other parties to the conference and advertised by the chief in a newspaper of general circulation in the locality of the proposed permit or existing permit at least two weeks prior to the scheduled conference; (c) If requested, in writing, by the person requesting the conference at a reasonable time prior to the conference, the chief may arrange with the applicant or permittee to grant parties to the conference access to the proposed permit or existing permit area and, to the extent that the applicant or permittee has the right to grant access to it, to the adjacent area, prior to the established date of the conference for the purpose of gathering information relevant to the conference; and (d) The conference shall be conducted by the chief or a representative of the chief. The chief or his or her representative may accept oral or written statements and any other relevant information from any party to the conference. An electronic or stenographic record shall be made of the conference proceeding, unless waived by all the parties. The record shall be maintained and shall be accessible to the parties of the conference until final release of the applicant’s or permittee’s performance security required by Chapter 1513. of the Revised Code and these rules.	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-14-05	Shall	The informal conference shall be conducted as follows: (a) The conference shall be held in the county where the largest portion of the area permitted or to be permitted is located; (b) The date, time, and location of the informal conference shall be sent to the applicant or permittee and other parties to the conference and advertised by the chief in a newspaper of general circulation in the locality of the proposed permit or existing permit at least two weeks prior to the scheduled conference; (c) If requested, in writing, by the person requesting the conference at a reasonable time prior to the conference, the chief may arrange with the applicant or permittee to grant parties to the conference access to the proposed permit or existing permit area and, to the extent that the applicant or permittee has the right to grant access to it, to the adjacent area, prior to the established date of the conference for the purpose of gathering information relevant to the conference; and (d) The conference shall be conducted by the chief or a representative of the chief. The chief or his or her representative may accept oral or written statements and any other relevant information from any party to the conference. An electronic or stenographic record shall be made of the conference proceeding, unless waived by all the parties. The record shall be maintained and shall be accessible to the parties of the conference until final release of the applicant’s or permittee’s performance security required by Chapter 1513. of the Revised Code and these rules.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-05	Shall	The informal conference shall be conducted as follows: (a) The conference shall be held in the county where the largest portion of the area permitted or to be permitted is located; (b) The date, time, and location of the informal conference shall be sent to the applicant or permittee and other parties to the conference and advertised by the chief in a newspaper of general circulation in the locality of the proposed permit or existing permit at least two weeks prior to the scheduled conference; (c) If requested, in writing, by the person requesting the conference at a reasonable time prior to the conference, the chief may arrange with the applicant or permittee to grant parties to the conference access to the proposed permit or existing permit area and, to the extent that the applicant or permittee has the right to grant access to it, to the adjacent area, prior to the established date of the conference for the purpose of gathering information relevant to the conference; and (d) The conference shall be conducted by the chief or a representative of the chief. The chief or his or her representative may accept oral or written statements and any other relevant information from any party to the conference. An electronic or stenographic record shall be made of the conference proceeding, unless waived by all the parties. The record shall be maintained and shall be accessible to the parties of the conference until final release of the applicant’s or permittee’s performance security required by Chapter 1513. of the Revised Code and these rules.	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-14-05	Shall	The informal conference shall be conducted as follows: (a) The conference shall be held in the county where the largest portion of the area permitted or to be permitted is located; (b) The date, time, and location of the informal conference shall be sent to the applicant or permittee and other parties to the conference and advertised by the chief in a newspaper of general circulation in the locality of the proposed permit or existing permit at least two weeks prior to the scheduled conference; (c) If requested, in writing, by the person requesting the conference at a reasonable time prior to the conference, the chief may arrange with the applicant or permittee to grant parties to the conference access to the proposed permit or existing permit area and, to the extent that the applicant or permittee has the right to grant access to it, to the adjacent area, prior to the established date of the conference for the purpose of gathering information relevant to the conference; and (d) The conference shall be conducted by the chief or a representative of the chief. The chief or his or her representative may accept oral or written statements and any other relevant information from any party to the conference. An electronic or stenographic record shall be made of the conference proceeding, unless waived by all the parties. The record shall be maintained and shall be accessible to the parties of the conference until final release of the applicant’s or permittee’s performance security required by Chapter 1513. of the Revised Code and these rules.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-05	Shall	The informal conference shall be conducted as follows: (a) The conference shall be held in the county where the largest portion of the area permitted or to be permitted is located; (b) The date, time, and location of the informal conference shall be sent to the applicant or permittee and other parties to the conference and advertised by the chief in a newspaper of general circulation in the locality of the proposed permit or existing permit at least two weeks prior to the scheduled conference; (c) If requested, in writing, by the person requesting the conference at a reasonable time prior to the conference, the chief may arrange with the applicant or permittee to grant parties to the conference access to the proposed permit or existing permit area and, to the extent that the applicant or permittee has the right to grant access to it, to the adjacent area, prior to the established date of the conference for the purpose of gathering information relevant to the conference; and (d) The conference shall be conducted by the chief or a representative of the chief. The chief or his or her representative may accept oral or written statements and any other relevant information from any party to the conference. An electronic or stenographic record shall be made of the conference proceeding, unless waived by all the parties. The record shall be maintained and shall be accessible to the parties of the conference until final release of the applicant’s or permittee’s performance security required by Chapter 1513. of the Revised Code and these rules.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-05	Shall	If the informal conference has been held pursuant to section 1513.071 of the Revised Code, the chief shall issue and furnish the applicant for a permit, persons who participated in the informal conference, and persons who filed written objections pursuant to division (B) of section 1513.071 of the Revised Code, with the written finding of the chief granting or denying the permit in whole or in part and stating the reasons therefor within sixty days of the conference, provided that the chief shall comply with the time frames established in paragraph (D)(2)(b) of rule 1501:13-5-01 of the Administrative Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law

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1501:13-14-05	Shall	If the informal conference has been held pursuant to section 1513.071 of the Revised Code, the chief shall issue and furnish the applicant for a permit, persons who participated in the informal conference, and persons who filed written objections pursuant to division (B) of section 1513.071 of the Revised Code, with the written finding of the chief granting or denying the permit in whole or in part and stating the reasons therefor within sixty days of the conference, provided that the chief shall comply with the time frames established in paragraph (D)(2)(b) of rule 1501:13-5-01 of the Administrative Code.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-06	Shall not	The chief shall not assess an individual civil penalty in situations resulting from a permit violation by a corporate permittee until a cessation order has been issued by the chief to the corporate permittee for the violation, and the cessation order has remained unabated for thirty days.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-06	Shall	In determining the amount of an individual civil penalty assessed under paragraph (B) or (C) of this rule, the chief shall consider the criteria specified in division (E)(1) of section 1513.02 of the Revised Code, including: (a) The individual’s history of authorizing, ordering or carrying out previous violations, failures or refusals at the particular coal mining operation; (b) The seriousness of the violation, failure or refusal, including any irreparable harm to the environment and any hazard to the health or safety of the public; and (c) The demonstrated good faith of the individual charged in attempting to achieve rapid compliance after receipt of the notice of the violation, failure or refusal.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-06	Shall not	The penalty shall not exceed five thousand dollars for each violation.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-06	Shall	For every imminent harm cessation order or failure-to-abate cessation order issued by the chief in accordance with paragraph (A)(1) or paragraph (A)(3) of rule 1501:13-14-02 of the Administrative Code, the chief shall immediately serve on each individual to be assessed an individual civil penalty, a notice of proposed individual civil penalty assessment, including a narrative explanation of the reasons for the penalty, the amount to be assessed, and a copy of any underlying notice of violation and cessation order.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-06	Shall	The notice of proposed individual civil penalty assessment shall become a final order of the chief thirty days after service upon the individual unless: (a) The individual files within thirty days of service of this notice of proposed individual civil penalty assessment a notice of appeal to the reclamation commission in accordance with section 1513.13 of the Revised Code; or (b) The chief and the individual or responsible corporate permittee agree within thirty days of service of the notice of proposed individual civil penalty assessment, to a schedule or plan for the abatement or correction of the violation, failure or refusal.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-06	Shall	If a notice of proposed individual civil penalty assessment becomes a final order in the absence of a petition for review or abatement agreement, the penalty shall be due upon issuance of the final order.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-06	Shall	If an individual named in a notice of proposed individual civil penalty assessment files a notice of appeal in accordance with section 1513.13 of the Revised Code, the penalty shall be due upon issuance of a final administrative order affirming, increasing or decreasing the proposed penalty.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:13-14-06	Shall	Following the expiration of forty-five days after the individual civil penalty is payable, any delinquent penalty shall be certified to the attorney general for collection.	1513.02	Yes, both state and federal law	Yes, both state and federal law
1501:14-1-01	Shall not	(II)(1) Mining areas shall not be considered as contiguous if connected solely by haul roads	1514.08.	Yes, state law	Yes, state law
1501:14-1-01	Shall	(MM) "Peak Design Flow" means the maximum rate of runoff that can be expected to occur at a specific location on the average of once in twenty-five years during a twenty-four hour period, except that where adjoining property may be damaged the peak design flow shall be the maximum rate of runoff to be expected on the average of once in fifty years during a twenty-four hour period.	1514.08.	Yes, state law	Yes, state law

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1501:14-1-02	Shall not	The validity of any rule or portion thereof, adopted or amended by the Chief, pursuant to Chapter 1514. of the Revised Code, shall not be affected by the invalidity of any other rule or portion thereof adopted or amended thereunder by the Chief.	1514.08.	No, general rulemaking authority	Yes, state law
1501:14-1-03	Shall	Unless expressly provided to the contrary by any rule or any section of the Revised Code, any rule adopted or amended by the chief pursuant to Chapter 1514. of the Revised Code shall apply to, and be the rule of, any division or other unit of the department of natural resources...(continued in cell below)	1514.08	No, general rulemaking authority	No, general rulemaking authority
1501:14-1-03	Shall	..., which by virtue of a consolidation or reorganization pursuant to section 121.07 of the Revised Code, or by legislative action, shall succeed to the responsibility of the division of mineral resources management to administer and enforce Chapter 1514. of the Revised Code.	1514.08	No, general rulemaking authority	No, general rulemaking authority
1501:14-1-04	Shall not	An application for a surface mining permit or for an amendment to a surface mining permit shall not be deemed filed when it is received by the chief unless the application contains all substantial information required by Chapter 1514. of the Revised Code and rules adopted pursuant thereto.	1514.08	Yes, state law	Yes, state law
1501:14-1-04	Shall	Each application for a surface mining permit or for an amendment to a surface mining permit shall be in the format required by the chief...(continued in cell below)	1514.08	Yes, state law	Yes, state law
1501:14-1-04	Shall	...and shall be filed at the address, "Division of Mineral Resources Management, 2045 Morse Road, Building H , Columbus, Ohio 43229."	1514.08	Yes, state law	Yes, state law
1501:14-1-04	Shall	Each application for a surface mining permit or for an amendment to a surface mining permit shall contain such attachments as are required by Chapter 1514. of the Revised Code and rules adopted pursuant thereto.	1514.08	Yes, state law	Yes, state law
1501:14-1-04	Shall	An application for a surface mining permit or an amendment to a surface mining permit or any other form that requires a signature of an applicant or permittee shall be signed by: (a) The operator, if the applicant or permittee is a sole proprietorship; (b) Any partner, if the applicant or permittee is a partnership; (c) Any officer or director, if the applicant or permittee is a corporation; (d) Any other person who has a right to control or in fact controls the management of the applicant or the selection of officers, directors, or managers of the applicant, if such person is so designated in the permit application as having such authority; or (e) Any other person who is the authorized agent of the applicant or permittee for purpose of signing and is so designated in the application.	1514.08	Yes, state law	Yes, state law
1501:14-1-04	Shall	One copy of any form that requires a signature of an applicant or permittee shall have an original signature in ink of a person who meets the requirements of paragraph (D)(1) of this rule.	1514.08	Yes, state law	Yes, state law
1501:14-1-05	Shall	Any person seeking to succeed by transfer to the rights granted by a permit shall submit an application for a transfer of a surface mining permit.	1514.08	Yes, state law	Yes, state law
1501:14-1-05	Shall	Such application shall be on forms prescribed by the chief...(continued in cell below)	1514.08	Yes, state law	Yes, state law
1501:14-1-05	Shall	...and shall include at a minimum: (a) The name and address of the existing permittee and the permit number; (b) The information required by divisions (A)(1), (A)(7), and (A)(8) of section 1514.02 of the Revised Code for the applicant proposing to succeed by transfer, and if applicable, the name and address of that person's statutory agent; (c) The signatures of the applicant and the current permit holder, and (d) A sworn statement by the applicant for the transfer as required by division (A)(14) of section 1514.02 of the Revised Code.	1514.08	Yes, state law	Yes, state law
1501:14-1-05	Shall	The chief shall, upon the basis of the applicant's compliance with the requirement of paragraph (A)(1) of this rule, grant written approval of the transfer of rights under a permit if the chief first finds, that: (a) The applicant is eligible to obtain a permit in accordance with division (B) of section 1514.02 of the Revised Code; and (b) The person seeking the transfer will conduct the operations covered by the permit in accordance with the requirements of Chapter 1514. of the Revised Code and these rules and that any orders by the chief outstanding at the time of the transfer of the permit will be complied with in accordance with a schedule for such work approved with the transfer.	1514.08	Yes, state law	Yes, state law

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1501:14-1-05	Shall	Upon notification from the chief of the chief's intent to issue an order granting a transfer of a permit, the applicant for the transfer shall file with the chief all of the documents listed in paragraphs (A)(3)(a) to (A)(3)(c) of this rule.	1514.08	Yes, state law	Yes, state law
1501:14-1-05	Shall	The name of the applicant on each document in paragraphs (A)(3)(a) to (A)(3)(c) of this rule shall be identical to the name of the applicant in paragraphs (A)(1) and (A)(2) of this rule: (a) Performance bond coverage for the permit in accordance with section 1514.04 of the Revised Code; (b) A certificate of public liability insurance as required by division (A)(13) of section 1514.02 of the Revised Code; and (c) A copy of a deed, lease, or other instrument that authorizes entry upon the land within the permit by the applicant if surface rights in the land are not owned by the applicant for the transfer.	1514.08	Yes, state law	Yes, state law
1501:14-1-05	Shall	Upon receipt of the documents required in paragraph (A)(3) of this rule, the chief shall issue an order granting the transfer of the permit applied for.	1514.08	Yes, state law	Yes, state law
1501:14-1-08	Shall	Public liability insurance required by division (A)(13) of section 1514.02 of the Revised Code shall be effective from the date of issuance of the permit until the release of the final portion of the performance bond.	1514.08	Yes, state law	Yes, state law
1501:14-1-08	Shall	The public liability insurance policy shall include a rider requiring that the insurer notify the chief of termination of the policy or failure to renew.	1514.08	No, general rulemaking authority	No, general rulemaking authority
1501:14-1-08	Shall	At a minimum, the proof of insurance form shall include: (1) The name of the permittee covered by the policy, or if the insured is not the permittee, the name(s) of the operator(s) or operation(s) covered by the policy; (2) The policy number; (3) The policy period; (4) The amount of coverage; and (5) The name, address, and telephone number of the insurance provider.	1514.08	Yes, state law	Yes, state law
1501:14-1-08	Shall	The proof of insurance form shall be sent to "Ohio Department of Natural Resources, Division of Mineral Resources Management, 2045 Morse Road, Building H , Columbus, Ohio 43229."	1514.08	Yes, state law	Yes, state law
1501:14-1-09	Shall	The applicant shall file the required fees and surety bond, cash, an irrevocable letter of credit, or certificates of deposit within the time prescribed by the chief	1514.08	Yes, state law	Yes, state law
1501:14-1-09	Shall not	The requirement of division (A) of section 1514.04 of the Revised Code that the applicant file a surety bond, cash, an irrevocable letter of credit, or certificates of deposit in the amount of ten thousand dollars shall not apply to permits of twenty or fewer acres issued prior to August 15, 2002.	1514.08	No, general rulemaking authority	No, general rulemaking authority
1501:14-1-09	Shall	These permits shall instead file a surety bond, cash, an irrevocable letter of credit, or certificates of deposit in the amount of two thousand dollars, or five hundred dollars per acre of land to be affected, whichever is greater.	1514.08	No, general rulemaking authority	No, general rulemaking authority
1501:14-1-09	Shall	The requirement of ORC 1514.04(A) that, if the amount of land to be affected is more than twenty acres, the applicant file a surety bond, cash, an irrevocable letter of credit, or certificates of deposit in the amount of five hundred dollars per acre of land to be affected that exceeds twenty acres shall apply to all surface mining applications and to all existing permits regardless of issuance date.	1514.08	Yes, state law	Yes, state law
1501:14-1-09	Shall	If the applicant fails to file the required fees and/or surety bond, cash, letter of credit, or certificates of deposit within the time prescribed by the chief pursuant to paragraph (A) of this rule, the chief shall issue an order denying the issuance of the surface mining permit, renewal of the surface mining permit, or amendment to the surface mining permit, except that the chief may extend such time for good cause shown.	1514.08	Yes, state law	Yes, state law
1501:14-1-09	Shall	All performance bond shall be filed in the name of the applicant or permittee and in a format prescribed by the chief...(continued in cell below)	1514.08	Yes, state law	Yes, state law
1501:14-1-09	Shall	...and shall meet the requirements for signature specified in paragraph (D) of rule 1501:14-1-04 of the Administrative Code.	1514.08	Yes, state law	Yes, state law
1501:14-1-09	Shall	All performance bond shall be filed at the address, "Division of Mineral Resources Management, Bonding Section, 2045 Morse Road, Building H, Columbus, Ohio 43229."	1514.08	Yes, state law	Yes, state law

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1501:14-1-09	Shall	If the performance bond is in the form of a certificate of deposit, the applicant shall submit to the chief the original certificate of deposit and the assignment for the certificate of deposit.	1514.08	Yes, state law	Yes, state law
1501:14-1-09	Shall	The required fees shall be deposited with the treasurer of state to the credit of the mining regulation and safety fund created under section 1513.30 of the Revised Code.	1514.08	Yes, state law	Yes, state law
1501:14-1-12	Shall	Maps shall be submitted along with permit applications, renewal applications, and annual and final reports, as required by Chapter 1514. of the Revised Code and these rules, except that a map need not be submitted along with the annual report if there has been no affectment of the land surface or the mining area has not expanded laterally during the year, and no additional affectment of the land surface or lateral expansion of the mining area is expected during the next year.	1514.08	Yes, state law	Yes, state law
1501:14-1-12	Shall	All acreage figures required to be reported or estimated by Chapter 1514. of the Revised Code or these rules shall be to the nearest one-tenth of an acre.	1514.08	Yes, state law	Yes, state law
1501:14-1-12	Shall	All maps required by Chapter 1514. of the Revised Code and these rules shall conform to the following standards: (see cells below)	1514.08	Yes, state law	Yes, state law
1501:14-1-12	Shall	The map shall be submitted in triplicate, except that at the time of initial filing of an application for a surface mining permit, only two copies of the application map need be submitted;	1514.08	Yes, state law	Yes, state law
1501:14-1-12	Shall	The north direction shall be at the top of the map.	1514.08	No, general rulemaking authority	No, general rulemaking authority
1501:14-1-12	Shall	The north direction shall be designated by an arrow in the upper left hand corner of the map;	1514.08	No, general rulemaking authority	No, general rulemaking authority
1501:14-1-12	Shall	The scale of the map shall be either one inch equals one hundred feet, one inch equals two hundred feet, one inch equals three hundred feet, or one inch equals four hundred feet, as is sufficient for the map to show the requirements of division (A)(11) of section 1514.02 of the Revised Code	1514.08	No, general rulemaking authority	No, general rulemaking authority
1501:14-1-12	Shall	The contour interval of the map shall be either two feet, five feet, ten feet, or twenty feet, as is adequate to show the topographic relief of the proposed area;	1514.08	No, general rulemaking authority	No, general rulemaking authority
1501:14-1-12	Shall	The quadrangle sketch, not to exceed six inches by six inches, shall be placed in the upper right hand corner of the map...(continued in cell below)	1514.08	No, general rulemaking authority	No, general rulemaking authority
1501:14-1-12	Shall	...and shall have sufficient landmarks to locate the permit area or the proposed permit area, and include the name of the quadrangle utilized;	1514.08	Yes, state law	Yes, state law
1501:14-1-12	Shall	A legend shall be placed below the quadrangle sketch,...(continued in cell below)	1514.08	No, general rulemaking authority	No, general rulemaking authority
1501:14-1-12	Shall	...which legend shall utilize the symbols described in paragraph (F) of this rule;	1514.08	No, general rulemaking authority	No, general rulemaking authority
1501:14-1-12	Shall	A notarized certification shall be made by the preparer of the map.	1514.08	Yes, state law	Yes, state law
1501:14-1-12	Shall	This certification shall be placed below the legend...(continued on cell below)	1514.08	Yes, state law	Yes, federal law
1501:14-1-12	Shall	...and shall read: "I, the undersigned, hereby certify that this map is correct, and shows to the best of my knowledge and belief all the information required by the surface mining laws of the state."	1514.08	Yes, state law	Yes, state law
1501:14-1-12	Shall	The certification shall be signed and attested before a notary public;	1514.08	Yes, state law	Yes, state law
1501:14-1-12	Shall	A title block shall be placed in the lower right hand corner of the map,...(continued in cell below)	1514.08	Yes, state law	Yes, state law

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1501:14-1-12	Shall	...and shall contain the following information if applicable: (a) The title of the map, i.e. application, amendment, renewal, annual, progress, final, or reclamation; (b) The name of the applicant or permittee; (c) The permit number; (d) The township and range designation; (e) The location coordinates of the approximate geographical center of the proposed or existing permit site. Such coordinates shall be given in state plane coordinates, derived from the appropriate 7.5 minute U.S.G.S. topographic map , or latitude and longitude; (f) The name of the township and county; (g) The section, lot, or survey numbers; (h) The scale and contour interval of the map; (i) The date when the map was prepared or, when applicable, the dates when it was prepared and revised; and (j) The municipal corporation.	1514.08	Yes, state law	Yes, state law
1501:14-1-12	Shall	In addition to the requirements of paragraph (C) of this rule, all annual maps, final maps, and renewal maps shall contain: (1) A summary, by mining area and for the permit area, in the chronological order in which it occurred, the number of acres affected to date and the number of acres to be reclaimed; (2) A listing, for each mining area and for the permit area, of the acres estimated to be affected during the next year; and (3) A listing for the permit area of: the acres that have had a grading release but not a planting release; the acres that have had a planting release; the acres that have had a total bond release; and the acres previously released that are now reaffected.	1514.08	Yes, state law	Yes, state law
1501:14-1-12	Shall	All maps required by Chapter 1514. of the Revised Code or these rules shall utilize the following uniform color code:	1514.08	No, general rulemaking authority	No, general rulemaking authority
1501:14-1-12	Shall	The proposed or existing permit area shall have its perimeter designated with a solid black line highlighted in yellow;	1514.08	No, general rulemaking authority	No, general rulemaking authority
1501:14-1-12	Shall	The area proposed in an amendment shall have its perimeter designated by a solid black line,...(continued in cell below)	1514.08	No, general rulemaking authority	No, general rulemaking authority
1501:14-1-12	Shall	...and shall have its area shaded yellow,...(continued in cell below)	1514.08	No, general rulemaking authority	No, general rulemaking authority
1501:14-1-12	Shall	...and the perimeter of the existing permit area shall be designated by a solid black line highlighted in yellow;	1514.08	No, general rulemaking authority	No, general rulemaking authority
1501:14-1-12	Shall	The perimeter of the cumulative area actually affected shall be designated by a solid orange line;	1514.08	No, general rulemaking authority	No, general rulemaking authority
1501:14-1-12	Shall	The perimeter of the area to be reclaimed, i.e., area on which mining has been completed during the permit year, shall be designated with a solid red line;	1514.08	No, general rulemaking authority	No, general rulemaking authority
1501:14-1-12	Shall	The perimeter of the area estimated to be affected during the next permit year, including areas to be reaffected, shall be designated by a dashed red line ,...(continued in cell below)	1514.08	No, general rulemaking authority	No, general rulemaking authority
1501:14-1-12	Shall	...and the areas to be reaffected shall be shaded in orange;	1514.08	No, general rulemaking authority	No, general rulemaking authority
1501:14-1-12	Shall	Any area which has been shown to be reclaimed on a previous map but has not had a performance bond release shall be shaded pink;	1514.08	No, general rulemaking authority	No, general rulemaking authority
1501:14-1-12	Shall	When more than one mining area exists within a permit area, each shall be identified by name or number;	1514.08	No, general rulemaking authority	No, general rulemaking authority
1501:14-1-12	Shall	The number of the permit year in which an area was reported to be reclaimed, in paragraph (E)(4) of this rule, shall be recorded in such area;	1514.08	No, general rulemaking authority	No, general rulemaking authority
1501:14-1-12	Shall	Any area upon which grading, contouring or terracing, and resoiling has been completed and a performance bond release request is being submitted shall be designated by purple cross-hatching;	1514.08	No, general rulemaking authority	No, general rulemaking authority
1501:14-1-12	Shall	Any area upon which permanent planting or a permanent water impoundment has been completed and a performance bond release request is being submitted shall be designated by green cross-hatching;	1514.08	No, general rulemaking authority	No, general rulemaking authority

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1501:14-1-12	Shall	Any area upon which grading has been released, but not planting, shall be shaded purple;	1514.08	No, general rulemaking authority	No, general rulemaking authority
1501:14-1-12	Shall	Any area upon which all performance bond has been released shall be designated by black cross-hatching;	1514.08	No, general rulemaking authority	No, general rulemaking authority
1501:14-1-12	Shall	Any area to be deleted from the permit shall be shaded green;	1514.08	No, general rulemaking authority	No, general rulemaking authority
1501:14-1-12	Shall	Any area of topsoil, subsoil, or suitable substitute resoiling material storage shall have its perimeter designated with a dashed black line,...(continued in cell below)	1514.08	No, general rulemaking authority	No, general rulemaking authority
1501:14-1-12	Shall	...and the area included therein shall be shaded brown;	1514.08	No, general rulemaking authority	No, general rulemaking authority
1501:14-1-12	Shall	Existing and proposed sediment ponds and permanent impoundments shall be shown on the map and identified by name or number.	1514.08	No, general rulemaking authority	No, general rulemaking authority
1501:14-1-12	Shall	All maps and drawings required by Chapter 1514. of the Revised Code or these rules shall utilize the following uniform symbols: (Symbols listed in (F))	1514.08	No, general rulemaking authority	No, general rulemaking authority
1501:14-1-14	Shall not	Any reports required to be filed by Chapter 1514. of the Revised Code shall not be deemed filed when received by the chief unless the reports contain all substantial information required by Chapter 1514. of the Revised Code and rules adopted pursuant thereto.	1514.08	No, general rulemaking authority	No, general rulemaking authority
1501:14-1-15	Shall	Public notices of hearings to adopt, amend, or rescind rules, which are conducted by the Ohio department of natural resources, division of mineral resources management, shall be given in the register of Ohio as required by Chapter 119. of the Revised Code.	1514.08	Yes, state law	Yes, state law
1501:14-1-15	Shall	Public notice of a hearing to adopt, amend, or rescind rules shall be given at least thirty days prior to the hearing.	1514.08	Yes, state law	Yes, state law
1501:14-1-15	Shall	The notice shall: state the division's intention to consider adopting, amending, or rescinding rules; include a synopsis of the proposed rules, amendments, or rules to be rescinded, or a general statement of the subject matter to which such proposed rules, amendments or rescissions relate; state the reason or purpose for adopting, amending, or rescinding the rules;...(continued in cell below)	1514.08	Yes, state law	Yes, state law
1501:14-1-15	Shall	...and enumerate the date, time, and place of the hearing on the proposed action, which shall not be earlier than the thirty-first nor later than the fortieth day after the proposed rules, amendments or rescissions are filed.	1514.08	Yes, state law	Yes, state law
1501:14-1-15	Shall	The notice shall also state the place where a copy of the proposed rules, amendments or rescissions may be obtained.	1514.08	No, general rulemaking authority	No, general rulemaking authority
1501:14-1-15	Shall	The chief shall provide a copy of the public notice to anyone who requests it and pays a reasonable fee, not to exceed the cost of copying and mailing.	1514.08	Yes, state law	Yes, state law
1501:14-2-01	Shall	This rule shall be reviewed and updated as pertinent changes take place in 30 C.F.R. and as the publication date of the C.F.R. is updated.	1514.40	Yes, state law	Yes, state law
1501:14-2-01	Shall	This review shall take place at least annually.	1514.40	Yes, state law	Yes, state law
1501:14-2-02	Shall	The safety requirements of 30 C.F.R. parts 46, 47, 50, 56, 58, and 62, as amended, are hereby incorporated by reference and shall be the safety standards governing surface mining conducted pursuant to Chapter 1514. of the Revised Code and these rules.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-03	Shall	The chief annually shall conduct, in accordance with these rules, a safety performance evaluation of all surface mining operations in the state that are inspected by MSHA.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-03	Shall	At the beginning of each state fiscal year, the chief shall obtain from the MSHA mine data retrieval system the violations per inspection day ("VPID") calculation for the preceding fifteen months for each surface mining operation permitted under Chapter 1514. of the Revised Code.	1514.40	Yes, both state and federal law	Yes, both state and federal law

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1501:14-2-03	Shall	If a surface mining operation has a VPID calculation of three or more, the chief shall, pursuant to division (B) of section 1514.41 of the Revised Code, identify the surface mining operation as having three or more violations per day.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-03	Shall	A surface mining operation identified by the chief as having three or more violations per day shall receive a minimum of two inspections conducted in accordance with division (B) of section 1514.41 and section 1514.43 of the Revised Code for one year following the identification.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-03	Shall	If a surface mining operation is identified under paragraph (C) of this rule as having three or more violations per day, the chief shall provide written notification to the operator of the operation and, if applicable, the authorized representative of the miners of the operation, that the operation will be inspected pursuant to division (B) of section 1514.41 and section 1514.43 of the Revised Code and as determined by this rule.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-03	Shall	The notice shall contain: 1) A citation of the relevant provision(s) of the Revised Code and the Administrative Code that require the inspections; (2) A statement that a minimum of two inspections of the operation will be conducted for one year following the identification; (3) A requirement that the operator provide to the chief within thirty days, in writing, the name of the organization identified as the authorized representative of the miners for the operation, if applicable. The operator may provide this name by U.S. mail, facsimile, or electronic mail to the attention of: manager, mine safety program, Columbus office, division of mineral resources management; and (4) The procedure, pursuant to paragraph (E) of this rule, whereby the operator may request that the chief reconsider the decision that the surface mining operation had three or more violations per day.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-03	Shall	Within fourteen days of the receipt of an operator's request for reconsideration under paragraph (E)(1) of this rule, the chief shall provide the operator and, if applicable, the authorized representative of the miners at the surface mining operation with written notice of his or her decision.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-03	Shall not	An operator shall not file an appeal with the reclamation commission of the chief's decision that a surface mining operation had three or more violations per day without first requesting reconsideration as provided by paragraph (E)(1) of this rule.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-04	Shall	An accident that is required to be reported to MSHA pursuant to 30 C.F.R. 50.10 shall be reported to the division of mineral resources management.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-04	Shall	Accidents requiring notification shall be reported to the division of mineral resources management within one hour, once the operator knows or should know that the accident has occurred, by contacting the emergency operations center of the Ohio department of natural resources by telephone at (614) 799-9538.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-04	Shall	Upon receipt of notice that a fatality or a life-threatening injury has occurred at an operation, the chief shall conduct an investigation to determine the events surrounding and causes of the fatality or life-threatening injury.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-04	Shall	To the extent practical, the chief shall coordinate the investigation with MSHA.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-04	Shall	If the chief conducts an investigation pursuant to this rule, the operator shall, during the investigation, provide the chief, in writing, the name of the organization identified as the authorized representative of the miners for the operation, if applicable.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-04	Shall	The chief shall prepare a report of the investigation,...(continued in cell below)	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-04	Shall	...which shall include a determination of whether such fatality or injury occurred as a result of an unsafe condition or a practice at the operation.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-04	Shall	Within seven days of the completion of the fatality or life-threatening injury investigation report, the chief shall provide the operator and, if applicable, the authorized representative of the miners at the operation, with a copy of the investigation report.	1514.40	Yes, both state and federal law	Yes, both state and federal law

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1501:14-2-04	Shall	If the chief determines that a fatality or a life-threatening injury of a miner has occurred at a surface mining operation as a result of an unsafe condition or a practice at the operation, the chief shall immediately provide the operator with written notice that the operation will be inspected once every three months for a period of two years for a fatality in accordance with division (C) of section 1514.41 of the Revised Code or that the operation will be inspected once every three months for a period of one year for a life-threatening injury in accordance with division (D) of section 1514.41 of the Revised Code.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-04	Shall	The notice shall contain: a) A citation of the relevant provision(s) of the Revised Code and the Administrative Code that require the inspections; (b) A statement that the one-year or two-year time frame for the inspections, as applicable, will begin immediately; (c) The number of inspections the surface mining operation will receive; and (d) The procedure, pursuant to paragraph (E) of this rule, whereby the operator may request that the chief reconsider the decision that a fatality of a miner or a life-threatening injury of a miner occurred at a surface mining operation as a result of an unsafe condition or a practice at the operation.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-04	Shall	If a fatality or a life-threatening injury of a miner occurs at a surface mining operation as a result of an unsafe condition or a practice at the operation, the chief shall, as soon as practicable, conduct a mine safety inspection of the operation in accordance with sections 1514.41 and 1514.43 of the Revised Code and these rules.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-04	Shall not	A request for reconsideration pursuant to paragraph (E) of this rule shall not cause a delay in the conduct of this mine safety inspection.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-04	Shall	Within fourteen days of receipt of an operator's request for reconsideration under paragraph (E)(1) of this rule, the chief shall provide the operator and, if applicable, the authorized representative of the miners at the surface mining operation, with written notice of his or her decision.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-04	Shall not	An operator shall not file an appeal with the reclamation commission of the chief's decision that a fatality of a miner or a life-threatening injury of a miner occurred at a surface mining operation as a result of an unsafe condition or a practice at the operation without first requesting reconsideration as provided by paragraph (E)(1) of this rule.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-05	Shall	If a surface mining operation is inspected by MSHA, the chief shall conduct inspections of the operation only under the following circumstances: (a) The operation is identified through a safety performance evaluation conducted under paragraph (B) of section 1514.41 or section 1514.45 of the Revised Code or rule 1501:14-2-03 of the Administrative Code as having three or more violations per day; (b) A fatality of a miner or a life-threatening injury of a miner occurs at a surface mining operation as a result of an unsafe condition or a practice at the operation, as determined by the chief under division (C) or (D) of section 1514.41 of the Revised Code and paragraphs (C) and (D) of rule 1501:14-2-04 of the Administrative Code; or (c) The chief determines, pursuant to paragraph (B)(3) of this rule, that the operator has failed to comply with a safety standard that was being violated and the chief, at his or her discretion and based on the severity of the violation or other safety factors, conducts additional mine safety inspections pursuant to paragraph (B)(3)(b) of this rule.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-05	Shall	If, pursuant to paragraphs (A)(1) of this rule, the chief conducts a mine safety inspection of a surface mining operation that is also inspected by MSHA, the chief shall enforce the safety standards established and incorporated by reference in Chapter 1514. of the Revised Code and these rules...(continued in cell below)	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-05	Shall	...but shall only review the mine safety training plan required under 30 C.F.R. part 46 insofar as to ensure that the operation has such a training plan.	1514.40	Yes, both state and federal law	Yes, both state and federal law

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1501:14-2-05	Shall	Except as otherwise provided in section 1514.44 of the Revised Code and paragraph (G) of this rule or pursuant to a safety audit conducted under section 1514.42 of the Revised Code, if, during a mine safety inspection, the chief finds a violation of a safety standard, the chief shall, in writing, require the operator to comply with the standard that is being violated within a reasonable period of time.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-05	Shall	If the chief finds a violation of a safety standard, the chief shall return to the surface mining operation after a reasonable period of time only to determine if the operator has complied with the standard that was being violated.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-05	Shall	If the chief determines, under paragraph (B)(2) of this rule, that the operator has failed to comply with the standard that was being violated: (a) The chief shall take appropriate action, if necessary, in the form of an order of the chief to obtain compliance; and (b) The chief may, at his or her discretion and based on the severity of the violation or other safety factors, conduct additional mine safety inspections of the entire surface mining operation pursuant to this rule.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-05	Shall	Except as otherwise provided in section 1514.44 of the Revised Code and paragraph (G) of this rule or pursuant to a safety audit conducted under section 1514.42 of the Revised Code, after completion of a mine safety inspection of a surface mining operation, the chief shall prepare a report that: (1) Describes the general conditions of the surface mining operation; (2) Lists any hazardous conditions at the operation; (3) Lists any violations of the safety standards established or incorporated by reference in these rules; and (4) Describes the nature and extent of any hazardous condition or violation found, the corresponding remedy for each hazardous condition or violation, and a reasonable period of time to remedy the hazardous condition or to comply with the safety standard that is being violated.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-05	Shall	The chief shall provide two copies of the report prepared under paragraph (C) of this rule to the operator.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-05	Shall	The operator shall post one copy of the report at the operation for review by the employees of the operation.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-05	Shall	Upon receipt of a request, the chief shall review the report and schedule a meeting with the operator.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-05	Shall	Within a reasonable period of time after the meeting, the chief shall make a written determination concerning the findings contained in the report and provide one copy of the determination to the operator of the surface mining operation and one copy of the determination to an authorized representative of the miners at the operation.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-05	Shall not	An operator shall not appeal the contents of a report prepared under paragraph (C) of this rule to the reclamation commission without first submitting a written request for a review by the chief as provided in paragraph (E)(1) of this rule.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-05	Shall	If, during a mine safety inspection conducted under section 1514.41 of the Revised Code or this rule or during a safety audit conducted under section 1514.42 of the Revised Code, the chief finds a condition or practice at an operation that could reasonably be expected to cause the death of or imminent serious physical harm to an employee of the operation, the chief immediately shall issue orders to: (a) Safeguard the employees; (b) Notify the operator of the condition or practice; and (c) Require the operator to abate the condition or practice within a reasonable period of time.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-05	Require	In all situations under paragraph (G)(1) of this rule, the chief may require the operation to cease in the area in which the condition or practice is occurring...(continued in cell below)	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-05	Require	...or may require the entire operation to cease, if necessary, until the condition or practice that could reasonably be expected to cause death or serious physical harm is eliminated.	1514.40	Yes, both state and federal law	Yes, both state and federal law

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1501:14-2-05	Shall	The chief shall complete a report that describes: (a) The condition or practice found under paragraph (G) of this rule; (b) The action taken to abate the condition or practice, if applicable pursuant to paragraph (G)(1)(c) of this rule, or to eliminate the condition or practice, if applicable pursuant to paragraph (G)(2) of this rule; and (c) The period of time that was given to abate or eliminate the condition or practice, as applicable.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-05	Shall	The chief shall provide two copies of the report to the operator.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-05	Shall	The operator shall post one copy of the report at the operation for review by the employees of the operation.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-05	Shall	No operator shall violate or fail to comply with an order issued pursuant to this rule.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-06	Shall	Upon the request of an operator, the chief shall conduct mine safety training for the employees of that operator.	1514.40	Yes, state law	Yes, state law
1501:14-2-06	Shall	The safety audit shall be conducted at the surface mining operation where the miners requiring training are employed...(continued in cell below)	1514.40	Yes, state law	Yes, state law
1501:14-2-06	Shall	...and shall not continue more than one day.	1514.40	Yes, state law	Yes, state law
1501:14-2-06	Shall	Subject to the availability of mine safety staff and resources, the chief shall conduct additional safety audits at any surface mining operation if requested by the operator of the operation.	1514.40	Yes, state law	Yes, state law
1501:14-2-06	Shall	All safety audits shall be scheduled at a time to which the chief and the operator mutually agree...(continued in cell below)	1514.40	Yes, state law	Yes, state law
1501:14-2-06	Shall	...and shall be conducted in accordance with section 1514.42 of the Revised Code.	1514.40	Yes, state law	Yes, state law
1501:14-2-06	Shall	Mine safety training shall be conducted in accordance with these rules...(continued in cell below)	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-06	Shall	...and shall emphasize the standards established and incorporated by reference in these rules and include any other content that the chief determines is beneficial.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-07	Shall	The operator of a surface mining operation shall employ a certified mine foreperson to be in charge of the conditions and practices at the mine and to be responsible for conducting examinations of the surface mining operation under 30 C.F.R. part 56, as amended.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-07	Shall	Examinations of surface mining operations for the purposes of 30 C.F.R. part 56, as amended, shall be conducted by one of the following: (a) A certified mine foreperson; (b) A person who is qualified to conduct such examinations as provided in division (D) of section 1514.47 of the Revised Code and paragraph (C) of rule 1501:14-2-08 of the Administrative Code; (c) A person designated by the certified mine foreperson as a competent person.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-07	Shall	The operator of a surface mining operation shall maintain records demonstrating that a competent person designated by a certified mine foreperson has the ability, training, knowledge, or experience to perform the duty to which the person is assigned as well as records of the competent person's training in accordance with 30 C.F.R. part 46.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-07	Shall	The operator shall make the records available to the chief upon request.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-07	Shall	A person who applies for certification as a mine foreperson shall be able to read and write the English language (continued in cell below)	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-07	Shall	...and shall have at least two years' experience working with or under the direction of a certified mine foreperson.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-07	Shall	Persons may be certified for either or both of the following: (a) Sand and gravel mine foreperson for surface mining operations permitted under Chapter 1514. of the Revised Code and these rules which do not use explosives. (b) Quarry mine foreperson, which shall be valid for all surface mining operations permitted under Chapter 1514. of the Revised Code and these rules.	1514.40	Yes, both state and federal law	Yes, both state and federal law

RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1501:14-2-07	Shall	An applicant for certification as a mine foreperson shall file an application for certification with the chief, including a notarized affidavit establishing the applicant's qualifications as set forth in paragraph (B)(1) of this rule, to take the certified mine foreperson examination.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-07	Shall	Such application and affidavit shall be made on a form prescribed by the chief.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-07	Shall	The chief shall conduct mine foreperson certification examinations as often as practical in accordance with these rules.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-07	Shall	The chief shall grade each examination, and certify an applicant attaining a grade of seventy per cent or higher on each portion of the examination.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-07	Shall	An applicant not attaining a passing grade on two or more parts of the examination shall wait at least thirty days before reapplying for examination.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-07	Shall	An applicant not attaining a passing grade on two or more parts of the examination shall retake the entire examination.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-07	Shall	Each applicant for examination shall pay a non-refundable fee of twenty-five dollars, submitted with each application for examination.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-07	Shall	This fee shall be paid by check or money order payable to "Ohio Treasurer of State."	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-07	Shall	Any moneys collected under this rule shall be paid into the state treasury to the credit of the mining regulation and safety fund created in section 1513.30 of the Revised Code.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-07	Shall not	A certificate issued under paragraph (B) of this rule after September 29, 2015, shall not expire unless, as provided in division (C)(1) of section 1514.47 of the Revised Code and paragraph (E)(3) of this rule, the certificate holder has not been employed in a surface mining operation for five consecutive years.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-07	Shall	If the applicant passes the examination and, upon completion of all eligibility requirements, submits the required information on a notarized form provided by the chief documenting the accrual of the balance of the required experience, the chief shall issue the applicant a mine foreperson certification.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-07	Shall	Temporary certification as a mine foreperson shall be valid for a maximum of six months.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-07	Shall	If the individual holding a temporary certification does not pass the examination by the end of the six-month period, the temporary certification shall expire...(continued in cell below)	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-07	Shall	...and the applicant shall cease performing all duties of a certified mine foreperson.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-07	Shall	No person shall be eligible to receive temporary certification more than one time unless the chief determines that exigent circumstances warrant otherwise.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-07	Shall	A copy of each mine foreperson certificate and temporary certificate shall be kept at the mine site and made available to the chief upon request.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-07	Shall	If a person holds a certificate issued under paragraph (B) of this rule that has not expired prior to September 29, 2015, the chief, upon request, shall reissue to the person a certificate that does not expire.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-07	Shall	If a person holds a certificate issued under this rule that expired on or after April 7, 2012, and has not been issued a new certificate prior to September 29, 2015, the chief, upon request, shall issue to that person a certificate that does not expire, provided that the person is in compliance with all other applicable requirements established in Chapter 1514. of the Revised Code and rules adopted under it.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-07	Shall	An applicant for reissuance of a mine foreperson certification pursuant to this paragraph shall file an application for reissuance with the chief, on a form prescribed by the chief, and pay a non-refundable fee of twenty-five dollars.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-07	Shall	This fee shall be paid by check or money order payable to "Ohio Treasurer of State."	1514.40	Yes, both state and federal law	Yes, both state and federal law

Rule Number	Regulatory Restriction	Description of Regulatory Restriction	Statute Under Which the Regulatory Restriction Was Adopted	Is the Regulatory Restriction Expressly or Specifically Required by State or Federal Law?	Is a Law Change Required in Order to Remove the Restriction?
1501:14-2-07	Shall not	A mine foreperson certificate issued pursuant to section 1514.47 of the Revised Code and this rule shall not expire unless the certificate holder has not been employed in a surface mining operation for five consecutive years.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-07	Shall	The petition shall be made on a form prescribed by the chief...(continued in cell below)	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-07	Shall	...and shall include a notarized affidavit establishing the certificate holder's qualifications as set forth in paragraph (B) (1) of this rule.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-07	Shall	The certificate holder shall submit with the petition copies of training records verifying that within the past twelve months the certificate holder has received annual refresher training as required in rules adopted and incorporated by reference pursuant to division (A) of section 1514.40 of the Revised Code.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-07	Shall	The chief shall grant or deny the petition by issuance of an order.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-07	Shall	If the chief grants the petition, the certificate holder shall pay a non-refundable fee of twenty-five dollars, paid by check or money order payable to "Ohio Treasurer of State,"...(continued in cell below)	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-07	Shall	...and the chief shall reissue the certificate.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-07	Shall not	If a certificate holder has not been employed in a surface mining operation for five consecutive years, he or she shall not perform the duties of a certified mine foreperson unless the chief reissues his or her certificate pursuant to division (C)(1) of section 1514.47 of the Revised Code and paragraph (E)(3) of this rule or the chief issues him or her a new certificate pursuant to division (B) of section 1514.47 of the Revised Code and paragraph (B) of this rule.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-07	Shall not	If a certificate, including a temporary certificate, issued under this rule is suspended, the certificate shall not be renewed or reissued until the suspension period expires and the person whose certificate is suspended successfully completes all actions required by the chief.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-07	Shall	If an applicant's license, certificate, or similar authority that is issued by another state to perform specified mining duties is suspended or revoked by that state, the applicant shall be ineligible for a certification test or for renewal or reissuance of a certificate, including a temporary certificate, in this state during that period of suspension or revocation.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-07	Shall not	A certificate, including a temporary certificate, issued under this rule that has been revoked shall not be renewed or reissued.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-08	Shall	To be eligible to participate in a training plan to become qualified under this rule, a person shall be able to read and write the English language...(continued in cell below)	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-08	Shall	...and shall have had at least one year's experience working with or under the direction of a certified mine foreperson.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-08	Shall	The detailed training plan shall contain: (a) The name, address, state and MSHA identification number of the operation; (b) The name, position and work experience of each employee to be qualified under the plan; (c) The name, position and work experience of each instructor who will be conducting training under the plan; (d) An outline of the content for initial training; (e) An outline of the content for continuing education; and (f) An explanation of how the operator will provide documentation to the chief pursuant to paragraph (C)(2) of this rule.	1514.40	Yes, both state and federal law	Yes, both state and federal law

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1501:14-2-08	Shall	Training provided under the plan shall address the following subject matter: (a) Identification and correction of hazards found by the qualified person; (b) Reporting, documentation and follow up procedures to be followed by the qualified person concerning hazards and corrective actions; (c) Safe work practices; (d) Accident prevention, investigation, reporting and documentation; (e) Medical care for injured miners; (f) Training requirements under Chapter 1514. of the Revised Code and rules adopted pursuant thereto; (g) Duties of a qualified person; and (h) Requirements set forth in Chapter 1514. of the Revised Code and all mine safety rules adopted pursuant thereto.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-08	Shall	The length of initial training shall be a minimum of thirty-two hours,...(continued in cell below)	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-08	Shall	...which shall include eight hours of in-class training and twenty-four hours of on-the-job training.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-08	Shall	Continuing education shall be a minimum of four hours each year.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-08	Shall	The chief shall review the plan and determine if the plan complies with the requirements established in these rules.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-08	Shall	The chief shall approve or not approve the plan and notify the operator, in writing, of his or her decision.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-08	Shall	A plan not approved by the chief shall be returned to the operator with an explanation of the reason(s) for non-approval.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-08	Must	Any changes to an approved training plan must be submitted to the chief in writing and approved by the chief in writing prior to implementation.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-08	Shall	A copy of all approved training plans shall be kept at the mine site and made available to the chief upon request.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-08	Shall	When a qualified person is added to or removed from the list of persons who qualify under an approved training plan, the operator shall submit, in writing, within thirty days, an updated list of qualified persons at that operation to the chief.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-08	Shall	When a person at an operation completes initial and annual training under this rule to become or to remain qualified under the approved plan, the operator shall document such training, in writing, to the chief.	1514.40	Yes, both state and federal law	Yes, both state and federal law
1501:14-2-09	Shall	A fatality or a life-threatening injury that occurs at a surface mining operation that is not inspected by MSHA shall be reported to the division within one hour, once the operator knows or should know that the fatality or life-threatening injury has occurred, by contacting the emergency operations center of the Ohio department of natural resources by telephone at (614) 799- 9538.	1514.40	Yes, state law	Yes, state law
1501:14-2-09	Shall	A lost-time accident other than a life-threatening injury that occurs at a surface mining operation that is not inspected by MSHA shall be reported to the chief, in writing on a form provided by the chief, within ten days after the lost-time accident occurs.	1514.40	Yes, state law	Yes, state law
1501:14-2-09	Shall	The accident report form shall be sent to "Mine Safety Section, Division of Minerals Resources Management, Ohio Department of Natural Resources, 2045 Morse Road, Building H, Columbus, OH 43229."	1514.40	Yes, state law	Yes, state law
1501:14-2-09	Shall	Upon receipt of notice that a fatality or a life-threatening injury has occurred at an operation, the chief shall conduct an investigation to determine the events surrounding and causes of the fatality or life-threatening injury.	1514.40	Yes, state law	Yes, state law
1501:14-2-09	Shall	If the chief conducts an investigation pursuant to this rule, the operator shall, during the investigation, provide the chief, in writing, the name of the organization identified as the authorized representative of the miners for the operation, if applicable.	1514.40	Yes, state law	Yes, state law
1501:14-2-09	Shall	The chief shall prepare a report of the investigation, which shall include a determination of whether such fatality or injury occurred as a result of an unsafe condition or a practice at the operation.	1514.40	Yes, state law	Yes, state law

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1501:14-2-09	Shall	Within seven days of the completion of the fatality or life-threatening injury investigation report, the chief shall provide the operator and, if applicable, the authorized representative of the miners at the operation, with a copy of the investigation report.	1514.40	Yes, state law	Yes, state law
1501:14-2-09	Shall	If the chief determines that a fatality or a life-threatening injury of a miner has occurred at a surface mining operation as a result of an unsafe condition or a practice at the operation, the chief shall immediately provide the operation with written notice that the operation will be inspected once every three months for a period of two years for a fatality in accordance with division (C) of section 1514.41 of the Revised Code or that the operation will be inspected once every three months for a period of one year for a life-threatening injury in accordance with division (D) of section 1514.41 of the Revised Code.	1514.40	Yes, state law	Yes, state law
1501:14-2-09	Shall	The notice shall contain: (a) A citation of the relevant provision(s) of the Revised Code and the Administrative Code that require the inspections; (b) A statement that the one-year or two-year time frame for the inspections, as applicable, will begin immediately; (c) The number of inspections the surface mining operation will receive; and (d) The procedure, pursuant to paragraph (D) of this rule, whereby the operator may request that the chief reconsider the decision that a fatality of a miner or a life-threatening injury of a miner occurred at a surface mining operation as a result of an unsafe condition or a practice at the operation.	1514.40	Yes, state law	Yes, state law
1501:14-2-09	Shall	If a fatality or a life-threatening injury of a miner occurs at a surface mining operation as a result of an unsafe condition or a practice at the operation, the chief shall, as soon as practicable, conduct a mine safety inspection of the operation in accordance with sections 1514.41 and 1514.43 of the Revised Code and these rules.	1514.40	Yes, state law	Yes, state law
1501:14-2-09	Shall not	A request for reconsideration pursuant to paragraph (D) of this rule shall not cause a delay in the conduct of this mine safety inspection.	1514.40	Yes, state law	Yes, state law
1501:14-2-09	Shall	Within fourteen days of receipt of an operator's request for reconsideration under paragraph (D)(1) of this rule, the chief shall provide the operator and, if applicable, the authorized representative of the miners at the surface mining operation, with written notice of his or her decision.	1514.40	Yes, state law	Yes, state law
1501:14-2-09	Shall not	An operator shall not file an appeal with the reclamation commission of the chief's decision that a fatality of a miner or a life-threatening injury of a miner occurred at a surface mining operation as a result of an unsafe condition or a practice at the operation without first requesting reconsideration as provided by paragraph (D)(1) of this rule.	1514.40	Yes, state law	Yes, state law
1501:14-2-10	Shall	If a surface mining operation is not inspected by MSHA, the chief shall conduct mine safety inspections of the operation as follows: (a) A minimum of two inspections annually; or (b) If a fatality of a miner occurs at a surface mining operation as a result of an unsafe condition or a practice at the operation, as determined by the chief under division (C) of section 1514.41 of the Revised Code and paragraphs (B) and (C) of rule 1501:14-2-09 of the Administrative Code, a minimum of one inspection every three months for two years following the fatality; or (c) If a life-threatening injury of a miner occurs at a surface mining operation as a result of an unsafe condition or a practice at the operation, as determined by the chief under division (D) of section 1514.41 of the Revised Code and paragraphs (B) and (C) of rule 1501:14-2-09 of the Administrative Code, a minimum of one inspection every three months for one year following the life-threatening injury.	1514.40	Yes, state law	Yes, state law
1501:14-2-10	Shall	The chief shall conduct mine safety inspections to enforce the safety standards established and incorporated by reference in Chapter 1514. of the Revised Code and these rules and to review for compliance the mine safety training plan required under 30 C.F.R. part 46.	1514.40	Yes, state law	Yes, state law
1501:14-2-10	Shall	When the chief conducts a mine safety inspection pursuant to paragraph (A)(1) of this rule, the operator shall, during the inspection, provide the chief, in writing, the name of the organization identified as the authorized representative of the miners for the operation, if applicable.	1514.40	Yes, state law	Yes, state law

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1501:14-2-10	Shall	Except as otherwise provided in section 1514.44 of the Revised Code and paragraph (G) of this rule or pursuant to a safety audit conducted under section 1514.42 of the Revised Code, if, during a mine safety inspection, the chief finds a violation of a safety standard, the chief shall, in writing, require the operator to comply with the standard that is being violated within a reasonable period of time.	1514.40	Yes, state law	Yes, state law
1501:14-2-10	Shall	If the chief finds a violation of a safety standard, the chief shall return to the surface mining operation after a reasonable period of time to determine if the operator has complied with the standard that was being violated.	1514.40	Yes, state law	Yes, state law
1501:14-2-10	Shall	If the chief determines, under paragraph (B)(2) of this rule, that the operator has failed to comply with the standard that was being violated: (a) The chief shall take appropriate action in the form of an order of the chief to obtain compliance if necessary	1514.40	Yes, state law	Yes, state law
1501:14-2-10	Shall	Except as otherwise provided in section 1514.44 of the Revised Code and paragraph (G) of this rule or pursuant to a safety audit conducted under section 1514.42 of the Revised Code, after completion of a mine safety inspection of a surface mining operation, the chief shall prepare a report that: (1) Describes the general conditions of the surface mining operation; (2) Lists any hazardous conditions at the operation; (3) Lists any violations of the safety standards established or incorporated by reference in these rules; and (4) Describes the nature and extent of any hazardous condition or violation found, the corresponding remedy for each hazardous condition or violation, and a reasonable period of time to remedy the hazardous condition or to comply with the safety standard that is being violated.	1514.40	Yes, state law	Yes, state law
1501:14-2-10	Shall	The chief shall provide two copies of the report prepared under paragraph (C) of this rule to the operator.	1514.40	Yes, state law	Yes, state law
1501:14-2-10	Shall	The operator shall post one copy of the report at the operation for review by the employees of the operation.	1514.40	Yes, state law	Yes, state law
1501:14-2-10	Shall	Upon receipt of a request, the chief shall review the report and schedule a meeting with the operator.	1514.40	Yes, state law	Yes, state law
1501:14-2-10	Shall	Within a reasonable period of time after the meeting, the chief shall make a written determination concerning the findings contained in the report and provide one copy of the determination to the operator of the surface mining operation and one copy of the determination to an authorized representative of the miners at the operation.	1514.40	Yes, state law	Yes, state law
1501:14-2-10	Shall	An operator shall not appeal the contents of a report prepared under paragraph (C) of this rule to the reclamation commission without first submitting a written request for a review by the chief as provided in paragraph (E)(1) of this rule.	1514.40	Yes, state law	Yes, state law
1501:14-2-10	Shall	If, during a mine safety inspection conducted under section 1514.41 of the Revised Code or this rule or during a safety audit conducted under section 1514.42 of the Revised Code, the chief finds a condition or practice at an operation that could reasonably be expected to cause the death of or imminent serious physical harm to an employee of the operation, the chief immediately shall issue orders to: (a) Safeguard the employees; (b) Notify the operator of the condition or practice; and (c) Require the operator to abate the condition or practice within a reasonable period of time.	1514.40	Yes, state law	Yes, state law
1501:14-2-10	Require	In all situations under paragraph (G)(1) of this rule, the chief may require the operation to cease in the area in which the condition or practice is occurring...(continued in cell below)	1514.40	Yes, state law	Yes, state law
1501:14-2-10	Require	...or may require the entire operation to cease, if necessary, until the condition or practice that could reasonably be expected to cause death or serious physical harm is eliminated.	1514.40	Yes, state law	Yes, state law
1501:14-2-10	Shall	The chief shall complete a report that describes: a) The condition or practice found under paragraph (G) of this rule; (b) The action taken to abate the condition or practice, if applicable pursuant to paragraph (G)(1)(c) of this rule, or to eliminate the condition or practice, if applicable pursuant to paragraph (G)(2) of this rule; and (c) The period of time that was given to abate or eliminate the condition or practice, as applicable.	1514.40	Yes, state law	Yes, state law
1501:14-2-10	Shall	The chief shall provide two copies of the report to the operator.	1514.40	Yes, state law	Yes, state law
1501:14-2-10	Shall	The operator shall post one copy of the report at the operation for review by the employees of the operation.	1514.40	Yes, state law	Yes, state law

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1501:14-2-10	Shall	No operator shall violate or fail to comply with an order issued pursuant to this rule.	1514.40	Yes, state law	Yes, state law
1501:14-3-02	Shall	To minimize acid drainage and the accumulation of acid water, the operator shall, unless otherwise approved in the mining and reclamation plan, isolate any acid producing refuse material in a location that will minimize acid water formation and that will prevent such material from coming into contact with surface water, and promptly cover the acid producing refuse material with a minimum of three feet of non-acid producing material.	1514.08	Yes, state law	Yes, state law
1501:14-3-03	Shall	To insure that upon completion of reclamation any lake or pond located within the area of land affected is free of substances resulting from mining in amounts or concentrations that are harmful to persons, fish, waterfowl, or other beneficial species of aquatic life, the operator shall: (1) Construct dams or otherwise provide that the water level within any permanent water impoundment is maintained at no less than four feet above any acid producing materials within the impoundment; (2) Cover with non-acid producing material to a minimum depth of three feet, any acid producing material resulting from mining located within the drainage area of the lake or pond; (3) Prevent surface water resulting from mining which contains substances in amounts or concentrations that are harmful to persons, fish, waterfowl, or other beneficial species of aquatic life from flowing into any permanent impoundment; (4) Maintain all impounded water at a pH of 6.0 or above; and (5) Maintain a minimum water depth of six feet in each impoundment, unless otherwise required by the future intended use and approved in the mining and reclamation plan.	1514.08, 1514.081	Yes, state law	Yes, state law
1501:14-3-03	Shall	Lime mining waste may be employed as a component of developing fish spawning zones or reef zones within a permanent impoundment. These zones shall be constructed in consultation with accredited wildlife biologists.	1514.08, 1514.081	Yes, state law	Yes, state law
1501:14-3-03	Shall	The designated areas shall be sufficiently covered with a minimum cover of four feet of non-toxic earthen material, unless an alternative plan for cover or treatment is approved by the chief based upon a showing by the applicant that the alternative plan is as effective for protecting water quality and sustaining vegetative growth, before other materials such as sand, stone or rock are employed to create the spawning or reef surfaces.	1514.08, 1514.081	Yes, state law	Yes, state law
1501:14-3-03	Shall	To insure public safety the operator shall: (1) Stabilize the banks of the impoundments; (2) Provide egress from the impoundment; (3) Restrict access to the impoundment where access is not required for the future intended use; and (4) Perform other measures as are necessary to insure public safety because of the particular site conditions.	1514.08, 1514.081	Yes, state law	Yes, state law
1501:14-3-03	Shall	Lime mining waste may be employed in final reclamation of a highwall to provide additional egress from the impounded area. The egress area shall be no steeper than fifteen degrees in accordance with paragraph (C) of this rule beginning at the anticipated low water level and extending beyond the highest level of normal annual fluctuation at least twelve feet.	1514.08, 1514.081	Yes, state law	Yes, state law
1501:14-3-03	Shall	To assure safe access where permanent impoundments are intended for recreational use, the operator shall construct designated access areas consistent with the intended recreational use, which access areas shall be no steeper than fifteen degrees beginning at the anticipated low water level and extending beyond the highest level of normal annual water fluctuation at least twelve feet.	1514.08, 1514.081	Yes, state law	Yes, state law
1501:14-3-03	Shall	To prevent hazards to adjoining properties, the operator shall construct any dams that are part of a permanent impoundment in accordance with the requirements of rule 1501:14-3-11 of the Administrative Code and all other applicable federal, state, or local laws.	1514.08, 1514.081	Yes, state law	Yes, state law
1501:14-3-04	Shall	The provisions of this rule shall apply to all surface blasting operations, including surface blasting operations incidental to underground mining, on all industrial minerals mining and reclamation operations.	1514.12	Yes, state law	No, general rulemaking authority
1501:14-3-04	Shall	For box or contour cuts associated with development of underground mine entries, this rule shall apply to all material above the final floor level of the cut.	1514.12	Yes, state law	No, general rulemaking authority

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1501:14-3-04	Shall	For vertical shafts and drift or slope entries associated with underground mining, this rule shall apply only to the first twenty-five feet of material excavated below or beyond the original ground surface or point of entry.	1514.12	Yes, state law	No, general rulemaking authority
1501:14-3-04	Shall	Blasting operations shall be conducted in accordance with all applicable state and federal laws and regulations.	1514.12	Yes, state law	Yes, state law
1501:14-3-04	Shall	For purposes of this rule, "certified blaster" shall mean a blaster who possesses a valid certificate obtained pursuant to rule 1501:13-9-10 of the Administrative Code...(continued in cell below)	1514.12	Yes, state law	Yes, state law
1501:14-3-04	Shall	...and "blaster-in-charge" shall mean, for each blast, the certified blaster responsible for the loading of the blastholes (including delay detonator connections), detonation of the blast, and completion of the blast record required under paragraph (E) of this rule.	1514.12	Yes, state law	Yes, state law
1501:14-3-04	Shall	Blasting operations shall be conducted only under the supervision of a certified blaster.	1514.12	Yes, state law	Yes, state law
1501:14-3-04	Shall	Any certified blaster who is responsible for conducting blasting operations at a blasting site shall give direction and on-the-job training to persons who are not certified and who are assigned to the blasting crew or assist in the use of explosives at that site.	1514.12	Yes, state law	Yes, state law
1501:14-3-04	Shall	Certified blasters, and other persons responsible for blasting operations at a blasting site, shall review and know the permittee's blasting plan and site-specific blasting requirements.	1514.12	Yes, state law	Yes, state law
1501:14-3-04	Shall	The permittee shall keep a copy of the current blasting plan and permit map at the permit site for use by employees, contract blasters, and any other persons responsible for blasting operations.	1514.12	Yes, state law	Yes, state law
1501:14-3-04	Shall	Blasts may be detonated at other times only in emergency situations where rain, lightning, other atmospheric conditions, or operator or public safety so requires. When a blast is detonated under any of those circumstances, the blaster-in-charge shall document the reason for the late or unscheduled blast in the blast record required under paragraph (E) of this rule.	1514.12	Yes, state law	Yes, state law
1501:14-3-04	Shall	All blasting signs required to be posted shall be of uniform design throughout the operation, easily visible, and made of durable material.	1514.12	Yes, state law	Yes, state law
1501:14-3-04	Shall	These signs shall be maintained during all operations to which they pertain and shall conform to local ordinances and codes.	1514.12	Yes, state law	Yes, state law
1501:14-3-04	Shall	The permittee shall conspicuously place signs reading "BLASTING AREA" along the edge of any blasting area that comes within one hundred feet of any public road right-of-way, and at the edge of blasting areas along access and haul roads within the permit area.	1514.12	Yes, state law	Yes, state law
1501:14-3-04	Shall	At all entrances to the permit area from any road, the permittee shall conspicuously place signs that state "WARNING! EXPLOSIVES IN USE" which clearly explain the meaning of the audible warning and all-clear signals in use.	1514.12	Yes, state law	Yes, state law
1501:14-3-04	Shall	For each blast, the blaster-in-charge shall determine the limits of the blasting area and communicate those limits to the certified mine foreperson or to his or her designee.	1514.12	Yes, state law	Yes, state law
1501:14-3-04	Shall	The certified mine foreperson or his or her designee shall be responsible for controlling access to the blasting area to prevent the presence of livestock or unauthorized persons at least ten minutes before each blast, and until the blaster-in-charge has determined that no unusual hazards, such as imminent slides or undetonated charges, exist, and access to and travel within the blasting area can safely resume.	1514.12	Yes, state law	Yes, state law
1501:14-3-04	Shall	The certified mine foreperson or his or her designee shall not allow anyone to re-enter the blasting area until the blaster-in-charge has confirmed that the all-clear signal has been sounded.	1514.12	Yes, state law	Yes, state law
1501:14-3-04	Shall	In determining the blasting area, the following factors shall be considered: (a) Geology of the material to be blasted; (b) Orientation of the blast bench and rock face(s); (c) Blast pattern layout, delay system and timing; (d) Burden, depth, diameter and angle of the blastholes; (e) Blasting experience of the mine; (f) Powder factor and pounds of explosives per delay; (g) Type and amount of explosive material; (h) Type and amount of stemming; (i) Atmospheric conditions; and (j) Topography.	1514.12	Yes, state law	Yes, state law

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1501:14-3-04	Shall	At least one minute, but not more than two minutes before the detonation of a blast, the blaster-in-charge, or someone directed by the blaster-in-charge, shall give an audible warning signal.	1514.12	Yes, state law	Yes, state law
1501:14-3-04	Shall	If the blast is not detonated within two minutes of the audible warning signal, the warning signal shall be repeated as required by this paragraph before the blast is detonated.	1514.12	Yes, state law	Yes, state law
1501:14-3-04	Shall	After the blast has been detonated and the blaster-in-charge has confirmed that the blast area is safe to re-enter, an audible all-clear signal shall be given.	1514.12	Yes, state law	Yes, state law
1501:14-3-04	Shall	Warning and all clear signals, to be produced by an airhorn, siren or similar device, shall be audible to at least one thousand feet in all directions from the blast site.	1514.12	Yes, state law	Yes, state law
1501:14-3-04	Shall	The warning signal shall consist of three long sounds, each lasting at least five seconds. The all-clear signal shall consist of one long sound lasting at least ten seconds.	1514.12	Yes, state law	Yes, state law
1501:14-3-04	Shall	Blasting shall be conducted in a manner that prevents injury to persons and damage to public or private property outside the area for which a permit was issued.	1514.12	Yes, state law	Yes, state law
1501:14-3-04	Shall	"Flyrock," defined as rock, mud or debris (excluding dust) ejected from the blast site by the force of a blast, shall not be cast beyond the permit boundary.	1514.12	Yes, state law	Yes, state law
1501:14-3-04	Shall	If flyrock is cast beyond the permit boundary, the blaster -in-charge shall notify the division of mineral resources management by telephone within two hours after learning of the flyrock incident, and submit a flyrock incident report to the division within three business days after learning of the incident.	1514.12	Yes, state law	Yes, state law
1501:14-3-04	Shall	Neither the permittee nor the certified blaster shall conduct another blast directly beside or behind the blast site where the flyrock originated until the report is properly completed and the division of mineral resources management has acknowledged its receipt.	1514.12	Yes, state law	Yes, state law
1501:14-3-04	Shall	The report shall be signed by the blaster-in-charge who conducted the blast.	1514.12	Yes, state law	Yes, state law
1501:14-3-04	Shall	The report shall include, at a minimum, a copy of the blast record and all available seismographic data, a sketch of the blast site and rock deposition area, and a detailed explanation of: how the blasts were designed and loaded; who witnessed the blast and where they were located and what they observed; the location and nature of the flyrock deposition (including property owners, type and approximate number of rocks, size and distance range), property damages (if any) and personal injuries (if any); what measures have been taken to repair all property damages (if any) and address all personal injuries (if any); the probable cause of the flyrock incident; and the corrective measures to be taken to prevent another flyrock incident.	1514.12	Yes, state law	Yes, state law
1501:14-3-04	Shall not	Ground vibration, when measured at any dwelling, public or commercial building, school, church, or community or institutional building located outside the permit area and not owned by the permittee, shall not exceed the frequency-dependent particle velocity limits illustrated below, from the "Report of Investigations 8507, Appendix B: Alternative Blasting Level Criteria (1980)," published by the former U.S. Bureau of Mines.	1514.12	Yes, state law	Yes, state law
1501:14-3-04	Shall	When applying the frequency-dependent particle velocity limits, the lower plateau at 0.50 inches per second shall apply at its corresponding frequencies to the nearest dwelling or building listed above, unless the permittee submits to the chief site-specific technical evidence to support application of the higher plateau at 0.75 inches per second, and the chief approves a blast plan modification to that effect.	1514.12	Yes, state law	Yes, state law
1501:14-3-04	Shall not	Airblast, when measured at any dwelling or building listed in paragraph (D)(3) of this rule shall not exceed one hundred thirty-three decibels.	1514.12	Yes, state law	Yes, state law
1501:14-3-04	Shall	A seismograph shall be used beside the nearest dwelling or building in paragraph (D)(3) of this rule to demonstrate compliance with the ground vibration and airblast limits of paragraphs (D)(3) and (D)(4) of this rule.	1514.12	Yes, state law	Yes, state law

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1501:14-3-04	Shall	As an alternative to seismographic monitoring, the blast shall comply with the scaled distance equation, $W = (D/90)^2$, where W is the maximum weight of explosives, in pounds, that can be detonated within any period less than eight milliseconds, D is the distance, in feet, from the nearest blasthole to the nearest dwelling or building in paragraph (D)(3) of this rule, and ninety is the applicable scaled distance factor.	1514.12	Yes, state law	Yes, state law
1501:14-3-04	Shall	For structures not listed in paragraph (D)(3) of this rule, such as oil or gas wells, oil or gas transmission and distribution lines, high-voltage steel transmission towers, public water lines, dams, silos, and unoccupied barns and pole buildings, located outside the permit area and not owned by the permittee, a seismograph shall be used beside the nearest structure to demonstrate that the peak particle velocity did not exceed 2.0 inches per second.	1514.12	Yes, state law	Yes, state law
1501:14-3-04	Shall	As an alternative to seismographic monitoring, the blast shall comply with the scaled distance equation, $W = (D/40)^2$, where W is the maximum weight of explosives, in pounds, that can be detonated within any period less than eight milliseconds, D is the distance, in feet, from the nearest blasthole to the nearest structure, and forty is the applicable scaled distance factor.	1514.12	Yes, state law	Yes, state law
1501:14-3-04	Shall	All seismographs used to prove compliance with the ground vibration and airblast limits required by this rule shall have seismic and acoustic systems with a minimum frequency range of two to two hundred fifty hertz, with accuracies that meet or exceed the performance specifications for blasting seismographs adopted by the international society of explosives engineers , "ISEE Performance Specifications for Blasting Seismographs, 2011 Edition," available as a digital download from the "International Society of Explosives Engineers" at the website www.isee.org .	1514.12	Yes, state law	Yes, state law
1501:14-3-04	Shall	The ground vibration shall be measured as the particle velocity and recorded in three mutually perpendicular directions.	1514.12	Yes, state law	Yes, state law
1501:14-3-04	Shall	The maximum allowable frequency-dependent particle velocity limits and peak particle velocity limits in this rule shall apply in each of the three directions of measurement.	1514.12	Yes, state law	Yes, state law
1501:14-3-04	Shall	Whenever possible, the seismographic measurement shall be made within ten feet of the building or structure being monitored, on the side of the building or structure closest to the blast site.	1514.12	Yes, state law	Yes, state law
1501:14-3-04	Shall	Any person who operates a seismograph for the purpose of demonstrating compliance with the ground vibration and airblast limits of this rule shall have received appropriate training, for the specific seismograph model(s) in use, in: programming the seismograph(s) to record the blast; positioning the geophone and microphone; coupling the geophone to the ground; extracting the data after the blast in digital and printed form; and understanding the results.	1514.12	Yes, state law	Yes, state law
1501:14-3-04	Shall	Such training shall be received from a representative of the seismograph manufacturer or distributor, or other competent person.	1514.12	Yes, state law	Yes, state law
1501:14-3-04	Shall	A record of such training shall be maintained by the seismograph operator or his or her employer, and made available for inspection by the chief or his or her authorized representative upon request.	1514.12	Yes, state law	Yes, state law
1501:14-3-04	Shall	The permittee shall retain a record of all blasts for at least three years,...(continued in cell below)	1514.12	Yes, state law	Yes, state law
1501:14-3-04	Shall	...and shall make those records available for inspection upon request by the chief or an authorized representative of the chief.	1514.12	Yes, state law	Yes, state law
1501:14-3-04	Shall	Where blast records are normally kept at an office of the permittee not located on the permit site, the record for each blast shall be on file at that office within five business days after the blast is detonated.	1514.12	Yes, state law	Yes, state law
1501:14-3-04	Shall	Blast records shall be accurately completed at the mine site by the blaster-in-charge,...(continued in cell below)	1514.12	Yes, state law	Yes, state law

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1501:14-3-04	Shall	...and shall contain the following data for each blast: (a) Name of the permittee and permit number; (b) Name of the firm conducting the blast, if different from the permittee; (c) Location, date, and time of blast; (d) Printed name, signature, and certification number of the blaster-in-charge, and the name of each person on the blasting crew; (e) Relative to the nearest blasthole, the identification of, distance to, direction to, and method used to determine the distance and direction to, the nearest dwelling, public or commercial building, school, church, or community or institutional building outside the permit area that is not owned by the permittee. ...(continued in cell below)	1514.12	Yes, state law	Yes, state law
1501:14-3-04	Shall	The direction shall be stated in degrees, as an azimuth from zero to three hundred sixty degrees.	1514.12	Yes, state law	Yes, state law
1501:14-3-04	Shall	The distance shall be stated in feet, as derived from an aerial photo, a topographic map, conventional field measurement devices (e.g., measuring tape or transit), or electronic devices (e.g., laser-ranging or global positioning system units);	1514.12	Yes, state law	Yes, state law
1501:14-3-04	Shall	...(f) Weather conditions, including temperature and approximate wind direction and velocity; (g) Type of material blasted; (h) Number, diameter, and depth of holes; (i) Depth of subdrilling, where applicable; (j) Burden and spacing dimensions; (k) Type, manufacturer, and amount of explosives used, including bulk, bagged, or cartridged explosives, detonating cord, primers, and surface and in-hole delay detonators; (l) Total weight of explosives used; (m) Weight of explosives used per hole; (n) Maximum number of holes and maximum weight of explosives detonated within any period less than eight milliseconds; (o) The actual scaled distance factor, expressed as the distance from the nearest blasthole to the nearest dwelling or building in paragraph (E)(3)(e) of this rule, divided by the square-root of the maximum weight of explosives detonated in any period less than eight milliseconds; (p) Type of initiation system used, including the type of blasting machine or other power source, and the types of trunkline and downline systems, if not readily apparent from other information in the blast record; q) Sequential timer setting, in milliseconds, if applicable; (r) Type and length of stemming used per hole; (s) Sketch of the blast pattern showing all holes, delay pattern (including initiation hole, hole-to-hole and row-to-row delay detonator locations and periods , where applicable, or electronically programmed hole and deck firing times, where applicable), location of free faces and previously blasted material, and a north arrow; (t) Sketch of a typical blasthole cross-section showing the depth and location of stemming and explosive decks, primers, and delay detonators; (u) Mats or other special protections used; ...(continued in cell below)	1514.12	Yes, state law	Yes, state law
1501:14-3-04	Shall	...(v) Seismographic records, when required for compliance, shall be attached to the blast record within five business days of the blast,...(continued in cell below)	1514.12	Yes, state law	Yes, state law
1501:14-3-04	Shall	...and shall include: i) Make, model and serial number of the seismograph, seismic and acoustic trigger levels, and most recent annual calibration date; (ii) Exact location of the seismograph and distance from the blast, and the date and time of the recorded blast event; (iii) Name of the person and firm operating the seismograph; (iv) Full waveform printout, including: three mutually perpendicular channels of ground vibration and an airblast channel; dynamic calibration results; a plot of particle velocity versus frequency with a comparison to the frequency-dependent blast vibration limits in paragraph (D)(3) of this rule, based on a half-cycle zero-crossing analysis method; and the peak particle velocity and airblast levels; and (w) Reasons and conditions for a late or unscheduled blast.	1514.12	Yes, state law	Yes, state law

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1501:14-3-05	Shall	To insure that contamination, resulting from mining, of underground water supplies is prevented, the operator shall comply with the following conditions and requirements: 1) Promptly seal all auger holes with non-acid producing, impervious material to a compacted depth of four feet above the top of the mineral or coal seam,...(additional restrictions in cell below)...(2) Cover any acid producing materials located in the bottom of the pit and any coal seam located near the base of the highwall with non-acid producing material to a minimum depth of three feet;...(continued 2 cells below)	1514.08	Yes, state law	Yes, state law
1501:14-3-05	Shall	...which seal shall be maintained until the auger hole is permanently sealed as approved in the mining and reclamation plan, provided that auger holes that are not located near the base of the highwall are not required to be sealed;	1514.08	Yes, state law	Yes, state law
1501:14-3-05	Shall	(3) Seal all shafts, boreholes, wells and other openings that are intercepted during mining in such a manner that contamination of underground water supplies shall be prevented; and	1514.08	Yes, state law	Yes, state law
1501:14-3-05	Shall	(4) When an underground mine is intercepted and the operator does not intend to mine the underground works, seal the opening with compacted, impervious materials to a depth of three times the greater dimension of the opening unless otherwise approved in an amended mining and reclamation plan. Such seal shall be inspected and approved by the chief or his or her representative before backfilling the area.	1514.08	Yes, state law	Yes, state law
1501:14-3-05	Shall	To prevent impacts of dewatering from the drilling of boreholes or test holes that have groundwater flowing to the surface, the operator shall, for any borehole or test hole that contains groundwater which is flowing to the surface, plug the borehole or test hole within thirty days of drilling to cease the flowing of groundwater to the surface.	1514.08	Yes, state law	Yes, state law
1501:14-3-06	Shall	The operator shall: (A) Grade, contour, or terrace the final slopes to a slope angle sufficient to achieve soil stability and control landslides, erosion, and sedimentation...(additional restrictions in cells below)... and (B) Establish diversion ditches with controlled outlets on any final slopes sufficient to achieve soil stability and control landslides, erosion, and sedimentation.	1514.08	Yes, state law	Yes, state law
1501:14-3-06	Shall	Slopes with a slope angle of eighteen degrees or less shall be presumed sufficient.	1514.08	Yes, state law	Yes, state law
1501:14-3-06	Shall not	Highwalls retained as part of the intended future use shall not be regarded as final slopes;	1514.08	Yes, state law	Yes, state law
1501:14-3-07	Shall	To insure public safety when highwalls are retained as part of the intended future use, the operator shall: A) Design the procedures to detonate explosives in a manner that the final highwall will not be fractured to an unstable condition; (B) Stabilize any unstable final highwalls;...(additional restriction in cell below)...(C) Provide egress from the pit area; (D) Restrict access to the highwall as approached from the top; and (E) Perform other measures as are necessary to insure public safety because of the particular site conditions.	1514.08	Yes, state law	Yes, state law
1501:14-3-07	Shall	(1) Lime mining waste used to backfill highwalls. An angle of eighteen degrees or less, in accordance with paragraph (A) of rule 1501:14-3-06 of the Administrative Code, from the top of the highwall to the quarry floor shall be deemed acceptable with a minimum of four feet of non-toxic earthen material covering the submerged slope, with an additional six inches of topsoil used to cap any exposed slope, then planted to a diverse vegetative cover in accordance with Chapter 1501:14-3 of the Administrative Code.	1514.08, 1514.081	Yes, state law	Yes, state law

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1501:14-3-08	Shall	To raise and maintain a diverse growth of vegetative cover capable of self-regeneration and plant succession, the operator shall comply with the following requirements and conditions: (A) Remove and segregate topsoil or subsoil in sufficient quantities to redistribute over the surface of the affected area in accordance with paragraphs (C) and (D) of this rule; (B) Store or stockpile the segregated topsoil or subsoil in a manner and location so that it will be protected from contamination or loss and be maintained in a condition suitable to establish and maintain a diverse vegetative cover; (C) Resoil with topsoil or subsoil the surface of each affected area where the surface is not capable of establishing and maintaining a diverse growth of vegetation; (D) Resoil with topsoil or subsoil to a minimum compacted depth of eight inches on any surface which contains acid producing materials, and to a compacted depth of six inches on all other surfaces required to be resoiled by paragraph (C) of this rule;...(see cell below)...and (F) Condition the surface of the affected area to be planted to establish a suitable seedbed.	1514.02; 1514.08	Yes, state law	Yes, state law
1501:14-3-08	Shall	(E) If resoiling is required in accordance with paragraph (C) of this rule but topsoil and subsoil are not present on the area or are present in insufficient quantities to comply with paragraph (D) of this rule, the operator shall segregate and store in accordance with paragraphs (A), (B) and (D) of this rule, all available topsoil, available subsoil, and the substitute resoiling material as approved in the mining and reclamation plan;	1514.08	Yes, state law	Yes, state law
1501:14-3-09	Shall	To establish and maintain a diverse growth of permanent vegetation adequate to bind the soil and to control soil erosion and sedimentation, the operator shall: (A) Apply lime to the surface of the area to be planted in the amounts and analyses recommended by the results of standard soil tests for acidity, consistent with the land-management objectives and the type of vegetation to be established; (B) Apply fertilizer to the surface of the area to be planted in the amounts and analyses recommended by the results of standard soil tests, consistent with the land-management objectives and the type of vegetation to be established; (C) Apply soil stabilizers and/or mulch where necessary to promote seed germination and where necessary for reasons of the slope length or slope angle to control erosion or sedimentation; and D) Apply soil amendments other than lime, fertilizer, or mulch, consistent with the requirements of paragraphs (A), (B), and (C) of this rule, as approved in the mining and reclamation plan.	1514.08	Yes, state law	Yes, state law
1501:14-3-10	Shall	To establish a diverse permanent vegetative cover capable of self-regeneration, plant succession, and to control soil erosion, the operator shall comply with the following conditions and requirements:...(continued in cells below)	1514.08	Yes, state law	Yes, state law
1501:14-3-10	Shall	(A) Permanent planting shall be completed on the surface of the affected area immediately upon the completion of any required grading or resoiling except when the grading and resoiling are completed within a season that is not suitable for planting,...(continued in cell below)	1514.08	Yes, state law	Yes, state law
1501:14-3-10	Shall	in which case the permanent planting shall be completed at the earliest possible time within the next appropriate planting season;	1514.08	Yes, state law	Yes, state law
1501:14-3-10	Shall	(B) The permanent planting shall contain species of perennial grasses and legumes unless otherwise required by the future intended use and approved in the mining and reclamation plan.	1514.08	Yes, state law	Yes, state law
1501:14-3-10	Shall	Small grains or fast-growing annual grasses may be used to provide adequate cover to control erosion and shall later be replaced by perennial species;	1514.08	Yes, state law	Yes, state law
1501:14-3-10	Shall	(C) Trees shall be planted in the species, amounts and spacing as are consistent with the intended future use and approved in the mining and reclamation plan;	1514.08	Yes, state law	Yes, state law
1501:14-3-10	Shall	(D) The permanent vegetation shall be deemed to be a successful diverse vegetative cover capable of self-regeneration and plant succession if the vegetation planted in accordance with paragraph (B) of this rule has survived two growing seasons and if the permanent vegetative cover has been established and maintained in accordance with the following standards:	1514.08	Yes, state law	Yes, state law

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1501:14-3-10	Shall not	(1) Any individual barren area shall not exceed 0.3 per cent of the total affected area for which the "Request for Approval of Planting and All Other Reclamation" has been submitted;	1514.08	Yes, state law	Yes, state law
1501:14-3-10	Shall not	(2) The total barren area shall not exceed 1.0 per cent of the total affected area for which the "Request for Approval of Planting and All Other Reclamation" has been submitted;	1514.08	Yes, state law	Yes, state law
1501:14-3-10	Shall not	(3) The total sparse area shall not exceed 10 per cent of the total affected area for which the "Request for Approval of Planting and All Other Reclamation" has been submitted; and	1514.08	Yes, state law	Yes, state law
1501:14-3-10	Shall	(E) If agricultural crops required by the future intended use are planted in lieu of the permanent planting required in paragraph (B) of this rule and as approved in the mining and reclamation plan, such crops shall be raised and managed for two years in accordance with good farming practices.	1514.08	Yes, state law	Yes, state law
1501:14-3-11	Shall	To prevent damage to adjoining property from flooding, landslides, and flood hazards resulting from mining operations, the operator shall:...(continued in cells below)	1514.08	Yes, state law	Yes, state law
1501:14-3-11	Shall	(A) Construct necessary sediment and flood control impoundments that shall: (1) Have a minimum storage capacity below the crest of the principal spillway of 0.2 acre-feet per acre of disturbed area within the watershed; (2) Be located within each affected watershed; (3) Have primary and secondary spillway systems capable of safely passing the required peak design flows without endangering the safety of the dam; (4) Include means of dissipating the energy of flow at the spillway outlets without eroding the dam or the downstream channel; (5) Have vegetation established on the slopes of the impoundments and the dam to prevent erosion; and (6) Be cleaned out whenever sediment fills half the minimum storage capacity of the impoundment,...(continued in cell below)	1514.08	Yes, state law	Yes, state law
1501:14-3-11	Shall	which sediment shall be disposed of in a manner consistent with the intended future use of the area;	1514.08	Yes, state law	Yes, state law
1501:14-3-11	Shall	(B) Construct dikes, diversions, and drainage channels that shall: (1) Direct drainage from the affected area to sediment and flood control impoundments and divert runoff around or away from the affected areas; (2) Protect existing natural streams; and (3) Be constructed with sufficient capacity to safely carry peak design flows; (C) Use impervious materials to construct all dams, dikes, and drainage channels. Where impervious materials are not available at the site, the chief may approve use of alternate materials, designs, or methods; (D) Assure that water controlled by pumping or other mechanical methods is controlled in a manner that will prevent damage to adjoining property; (E) Comply with all federal, state, or local laws applicable to the design, construction, operation, and maintenance of dams, dikes, diversions, drainage channels, and impoundments; and (F) Reclaim all dams, dikes, diversions, drainage channels, and impoundments unless specified as permanent structures in the mining and reclamation plan.	1514.08	Yes, state law	Yes, state law
1501:14-3-12	Shall	Lime mining wastes may be placed in a mined out area of a quarry in order to achieve the approximate original elevation. The operator shall transport, backfill and compact where applicable to ensure stability.	1514.081	Yes, state law	Yes, state law
1501:14-3-12	Shall	The reclaimed surface shall be resoiled with a minimum of four feet of non-toxic earthen material and a minimum of six inches of topsoil unless an alternative plan for cover or treatment is approved by the chief based upon a showing by the applicant that the alternative plan is as effective for protecting water quality and sustaining vegetative growth.	1514.081, 1514.08	Yes, state law	Yes, state law
1501:14-3-12	Shall	The graded surface shall be revegetated in accordance with this chapter.	1514.081, 1514.08	Yes, state law	Yes, state law
1501:14-3-12	Shall	All exposed slopes shall be constructed to eighteen degrees from the top of the fill to the bottom of the quarry floor with the appropriate earthen cover.	1514.081, 1514.08	Yes, state law	Yes, state law
1501:14-3-13	Shall	Controlled placement of lime mining waster (LMW). Transportation, placement, and compaction. (A) When transporting, placing and compacting LMW, the permittee shall comply with all applicable emission controls required by Chapter 3704. of the Revised Code and the rules thereunder;	1514.081, 1514.08	Yes, state law	Yes, state law
1501:14-3-13	Shall	(B) LMW shall be placed in a controlled manner to prevent mass movement;	1514.081, 1514.08	Yes, state law	Yes, state law

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1501:14-3-13	Shall	(C) The placement area shall be constructed to minimize the infiltration of water;	1514.081, 1514.08	Yes, state law	Yes, state law
1501:14-3-13	Shall	(D) The placement area shall be within the permit, shown as affected or proposed to be affected, and bonded;	1514.081, 1514.08	Yes, state law	Yes, state law
1501:14-3-13	Shall	(E) The final configuration shall be compatible with the natural drainage pattern and surroundings and suitable for intended uses;	1514.081, 1514.08	Yes, state law	Yes, state law
1501:14-3-13	Shall	(F) The design of the LMW placement area shall be certified by a qualified registered engineer in conformance with professional standards;	1514.081, 1514.08	Yes, state law	Yes, state law
1501:14-3-13	Shall	(G) The permittee shall minimize disturbances of and adverse impacts of the operation on fish, wildlife, and related environmental values, and achieve enhancement of such resources where practicable; and	1514.081, 1514.08	Yes, state law	Yes, state law
1501:14-3-13	Shall	(H) The placement and use of LMW shall be protective of human health and the environment and not damage public or private property.	1514.081, 1514.08	Yes, state law	Yes, state law
1501:14-4-01	Shall	(A) Each application for a surface mining permit shall contain a geological data report, on forms prescribed by the chief, of the results of test borings for each mining area that the operator has conducted or otherwise has readily available.	1514.08	Yes, state law	Yes, state law
1501:14-4-01	Shall	The location from which the test boring results are determined shall include the complete stratigraphic column to be affected...(continued in cell below)	1514.08	Yes, state law	Yes, state law
1501:14-4-01	Shall	...and shall be shown on all maps.	1514.08	Yes, state law	Yes, state law
1501:14-4-01	Require	More than one test boring report may be required where necessary to adequately show the stratigraphic column in the mining area.	1514.08	Yes, state law	Yes, state law
1501:14-4-01	Shall	The report shall include the following information for each stratum to be affected: (1) The thickness of each stratum of overburden, mineral or coal deposit as it occurs in its natural state, from the surface to at least five feet below the deepest level of mining; (2) The name and geologic description of each stratum; and (3) An identification of the strata to be produced.	1514.08	Yes, state law	Yes, state law
1501:14-4-01	Shall	(B) For those operations located in coal bearing regions of Ohio, each stratum to be excavated within the permit area, with the exception of topsoil, subsoil, limestone, and any other mineral to be produced, shall be designated as acid producing or non-acid producing.	1514.08	Yes, state law	Yes, state law
1501:14-4-01	Shall	Strata designated as acid producing shall be handled in accordance with rule 1501:14-3-02 of the Administrative Code.	1514.08	Yes, state law	Yes, state law
1501:14-4-01	Shall	Any strata designated as non-acid producing shall be analyzed by a competent commercial laboratory or its equivalent, as approved by the chief, for the pH and the calcium carbonate deficiency according to the following procedures:	1514.08	Yes, state law	Yes, state law
1501:14-4-01	Shall	(1) For pH: The contents of all samples shall be reduced to such size as will permit the particles of the entire sample to pass through a 250 micron sieve, size 60 ASTM.	1514.08	Yes, state law	Yes, state law
1501:14-4-01	Shall	All samples shall be tested by measuring the pH of a 2:1 soil (or pulverized rock) distilled water mixture, or a saturated paste of the soil using distilled water, with a glass electrode pH meter.	1514.08	Yes, state law	Yes, state law
1501:14-4-01	Shall	The method used shall be described on an attachment to the test boring report;	1514.08	Yes, state law	Yes, state law
1501:14-4-01	Shall	and (2) For the calcium carbonate deficiency: (a) Sulfur content: The content of all samples shall be reduced to such size as will permit the particles of the entire sample to pass through a 250 micron sieve, size 60 ASTM.	1514.08	Yes, state law	Yes, state law
1501:14-4-01	Shall	Samples shall be analyzed for either total sulfur content or pyritic sulfur content by standard recognized analytical methods such as ASTM International methods of analyses for total sulfur content.	1514.08	Yes, state law	Yes, state law
1501:14-4-01	Shall	(b) Neutralization potential: The contents of all samples shall be reduced to such size as will permit the particles of the entire sample to pass through a 250 micron sieve, size 60 ASTM.	1514.08	Yes, state law	Yes, state law

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1501:14-4-01	Shall	Samples shall be analyzed by standard recognized analytical methods; and (c) Calcium carbonate deficiency: Multiply the percentage of sulfur content by 31.24 and subtract from the product the total neutralization potential expressed in units of tons per thousand tons of material.	1514.08	Yes, state law	Yes, state law
1501:14-4-01	Shall	(C) Results of tests conducted in accordance with paragraph (B) of this rule shall be submitted with the geological data report.	1514.08	Yes, state law	Yes, state law
1501:14-4-02	Shall	A cross section or cross sections shall be submitted with the application map for each mining area to be affected.	1514.08	Yes, state law	Yes, state law
1501:14-4-02	Shall	Such cross section shall: (A) Be sufficient to show the proposed land form of each mining area; and (B) Be submitted in sufficient detail and quantity and be located in such a manner to show any significant dissimilar final land configurations in the mining area.	1514.08	Yes, state law	Yes, state law
1501:14-4-03	Shall	The operator shall specify, on each annual report and on the final report, the date on which surface mining operations were completed, terminated, or abandoned, if any such operations were completed, terminated, or abandoned, for each area of land affected during the reporting period.	1514.08	No, general rulemaking authority	No, general rulemaking authority
1501:14-4-04	Shall	(A) A mining area may be considered abandoned if the chief finds, as a result of an inspection, evidence to indicate that the permittee does not have the ability to continue the mining operation. (B) If the chief finds evidence pursuant to paragraph (A) of this rule, the chief shall notify the permittee through certified mail that the mining area may be declared abandoned.	1514.08	Yes, state law	Yes, state law
1501:14-4-04	Shall	(C) The permittee may, within thirty days after receipt of notification by the chief declaring that the mining area may be declared abandoned, submit sufficient evidence to the chief that the surface mining operation on such mining area is in fact not abandoned. (D) If the permittee fails to submit sufficient evidence in accordance with paragraph (C) of this rule, the chief shall issue an order declaring the mining area abandoned.	1514.08	Yes, state law	Yes, state law
1501:14-4-04	Shall	(1) If a mining area is declared to be abandoned under paragraph (D) of this rule and there has been no incidental production of coal, the permittee shall comply with the requirements of Chapter 1514. of the Revised Code.	1514.08	Yes, state law	Yes, state law
1501:14-4-04	Shall	(2) If a mining area that has been declared to be abandoned under paragraph (D) of this rule has involved the incidental production of coal, and the permittee has complied with the requirements for and conditions of exemption for coal extraction incidental to the extraction of other minerals under rule 1501:13-4-16 of the Administrative Code, the permittee shall comply with the requirements of Chapter 1514. of the Revised Code.	1514.08	Yes, state law	Yes, state law
1501:14-4-04	Shall	If the permittee has failed to comply with the requirements for and conditions of exemption for coal extraction incidental to the extraction of other minerals under rule 1501:13-4-16 of the Administrative Code, the chief shall revoke the exemption and take enforcement in accordance with rule 1501:13-5-03 of the Administrative Code.	1514.08	Yes, state law	Yes, state law
1501:14-4-04	Require	(E) The chief may consider a mining area inactive and not abandoned if: (1) The permittee submits an annual report indicating that the surface mining operation is inactive; and (2) The permittee remains in compliance with all requirements of Chapter 1514. of the Revised Code.	1514.08	Yes, state law	Yes, state law
1501:14-5-01	Shall	Except as provided in paragraph (C) of this rule, each application for a permit that proposes to dewater shall include the following: (continued in cell below)	1514.13	Yes, state law	Yes, state law

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1501:14-5-01	Shall	(A) A hydrologic map consisting of a single map using the most recent USGS 7.5 minute topographic maps at a scale of 1:24,000 as a base or other approved format that shall show all of the following: (1) The proposed permit area; (2) A line identifying the area encompassing a four mile radius from the boundary of the proposed permit area, to be known as the hydrologic study area; (3) The location of the cross-sections required under paragraph (B)(5) of this rule; (4) The location of the selected water supply wells identified in paragraph (B)(4)(a) of this rule and other water sources used for domestic, agricultural, or industrial use including an assigned identification number; and (5) Any well, well field, reservoir, river, water source used for a public water supply or facility registered under section 1521.16 of the Revised Code on or within the hydrologic study area.	1514.13	Yes, state law	Yes, state law
1501:14-5-01	Require	(6) The chief may require additional information within or beyond the hydrologic study area be shown on the map if such identification is necessary based on site-specific conditions.	1514.13	Yes, state law	Yes, state law
1501:14-5-01	Shall	(B) A hydrogeologic description in sufficient detail to determine the hydrologic cone of depression for the proposed operation. (1) The description shall include a general statement of the geology within the proposed permit and hydrologic study area down to and including the deeper of either the first stratigraphic unit below the lowest mineral deposit to be mined or any aquifer below the lowest mineral deposit to be mined.	1514.13	Yes, state law	Yes, state law
1501:14-5-01	Shall	It shall also include the areal and structural geology of the permit and hydrologic study area, and other parameters which may affect the occurrence, availability, movement, quantity, and quality of potentially affected ground waters...(continued in cell below)	1514.13	Yes, state law	Yes, state law
1501:14-5-01	Shall	...and shall be based on information available to the applicant from test borings, core drillings, well logs, and geologic literature and practices.	1514.13	Yes, state law	Yes, state law
1501:14-5-01	Shall	(2) The description shall contain information available in the public domain related to the ground water hydrology for the proposed permit and hydrologic study area, including, at a minimum: (a) The elevation and the horizontal extent of the aquifer(s), intervening lithology, and overburden; (b) The lithology and thickness of the aquifer(s); (c) Known uses of the water in the aquifer(s); (d) The elevation of water in the mineral deposit(s), and each water-bearing stratum above and below the mineral deposit; (e) The transmissivity of the aquifer(s); (f) The storativity of the aquifer(s); (g) The hydraulic conductivity of the aquifer(s); (h) The specific yield of unconfined aquifer(s); (i) The location and elevation of any existing dewatering sumps (including state plane coordinates and north american datum (NAD) year); and (j) The rate of discharge of any currently registered water withdrawals shown pursuant to paragraph (A)(5) of this rule.	1514.13	Yes, state law	Yes, state law
1501:14-5-01	Shall	(3) The description shall include a listing of the published information and data used in preparation of the items in paragraphs (B)(1) and (B)(2) of this rule, and copies of the unpublished records and data used in preparation of these items including, but not limited to, core descriptions, cutting descriptions, stratigraphic descriptions, and pump or slug test records.	1514.13	Yes, state law	Yes, state law
1501:14-5-01	Shall	(4) The description shall contain a water supply inventory, representing all aquifers.	1514.13	Yes, state law	Yes, state law
1501:14-5-01	Shall	The inventory shall be submitted in a format prescribed by the chief...(continued in cell below)	1514.13	Yes, state law	Yes, state law
1501:14-5-01	Shall	...and shall include, at a minimum: (a) A listing of water sources in the proposed permit and hydrologic study area as shown pursuant to paragraphs (A)(4) and (A)(5) of this rule.	1514.13	Yes, state law	Yes, state law
1501:14-5-01	Shall	The representative water sources selected shall be chosen to include recently drilled wells, represent all aquifers and producing zones within the aquifers, and reflect a uniform geographical distribution of wells within the study area.	1514.13	Yes, state law	Yes, state law
1501:14-5-01	Shall	The inventory shall include all of the existing water wells if there are fewer than one hundred wells.	1514.13	Yes, state law	Yes, state law
1501:14-5-01	Shall	If there are more than one hundred wells within the study area the inventory shall include one hundred wells plus twenty-five per cent of those wells in excess of one hundred...(continued in cell below)	1514.13	Yes, state law	Yes, state law

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1501:14-5-01	Shall not	...but shall not exceed a total of three hundred.	1514.13	Yes, state law	Yes, state law
1501:14-5-01	Shall	The listing shall include to the extent available the: (i) Map identification number assigned under paragraph (A)(4) of this rule; (ii) Ohio department of natural resources, division of water resources number assigned to the log form required to be filed under section 1521.05 of the Revised Code; (iii) Township; (iv) Year drilled; (v) State plane coordinates (including NAD year); (vi) Surface elevation of the well (feet); (vii) Total depth of the well in feet below the land surface; (viii) Depth to bedrock (feet); (ix) Description of unconsolidated material; (x) Static water level of the well in feet below the land surface; (xi) Casing length (feet); (xii) Lithology of the screen interval/open borehole; (xiii) Length of any well screen (feet); (xiv) Test rate (gallons per minute); (xv) Duration of test; and (xvi) Drawdown (feet); (b) A listing of the location and type of any public water supply sources on the permit and within the hydrologic study area; and (c) A copy of the division of water resources well logs for the selected wells.	1514.13	Yes, state law	Yes, state law
1501:14-5-01	Require	(d) An applicant may, prior to submission of an application, request in writing, a reduction of the number and/or extent of the submittals required in paragraph (B)(4) of this rule.	1514.13	Yes, state law	Yes, state law
1501:14-5-01	Shall	The request may be granted only if the chief makes a written determination that this reduction will not diminish the level of accuracy in the ground watermodel. If there is a disagreement as to the amount or extent of the water resources information necessary, the chief shall consult with the chief of the division of water resources prior to determining the final extent of data necessary.	1514.13	Yes, state law	Yes, state law
1501:14-5-01	Shall	If the chief grants a reduction, the written request and determination shall be submitted with the permit application.	1514.13	Yes, state law	Yes, state law
1501:14-5-01	Shall	(5) The application shall contain a minimum of two perpendicular hydrogeologic cross-sections of the same scale for the study area based on available information and at a minimum shall: (a) Be of uniform horizontal scale; (b) Be of uniform vertical scale; (c) Depict the information required in paragraphs (B)(2)(a), (B)(2)(b), (B)(2)(d), and (B)(2)(i) of this rule; (d) Intersect the center of the proposed operation; and (e) Include the data points used to construct the cross section.	1514.13	Yes, state law	Yes, state law
1501:14-5-01	Shall	(6) Where information required in the water supply inventory of paragraph (B)(4) of this rule is unobtainable, a statement to that effect shall be submitted, giving the reasons therefor.	1514.13	Yes, state law	Yes, state law
1501:14-5-01	Must	(C) Ground water model submitted by the applicant. An applicant for a permit may choose to submit a ground water model with his or her application for a permit that defines the projected cone of depression for the proposed operation. The model must accurately reflect the ground water flow conditions associated with the hydrologic study area and be consistent with ASTM international standards.	1514.13	Yes, state law	Yes, state law
1501:14-5-01	Shall	The submission shall include detailed explanations of the hydrologic and geologic parameters used to construct the model...(continued in cell below)	1514.13	Yes, state law	Yes, state law
1501:14-5-01	Must	...and the model results must be submitted in a format prescribed by the chief.	1514.13	Yes, state law	Yes, state law
1501:14-5-01	Must	A ground water model submitted to the chief must be a three-dimensional ground water flow model utilizing finite difference modeling software such as MODFLOW...An applicant may request the chief to accept a two-dimensional ground water flow model using finite difference software, provided the chief determines, based on written justification submitted with the request, that the model will accurately represent the ground water flow in the hydrologic study area.	1514.13	Yes, state law	Yes, state law
1501:14-5-01	Shall	(D) Staging of the projected cone of depression. An applicant for a permit may request the chief to establish the projected cone of depression in stages to reflect the development of the dewatering operations over the life of the proposed permit. Such staged cone of depression shall reflect a maximum of four vertical or horizontal sump locations within the proposed permit area.	1514.13	Yes, state law	Yes, state law

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1501:14-5-01	Shall	For each stage, the applicant shall identify the sump location and elevation and the part of the permit to be dewatered.	1514.13	Yes, state law	Yes, state law
1501:14-5-01	Shall	If the applicant submits a staged ground water model under paragraph (C) of this rule, the projected cones of depression shall be depicted on the map(s) submitted under paragraph (A) of this rule. The responsibility for water replacement within the cone of depression provided in division (B) of section 1514.13 of the Revised Code will be based on the cones of depression established by the chief at the time of permit issuance. For the purposes of division (B) of section 1514.13 of the Revised Code, where horizontal staging of the cone of depression is accepted for a proposed permit area, the cone of depression applied to water replacement responsibilities will be based on the cumulative boundary of the cones of depression of the permit area affected at the time of the complaint.	1514.13	Yes, state law	Yes, state law
1501:14-5-01	Must	If the projected cone of depression is staged, the permittee must identify the exact location, elevation, and pumping rate of the dewatering sump(s) for the surface mining operation on each annual map required under section 1514.03 of the Revised Code.	1514.13	Yes, state law	Yes, state law
1501:14-5-01	Must	The permittee must notify the chief in writing at least sixty days prior to altering the horizontal or vertical location of the dewatering sump.	1514.13	Yes, state law	Yes, state law
1501:14-5-01	Require	(E) For applications that include a ground water model submitted under paragraph (C) of this rule and meet all other permit requirements of Chapter 1514. of the Revised Code, the chief may issue a surface mining permit conditioned on final review and approval of the ground water model, provided the applicant submits a ground water model pursuant to paragraph (C) of this rule that also contains a preliminary regulatory ten-foot cone of depression map based upon guidelines established by the chief.	1514.13	Yes, state law	Yes, state law
1501:14-5-01	Shall	The permittee shall comply with the final cone of depression as established by the chief.	1514.13	Yes, state law	Yes, state law
1501:14-5-02	Shall	(A) An applicant for a permit or an amendment that will be dewatering shall submit, as part of the application, an analysis of the availability and suitability of alternative water supply sources that will be utilized to fulfill the water supply replacement provisions of section 1514.13 of the Revised Code. (B) The absence of suitable replacement water supply sources will be grounds for denial of an application for a permit or amendment as provided in division (B) of section 1514.02 of the Revised Code.	1514.13	Yes, state law	Yes, state law
1501:14-5-03	Shall	For the purposes of section 1514.13 of the Revised Code, unless otherwise determined by the chief, water replacement provisions shall be applicable within the geographic area defined by the ten foot contour line of the cone of depression established under rule 1501:14-5-01 of the Administrative Code.The chief may, however, designate a different contour line based upon water resource availability, seasonal variations, other water users in the hydrologic study area as well as other ground water data available.	1514.13	Yes, state law	Yes, state law
1501:14-5-04	Shall	The chief may grant a variance to affect areas within fifty feet of the highwater mark on each bank of a watercourse that drains a surface area of greater than twenty-five square miles but fewer than one hundred square miles for surface excavations and/or surface mining activities pursuant to divisions (E)(3) and (F)(3) of section 1514.10 of the Revised Code using the following procedure and standard of review. (A) An applicant for a variance shall submit a request on forms prescribed by the chief.	1514.08	Yes, state law	Yes, state law

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1501:14-5-04	Shall	The request shall include, at a minimum: (1) A description of the activities proposed to be conducted within the variance area and the duration of the proposed activities; (2) The name of the watercourse and the distance to the highwater mark of the watercourse from the variance area where the proposed activities would be conducted; (3) An explanation of why it is necessary to conduct the proposed activities within the variance area; (4) An explanation of alternatives to the proposed activities that were considered; (5) A description of the physical conditions in and around the watercourse; (6) Plans, drawings and design details necessary to reflect any temporary or permanent relocation or restoration of the watercourse; (7) Plans for the reclamation of areas proposed to be affected within the variance area; and (8) Plans describing the measures to be employed to protect unaffected portions of the watercourse and surrounding areas.	1514.08	Yes, state law	Yes, state law
1501:14-5-04	Shall	(B) The chief shall grant a variance for surface excavations and/or surface mining activities upon a written finding that the activities, measures, and reclamation proposed will be sufficient to prevent damage to the watercourse and/or surrounding area.	1514.08	Yes, state law	Yes, state law
1501:14-5-04	Shall	(C) If an applicant for a variance has also obtained an individual state or federal permit pursuant to the Clean Water Act under section 401 ("section 401 permit") or section 404 ("section 404 permit") in conjunction with the requested variance activity, the chief shall presume that the measures set forth in those permits are sufficient to prevent damage to the watercourse and/or surrounding area.	1514.08	Yes, state law	Yes, state law
1501:14-6-01	Shall	This rule shall apply only to industrial mineral mining operations where calcined lime mining wastes (LMW) will be incorporated in final reclamation as a beneficial use and are in addition to requirements of sections 1514.02 and 1514.021 of the Revised Code.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	An application for a surface mining permit which will utilize LMW shall be deemed complete when it is received by the chief, unless the application fails to contain all substantial information required by Chapter 1514. of the Revised Code and the rules adopted pursuant thereto.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	Each application shall describe and identify the lands subject to industrial mineral mining, the estimated life of those operations, and the size, sequence, and timing of the mining and reclamation.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	It shall also contain the total acreage in which LMW will be utilized and a narrative with scientific support of that beneficial use.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	This rule does not authorize the use of LMW to create a new structure that rises above the approximate original elevation of the existing permit or amended area. New LMW placements shall be within a quarry excavation, unless approved as a soil amendment.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	The chief may grant a variance to this provision for new lime facilities for discreet and temporary beneficial applications such as visual barriers, berms or other uses. Temporary beneficial applications shall be for no more than five years unless extended by the chief based upon a demonstration by the permittee that more time is justified.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	When the chief terminates the temporary designation, the temporary storage sites shall be removed and used for the approved permanent beneficial use within one year. A longer time may be approved by the chief based upon a demonstration by the permittee.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Must	The affected acreage must be permitted and bonded.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	New beneficial uses of LMW that began after October 8, 2001, will be characterized as a significant permit or a significant amendment to a permit and shall follow the requirements of this rule.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	(B) Description and characterization of LMW proposed for beneficial use. For all proposed beneficial uses of LMW , the applicant shall identify and describe the LMW according to paragraph (B)(1) of this rule and characterize the LMW using the parameters in paragraph (B)(2) of this rule .	1514.081	Yes, state law	Yes, state law

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1501:14-6-01	Shall	(1) Identification and description. The applicant shall provide the following to identify and describe the LMW: (a) Generating process and facility site location; (b) Types of LMW; (c) Combustion process and fuel used; (d) Amount of LMW to be used annually; and (e) Mixing of types of LMW including weighted averages.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	(2) Characterization. (a) Characterization data for a proposed new LMW processing facility. The applicant shall provide representative waste characterization data for the parameters listed in paragraph (B)(3) of this rule from a similar processing facility that uses similar raw materials, combustion processes and fuel.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	The applicant shall analyze the LMW to confirm or revise the waste characterization data within six months of start-up of the facility.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	(b) Characterization for all proposed beneficial uses of LMW. The applicant shall analyze and characterize the LMW by conducting leachate analysis for the parameters listed in paragraph (B)(3) of this rule utilizing the USEPA method 1311, USEPA method 1312 or ASTM D 3987-06 method.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	The ASTM international method shall be used for analysis of fluoride, chloride, sulfate, total dissolved solids, acidity, alkalinity, and pH.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Require	As an alternative, the applicant may collect and characterize representative in-situ leachate samples from the LMW and analyze the samples for the parameters listed in paragraph (B)(3) of this rule. Additional parameters or an alternate parameter list may be required to be analyzed at the discretion of the chief.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	The initial method chosen for each parameter shall be used in all subsequent sample analysis unless the chief approves an alternative method. The chief may approve another applicable EPA or approved test method provided the applicant requests, in writing, the use of such test method prior to submittal of the analysis.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	(c) Annual characterization data for all permitted beneficial uses of LMW. The permittee shall submit to the chief annual representative waste data.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	All annual waste characterization samples shall be analyzed for the parameters listed in paragraph (B)(3) of this rule or an alternate parameter list approved by the chief.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	For a lime processing facility, the applicant shall analyze the LMW on an annual basis and whenever there are significant changes in the raw materials or combustion processes that are likely to impact characterization as determined by the chief.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	(3) The following parameters shall be analyzed in accordance with the procedures described in paragraph (B)(2) of this rule: (a) Acidity; (b) Alkalinity; (c) Arsenic; (d) Barium; (e) Cadmium; (f) Chloride; (g) Chromium; (h) Copper; (i) Fluoride; (j) Iron; (k) Lead; (l) Manganese; (m) Mercury; (n) pH; (o) Selenium; (p) Sulfates; (q) Total dissolved solids; (r) Zinc; (s) Beryllium (analysis required only if plants fuel includes shredded tires); (t) Total organic carbon (analysis required only if plants fuel includes shredded tires); (u) Silver; and (v) Additional parameters that may be required to be analyzed at the discretion of the chief.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	(4) Additional requirements for agronomic use. For LMW proposed for agronomic use within the permit area, the applicant shall analyze and characterize the LMW by conducting analysis pursuant to paragraph (B)(2) of this rule for the parameters of paragraph (B)(3) of this rule and for the following additional parameters: (a) pH; (b) Soluble salts; (c) Phosphorus; (d) Potassium; (e) Calcium; (f) CEC (cation exchange capacity); and (g) Boron.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	(5) Additional requirements for use as a low permeability material. For LMW proposed to be used as a low permeability material, the applicant shall analyze and characterize the LMW by conducting analysis pursuant to paragraph (B)(2) of this rule for the parameters of paragraph (B)(3) of this rule...(continued in cell below)	1514.081	Yes, state law	Yes, state law

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1501:14-6-01	Shall	...and shall also: (a) Indicate the hydraulic conductivity in centimeters per second or feet per day. Indicate the method used to obtain the conductivity, and attach the appropriate laboratory reports; (b) Describe the required volume, thickness (if layered), and areal extent of the LMW material; (c) Submit or reference appropriately engineered designs and plans for the low-permeability project; and (d) Submit a grain size distribution analysis for the LMW material.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	(C) Description of hydrology and geology; general requirements. Each application which will include LMW as a beneficial use as part of the reclamation shall contain a description of surface and ground water within the general area, and any water that will flow into or receive discharges of water from the permit area and any LMW beneficial use area proposed to be amended to the permit.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	The description shall be prepared in the manner required by paragraphs (D) to (G) of this rule, and conform to the following:	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	(1) Information on hydrology, water quality and quantity, and geology related to hydrology of areas outside the proposed LMW beneficial use area and within the general area shall be provided to the chief.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall not	The permit shall not be approved by the chief until this information is made available in the application and deemed acceptable; and	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	(2) As a substitute for the background data required in paragraphs (D) to (F) of this rule, each application for a LMW beneficial use site on an existing operation already under permit under Chapter 1514. of the Revised Code on October 8, 2001, shall propose a plan for the collection of background data and information that is representative of the site's hydrological and geological characteristics prior to mining.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall not	The permit shall not be approved by the chief until this information is made available in the application and deemed acceptable.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	(D) Geology description. (1) Each application shall include geologic information in sufficient detail to assist in determining the probable impact of the operation upon the quality and quantity of surface and ground water in the permit and surrounding areas, including the extent to which surface and ground water monitoring is necessary; and whether the utilization of LMW as a component of the proposed reclamation has been designed to protect human health and the environment.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	(2) The description shall include a general statement of the geology within the proposed permit area and surrounding areas down to and including an identification of the deepest aquifer below the lowest elevation of the industrial mineral to be mined.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	It shall also include how the areal and structural geology may affect the occurrence, availability, movement, quantity, and quality of potentially affected surface and ground waters.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	It shall be based on: (a) The cross sections, maps and plans required by paragraph (K) of this rule; (b) The information obtained from test borings under paragraph (D)(3) of this rule; and (c) Other sources approved by the chief based upon site-specific conditions.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	(3) Each application for a permit shall contain the results of test borings conducted on the area of land to be mined, when required.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	Test borings or core samples for the proposed LMW beneficial use area shall be collected and analyzed down to and including the stratum below the elevation of the industrial mineral to be mined.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	Individual drilling reports shall be furnished for each test boring or core sampling...(continued in cell below)	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	...and shall contain the location of subsurface water if encountered.	1514.081	Yes, state law	Yes, state law

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1501:14-6-01	Shall	(E) Ground water information. (1) The application shall contain a description of the ground water hydrology for the proposed permit and surrounding areas and the proposed LMW beneficial use area, including, at a minimum: (a) The depth below the surface and the horizontal extent of the confined and unconfined aquifers; (b) The lithology and thickness of the aquifers; (c) Known uses of the water and locations of existing water supply wells within one thousand feet of the proposed beneficial use area ; (d) The quality of subsurface water, if encountered; (e) The depth to the water in the mineral deposit if the deposit is a water-bearing stratum, and each water-bearing stratum above and below the potentially affected water-bearing stratum; (f) The approximate rate of discharge or usage of the water and the existing groundwater flow conditions in the water bearing unit(s) in the area of the surface mining operation...(see cell below)...and (g) The approximate regional potentiometric surface and regional flow paths of water bearing unit(s) in the area prior to the start of the surface mining operations.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	((f), continued)...For a new LMW beneficial use involving surface mining operations for which a cone of depression was established as required by division (A) of section 1514.13 of the Revised Code, the applicant shall include a description of the cone of depression that was generated;	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	(2) The application shall contain a water supply inventory to include, at a minimum: (a) A list of existing water wells and public water supply wells on the proposed permit and surrounding areas within one thousand feet of the proposed LMW beneficial use area to describe the quality and quantity of the ground water. The chief may specify a greater distance based upon site-specific characteristics.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	Information shall include: (i) Identification number of the well; (ii) Surface elevation of the well; (iii) Depth of the well in feet below the land surface; (iv) Static water level of the well in feet below the land surface; (v) The lithology of the aquifer in which each well is developed; and (vi) Name of the owner of the well.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	(3) If any of the information required in the water supply inventory of paragraph (E)(2)(a) of this rule is unobtainable, a statement to that effect shall be submitted, giving the reasons therefor.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	(4) The application shall contain the results of background water quality analyses and measurements of static water level or discharge of a representative number of monitoring points on the permit and surrounding areas.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	(a) Wells chosen for analysis and measurement shall, as a group, represent all known aquifers present in the permit and surrounding areas...(continued in cell below)	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	...and shall, wherever possible, be those nearest to or on the proposed beneficial use area.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	(b) Sampling for water quality analysis shall be conducted at a minimum one time prior to submission of an application for a permit or modification of a permit that utilizes LMW.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Must	For the purpose of ground water monitoring, at least six months of background water quality data must be collected prior to implementation of the post-reclamation ground water monitoring plan.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	This background ground water quality data shall be established in accordance with procedures contained in the post-reclamation ground water monitoring plan required under paragraph (G)(2) of this rule.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	(c) The measurement of static water level or discharge shall be conducted for each well identified in paragraph (E)(4)(a) of this rule at a minimum one time prior to submission of an application for a permit or modification of a permit.	1514.081	Yes, state law	Yes, state law

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1501:14-6-01	Shall	(d) Water samples collected at the sites prescribed in this rule shall be analyzed for the following parameters according to the methodology specified in 40 C.F.R. part 136: (i) Acidity; (ii) Alkalinity; (iii) Arsenic; (iv) Barium; (v) Cadmium; (vi) Chloride; (vii) Chromium; (viii) Copper; (ix) Fluoride; (x) Iron; (xi) Lead; (xii) Manganese; (xiii) Mercury; (xiv) PH; (xv) Selenium; (xvi) Silver; (xvii) Sulfates; (xviii) Total dissolved solids; (xix) Zinc; (xx) Beryllium (analysis required only if plant fuel includes shredded tires; (xxi) Total organic carbon (analysis required only if plant fuel includes shredded tires); and (xxii) Additional parameters that may be required to be analyzed at the discretion of the chief.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	(5) Water quality and quantity data sufficient to identify seasonal variations shall be submitted with an application for a permit.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	(6) The results of water quality analyses and measurements prescribed in this rule shall be reported on a form to be provided by the chief.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	(F) Surface water information. (1) In and within one thousand feet of the existing or proposed permit area, including the proposed LMW beneficial use area and surrounding areas, all surface water bodies shall be described.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	Surface water bodies that will receive discharges from the operation or whose water will come in contact with water from the operation shall be sampled.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	The surface water to be sampled shall include the receiving stream, waterway, or water body if such surface water is present.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	The description shall include the name of any watershed that will receive water discharges, the name, ownership and location of all surface-water bodies and the known uses of the water in these water bodies.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	(2) Water samples collected under this rule shall be analyzed according to the methodology specified in 40 C.F.R. part 136.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	(a) Surface water information shall include the following water quality data to identify the characteristics of surface waters within the existing or proposed permit area, including the proposed LMW beneficial use area and surrounding areas: (i) Acidity; (ii) Alkalinity; (iii) Arsenic; (iv) Barium; (v) Cadmium; (vi) Chromium; (vii) Cooper; (viii) Fluoride; (ix) Iron; (x) Lead; (xi) Manganese; (xii) Mercury; (xiii) PH; (xiv) Selenium; (xv) Silver; (xvi) Sulfates; (xvii) Total dissolved solids; (xviii) Zinc; (xix) Beryllium (analysis required only if plant fuel includes shredded tires); (xx) Total organic carbon (analysis required only if plant fuel includes shredded tires); and (xxi) Additional parameters that may be required to be analyzed at the discretion of the chief.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	(3) Water quality and quantity data sufficient to identify seasonal variations shall be submitted with an application for a permit.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	(4) The results of water quality analyses and measurements prescribed in this rule shall be reported on a form to be provided by the chief.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	(G) Ground water and surface water monitoring plans. The applicant shall prepare and submit ground water and surface water monitoring plans as described in this paragraph.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	Specifically, during the active operational monitoring period, the ground water and surface water monitoring plans as described in paragraphs (G)(1) and (G)(3) of this rule shall be implemented.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	During the five-year post-reclamation monitoring period, the ground water and surface water monitoring plans as described in paragraphs (G)(2) and (G)(4) of this rule shall be implemented.	1514.081	Yes, state law	Yes, state law

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1501:14-6-01	Shall	(1) Ground water monitoring plan during active operation. If the ground water flow conditions, as required by paragraph (E)(1)(f) of this rule, demonstrate that the existing or proposed LMW beneficial use area lies or will lie within the surface mine's cone of depression, the applicant shall submit a ground water monitoring plan that is capable of demonstrating the impact of the LMW on water within the cone of depression during the active operational period.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Require	Additional monitoring may be required if determined to be warranted by the chief.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	The plan shall, at a minimum, include: (a) A sufficient number of observation points to demonstrate that ground water beneath and within the immediate vicinity of the LMW beneficial use area is being captured by the dewatering system for the surface mine; (b) The collection of water level measurements on a quarterly basis, or an alternate schedule that is approved by the chief based upon a suitable justification by the applicant; and...(continued in cell below)	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	...(c) The ground water level information shall be submitted to the chief, in a manner prescribed by the chief, within fifteen days following the end of the quarter in which the ground water levels were measured .	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	(2) Ground water monitoring plan during the post-reclamation period. The application shall include a post-reclamation ground water monitoring plan that is based upon the information required under paragraph (E) of this rule and upon the analysis of all baseline hydrologic, geological and other information in the permit application.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	The plan shall provide for the monitoring of parameters that relate to the suitability of the ground water for current and approved post-mined land uses and for protection of human health and the environment as set forth in this rule.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	The ground water quality monitoring plan shall be maintained a minimum of five years after reclamation.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	(a) At a minimum, the monitoring parameters shall include: (i) Alkalinity; (ii) Chloride; (iii) Lead; (iv) Sulfate; (v) Total dissolved solids; and (vi) Additional parameters that the chief may require to be monitored based upon the waste characterization or leachate analysis and the background sampling of ground water...(continued in cell below)	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	...A comparison of leachate and background results to thirty times primary or secondary maximum contaminant level standards, and other geologic and hydrologic information shall determine the specific ground water quality indicator parameters to be included in the ground water monitoring plan during the post-reclamation period.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	(b) The ground water sampling frequency shall be quarterly.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Require	The chief may require more frequent sampling based on site-specific conditions. The chief may approve less frequent sampling based upon a suitable justification by the applicant.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	(c) The post-reclamation ground water monitoring plan shall also include: (i) A description of and rationale for the monitoring points; (ii) The procedures for collecting representative ground water samples; (iii) The procedures used for the collection of the background water quality data; (iv) A description of how the representative ground water quality will be evaluated to determine the LMW is not causing impacts to human health and the environment; and (v) The quality assurance/quality control procedures to be used to verify that the results are representative of the ground water quality.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	(d) The data resulting from post-reclamation ground water monitoring shall be submitted to the chief, in a manner prescribed by the chief, within fifteen days following the end of the quarter in which the sample was collected and analyzed.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	(e) The five-year post-reclamation monitoring period shall be initiated after the ground water levels have stabilized following the cessation of dewatering activities.	1514.081	Yes, state law	Yes, state law

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1501:14-6-01	Shall	The stabilization of ground water levels shall be determined by collection of water level measurements from the monitoring points used in the operational ground water monitoring plan.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	The operator shall notify the chief, in writing, that the ground water levels have stabilized thirty days prior to implementing the five-year post-reclamation monitoring plan for ground water.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	The bond for the LMW beneficial use area shall be held until the five-year post-reclamation monitoring period has been completed, and the applicant demonstrates water quality will protect human health and the environment.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	(3) Surface water monitoring plan during active operation. (a) The application shall include a surface water monitoring plan based upon the analysis of the hydrologic, geologic and other information in the permit application.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	The plan shall, in accordance with a schedule approved by the chief, provide for the monitoring of parameters that relate to the suitability of the surface water for current and approved post-mined land uses and for protection of human health and the environment as well as the effluent limitations set forth in 40 C.F.R.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	(b) The plan shall identify the surface water quantity and quality parameters to be monitored, sampling frequency and site locations.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	During the period of active operation, samples shall be collected from the sump or the outfall on a quarterly basis.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Require	The chief may require more frequent sampling based on site-specific conditions. The chief may approve less frequent sampling based upon a suitable justification by the applicant.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	The active operational surface water monitoring plan shall describe how the data may be used to determine the impacts upon the hydrologic systems during the active operational monitoring period and the five-year post-reclamation monitoring period.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	The surface water monitoring plan shall include: (i) A description of and rationale for monitoring locations for the active operational monitoring period; (ii) A list of parameters to be monitored during the active operational monitoring period...(additional restrictions in cells below)... (v) A description of how the representative surface water quality data will be evaluated to determine the LMW is not causing impacts to human health and the environment; and (vi) A schedule providing for the data resulting from this monitoring to be submitted to the chief, in a manner prescribed by the chief, within fifteen days following the end of the quarter in which the sample was collected and analyzed .	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	The parameter list shall, at a minimum, include: (a) Alkalinity; (b) Chloride; (c) Lead; (d) Sulfate; and (e) Total dissolved solids;	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	(iii) During active operation, the point source discharge(s) shall be monitored in accordance with 40 C.F.R. parts 122 and 123, and as required by the "National Pollutant Discharge Elimination System" permitting authority;	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	(iv) If the chief determines it is necessary, additional surface water parameters shall be monitored based on a comparison of waste characterization or leachate results to background sampling results, surface water quality standards, and other geologic and hydrologic information to determine the specific water quality parameters to be included in the surface water monitoring plan implemented during the active operational monitoring period and during the five-year post-reclamation monitoring period...(continued in cell below)	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	...If prescribed by the chief, additional monitoring parameters beyond those required in paragraph (G)(3)(b)(ii) of this rule shall be analyzed on a quarterly basis;	1514.081	Yes, state law	Yes, state law

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1501:14-6-01	Shall	(4) Surface water monitoring plan during the post-reclamation monitoring period. (a) The application shall include a post-reclamation monitoring plan based upon the analysis of the hydrologic, geologic, and other information in the permit application.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	The plan shall provide for the monitoring of parameters that relate to the suitability of the surface water for current and approved post-mined land uses and for protection of human health and the environment.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	(b) The plan shall identify the surface water quality parameters to be monitored, sampling locations and frequency.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	The frequency standard shall be quarterly; however the chief may increase the frequency based upon site-specific conditions or decrease the frequency based upon a suitable justification by the applicant.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	The collected data and the surface water monitoring plan shall address potential impacts upon the hydrologic systems during the active operational monitoring period and the five-year post-reclamation monitoring period.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	The surface water monitoring plan shall include: (i) A description of and rationale for monitoring locations for the active operational monitoring period; (ii) A list of parameters to be monitored during the active operational monitoring period...(additional restrictions in cells below)...(v) A description of how the representative surface water quality data will be evaluated to determine the LMW are not causing impacts to human health and the environment;	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	The parameter list shall at a minimum, include: (a) Alkalinity; (b) Chloride; (c) Lead; (d) Sulfate; and (e) Total dissolved solids;	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	(iii) If the chief determines it is necessary, additional surface water parameters shall be monitored based on a comparison of waste characterization or leachate results to background sampling results, surface water quality standards, and other geologic and hydrologic information to determine the specific water quality parameters to be included in the surface water monitoring plan implemented during the active operational monitoring period and the five-year post-reclamation monitoring period.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	If prescribed by the chief, additional monitoring parameters beyond those required in paragraph (G)(4)(b)(ii) of this rule shall be analyzed on a quarterly basis;	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	(iv) For the surface water monitoring plan, the five-year post-reclamation monitoring period shall be initiated after the dewatering activities have ceased and after surface water is in contact with the beneficially used LMW.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	During this monitoring period, the list of additional parameters, if prescribed by the chief, shall be used to evaluate surface water quality;	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	and (vi) The data resulting from this monitoring shall be submitted to the chief, in a manner prescribed by the chief, within fifteen days following the end of the quarter in which the sample was collected and analyzed .	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	(H) Alternative water supply information and corrective action plan. The application shall identify the extent to which the proposed LMW beneficial use may result in contamination of a source of water that is used for domestic or other legitimate use.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	If contamination may result, the description shall contain information on corrective action to be taken, including the suitability of alternative water sources.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	(I) Supplemental information. If the determination of the probable hydrologic impacts indicates that adverse impacts on or off the proposed permit area may occur to the human health or the environment, information supplemental to that required under paragraphs (D) to (F) of this rule shall be provided to evaluate such probable hydrologic impacts and to plan remedial and reclamation activities. Such supplemental information may be based upon drilling, aquifer tests, hydro-geologic analysis of the water-bearing strata, flood flows, or analyses of other water quality or quantity characteristics.	1514.081	Yes, state law	Yes, state law

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1501:14-6-01	Shall	(J) Land-use information. The LMW beneficial use application shall contain a plan of mining and reclamation which describes the proposed land uses within the permit and any LMW beneficial use area proposed to be amended to the permit, including plans for covering and capping the LMW.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	(K) Maps: general requirements. The permit application or amendment application shall include an application map or amendment map prepared by or under the direction of and certified by an engineer or a surveyor or jointly by an engineer and a surveyor, to the extent such joint certification is required by state law.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	The map(s) shall comply with the standards set forth in Chapter 1514. of Revised Code and division 1501:14 of the Administrative Code...(continued in cell below)	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	...and in addition shall contain: (1) The locations of water supply intakes for current users of surface water flowing into, out of, and within one thousand feet beyond the LMW beneficial use permit area, those surface waters which will receive discharges from affected areas in the proposed permit area or amended area, and the locations of any discharges to any surface body of water on or adjacent to the land to be affected...(a further restriction in cell below)...(2) Any land within the proposed permit area or amended area which is within the boundaries of any units of the national system of trails or the wild and scenic rivers system, including study rivers designated under Section 5(a) of the Wild and Scenic Rivers Act or study rivers or study river corridors as established in any guidelines pursuant to that act; (3) The names, locations, and directions of flow of all perennial and intermittent streams within the permit area or amended area and within five hundred feet of the permit area or amended area; (4) The name of the drainage basin in which the permit area or amended area is located as listed in the "Gazetteer of Ohio Streams," published by the Ohio department of natural resources; (5) The drainage control system to include the location of: (a) Each sediment control structure, discharge point and, if applicable, the OEPA pond identification number; (b) Any diversions; and (c) Any treatment facilities; (6) The location or proposed location of LMW incorporated in final reclamation; (7) Elevations and locations of test borings and core samplings; (8) Location and extent of subsurface water, if encountered, within the proposed permit area or amended area; (9) Location of surface water bodies such as streams, lakes, ponds, springs, constructed or natural drains, and irrigation ditches within the proposed permit area or amended area; (10) Location and extent of existing areas of spoil piles, LMW, dams, embankments, other impoundments, and water treatment and air pollution control facilities within the proposed permit area or amended area; (11) The location and start and end points of all submitted cross-sections...(a further restriction in cell below)...(12) Sufficient slope measurements, in degrees, to adequately represent the existing land surface configuration and final land configuration of the proposed permit area or amended area.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Require	(1)(continued)...A greater distance may be required by the chief based upon site-specific factors which result in a determination by the chief that impacts beyond one thousand feet may occur;	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Must	(11)(continued)...At least one transverse cross section and one longitudinal cross section must be provided showing elevation, final profile, saturated zone, drainage away from and reclaimed surface profiles of the LMW beneficial use area;	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	(L) LMW beneficial use operations and reclamation plans. The applicant shall provide maps, plans, cross-sections and a beneficial use narrative.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	The documents shall explain how the LMW will be stored, transported, placed, compacted, sloped, capped, resoiled and planted with a diverse vegetative cover.	1514.081	Yes, state law	Yes, state law
1501:14-6-01	Shall	The documents shall also include the final location within the proposed permit area and amended area.	1514.081	Yes, state law	Yes, state law
1501:14-6-02	May not	(A) LMW may not be applied as a soil additive within one hundred feet of an intermittent or perennial stream or wetland. This distance may be increased for an exceptionally high value stream or wetland.	1514.081	Yes, state law	Yes, state law

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1501:14-6-02	May not	B) LMW may not be placed within five hundred feet upstream of an existing legitimately used surface source intake or within three hundred feet of an existing legitimately used water well supply or within three hundred feet of an existing developed groundwater spring.	1514.081	Yes, state law	Yes, state law
1501:14-6-02	Shall	For a pre-existing LMW site which is closer than these distances on October 8, 2001, the permittee shall provide a demonstration that the lesser distance will not have an adverse impact upon human health or the environment.	1514.081	Yes, state law	Yes, state law
1501:14-6-02	May not	(C) LMW may not be placed within three hundred feet of an occupied dwelling unless the owner provides a written waiver.	1514.081	Yes, state law	Yes, state law
1501:14-6-02	Require	Pre-existing LMW sites which are closer to dwellings than three hundred feet on October 8, 2001, are exempt from this requirement .	1514.081	Yes, state law	Yes, state law
1501:15-1-01	Shall	Standards and criteria shall be used by the division of soil and water conservation to review projects required to control sediment pollution pursuant to any applicable statutory or administrative authority including but not limited to division (K) of section 1511.02 of the Revised Code and Section 319 of the Water Quality Act of 1987.	R.C. 1511.02(E)	Yes, both state and federal law	Yes, both state and federal law
1501:15-1-03	Shall	In order to control sediment pollution of water resources, the owner or person responsible for the development area shall be responsible for developing an erosion and sediment control plan.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-1-03	Shall	The erosion and sediment control plan shall identify potential erosion and sediment pollution problems and describe measures to be taken to control those problems.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-1-03	Must	The erosion and sediment control plan must be submitted to and be approved by the approving agency prior to any earth-disturbing activity on the development area.	R.C. 1511.02€	Yes, state law	Yes, state law
1501:15-1-03	Shall	The following information shall be included in the erosion and sediment control plan: A general project description including the nature and purpose of the earth-disturbing activity; A vicinity sketch locating the development area and all pertinent surrounding features, including water resources; The location of sensitive areas receiving runoff from the development area; The existing and proposed topography; The location and description of existing and proposed drainage patterns and facilities, including any allied drainage facilities beyond the development area; The limits of earth-disturbing activity; The types of soils within or affected by the development area and the location of all highly erodible or unstable soils; Erosion and sediment control practices to be employed on the development area: Their location; and Where applicable, their size, detail drawings,maintenance requirements, and design calculations. Stormwater provisions, including: A general description of the storm water management strategy proposed to meet the requirements of rule 1501:15-1-05 of the Administrative Code; The location and design calculations for all permanent stormwater conveyance, detention, and retention structures; The person or entity responsible for continued maintenance of the stormwater control structure; Maintenance requirements and schedules; and Permanent access and access easements required to perform inspection and maintenance of stormwater control structures and stormwater conveyance systems. The schedule, phasing, and coordination of construction operations and erosion and sediment control practices.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-1-04	Shall	In order to control sediment pollution of water resources the owner or person responsible for the development area shall use conservation planning and practices to maintain the level of conservation established by the following standards.	R.C. 1511.02€	Yes, state law	Yes, state law
1501:15-1-04	Shall	Sediment control practices shall be functional throughout earth-disturbing activity.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-1-04	Shall	Settling facilities, perimeter controls, and other practices intended to trap sediment shall be implemented as the first step of grading and within seven days from the start of grubbing.	R.C. 1511.02(E)	Yes, state law	Yes, state law

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1501:15-1-04	Shall	They shall continue to function until the upslope development area is restabilized.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-1-04	Shall	Denuded areas shall have soil stabilization applied within seven days if they are to remain dormant for more than forty-five days.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-1-04	Shall	Permanent or temporary soil stabilization shall be applied to denuded areas within seven days after final grade is reached on any portion of the site.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-1-04	Shall	Permanent or temporary soil stabilization shall also be applied within seven days to denuded areas which may not be at final grade, but will remain dormant (undisturbed) for longer than forty-five days.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-1-04	Shall	Concentrated stormwater runoff from denuded areas shall pass through a sediment-settling facility.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-1-04	Shall	The facility's storage capacity shall be sixty-seven cubic yards per acre of drainage area.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-1-04	Shall	Sheet flow runoff from denuded areas shall be filtered or diverted to a settling facility.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-1-04	Shall	Sediment barriers such as sediment fence or diversions to settling facilities shall protect adjacent properties and water resources from sediment transported by sheet flow.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-1-04	Shall	All storm sewer inlets which accept water runoff from the development area shall be protected so that sediment-laden water will not enter the storm sewer system without first being filtered or otherwise treated to remove sediment, unless the storm sewer system drains to a settling facility.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-1-04	Shall	Streams including bed and banks shall be restabilized immediately after in-channel work is completed, interrupted, or stopped.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-1-04	Shall	To the extent practicable, construction vehicles shall be kept out of streams.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-1-04	Shall	Where in-channel work is necessary, precautions shall be taken to stabilize the work area during construction to minimize erosion.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-1-04	Shall	If a live (wet) stream must be crossed by construction vehicles regularly during construction, a temporary stream crossing shall be provided.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-1-04	Shall	Measures shall be taken to prevent soil transport onto surfaces where runoff is not checked by sediment controls, or onto public roads.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-1-04	Shall not	No soil, rock, debris, or any other material shall be dumped or placed into a water resource or into such proximity that it may readily slough, slip, or erode into a water resource unless such dumping or placing is authorized by the approving agency, and, when applicable, the U.S. army corps of engineers, for such purposes as, but not limited to, constructing bridges, culverts, and erosion control structures.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-1-04	Shall not	Unstable soils prone to slipping or landsliding shall not be graded, excavated, filled or have loads imposed upon them unless the work is done in accordance with a qualified professional engineer's recommendations to correct, eliminate, or adequately address the problems.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-1-04	Shall	Cut and fill slopes shall be designed and constructed in a manner which will minimize erosion.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-1-04	Shall	Consideration shall be given to the length and steepness of the slope, soil type, upslope drainage area, groundwater conditions, and slope stabilization.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-1-04	Shall	Outfalls and constructed or modified channels shall be designed and constructed to withstand the expected velocity of flow from a post-development, ten-year frequency storm without eroding.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-1-04	Shall	A permanent vegetative cover shall be established on denuded areas not otherwise permanently stabilized.	R.C. 1511.02(E)	Yes, state law	Yes, state law

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1501:15-1-04	Shall not	Permanent vegetation shall not be considered established until ground cover is achieved which, in the opinion of the approving agency, provides adequate cover and is mature enough to control soil erosion satisfactorily and to survive adverse weather conditions.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-1-04	Shall	All temporary erosion and sediment control practices shall be disposed of within thirty days after final site stabilization is achieved or after the temporary practices are no longer needed, unless otherwise authorized by the approving agency.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-1-04	Shall	Trapped sediment shall be permanently stabilized to prevent further erosion.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-1-04	Shall	All temporary and permanent erosion and sediment control practices shall be designed and constructed to minimize maintenance requirements.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-1-04	Shall	Temporary and permanent erosion and sediment control practices shall be maintained and repaired as needed to assure continued performance of their intended function.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-1-04	Shall	The person or entity responsible for the continued maintenance of permanent erosion controls shall be identified to the satisfaction of the plan-approving authority.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-1-04	Shall not	The standards are general guidelines and shall not limit the right of the approving agency to impose additional, more stringent requirements.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-1-04	Shall not	Nor shall the standards limit the right of the approving agency to waive individual requirements.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-1-04	Shall	Erosion and sediment control practices used to satisfy the standards shall meet the specifications in the current edition of "Rainwater and Land Development, Ohio's Standards for Stormwater Management, Land Development and Urban Stream Protection" (department of natural resources, natural resources conservation service and Ohio environmental protection agency), which is available to all Ohio County Soil and Water Conservation Districts.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-1-05	May not	In order to control pollution of public waters by soil sediment from accelerated stream channel erosion and flood plain erosion caused by accelerated stormwater runoff from development areas, the peak rates of runoff from an area after development may be no greater than the peak rates of runoff from the same area before development for all twenty-four-hour storms from one- to one-hundred-year frequency.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-1-05	Shall	If the volume of runoff from an area after development will be greater than the volume of runoff from the same area before development, it shall be compensated by reducing the peak rate of runoff from the critical storm and all more-frequent storms occurring on the development area to the peak rate of runoff from a one-year frequency, twenty-four-hour storm occurring on the same area under predevelopment conditions.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-1-05	Shall	Storms of less-frequent occurrence (longer return periods) than the critical storm up to the one-hundred-year storm shall have peak runoff rates no greater than the peak runoff rates from equivalent size storms under predevelopment conditions.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-1-06	Shall	The chief, in cooperation with the local districts, the "Ohio Municipal League," the "County Commissioners Association of Ohio," and "County Engineers Association of Ohio," shall inform counties, townships, municipal corporations, and planning and management agencies of the state standards related to sediment pollution control.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-1-06	Shall	The chief shall provide model sediment pollution control regulations and guidance in the development, adoption and implementation of sediment pollution control programs to municipal corporations, counties or other units of government.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-1-06	Shall	The chief shall take various actions as outlined in subsections (1)-(6)	R.C. 1511.02(E)	Yes, state law	Yes, state law

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1501:15-2-01	Shall	Public notice of hearings to be conducted by the division of soil and water conservation, department of natural resources shall be advertised in the register of Ohio.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-2-01	Shall	Notice shall be given at least thirty days, but not more than sixty days, prior to the hearing.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-2-01	Shall	The notice shall state the division's intention to consider adopting, amending or rescinding a rule.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-2-01	Shall	The notice shall include a synopsis or full text of the proposed rule, amendment, or rule to be rescinded or a general statement of the subject matter to which such proposed rule relates.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-2-01	Shall	The notice shall enumerate the date, time and place of the hearing on the proposed action.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-2-01	Shall	The notice shall also state the place from which copies of the proposed rule, amendment or rule to be rescinded may be obtained.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-01	Shall	Technical determinations by a district or the chief shall be considered prima facie evidence of agricultural pollution.	R.C. 1511.02(E)	No, general rulemaking authority	No, general rulemaking authority
1501:15-5-02	Shall	Each owner, operator or person responsible for an animal feeding operation shall operate and maintain animal manure collection, storage, or treatment facilities so that overflow or discharge into waters of the state is prevented.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-02	Shall	Animal feeding operations found by the chief or the chief's designee to have failed to implement best management practices (BMPs) for animal manure collection, storage, or treatment facilities and have caused pollution to waters of the state shall develop, obtain approval, and implement modifications to facilities and operations according to the "Field Office Technical Guide" or other methods approved by the chief or the chief's designee.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-02	Shall	Overflow or discharge occurring due to some infrequent storm event or other condition beyond the control of such person shall not indicate non-compliance with this provision if the planned or prescribed management system is followed.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-03	Shall	Each owner, operator or person responsible for an animal feeding operation shall design, construct, operate and maintain the operation to prevent seepage from animal manure management facilities fom entering waters of the state.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-03	Shall	Geologic investigations shall be made prior to design and construction of all earthen holding ponds and lagoons to identify the potential for pollution of waters of the state.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-03	Shall	Animal feeding operations found by the chief or the chief's designee to have failed to implement best management practices (BMPs) and have caused pollution to waters of the state shall develop, obtain approval, and implement modifications to animal manure management facilities according to the "Field Office Technical Guide" or other methods approved by the chief or the chief's designee.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-04	Shall	Each owner, operator or person responsible for an animal feeding operation shall prevent pollution from discharge of manure contaminated runoff from animal feedlots and animal manure management facilities.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-04	Shall	Animal feeding operations found by the chief or the chief's designee to have failed to implement best management practices (BMPs) to prevent manure contaminated runoff from feedlots and animal manure management facilities and have caused pollution of waters of the state shall design, construct, operate, and maintain practices to prevent runoff (from feedlots and manure management facilities), according to the "Field Office Technical Guide" or other methods approved by the chief or the chief's designee.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-05	Shall	Each owner, operator, animal manure applicator, or person responsible for land application of manure from an animal feeding operation shall minimize pollution from occurring on land application areas by following the standards in the "Field Office Technical Guide," or other appropriate methods or management practices approved by the chief or his or her designee.	R.C. 1511.02(E)	Yes, state law	Yes, state law

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1501:15-5-05	Shall	In order to minimize the potential for pollution the following items shall be considered, including but not limited to: characteristics of the animal manure, available land, topography, cropping system, method of application, weather, time of the year, condition of the soil, other nutrients applied, and nutrient status of the soil.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-05	Shall	In watersheds in distress, each owner, operator, animal manure applicator, or person responsible for land application of manure, beginning two years after designation of a watershed in distress by the chief: Shall not apply manure between December fifteenth and March first without prior approval for each application from chief or his or her designee.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-05	Shall	Before December fifteenth and after March first shall not surface apply manure on frozen ground or ground covered in more than one inch of snow.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-05	Must	Plans for any land application of snowpack manure must be incorporated into an approved nutrient management plan or each application shall be submitted for approval by the chief or his or her designee.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-05	Shall	Shall keep records of manure storage volumes and ensure a minimum manure storage capacity of one hundred and twenty days on December first of each year.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-05	Shall	Shall not surface apply manure if the local weather forecast for the land application area contains a greater than fifty per cent chance of precipitation exceeding one-half inch for a period extending twentyfour hours after the projected start of the land application of manure.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-05	Shall	Records of the local weather forecast shall be kept and made available upon request by the chief or the chief's designee.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-05	Shall	Upon designation by the chief of any watershed as distressed, each owner, operator, animal manure applicator, or person responsible for land application of manure shall minimize pollution from occurring from land application areas by following applicable standards in the "Field Office Technical Guide," or other appropriate methods or management practices approved by the chief or the chief's designee.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-06	Shall	Each owner, operator, animal manure applicator or person responsible shall prevent pollution from waste waters including, but not limited to, milking facility waste waters and silage drainage.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-06	Shall	Animal feeding operations found by the chief or the chief's designee to have failed to implement best management practices (BMPs) to prevent waste water runoff and have caused pollution to waters of the state shall design, construct, operate, and maintain such facilities in accordance with the criteria in the "Field Office Technical Guide" or other methods approved by the chief or his or her designee.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-07	Shall	Each owner, operator, or person responsible for an animal feeding operation shall prevent pollution caused from flooding of animal feeding operations.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-07	Shall not	Animal feeding operations shall not be constructed such that animal manure will be inundated by the twenty-five-year frequency flood.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-07	Shall	If the twenty-five year frequency flood elevation is not readily known, it shall be based on the best information available or by determining the water elevation associated with the twenty-five year frequency, twenty-four hour duration rainfall event.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-08	Shall	Each owner, operator, or person responsible for agricultural or silvicultural operations shall prevent pollution caused by sheet and rill erosion.	R.C. 1511.02(E)	Yes, state law	Yes, state law

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1501:15-5-08	Shall	Agricultural and silvicultural operations found by the chief or the chief's designee to have failed to implement best management practices (BMPs) to prevent sheet and rill erosion and have caused pollution to waters of the state shall apply and maintain conservation practices such that the predicted soil loss from sheet and rill erosion under current and planned cropping and management conditions, as predicted in the "Field Office Technical Guide," when combined with the predicted soil loss from wind erosion (if applicable) as determined under rule 1501:15-5-10 of the Administrative Code, is equal to or less than permissible soil loss values (soil loss tolerance "T" factors) related to the specific soil series as specified in the "Field Office Technical Guide."	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-09	Shall	Each owner, operator, or person responsible for agricultural and silvicultural operations shall prevent pollution caused by gully erosion.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-09	Shall	Agricultural and silvicultural operations found by the chief or the chief's designee to have failed to implement best management practices (BMPs) to prevent gully erosion and have caused pollution to waters of the state shall apply and maintain BMPs such that the velocity of flow does not exceed the permissible velocities listed in the "Field Office Technical Guide."	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-10	Shall	Each owner, operator, or person responsible for agricultural and silvicultural operations shall prevent pollution caused by wind erosion.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-10	Shall	Agricultural and silvicultural operations found by the chief or the chief's designee to have failed to implement best management practices (BMPs) to prevent wind erosion and have caused pollution to waters of the state shall apply and maintain BMPs such that the predicted soil loss from wind erosion, under a given set of cropping and management conditions is equal to or less than "T" as predicted by the "Field Office Technical Guide."	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-11	Shall	Each owner, operator, or person responsible for agricultural and silvicultural operations shall prevent pollution caused by placing soil directly into or in such a position that it may readily erode or slough into waters of the state.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-11	Shall	Agricultural and silvicultural operations found by the chief or the chief's designee to have failed to implement best management practices (BMPs) to prevent sloughing of soil and have caused pollution to waters of the state shall apply and maintain BMPs to prevent soil sloughing from occurring.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-11	Shall not	Agricultural and silvicultural operations shall not use earth disturbing practices, including tillage, immediately adjacent to waters of the state such that the disturbed soil is placed or may readily erode or slough into waters of the state, except for those practices constructed or implemented in accordance with generally accepted agricultural, silvicultural and engineering practices.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-12	Shall	Each owner, operator, or person responsible for a silvicultural operation shall prevent pollution caused by wind or water erosion.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-12	Shall	Silvicultural operations shall apply conservation practices in accordance with "BMPs For Erosion Control For Logging Practices in Ohio", which are available to all Ohio County Soil and Water Conservation Districts, or other appropriate methods or management practices approved by the chief or the chief's designee.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-13	Must	Best management practices specified as eligible for cost sharing must require expenditures that are likely to exceed the economic returns to the owner or operator.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-13	Must	Surface mined lands and oil and gas well drilling areas must have been reclaimed and be in active agricultural production or silvicultural uses as determined by the chief or the chief's designee in order to be eligible for cost sharing on needed conservation practices.	R.C. 1511.02(E)	Yes, state law	Yes, state law

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1501:15-5-13	Shall	The chief, subject to approval of the Ohio soil and water conservation commission, shall determine best management practices eligible for cost sharing, percentage rates of cost sharing for each best management practice and the maximum amount of cost sharing for each best management practice up to a maximum of thirty thousand dollars.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-13	Must	All practices must meet the standards and specifications listed in the "Field Office Technical Guide", or other methods approved by the chief or the chief's designee.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-13	Shall	Cost-share grants shall be based upon the estimated cost of the least expensive acceptable practice.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-13	Shall	Design, construction and operation and management plans shall be submitted to the chief or the chief's designee for approval prior to implementation.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-13	Shall	The chief or the chief's designee shall inspect practice installation.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-13	Shall	Once a project has an approved cost-share application and installation is approved by the chief or the chief's designee, cost-share payment shall be granted.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-13	Must	Applicants for cost sharing must agree to care for, manage, and maintain such practices for their useful life as noted in the cost-share agreement.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-13	Shall	Failure to care for, manage, and maintain the practices shall obligate the owner or operator to full repayment to the division.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-13	Shall	If the land on which best management practices have been established with cost-share monies is sold, the new owner shall be responsible for maintaining the practices in good operating condition for their remaining useful life.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-13	Shall	The chief or the chief's designee shall inform the new owner of the responsibility to maintain and operate cost-shared practices.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-13	Shall	The chief or the chief's designee shall monitor the management and maintenance of best management practices established with cost-share monies.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-13	Shall	Any failure to manage or maintain such practices, or conversion of such land to other uses than an agricultural production or silvicultural operation, shall immediately be reported to the division thereby subjecting a person to recovery of cost-share monies in accordance with paragraphs (D)(3)(a), (D)(3)(b) and (D)(3)(c) of this rule.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-13	Shall	Upon discovery by the chief or the chief's designee, pursuant to paragraph (D)(3)(d) of this rule, the chief, after any necessary investigation determines that recovery of state costshare funds is warranted, shall proceed to recover the cost-share monies pursuant to section 131.02 of the Revised Code, or other appropriate means.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-14	Shall	Cooperative Agreements: Such agreements shall spell out the responsibilities of both parties with respect to program implementation, administration and accounting, evaluation, recording accomplishments, quality control, and maintenance in obtaining compliance with rules and orders of the chief pertaining to agricultural pollution abatement.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-14	Shall	The terms of such agreements shall be subject to approval by the Ohio soil and water conservation commission.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-15	Shall	The district shall approve or disapprove operation and management plans at their regularly scheduled board meetings.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-15	Shall	The district shall maintain a record of their actions as part of their meeting minutes.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-15	Shall	Approved plans shall be signed by the chairman.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-15	Shall	All plans shall meet the standards for agricultural pollution abatement contained in rules 1501:15-5-02 to 1501:15-5-12, 1501:15-18, and 1501:15-5-19 of the Administrative Code.	R.C. 1511.02(E)	Yes, state law	Yes, state law

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1501:15-5-15	Shall	Any portion of an operation and management plan specifying control of agricultural pollution shall allow the owner or operator to phase in installation of conservation practices under a schedule approved by the chief or the chief's designee until compliance with rules 1501:15-5-02 to 1501:15-16 and 1501:15-5-18 to 1501:15-5-19 of the Administrative Code is accomplished.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-15	Shall	If the chief or the chief's designee determines that any person owning or responsible for an agricultural production or silvicultural operation is managing such operation in accordance with an operation and management plan currently approved by the chief or the chief's designee, the person shall be considered in compliance with the state rules for agricultural pollution abatement.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-15	Shall	In the event that the district finds that an operation and management plan does not meet agricultural pollution abatement standards as contained in these rules, the district shall provide a written explanation, by certified mail listing all the deficiencies to be corrected, to the person who submitted the plan.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-15	Shall	Upon such appeal, the chief shall review the plan for compliance with these standards, and uphold the district's action or reverse it.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-15	Shall	If the chief reverses the district's action the plan shall be deemed approved.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-15	Shall	In either case, the chief shall make such determination within thirty days of receiving the appeal.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-15	Shall	The chief shall inform the owner or operator and the district of his decision in writing.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-15	Shall	Such notification shall include the reasons for the chief's decision.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-15	Shall	In the event that any person operating or owning an agricultural production or silvicultural operation in accordance with an approved operation and management plan who, in good faith, is following that plan, causes agricultural pollution, the plan shall be revised in a manner necessary to mitigate the agricultural pollution, as determined and approved by the district board.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-15	Shall	The district shall provide the chief a copy of any complaint received.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-15	Shall	The district also shall inform the division of the disposition of the complaint and provide relevant information concerning the agricultural production or silvicultural operation.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-15	Shall	The district chief or his or her designee shall gather information pertinent to the alleged violation.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-15	Shall	When the division finds an apparent problem of agricultural pollution through its own observation, through notification by another agency, or through a complaint from a person, the division may investigate the complaint and shall inform the appropriate district of: (a)The location and nature of the problem; (b)The location and description of the agricultural production or silvicultural operation alleged to be causing the pollution problem; (c)The nature and extent of damage; (d)Any assistance needed from the district.	R.C. 1511.02(E)	Yes, state law	Yes, state law

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1501:15-5-15	Shall	In order to determine if there is a violation of the rules for agricultural pollution, such investigation by the division shall include but need not be limited to the following: (a)Identification of property boundaries, streams, water courses, wetlands, ponds, lakes, water wells, the general topography, and the general storm water runoff pattern if applicable, including roof water; (b)For animal manure pollution: identification of the number and kind of animals in the feeding operation, the size and slope of the feedlot, the method of handling animal manure, and the overall manure management system including disposal system; for sediment pollution: estimation of average annual rates of soil erosion based on soil type, present land use, and cropping and management practices; (c)Determination of soil types and need for additional geologic study if applicable to determine potential ground water pollution; (d)Observation and documentation of the nature and extent of existing or potential pollution damage; documentation may include photographs, video recording, physical measurements, onsite chemical analysis and water, sediment or manure samples for lab analysis consistent with appropriate sampling procedures and nutrient status of the soil; (e)Determination of suitability and availability of land for application of animal manure, crops grown on the land, tillage practices used, and average crop yields; (f)Contacts with the operator, complainant, cooperating agencies contacted, dates and times of investigations shall be recorded and kept on file along with a copy of the complaint. Copies of all information shall be made available to the district.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-15	Shall	Owner, operator, or person responsible interested in voluntary, cooperative solution. If the investigative report indicates that a violation of the rules for agricultural pollution abatement exists and the landowner or operator is interested and willing to seek a corrective solution, the division shall: (a)Offer information and technical assistance for developing and evaluating alternative solutions; (b)Provide information on financial assistance available; (c)Offer to develop an operation and management plan which complies with the rules for agricultural pollution abatement; and (d)Secure district or chief approval of the operation and management plan to provide assurance that the operation is considered in compliance with the rules for agricultural pollution abatement.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-15	Shall	The division representative shall inform the district board of supervisors and the chief of the facts established by the investigative report, the succeeding action followed to seek compliance with the rules, and the action or inaction taken by the owner or operator.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-15	Shall	If the owner or operator has failed to implement the corrective actions in the time specified, the chief shall then decide if an order shall be issued.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-15	Shall	Upon receipt of the complaint the district shall give priority to conducting an investigation.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-15	Shall	If the district determines it is unable to initiate an investigation within three business days, the division shall be notified immediately.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-15	Shall	The chief or the chief's designee shall initiate an investigation of the complaint within three business days of notification by the district.	R.C. 1511.02(E)	Yes, state law	Yes, state law

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1501:15-5-15	Shall	In order to determine if there is a violation of the rules for agricultural pollution, such investigation shall include but need not be limited to the following: (a)Identification of property boundaries, streams, water courses, wetlands, ponds, lakes, water wells, the general topography, and the general storm water runoff pattern if applicable, including roof water; (b)For animal manure pollution: identification of the number and kind of animals in the feeding operation, the size and slope of the feedlot, the method of handling animal manure, and the overall manure management scheme including disposal system; for sediment pollution: estimation of average annual rates of soil erosion based on soil type, present land use, and cropping and management practices; (c)Determination of soil types and need for additional geologic study if applicable to determine potential ground water pollution of aquifer; (d)Observations and documentation of the nature and extent of existing or potential pollution damage; documentation may include photographs, video recordings, physical measurements, onsite chemical analysis and water, sediment or manure samples for lab analysis consistent with appropriate sampling procedures and nutrient status of the soil; (e)Determination of suitability and availability of land for application of animal manure, crops grown on the land, tillage practices used, and average crop yields; (f)Contacts with the owner, operator, person responsible, complainant, cooperating agencies contacted, dates and times of investigations shall be recorded and placed in a cooperator file or other appropriate district file. A copy of the complaint and other relevant information shall be placed in the same file.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-15	Shall	A copy of the complaint and other relevant information shall be placed in the same file.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-15	Shall	If the investigative report indicates that a violation of the rules for agricultural pollution abatement exists and the landowner or operator is interested and willing to seek a corrective solution, the district representative shall: (a)Offer information and technical assistance for developing and evaluating alternative solutions; (b)Provide information on financial assistance available; (c)Offer to develop an operation and management plan which complies with the rules for agricultural pollution abatement; (d)Secure district approval of the operation and management plan to provide assurance that the operation is considered in compliance with the rules for agricultural pollution abatement; and (e)Inform the owner, operator, or person responsible that if a corrective solution is not implemented within six months of the investigation, the district and the division will review the complaint and determine if adequate progress has been made towards a solution. If adequate progress is not made then the division will request that the district refer the complaint to the division for resolution or possible further enforcement action.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-15	Shall	The district representative shall inform the district board of supervisors and the division of the facts established by the investigative report, the succeeding action followed to seek compliance with the rules, and the action or inaction taken by the owner or operator.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-16	Shall	When the chief or the chief's designee investigates a complaint and the owner, operator, or person responsible fails to implement a corrective action in accordance with paragraph (C)(6) or (D)(5) of rule 1501:15-5-15 of the Administrative Code, the chief or the chief's designee shall decide if an order will be issued.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-16	Shall	When the chief decides that an order shall be issued, he shall issue an order and afford each person allegedly liable an adjudication hearing pursuant to Chapter 119. of the Revised Code.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-16	Shall	The chief shall sustain the order if deemed appropriate after each person allegedly liable has had a hearing or has waived his right to a hearing.	R.C. 1511.02(E)	Yes, state law	Yes, state law

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1501:15-5-16	Shall	Each order shall be issued in writing and contain a finding by the chief of the facts upon which the order is based and the rule that is being violated.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-16	Shall	The order shall also specify the time period for correcting the problem, indicate what, if any, technical and financial assistance is available, and indicate what action will follow if the violation is not corrected.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-16	Shall	The attorney general of the State of Ohio, upon the written request of the chief, shall bring appropriate legal action in Franklin county against any person who fails to comply with an order of the chief issued pursuant to paragraph (A)(1) of this rule.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-16	Shall	Prior to issuing an emergency order, the chief shall: (i)Determine the extent of danger to public health which may include consultation with local health departments; (ii)Determine that paragraphs (A) and (B) of this rule will not adequately protect public health and natural resources; (iii)Encourage the owner or operator causing the pollution to correct the problem voluntarily.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-16	Shall	Following receipt of the emergency order, the owner or operator shall comply with the order by stopping the pollution and removing the pollutants endangering public health.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-16	Shall	Such hearing shall be conducted as soon as possible, but not later than twenty days following application.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-16	Shall	The application shall be in writing and include the following information: (i)The probable cause of the suspected public health threat; (ii)The date when the suspected pollution started; (iii)Business or home address and phone number where the owner, operator or representative can be reached during business hours to schedule a hearing; (iv) Be signed by the owner or operator of the agricultural operation or business and dated.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-16	Shall	On the basis of the hearing, the chief or designee shall continue, revoke or modify the order.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-16	Shall	Reimbursed costs shall be deposited into the agricultural pollution abatement fund and used as specified in rule 1501:15-5-16 of the Administrative Code.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-16	Shall	The chief shall keep accurate records of all costs to abate the agricultural or silvicultural pollution including personnel, equipment, and disposal.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-16	Shall	No emergency order shall remain in effect for more than sixty days after its issuance.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-16	Shall	Funds deposited in the agricultural pollution abatement fund authorized under section 1511.071 of the Revised Code shall be used for paying the costs for emergency agricultural pollution abatement actions.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-17	Shall	Terms of [grant] agreements shall be approved by the Ohio soil and water conservation commission.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-18	Shall	Each owner, operator or person responsible for an animal feeding operation shall prevent pollution caused by composting of animal mortality.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-18	Shall	Animal feeding operations found by the chief or the chief's designee, which have failed to implement best management practices (BMPs) for composting animal mortality shall use the appropriate method, technique, or practice of composting as established in the "Field Office Technical Guide," or other such standard as approved by the chief or the the chief's designee.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-18	Shall	The owner or operator of any existing or planned animal feeding operation, or owner of animals raised by an owner or operator of an animal feeding operation wishing to conduct composting of animal mortality resulting from the operation shall participate in an educational course concerning composting conducted by the Ohio state university extension service and obtain a certificate of course completion.	R.C. 1511.02(E)	Yes, state law	Yes, state law

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1501:15-5-19	Shall	Each owner, operator, or person responsible for producing, applying, or receiving in excess of three hundred fifty tons and/or one hundred thousand gallons of manure on an annual basis in watersheds in distress shall develop and operate in conformance with a nutrient management plan that addresses the methods, amount, form, placement, cropping system and timing of all nutrient applications.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-19	Shall	Nutrient management plans shall be submitted to and approved by the chief or the chief's designee.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-19	Shall	The chief or the chief's designee shall review and approve or disapprove nutrient management plans.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-19	Shall	Nutrient management plans shall be in the form of the Ohio nutrient management workbook, USDA natural resources conservation service comprehensive nutrient management plan (CNMP), or an equivalent document approved by the chief or the chief's designee.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-19	Shall	Nutrient management plans shall contain the following information: (1)Land application area's soil tests conducted in accordance with the "Field Office Technical Guide" and that are no older than three years; (2)Annual manure analysis that is representative of the manure being applied; (3)Spreading agreements for all land used for manure application not under control of the party responsible for the nutrient management plan; (4)The number, weight, and kind of all animals; (5)Total annual volume of manure produced; (6)Method and seasonal time of utilization and application that recognizes a prohibition on manure application from December fifteenth to March first; (7)Planned manure application rates; (8)Other nutrients applied, including but not limited to manufactured fertilizer, sewage sludge, and biodigester residue; (9)Field information including, but not limited to: location, spreadable acreage, crops grown, and actual and projected yields; (10)Type of manure storage and capacity; (11)Emergency contact information in case of a spill.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-19	Shall	Each land application area receiving manure shall be assessed with the Ohio nitrogen leaching risk assessment procedure and the phosphorus index and the soil test risk assessment procedure for phosphorus as necessary and provided for in the field office technical guide.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-19	Shall	Manure application rates and setback distances shall be based on the most limiting factor of these risk assessment procedures, other criteria outlined in the "Field Office Technical Guide," or by other methods approved by the chief.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-19	Shall	Operating records including manure nutrient application, weather forecasts, manure and soil analysis, and manure storage volumes shall be kept a minimum of five years by the owner, operator, or person responsible.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-19	Shall	Operating records shall be made available for review by the chief or the chief's designee with a minimum of twenty-four hours notice.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-19	Shall	The chief or the chief's designee shall visit the animal feeding operation and review records a minimum of once every three years and provide a report of the findings to the soil and water conservation district board of supervisors and the division.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-19	Shall	After plan approval, nutrient management plans shall be updated as conditions change.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-19	Shall	Nutrient management plans shall be submitted a minimum of once every three years to the soil and water conservation district board of supervisors or the chief for approval.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-19	Shall	This plan shall be updated prior to any expansion in the number of agricultural animals by more than ten per cent.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-19	Must	For new animal feeding operations located in watersheds in distress, plans must be submitted and approved prior to any initiation of construction of a new facility.	R.C. 1511.02(E)	Yes, state law	Yes, state law

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1501:15-5-20	Shall	Prior to proposing to designate a watershed in distress, the chief shall prepare and issue a report documenting the factors in the watershed relating to the items in paragraph (A) of this rule.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:15-5-20	Shall	No designation of a watershed in distress shall be issued until the Ohio soil and water conservation commission consents by a majority vote to a proposed designation.	R.C. 1511.02(E)	Yes, state law	Yes, state law
1501:17-1-05	Shall	No person or persons shall conduct any public meeting or event upon the lands or waters owned or administered by the division without first obtaining a permit from the chief of the division upon application made not less than thirty days prior to the day of the proposed meeting or event.	1517.02	Yes, state law	Yes, state law
1501:17-1-05	Shall	(B) A permit shall not be granted if it is determined by the chief that the specified meeting or event has a reasonable probability of having any of the following effects: (1) Interfers with normal area usage, or (2) Endangers the environment, or (3) Creates great risk of physical harm to the public present in the area, or (4) Violates the articles of dedication.	1517.02	Yes, state law	Yes, state law
1501:17-1-05	Shall	(B) A permit shall not be granted if it is determined by the chief that the specified meeting or event has a reasonable probability of having any of the following effects:(1) Interfers with normal area usage, or (2) Endangers the environment, or (3) Creates great risk of physical harm to the public present in the area, or (4) Violates the articles of dedication.	1517.02	Yes, state law	Yes, state law
1501:17-1-05	Shall	(B) A permit shall not be granted if it is determined by the chief that the specified meeting or event has a reasonable probability of having any of the following effects:(1) Interfers with normal area usage, or (2) Endangers the environment, or (3) Creates great risk of physical harm to the public present in the area, or (4) Violates the articles of dedication.	1517.02	Yes, state law	Yes, state law
1501:17-1-05	Shall	(B) A permit shall not be granted if it is determined by the chief that the specified meeting or event has a reasonable probability of having any of the following effects:(1) Interfers with normal area usage, or (2) Endangers the environment, or (3) Creates great risk of physical harm to the public present in the area, or (4) Violates the articles of dedication.	1517.02	Yes, state law	Yes, state law
1501:17-3-02	Shall not	No person shall collect, remove, injure, deface, destroy or otherwise disturb ice, soil, sand, gravel, rocks, fossils, minerals, plants, plant materials, animals or any other substance within any nature preserve or natural area under the supervision and control of the department or its designated custodian except as provided in this rule and in rule 1501:17-3-04 of the Administrative Code	1517.02	No, general rulemaking authority	No, general rulemaking authority
1501:17-3-02	Shall	A permit shall be valid not to exceed one year, but may be renewed at the discretion of the chief.	1517.02	No, general rulemaking authority	No, general rulemaking authority
1501:17-3-02	Shall	The permit shall be displayed to any person upon request.	1517.02	No, general rulemaking authority	No, general rulemaking authority
1501:17-3-03	Shall not	No person shall introduce or bring any plant or animal or their reproductive bodies into any nature preserve, scenic river land or natural area without written permission of the chief of the division or his appointed agent.	1517.02	No, general rulemaking authority	No, general rulemaking authority
1501:17-3-03	Shall not	No person shall place or scatter salt, grain, feed or other substance capable of luring, enticing or attracting wild animals and birds on any nature preserve, scenic river land or natural area.	1517.02	No, general rulemaking authority	No, general rulemaking authority

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1501:17-3-04	Shall not	No person shall hunt, pursue, trap, catch or attempt to hunt, pursue, trap or catch any wild animals or fish on any lands or in waters within a nature preserve or natural area under the supervision and control of the department or its designated custodian, except in designated areas, provided for in the articles of dedication, deed, legal binding agreement or in designated management hunts conducted by the division, with written permission from the chief of the division, and provided such is done in accordance with the provision of the Revised Code and wildlife orders then in effect.	1517.02	No, general rulemaking authority	No, general rulemaking authority
1501:17-3-04	Shall not	No person shall enter a drawing for a special hunt until they exhibit a valid Ohio hunting license.	1517.02	No, general rulemaking authority	No, general rulemaking authority
1501:17-3-05	Shall not	(A) No person unless authorized by law shall possess or use firearms of any description, air pistol or rifle, slingshot, paint-ball gun or missile-throwing device within any nature preserve, scenic river land or natural area.	1517.02	No, general rulemaking authority	No, general rulemaking authority
1501:17-3-05	Shall not	(B) No person shall possess or use fireworks or any type of explosive as defined by the Ohio Revised Code on any nature preserve, scenic river land or natural area.	1517.02	No, general rulemaking authority	No, general rulemaking authority
1501:17-5-01	Shall not	(A) No person shall regardless of intent import, dump or deposit rubbish, garbage, refuse, debris of any kind, offal or carcass of an animal, within any nature preserve, natural area or scenic river land.d	1517.02	No, general rulemaking authority	No, general rulemaking authority
1501:17-5-02	Shall not	No person shall kindle or use a fire in any nature preserve, scenic river land or natural area.	1517.02	No, general rulemaking authority	No, general rulemaking authority
1501:17-5-04	Shall not	No person shall bring any animal or pet into any nature preserve or natural area.	1517.02	No, general rulemaking authority	No, general rulemaking authority
1501:17-5-04	Shall not	Any person who is the owner or handler of any pet, except hunting dogs engaged in legal hunting, shall keep said pet on a leash, not to exceed six feet in length from hand to pet, in hand and under control while such pet is within an area where pets are permitted.	1517.02	No, general rulemaking authority	No, general rulemaking authority
1501:17-5-04	Shall	When a pet defecates within a nature preserve or natural area the owner or handler shall collect the pet excrement and remove it from the area.	1517.02	No, general rulemaking authority	No, general rulemaking authority
1501:17-5-05	Shall not	No person shall erect or post any placard, sign, notice, poster, or billboard within any nature preserve, scenic river land or natural area without written permission of the chief of the division or his appointed agent.	1517.02	No, general rulemaking authority	No, general rulemaking authority
1501:17-5-06	Shall not	No person shall solicit alms or contributions for any purpose, whether public or private, in any area owned or administered by the division.	1517.02	No, general rulemaking authority	No, general rulemaking authority
1501:17-5-06	Shall not	No person shall, rent, sell, solicit or offer for sale, have in his possession with the intent to rent or sell, or expose for rent or sale any item or service in any nature preserve, scenic river land or natural area under the supervision and control of the department or its designated custodian except by written permission of the chief of the division.	1517.02	No, general rulemaking authority	No, general rulemaking authority
1501:17-5-07	Shall not	No person shall herd, graze, drive or permit to run at large within any nature preserve, scenic river land or natural area, any animal including but not limited to cattle, horse, mule, donkey, goat, swine, sheep, or fowl except as provided in rule 1501:17-5-04 of the Administrative Code.	1517.02	No, general rulemaking authority	No, general rulemaking authority
1501:17-5-08	Shall not	No person shall obstruct or impede pedestrian or vehicular access to, from, or within a nature preserve, scenic river land or natural area.	1517.02	No, general rulemaking authority	No, general rulemaking authority
1501:17-5-09	Shall not	No person shall swim or wade in any pond, lake, stream, or any other body of water within the confines of any nature preserve, scenic river land or natural area, or swim or dive to enter other public waters from any nature preserve, scenic river land or natural area.	1517.02	No, general rulemaking authority	No, general rulemaking authority
1501:17-5-10	Shall not	No person shall embark or disembark from any watercraft within the confines of any nature preserve, scenic river land or natural area, except in areas provided for such use.	1517.02	No, general rulemaking authority	No, general rulemaking authority

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1501:17-5-10	Prohibit	Boating shall be prohibited on any lake, pond or other body of water whose entirety is within the confines of any nature preserve or natural area, unless written permission is obtained from the chief of the division or his appointed agent or is otherwise permitted in the articles of dedication.	1517.02	No, general rulemaking authority	No, general rulemaking authority
1501:17-5-10	Shall not	No person shall operate a vessel at greater than idle speed or create a wake on the Licking River within the confines of Blackhand gorge state nature preserve from the Toboso road bridge (county road 273) upstream to the confluence of Brushy Fork creek and the Licking river.	1517.02	No, general rulemaking authority	No, general rulemaking authority
1501:17-5-11	Shall not	No person shall engage in any rappelling or climbing activity either with or without specialized gear for such activity within the confines of any nature preserve, scenic river land or natural area.	1517.02	No, general rulemaking authority	No, general rulemaking authority
1501:17-5-12	Shall not	No person shall throw, toss, drop, or propel, or cause, directly or indirectly, the throwing, tossing, dropping or propelling of any object over or off any precipice, bridge, observation tower or other similar structure or natural formation within the confines of any nature preserve, scenic river land or natural area	1517.02	No, general rulemaking authority	No, general rulemaking authority
1501:17-7-01	Shall not	No person shall picnic on any lands or waters within any nature preserve, scenic river land or natural area except in the immediate parking area.	1517.02	No, general rulemaking authority	No, general rulemaking authority
1501:17-7-02	Shall not	No person shall camp or stay overnight within any nature preserve, scenic river land or natural area.	1517.02	No, general rulemaking authority	No, general rulemaking authority
1501:17-9-01	Shall not	No person shall operate any vehicle on the roads within any nature preserve, scenic river land or natural area in excess of twenty miles per hour, except when otherwise posted with traffic signs by the department.	1517.02	No, general rulemaking authority	No, general rulemaking authority
1501:17-9-01	Shall	It shall be unlawful for any person to commit any act by use or operation of any vehicle on any nature preserve, scenic river land or natural area which if act committed on a public highway or street in the state of Ohio would be prohibited and unlawful.	1517.02	No, general rulemaking authority	No, general rulemaking authority
1501:17-9-02	Shall not	No person shall operate a vehicle or bicycle within any nature preserve, scenic river land or natural area except over and upon roads, streets, driveways or parking lots which are designated or posted for such purposes.	1517.02	No, general rulemaking authority	No, general rulemaking authority
1501:17-9-02	Shall not	No person shall drive around any barrier or gate which is across a road or trail not shall they operate a motor vehicle or bicycle upon such barricaded or close facility.	1517.02	No, general rulemaking authority	No, general rulemaking authority
1501:17-9-02	Prohibit	The following vehicles will be prohibited from use in any nature preserve, scenic river land or natural area: in line skates, street luges, roller skates and skateboards.	1517.02	No, general rulemaking authority	No, general rulemaking authority
1501:17-9-03	Shall not	No person shall ride, drive, lead, or keep a saddle horse or other animal used for locomotion in any nature preserve, scenic river land or natural area except on roads, streets, and driveways provided for motor vehicles.	1517.02	No, general rulemaking authority	No, general rulemaking authority
1501:17-9-03	Shall not	No horse or other animal shall be hitched to any tree, shrub, or structure in any manner. Exception will be if approved hitching post is proved in parking area.	1517.02	No, general rulemaking authority	No, general rulemaking authority
1501:17-9-05	Shall not	No person shall park any vehicle on any nature preserve, scenic river land or natural area except within areas designated for such use by the department or its appointed agent from one half hour before sunrise to one half hour after sunset unless otherwise posted.	1517.02	No, general rulemaking authority	No, general rulemaking authority
1501:17-9-05	Shall	If at the time the violation is discovered and the identity of the operator is not otherwise apparent, the person in whose name said vehicle is registered shall be held prim facie responsible for said violation.	1517.02	No, general rulemaking authority	No, general rulemaking authority
1501:17-9-05	Shall	Costs and risk of said removal shall be borne by the operator/owner of said vehicle	1517.02	No, general rulemaking authority	No, general rulemaking authority
1501:17-11-01	Shall not	No person shall indulge in any noisy, boisterous, disorderly or indecent conduct; play games of chance, drink alcoholic beverages, or be intoxicated, or do any indecent, lascivious, lewd or improper acts within any state nature preserve, scenic river land or natural area.	1517.02	No, general rulemaking authority	No, general rulemaking authority
1501:17-11-04	Shall not	No person shall bring into, possess, carry, serve, or drink alcoholic beverages within any nature preserve, scenic river land or natural area.	1517.02	No, general rulemaking authority	No, general rulemaking authority

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1501:17-11-05	Shall	The division shall post in a conspicuous location within the access areas of any state nature preserve, scenic river land or natural area, special instructions, orders, and notices pertaining to the use of the area by the public.	1517.02	No, general rulemaking authority	No, general rulemaking authority
1501:17-11-05	Shall	Such instructions, orders or notices shall pertain but are not limited to: Special hours of operation, emergency situations or other situations not otherwise covered in the rules.	1517.02	No, general rulemaking authority	No, general rulemaking authority
1501:17-11-05	Shall	Declaration of posting shall originate with the chief of the division.	1517.02	No, general rulemaking authority	No, general rulemaking authority
1501:17-11-06	Shall not	No person shall enter upon the confines of any state nature preserve, scenic river land or natural area or facility that has been temporarily closed or evacuated by the chief of the division or his appointed agent if it has been determined to be hazardous for public use due to weather, water, fire, construction or other situation involving public health, safety or welfare	1517.02	No, general rulemaking authority	No, general rulemaking authority
1501:17-11-07	Shall	No person shall fail or refuse to comply with any reasonable order relating to the regulation, direction or control of traffic or to any other order lawfully given by any preserve officer or law enforcement officer acting under the authority of the department, or willfully resist, obstruct, or abuse any officer or other official in the execution of his office.	1517.02	No, general rulemaking authority	No, general rulemaking authority
1501:17-13-01	Shall	Public notice of hearing to be conducted by the department of natural resources for nature preserves, scenic river lands or natural areas shall be advertised in the register of Ohio at least thirty days, but not more than forty days, prior to the hearing.	1517.02	No, general rulemaking authority	No, general rulemaking authority
1501:17-13-01	Shall	The notice shall include: a statement of the division’s intention to consider adopting, amending, or rescinding a rule; a synopsis of the proposed rule, amendment, or rule to be rescinded or a general statement of the subject matter to which the proposed rule, amendment, or rescission relates; a statement of the reason or purpose for adopting, amending or rescinding the rule; and the date, time, and place of a hearing on said proposed action.	1517.02	No, general rulemaking authority	No, general rulemaking authority
1501:17-13-01	Shall	The notice shall also state the place from which copies of the proposed rule, amendment, or rule to be rescinded may be obtained.	1517.02	No, general rulemaking authority	No, general rulemaking authority
1501:18-1-02	Shall	The following criteria shall be used for identifying and designating species of plants native to Ohio which are in danger of extirpation or which are threatened with becoming endangered. (A) Endangered species. — A native Ohio plant species may be designated endangered if, based on its known status in Ohio, one or more of the following criteria applies: (1) The species is a federal endangered species extant in Ohio. (2) The natural populations of the species in Ohio are limited to three or fewer occurrences. (3) The distribution of the natural populations of the species in Ohio is limited to a geographic area delineated by three or fewer United States geological survey 7.5 minute quadrangle maps. (4) The total number of plants in all the natural populations of the species in Ohio is limited to one hundred or fewer individual, physically unconnected plants.	1518.01	No, general rulemaking authority	No, general rulemaking authority
1501:18-1-02	Shall	The following criteria shall be used for identifying and designating species of plants native to Ohio which are in danger of extirpation or which are threatened with becoming endangered.(B) Threatened species. — A native Ohio plant species may be designated threatened if, based on its known status in Ohio, one or more of the following criteria applies: (1) The species is a federal threatened species extant in Ohio but not on the state endangered species list.(2) The natural populations of the species in Ohio are limited to no less than four nor more than ten occurrences.(3) The distribution of the natural populations of the species in Ohio is limited to a geographic area delineated by no less than four nor more than seven United States geological survey 7.5 minute quadrangle maps.	1518.01	No, general rulemaking authority	No, general rulemaking authority
1501:18-1-04	Shall	Public notice of hearing to be conducted by the department of natural resources for plants that are in danger of extirpation or are threatened with becoming endangered shall be advertised in the register of Ohio at least thirty days, but not more than forty days, prior to the hearing.	1518.01	No, general rulemaking authority	No, general rulemaking authority

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1501:18-1-04	Shall	The notice shall include: a statement of the department’s intention to consider adopting, amending, or rescinding a rule; a synopsis of the proposed rule, amendment, or rule to be rescinded or a general statement of the subject matter to which the proposed rule, amendment, or rescission relates; a statement of the reason or purpose for adopting, amending or rescinding the rule; and the date, time, and place of a hearing on said proposed action.	1518.01	No, general rulemaking authority	No, general rulemaking authority
1501:18-1-04	Shall	The notice shall also state the place from which copies of the proposed rule, amendment, or rule to be rescinded may be obtained.	1518.01	No, general rulemaking authority	No, general rulemaking authority
1501:18-2-01	Shall	It shall be unlawful for any person to take native species of wild plants or parts thereof that are listed as endangered or threatened by rule 1501:18-1-03 of the Administrative Code, for commercial purposes from any woodlot, field, or forest, or from any other location in which such plant is found growing in its native habitat.	1518.03	No, general rulemaking authority	No, general rulemaking authority
1501:18-2-02	Shall	It shall be unlawful for any person to take, possess or transport for botanical, educational and scientific purposes, or for propagation in captivity to preserve the species, any native Ohio species of wild plants or parts thereof, that are listed as endangered or threatened by rule 1501:18-1-03 of the Administrative Code without first obtaining a permit from the chief of the division.	1518.03	No, general rulemaking authority	No, general rulemaking authority
1501:18-2-03	Shall	(A) All persons requesting a permit for the taking, transporting or possession of any native species of wild plants listed as endangered or threatened with statewide extirpation for botanical, educational, or scientific purposes, or for propagation in captivity to preserve the species, shall at the time of application for such permit provide the following information in writing to the chief: (1) A program or project description with a clear statement of study or program objectives.(2) Justification of the study or program.(3) Project location where most of the work will be conducted and/or where plants will be deposited. (4) Duration of study or program. (5) Species and number of plants to be collected and site(s) from which plants are to be collected.(6) Assurance that a final or annual report will be filed with the division, prior to the first day of February of each year following the calendar year during which plants were collected, containing a clear statement of the final disposition of each individual plant collected. A copy of any published papers resulting from the study of these plants shall also be filed with the division as soon as it is available.	1518.03	No, general rulemaking authority	No, general rulemaking authority
1501:18-2-03	Shall	(B) A permit shall be valid for a period not to exceed one year, but may be renewed or revoked at the discretion of the chief.	1518.03	No, general rulemaking authority	No, general rulemaking authority
1501:18-2-03	Shall	(C) Persons failing to provide full information required in paragraph (A) of this rule to the satisfaction of the chief shall be denied a permit.	1518.03	No, general rulemaking authority	No, general rulemaking authority
1501:18-2-03	Shall	(D) Failure to meet the requirements of the permit at the conclusion of the project shall be reason for the chief not to issue future permits to the person failing to comply.	1518.03	No, general rulemaking authority	No, general rulemaking authority
1501:18-2-03	Shall	(E) A permit must be displayed upon demand to any law enforcement officer having jurisdiction or to the owner or person in lawful control of the land upon which plants are collected.	1518.03	No, general rulemaking authority	No, general rulemaking authority
1501:18-2-04	Shall	Any nurseryman, dealer, or individual who has legally obtained any native species of wild plants listed as endangered or threatened in rule 1501:18-1-03 of the Administrative Code from another state or commercial propagator shall provide proof upon demand that said plants were legally acquired.	1518.03	No, general rulemaking authority	No, general rulemaking authority
1501:18-2-05	Shall	Nothing herein shall be interpreted in such a manner as to prevent any nurseryman or dealer who is licensed under Chapter 927. of the Revised Code from selling, offering for sale, shipping, or otherwise disposing of any endangered or threatened species of plants or parts thereof when such plants have been commercially grown by a licensed nursery or legally imported into this state.	1518.03	No, general rulemaking authority	No, general rulemaking authority
1501:18-2-05	Shall	Furthermore, nothing herein shall prohibit a person from willfully rooting up, injuring, destroying, removing, taking, or possessing an endangered or threatened plant from his property or from the property of another when said person has written permission of the owner, lessee, or other person entitled to possession.	1518.03	No, general rulemaking authority	No, general rulemaking authority

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1501:20-1-01	Shall	Public notice of hearings to be conducted by the Director of Natural Resources, State of Ohio, shall be advertised one (1) time in five (5) newspapers published in different counties and of general circulation in the State.	R.C. 121.22	No, general rulemaking authority	No, general rulemaking authority
1501:20-1-01	Shall	Said notice shall be given at least (30) days, but not more than sixty (60) days prior to the hearing.	R.C. 121.22	No, general rulemaking authority	No, general rulemaking authority
1501:20-1-01	Shall	The notice shall state the Director's intention to consider adopting, amending or rescinding rules.	R.C. 121.22	No, general rulemaking authority	No, general rulemaking authority
1501:20-1-01	Shall	The notice shall include a synopsis or full text of the proposed rules amendments, or rules to be rescinded or a general statement of the subject matter to which such proposed rules relate.	R.C. 121.22	No, general rulemaking authority	No, general rulemaking authority
1501:20-1-01	Shall	The notice shall enumerate the date, time, and place of the hearing on the proposed action.	R.C. 121.22	Yes, state law	Yes, state law
1501:20-1-01	Shall	The notice shall also state the place from which copies of the proposed rules, amendments, or rules to be rescinded may be obtained.	R.C. 121.22	No, general rulemaking authority	No, general rulemaking authority
1501:20-1-02	Shall not	The following rules and regulations are applicable to all land and waters under the supervision and control of the State of Ohio, except that nothing herein shall be interpreted or construed in such a manner as to prevent or delay authorized enforcement personnel in the process or completion of necessary duties or while on patrol or emergency service.	R.C. 4519.42	No, general rulemaking authority	No, general rulemaking authority
1501:20-03	Shall	"Snowmobile" as used in these rules and regulations shall have the same meaning as set forth in Section 4519.01, of the Revised Code of Ohio.	R.C. 4519.42	No, general rulemaking authority	No, general rulemaking authority
1501:20-1-03	Shall	"All Purpose Vehicle" as used in these rules and regulations shall have the same meaning as set forth in Section 4519.01, of the Revised Code of Ohio.	R.C 4519.42	No, general rulemaking authority	No, general rulemaking authority
1501:20-3-01	Shall	No person shall operate a snowmobile or all-purpose vehicle upon or over any land controlled by the State of Ohio, except upon those lands where the Department has established special areas, roads, or trails designated for such operation and so directed by signs posted for public notice.	R.C. 4519.42	Yes, state law	Yes, state law
1501:20-3-02	Shall	It shall be unlawful for any person to operate a snowmobile on any Department designated area, road, or trail unless the subsurface soil of said area, road, or trail has been determined by the Department to be solidly frozen and completely covered with snow or ice.	R.C. 4519.42	Yes, state law	Yes, state law
1501:20-3-02	Shall	Said areas, roads, or trails shall thereafter be posted by custodial personnel as open or closed in accordance with existing weather conditions.	R.C. 4519.42	Yes, state law	Yes, state law
1501:20-5-01	Shall	It shall be unlawful for any person to operate a snowmobile or all-purpose vehicle upon the frozen surface of waters controlled by the State of Ohio when such waters have not been specifically designated by signs, indicating said vehicles may be operated thereon.	R.C. 4519.42	Yes, state law	Yes, state law
1501:20-5-02	Shall	Ice thickness for the operation of a snowmobile or all-purpose vehicle upon the frozen surface of any waters controlled by the State and designated by the Department as permissible for such operation shall be determined by the operator.	R.C. 4519.42	Yes, state law	Yes, state law

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1501:20-7-01	Shall not	No person shall operate a snowmobile or all-purpose vehicle on land and waters controlled by the State at anytime between the hours of 11:00 p.m. and 6:00 a.m., except; that all-purpose vehicles conforming with all requirements of Chapters 1548 of the Revised Code governing watercraft are exempt from this rule and may operate upon open waters of lakes in accordance with rules governing thereon.	R.C.4519.20	Yes, state law	Yes, state law
1501:20-7-02	Shall not	No person shall deface, knock down, or remove any sign or poster, or any barrier across a road or trail, that has been installed or erected by the Department or its agent to designate a special area, road, or trail for snowmobile or all-purpose vehicle operation.	R.C. 4519.20	Yes, state law	Yes, state law
1501:20-7-03	Shall not	No person shall operate a snowmobile or all-purpose vehicle in such a manner as to willfully damage or destroy living vegetation and trails on lands and waters controlled by the State and designated by the Department.	R.C. 4519.20	Yes, state law	Yes, state law
1501:20-7-04	Shall not	No person who is under the influence of alcohol, narcotic drugs, opiates, or drugs of abuse shall operate any snowmobile or all-purpose vehicle being operated on land or waters controlled by the State and designated by the Department.	R.C. 4519.42	Yes, state law	Yes, state law
1501:20-7-05	Shall not	No person shall operate a snowmobile or all-purpose vehicle on any special area, road, or trail designated by the Department of Natural Resources for use by snowmobiles or all-purpose vehicles while transporting any firearm, bow, or other implement for hunting, that is not unloaded and securely encased.	R.C. 4519.42	Yes, state law	Yes, state law
1501:20-7-05	Shall not	The rule shall not apply to enforcement officers that have been authorized to go armed in the discharge of their duties.	R.C. 4519.42	Yes, state law	Yes, state law
1501:20-7-06	Shall	It shall be unlawful to operate a passenger car, truck, bus or any other four wheel drive vehicle, unless otherwise designated, on land or waters controlled by the State and designated by the Department for use by snowmobiles or all-purpose vehicles.	R.C. 4519.42	Yes, state law	Yes, state law
1501:21-1-01	Shall	Public notice of hearings to be conducted by the division of water resources, department of natural resources, shall be advertised in the register of Ohio.	1521.06	No, general rulemaking authority	No, general rulemaking authority
1501:21-1-01	Shall	Said notice shall be given at least thirty days, but not more than sixty days, prior to the hearing.	1521.06	No, general rulemaking authority	No, general rulemaking authority
1501:21-1-01	Shall	The notice shall state the division's intention to consider adopting, amending, or rescinding a rule;	1521.06	No, general rulemaking authority	No, general rulemaking authority
1501:21-1-01	Shall	shall include a synopsis or full text of the proposed rule, amendment, or rule to be rescinded or a general statement of the subject matter to which such proposed rule relates;	1521.06	No, general rulemaking authority	No, general rulemaking authority
1501:21-1-01	Shall	and shall enumerate the date, time, and place of the hearing on the proposed action.	1521.06	No, general rulemaking authority	No, general rulemaking authority
1501:21-1-01	Shall	The notice shall also state the place from which copies of the proposed rule, amendment, or rule to be rescinded may be obtained.	1521.06	No, general rulemaking authority	No, general rulemaking authority

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1501:21-1-03	Shall	In accordance with the provisions of sections 1521.06 and 1521.061 of the Revised Code and the rules and regulations adopted pursuant thereto, a construction permit shall be required for the construction of a dam or levee unless the structure is specifically exempted from these requirements by section 1521.06 of the Revised Code or by rule 1501:21-19-01 of the Administrative Code.	1521.06	Yes, state law	Yes, state law
1501:21-1-04	Shall	The invalidation by a court of a rule adopted or amended pursuant to sections 1521.06 to 1521.064 of the Revised Code shall not affect the validity of any other rule or portion thereof adopted or amended thereunder by the chief.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-3-01	Shall	The following definitions shall apply to the terms used in division 1501:21 of the Administrative Code: (A)"Applicant" means the individual, corporation, partnership, proprietor, or public agency which is making an application for a construction permit. (B)"Appurtenant works" means interrelated elements or components of the dam including but not limited to outlet works and spillway channels. (C)"Breach" is defined as an opening in a dam that prevents the dam from impounding a significant amount of water. (D)"Bulkhead" means a structure or partition to reduce pressure and shut off water from entering a valve or gate chamber to allow for repair and maintenance of the valve or gate. (E)"Chief" means the chief of the division of water resources of the department of natural resources, state of Ohio. (F)"Conveyance" is the hydraulic term applied to the measurement of the carrying capacities of stream channels and overbank areas. Conveyance is directly proportional to discharge. (G)"Critical flood" means the flood that would result in no additional loss of life, health or property along a critical routing reach downstream of the dam from overtopping failure of the dam when compared to the potential for loss of life, health or property caused by the flood in the absence of a dam overtopping failure. (H)"Critical routing reach" means the entire floodplain area downstream of the dam where life, health, or property is potentially affected by failure of a dam. (I)"Dam" means any artificial barrier together with any appurtenant works, which either does or may impound water or other liquefied material. Upground reservoirs and lagoons are considered to be dams. A fill or structure intended solely for highway or railroad use that does not permanently impound water or other liquefied material as determined by the chief is not considered a dam. (J)"Design flood" is the runoff from the design storm taking into account the physiographic, topographic, hydrologic, and hydraulic characteristics of the drainage area. (K)"Division" means the division of water resources of the department of natural resources, state of Ohio. (L)"Emergency spill way" means a discharge system designed to operate at an elevation above the principal spill way to safely convey discharges that exceed the principal spill way's capacity without jeopardizing the safety of the dam.	1521.06	No, general rulemaking authority	Yes, state law

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1501:21-3-02	Shall	Registered professional engineers who are qualified in the design, construction, and inspection of dams and levees and who are practicing in accordance with the laws of Ohio shall: (1)Prepare design reports, plans and specifications for the construction, modification or repair of dams and levees; (2)Inspect the construction, modification or repair of dams and levees; (3)Perform periodic inspections, detailed investigations, and analyses of dams and levees; and (4)Prepare plans and specifications for and inspect the removal of existing dams and levees unless specifically exempted by the chief.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-3-02	Shall	Throughout division-level 1501:21 rules of the Administrative Code, the term "engineer" shall mean such a registered professional engineer as described in this rule.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-3-02	Require	Registered professional surveyors who are practicing in accordance with the laws of Ohio may be required by the chief to prepare survey data for investigations including but not limited to storage volume calculations, critical flood analyses, or dam failure inundation mapping.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-3-02	Shall	Throughout division-level 1501:21 rules of the Administrative Code, the term "surveyor" shall mean such a registered professional surveyor as described in this rule.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-3-02	Shall	Engineering and construction inspection and testing services for all dam construction shall be performed by an independent company that is not affiliated with, or hired by, the construction contractor.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-5-01	Shall	The procedure for applying for a construction permit and submitting the supporting engineering documents shall consist of two parts, the preliminary design report and the final design submittal, as described in rules 1501:21-5-02 to 1501:21-5-06 of the Administrative Code.	1521.06	No, general rulemaking authority	Yes, state law

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1501:21-5-02	Shall	For class I and II levees and for dams, the preliminary design report shall include: (1)A general description of the dam or levee and all appurtenances thereto, and the proposed classification of the structure as set forth in rule 1501:21-13-01 or 1501:21-13-09 of the Administrative Code. The description shall include a statement of the purpose for which the dam or levee is to be used, and a statement setting forth the impact of such dam or levee as it relates to endangering human life, health, or property upstream, downstream or adjacent to the dam or levee. (2)For dams, maps showing: (a)The ownership of all property, in whole or in part, that would be inundated by the reservoir up to and including the elevation of the top of the dam and the ownership of the property upon which the dam is located; (b)The location of the proposed structure; the county, township, and section lines; (c)The outline of the reservoir at its primary spillway elevation and its maximum pool; (d)Topographic contours of the lake area up through the top of dam elevation to verify storage volumes; (e)The locations of state, county, and township roads; the locations of utilities, i.e., pipe, transmission, and telephone lines; (f)The location and elevation of any other structure or facility affected by the proposed dam or levee. State, county, and U.S.G.S. maps, and aerial photographs may be accepted for these purposes (3)For levees, maps showing: (a)The ownership of all property, in whole or in part, that would be protected and the ownership of the property upon which the levee is located; (b)The location of the proposed structure; the county, township, and section lines; (c)The locations of state, county, and township roads; the locations of utilities, i.e., pipe, transmission, and telephone lines; (d)The location of any other structure or facility affected by the proposed levee; and, (e)Basement and first floor elevations of all structures potentially affected by the levee may be required to be shown as needed by the chief. State, county, and U.S.G.S. maps, and aerial photographs may be accepted for these purposes. (4)A written report of the surficial conditions, i.e., geology, topography, and cultural features, which includes a field reconnaissance by the applicant's engineer. Logs of borings in the foundation and in the borrow areas, and results of	1521.06	No, general rulemaking authority	Yes, state law
1501:21-5-02	Shall	The description shall include a statement of the purpose for which the dam or levee is to be used, and a statement setting forth the impact of such dam or levee as it relates to endangering human life, health, or property upstream, downstream or adjacent to the dam or levee.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-5-02	Require	Basement and first floor elevations of all structures potentially affected by the levee may be required to be shown as needed by the chief.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-5-02	Shall	The design assumptions shall pertain to such hydrologic and hydraulic parameters as drainage area, rainfall and runoff data, inflow hydrographs, area-capacityelevation data, and flood routings, in addition to geologic and geotechnical engineering assumptions.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-5-02	Require	Other pertinent information as may be required by the chief.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-5-02	Shall	For proposed class III levees, the preliminary design report shall include a letter from the owner stating the purpose and proposed height of the levee, a map showing the location of the levee, a map showing the ownership of all property, in whole or in part, that would be protected, and certification that the levee will be consistent and in accordance with all applicable state and local floodplain regulations and requirements.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-5-02	Shall	Within forty-five days from the date of receipt of the complete preliminary design report, the chief shall respond in writing with approval, conditional approval, or disapproval of said report.	1521.06	No, general rulemaking authority	Yes, state law

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1501:21-5-02	Shall	Upon approval, the chief shall designate the approved classification of the proposed structure.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-5-02	Shall	If the proposed structure is placed in class IV pursuant to rule 1501:21-13-01 or in class III pursuant to rule 1501:21-13-09 of the Administrative Code, the chief shall notify the applicant that the proposed structure is exempt from the construction permit requirements (rule 1501:12-19-01 of the Administrative Code).	1521.06	No, general rulemaking authority	Yes, state law
1501:21-5-03	Shall	The final design submittal shall include an application on a form as specified by the chief, copies of which may be obtained from the division.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-5-03	Shall	The final design submittal shall also include the statutory filing fee, the original surety bond, the final design report, plus three copies each of the plans, and the specifications as prescribed in rules 1501:21-5-04 to 1501:21-5-06 of the Administrative Code.		Yes, state law	Yes, state law
1501:21-5-03	Shall	Within thirty days, the submittal shall be reviewed and either comments shall be provided or the [chief] shall issue approval.		No, general rulemaking authority	Yes, state law
1501:21-5-03	Shall	Within thirty days, the submittal shall be reviewed and either comments shall be provided or the [chief] shall issue approval.		No, general rulemaking authority	Yes, state law
1501:21-5-03	Shall	Within thirty days, the submittal shall be reviewed and either comments shall be provided or the [chief] shall issue approval.		No, general rulemaking authority	Yes, state law
1501:21-5-04	Shall	The final design report shall include: (A)All investigations required by rule 1501:21-11 of the Administrative Code. Stability and settlement analyses, and seepage and underseepage studies shall be required, unless the applicant can demonstrate to the satisfaction of the chief that these analyses are not necessary. (B)The bases, references, calculations, and conclusions relative to hydrologic, hydraulic, and structural design studies, and to the design of spillways and outlet works. Design procedures that have been established by the United States army corps of engineers, the United States department of interior bureau of reclamation, the federal energy regulatory commission, and the United States department of agriculture natural resources conservation service are generally accepted as sound engineering practice. A written summary of the design references and assumptions that are used shall be included in the information that is submitted to the chief. (C)Steps to minimize erosion during construction. (D)Detailed cost estimates of the following: (1)Construction of the structure and its appurtenances; (2)Performance of construction inspections and materials testing; and (3)Preparation of the operation, maintenance, and inspection manual, the emergency action plan, and the as-built plans. The design cost for the project is not included. (E)For all class I structures except upground reservoirs, an emergency action plan for use during construction. (F)For all dams, a first filling monitoring plan. (G)Any other studies, investigations, and pertinent design information as may be required by the chief.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-5-04	Shall	Stability and settlement analyses, and seepage and underseepage studies shall be required, unless the applicant can demonstrate to the satisfaction of the chief that these analyses are not necessary.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-5-04	Shall	A written summary of the design references and assumptions that are used shall be included in the information that is submitted to the chief.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-5-04	Require	Any other studies, investigations, and pertinent design information as may be required by the chief.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-5-05	Shall	The plans shall consist of a bound portfolio of the drawings with all sheets being of the same size not larger than twenty-four inches by thirty-six inches.	1521.06	No, general rulemaking authority	Yes, state law

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1501:21-5-05	Shall	The plans shall also be provided in a digital file format acceptable to the chief.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-5-05	Shall	Sheet one shall show: the name of the project; its location, e.g. section, township, and county; the name of the owner or applicant; and the classification of the structure.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-5-05	Shall	Sheet one shall also contain a vicinity map that shows the project location with respect to the boundaries of political subdivisions, streams, highways, airports, and railroads.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-5-05	Shall	Topographic and cross-section surveys shall be made with sufficient accuracy to locate the proposed construction.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-5-05	Shall	Locations of baselines, centerlines, and other horizontal and vertical control points shall be shown on a topographic map of the site.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-5-05	Shall	A map shall be included that shows the locations of borings, test pits, proposed borrow areas, known farm tiles, utility lines, and other areas pertinent to the design and construction of the structure.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-5-05	Shall	The remainder of the plans shall be accurately drawn in sufficient detail as to clearly indicate the extent and complexity of the work.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-5-05	Shall	The engineer shall affix the engineer's stamp, signature and date on each page of the plans.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-5-06	Shall	The specifications shall include the following: (A)The general provisions, which shall specify the rights, duties, and responsibilities of the owner, applicant, applicant's engineer, and builder, and the prescribed order of the work. (B)The technical provisions, which shall describe approved work methods, testing methods, testing frequency, equipment, materials, and required end results. The structural and hydraulic properties for the materials to be used as well as specifications for preparation and placement of these materials may also be required. The extent and method of quality control shall be subject to approval by the chief. (C)Special provisions as may be required, which shall describe those technical details that are not usually contained in standard technical provisions.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-5-06	Shall	The general provisions, which shall specify the rights, duties, and responsibilities of the owner, applicant, applicant's engineer, and builder, and the prescribed order of the work.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-5-06	Shall	The technical provisions, which shall describe approved work methods, testing methods, testing frequency, equipment, materials, and required end results.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-5-06	Shall	The extent and method of quality control shall be subject to approval by the chief.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-5-06	Require	Special provisions as may be required, which shall describe those technical details that are not usually contained in standard technical provisions.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-5-06	Shall	Special provisions as may be required, which shall describe those technical details that are not usually contained in standard technical provisions.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-5-07	Shall	The filing fee shall be based on the detailed cost estimate for the proposed construction as filed with and approved by the chief in accordance with paragraph (D) of rule 1501:21-5-04 of the Administrative Code, and shall be determined by the following schedule: (A)For the first three hundred thousand dollars of estimated cost, a fee of four per cent; (B)For the next three hundred thousand dollars of estimated cost, a fee of three per cent; (C)For the next four hundred thousand dollars of estimated cost, a fee of two per cent; (D)For all costs in excess of one million dollars, a fee of one-half of one per cent. (E)In no case shall the filing fee be less than one thousand dollars. If the actual cost exceeds the estimated cost by more than fifteen per cent, an additional filing fee shall be required equal to the fee determined by the preceding schedule less the original filing fee.	1521.06	Yes, state law	Yes, state law

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1501:21-5-07	Shall	The filing fee shall be based on the detailed cost estimate for the proposed construction as filed with and approved by the chief in accordance with paragraph (D) of rule 1501:21-5-04 of the Administrative Code, and shall be determined by the following schedule: (A)For the first three hundred thousand dollars of estimated cost, a fee of four per cent; (B)For the next three hundred thousand dollars of estimated cost, a fee of three per cent; (C)For the next four hundred thousand dollars of estimated cost, a fee of two per cent; (D)For all costs in excess of one million dollars, a fee of one-half of one per cent. (E)In no case shall the filing fee be less than one thousand dollars. If the actual cost exceeds the estimated cost by more than fifteen per cent, an additional filing fee shall be required equal to the fee determined by the preceding schedule less the original filing fee.	1521.06	Yes, state law	Yes, state law
1501:21-5-07	Shall	In no case shall the filing fee be less than one thousand dollars.	1521.06	Yes, state law	Yes, state law
1501:21-5-07	Shall	If the actual cost exceeds the estimated cost by more than fifteen per cent, an additional filing fee shall be required equal to the fee determined by the preceding schedule less the original filing fee.	1521.06	Yes, state law	Yes, state law
1501:21-5-07	Require	If the actual cost exceeds the estimated cost by more than fifteen per cent, an additional filing fee shall be required equal to the fee determined by the preceding schedule less the original filing fee.	1521.06	Yes, state law	Yes, state law
1501:21-7-01	Shall	The surety bond shall be in the form prescribed by the chief under section 1521.061 of the Revised Code.	1521.06	Yes, state law	Yes, state law
1501:21-7-01	Shall	The surety bond shall be based on the detailed cost estimate for the proposed construction as filed with and approved by the chief in accordance with paragraph (D) of rule 1501:21-5-04 of the Administrative Code.	1521.06	Yes, state law	Yes, state law
1501:21-7-02	Shall	The surety bond shall be released by the chief one year after the approval date (rule 1501:21-17-03 of the Administrative Code), provided that final approval is granted under rule 1501:21-17-04 of the Administrative Code.	1521.06	Yes, state law	Yes, state law
1501:21-7-02	Shall	If the owner or the surety decides to abandon the project for which the construction permit was issued, the owner or the surety shall immediately notify the chief in writing of this intent, and submit suitable plans to render the dam or levee non-hazardous.	1521.06	Yes, state law	Yes, state law
1501:21-7-02	Shall	If the chief determines that an abandoned dam or levee does not constitute a hazard to life, health, or property, the chief shall release the surety bond.	1521.06	Yes, state law	Yes, state law
1501:21-7-03	Shall	If the chief determines during the construction or during the period between approval of construction (rule 1501:21-17-03 of the Administrative Code) and the final inspection (rule 1501:21-17-04 of the Administrative Code) that the construction was not performed in accordance with the terms of the bond as approved, the chief shall so notify the owner and the surety in writing of these findings.	1521.06	Yes, state law	Yes, state law
1501:21-7-03	Shall	The owner and the surety shall immediately correct the construction to comply with the terms of the bond.	1521.06	Yes, state law	Yes, state law
1501:21-7-03	Shall	If the owner or the surety fails to immediately correct the construction to comply with the terms of the bond, the chief shall declare the bond forfeited and certify the forfeiture to the attorney general for collection in accordance with section 1521.061 of the Revised Code.	1521.06	Yes, state law	Yes, state law
1501:21-7-03	Shall	The amount of forfeiture shall be set by the chief in an amount sufficient to correct the construction to comply with the terms of the bond, or in an amount sufficient to render the dam or levee non-hazardous.	1521.06	Yes, state law	Yes, state law
1501:21-7-03	Shall	Any balance of the bond not forfeited shall be returned to the surety upon correction of the construction or after rendering the dam or levee non-hazardous.	1521.06	Yes, state law	Yes, state law
1501:21-9-01	Shall	The construction permit shall be issued by the chief after approval of the final design submittal and supporting documents called for in rule 1501:21-5-03 of the Administrative Code and receipt and acceptance of the surety bond and filing fee.	1521.06	Yes, state law	Yes, state law

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1501:21-9-01	Shall	The construction permit shall be valid for a period of two years from the date of issue unless otherwise specified by the chief under this rule.	1521.06	Yes, state law	Yes, state law
1501:21-9-01	Shall	No construction shall be performed until the permit is issued by the chief.	1521.06	Yes, state law	Yes, state law
1501:21-9-01	Shall	No extension shall be granted unless the applicant has demonstrated to the satisfaction of the chief that substantial effort has been made to complete the construction.	1521.06	Yes, state law	Yes, state law
1501:21-9-01	Shall	If the permit expires before construction has begun, a new final design submittal accompanied by supporting documents (rule 1501:21-5-03 of the Administrative Code), surety bond, and filing fee shall be submitted to the chief.	1521.06	Yes, state law	Yes, state law
1501:21-11-01	Shall	The applicant shall be required to complete all investigations prior to submission of the final design report.	1521.06	Yes, state law	Yes, state law
1501:21-11-01	Shall	The investigations shall include the items described in rules 1501:21-11-02 to 1501:21-11-05 of the Administrative Code.	1521.06	Yes, state law	Yes, state law
1501:21-11-01	Require	The scope and degree of precision that will be required for a specific project will be a matter of judgment based on the complexities of the site, and the classification of the proposed structure.	1521.06	Yes, state law	Yes, state law
1501:21-11-02	Shall	A foundation investigation shall be conducted to determine the suitability of the site for the development of a dam or levee and any impoundment.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-11-02	Must	The foundation materials beneath any dam, levee, or appurtenance must be able to bear the weight of the structure and any impounded materials without instability or detrimental settlement.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-11-02	Must	The foundation materials beneath the dam, levee, appurtenance or any impoundment area must be able to limit any detrimental seepage that could impact neighboring properties or destabilize the dam or levee.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-11-02	Shall	The foundation investigation shall be performed so as to define the soil and rock stratigraphy and the groundwater conditions to the satisfaction of the chief.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-11-02	Shall	The foundation investigation shall consist of borings, test pits, and other subsurface explorations as deemed necessary.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-11-02	Shall	Laboratory testing of the undisturbed and remolded soil specimens, and rock samples shall be required by the chief, unless the applicant can demonstrate to the satisfaction of the chief that these analyses are not necessary.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-11-02	Require	Laboratory testing of the undisturbed and remolded soil specimens, and rock samples shall be required by the chief, unless the applicant can demonstrate to the satisfaction of the chief that these analyses are not necessary.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-11-03	Shall	All materials, such as borrow soil, aggregate, riprap stone, and filter material, are proposed for use in the dam or levee, the applicant shall determine the locations and extents of these materials, and their structural properties and gradations when incorporated into the proposed dam or levee.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-11-03	Shall	The applicant shall show the locations of these materials on the plans.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-11-03	Shall	A construction materials investigation shall be conducted to determine the suitability of the material to construct a dam or levee.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-11-03	Must	The construction materials used to construct the dam or levee must be able to remain stable for all loading conditions and have limited detrimental settlement.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-11-03	Must	The construction materials must be able to limit any detrimental seepage that could impact neighboring properties or destabilize the dam or levee.	1521.06	No, general rulemaking authority	Yes, state law

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1501:21-11-05	Shall	Hydraulic and hydrologic analyses shall be accomplished using methodologies and computer analyses developed by the division of water resources, the United States army corps of engineers, the United States geological survey, the natural resources conservation service, the United States bureau of reclamation, the national weather service, or others which employ sound engineering basis and are specifically approved by the chief.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-11-05	Shall	Both present and projected future land uses shall be considered in determining the runoff characteristics of the drainage areas.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-11-05	Shall	The more severe of these two conditions shall be used in the design.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-11-05	Shall	For dams, the hydrologic and hydraulic assumptions and design calculations used in spillway designs shall be included in the design submittal.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-11-05	Shall	These shall include, but not be limited to: (1)Rainfall and runoff data; (2)Reservoir inflow hydrographs; (3)Reservoir area-storage volume elevation data to the top of dam elevation; (4)Spillway elevation-discharge data; (5)Reservoir flood routings and backwater analyses, except as provided in rule 1501:21-13-03 of the Administrative Code; and (6)A dam failure analysis as may be required by the chief for downstream hazard evaluation.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-11-05	Require	A dam failure analysis as may be required by the chief for downstream hazard evaluation.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-11-05	Shall	For levees, the hydrologic and hydraulic assumptions and design calculations used shall be included in the design submittal.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-11-05	Shall	These shall include, but not be limited to: (1)Discharge/probability data; (2)Hydrographs; (3)Valley cross-sections; (4)Descriptive hydraulic information concerning bridges and other structures that influence the hydraulic characteristics of the watercourse; (5)Stream elevation-discharge-storage data; and (6)Stream flood routings and flood profiles.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-01	Shall	For the purpose of this chapter, dams shall be divided into four classes, which shall be known as class I, class II, class III, and class IV.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-01	Shall	For the purpose of this chapter, dams shall be divided into four classes, which shall be known as class I, class II, class III, and class IV.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-01	Shall	The chief shall establish a dam's appropriate classification by using the following criteria as a guideline.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-01	Shall	Such classification shall be established by the chief during the preliminary review described by rule 1501:21-5-02 of the Administrative Code or during the periodic inspection described by rule 1501:21-21-01 of the Administrative Code.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-01	Shall	Dams having a total storage volume greater than five thousand acre-feet or a height of greater than sixty feet shall be placed in class I.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-01	Shall	A dam shall be placed in class I when sudden failure of the dam would result in one of the following conditions. (a)Probable loss of human life. (b)Structural collapse of at least one residence or one commercial or industrial business.	1521.06	No, general rulemaking authority	Yes, state law

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1501:21-13-01	Shall	Dams having a total storage volume greater than five hundred acre-feet or a height of greater than forty feet shall be placed in class II.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-01	Shall	A dam shall be placed in class II when sudden failure of the dam would result in at least one of the following conditions, but loss of human life is not probable. (a)Disruption of a public water supply or wastewater treatment facility, release of health hazardous industrial or commercial waste, or other health hazards. (b)Flooding of residential, commercial, industrial, or publicly owned structures. At the request of the dam owner, the chief may exempt dams from the criterion of this paragraph if the dam owner owns the potentially affected property. (c)Flooding of high-value property. At the request of the dam owner, the chief may exempt dams from the criterion of this paragraph if the dam owner owns the potentially affected property. (d)Damage or disruption to major roads including but not limited to interstate and state highways, and the only access to residential or other critical areas such as hospitals, nursing homes, or correctional facilities as determined by the chief. (e)Damage or disruption to railroads or public utilities. (f)Damage to downstream class I, II or III dams or levees, or other dams or levees of high value. Damage to dams or levees can include, but is not limited to, overtopping of the structure. At the request of the dam owner, the chief may exempt dams from the criterion of this paragraph if the dam owner owns the potentially affected property.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-01	Shall	Dams having a total storage volume greater than fifty acre-feet or a height of greater than twenty-five feet shall be placed in class III.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-01	Shall	A dam shall be placed in class III when sudden failure of the dam would result in at least one of the following conditions, but loss of human life is not probable. (a)Property losses including but not limited to rural buildings not otherwise described in paragraph (A) of this rule, and class IV dams and levees not otherwise listed as high-value property in paragraph (A) of this rule. At the request of the dam owner, the chief may exempt dams from the criterion of this paragraph if the dam owner owns the potentially affected property. (b)Damage or disruption to local roads including but not limited to roads not otherwise listed as major roads in paragraph (A) of this rule.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-01	Shall	All pertinent information including any unusual circumstances shall be considered by the chief in establishing an appropriate classification for a dam.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-01	Shall	Probable future development of the area downstream from the dam that would be affected by its failure shall be considered.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-01	Shall	However, the above criteria shall in no way preclude the chief's requirement of greater safety in the interest of life, health, or property.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-02	Shall	The magnitude of the design flood for each dam shall be set by the chief and determined from actual streamflow and flood frequency records or from synthetic hydrologic criteria based on current publications prepared by the division, the United States army corps of engineers, the United States geological survey, the national oceanic and atmospheric administration, or others acceptable to the chief.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-02	Shall	The design for the critical flood shall be for site-specific conditions and based on a quantitative and relative impact analysis of the downstream critical routing reach.	1521.06	No, general rulemaking authority	Yes, state law

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1501:21-13-02	Shall	In determining the critical flood, the spillway and storage capacity for the dam shall be designed so that there will be no additional potential for loss of life, health or property in the critical routing reach from overtopping failure of the dam when compared to the potential for loss of life, health or property caused by the flood in the absence of a dam overtopping failure.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-02	Require	Further investigation will be required to determine that no additional potential for loss of life, health or property will occur.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-02	Shall	The minimum critical flood shall be as follows: (1)Forty per cent of the probable maximum flood for a class I dam, (2)Twenty per cent of the probable maximum flood for a class II dam, and (3)The one-hundred-year flood for a class III dam.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-02	Shall	The owner or applicant shall submit to the chief, in writing, a request for consideration of the critical flood as the design flood.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-02	Require	As required by the chief, this request shall be accompanied by appropriate supporting calculations.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-02	Shall	As required by the chief, this request shall be accompanied by appropriate supporting calculations.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-02	Require	If downstream hazard conditions change at any time during the life of the structure, a reevaluation of the critical routing reach and modification of the critical flood may be required by the chief.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-03	Shall	Every dam shall have a spillway system which will safely operate during the design flood without endangering the safety of the dam.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-03	Shall	Each spillway shall include a means of dissipating the energy of flow without endangering the safety of the dam.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-03	Shall	The capacity of the spillway system shall be equal to the peak inflow rate of the design flood unless the applicant has demonstrated by flood routing procedures that the dam will safely pass the design flood with the spillway system.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-03	Shall	D)Every upground reservoir shall have an overflow or other device to preclude overfilling the reservoir during normal filling operations.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-03	Must	Local watershed drainage into the reservoir must also be included in the design of the overflow device if applicable.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-03	Shall	The elevation of an overflow device shall be no more than 0.5 foot above the designed maximum operating pool level of the reservoir.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-03	Must	A device other than an overflow that is used to preclude overfilling must prevent the reservoir from rising 0.5 foot above the designed maximum operating pool level.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-04	Shall	All pipe conduits shall convey flow at the maximum design velocity without damage to the interior surface.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-04	Shall	Seepage control devices acceptable to the chief shall be installed.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-04	Shall	Adequate allowances shall be incorporated in the design to compensate for settlement and possible elongation of the pipe conduit.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-04	Shall	An anti-vortex device that is satisfactory to the chief shall be installed at the intake of all pipe and riser spillway systems.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-04	Require	Anti-vortex devices may also be required for other spillway types as necessary to improve the performance of the spillway.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-04	Shall	A trash rack that is satisfactory to the chief shall be installed at the intake of all pipe and riser and/or drop inlet type spillway systems to prevent clogging the pipe conduit.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-04	Require	Trash rack devices may also be required for other spillway types as necessary to ensure the performance of the spillway.	1521.06	No, general rulemaking authority	Yes, state law

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1501:21-13-04	Shall	An emergency overflow spillway shall be required, except when specifically exempted by the chief.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-04	Require	An emergency overflow spillway shall be required, except when specifically exempted by the chief.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-04	Must	The average frequency of use for a vegetated or unlined emergency spillway must be predicted to be less than the following criteria unless otherwise approved by the chief: (1)Once in fifty years for class I dams; (2)Once in twenty-five years for class II dams; and (3)Once in ten years for class III dams.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-04	Shall	The pipe conduit shall be of such size as to remove from the reservoir within ten days following passage of the design flood peak at least eighty percent of the water temporarily detained in the reservoir above the elevation of the primary (principal) spillway.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-05	Shall	Pipe conduits shall be of such design as to safely support the total external loads and shall convey flow without rupture or leakage.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-05	Shall	Pipe conduits shall be of such design as to safely support the total external loads and shall convey flow without rupture or leakage.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-05	Shall	Unless otherwise approved by the chief, the minimum inside dimension of the pipe conduit shall be: (1)Twenty-four inches for class I and class II dams. (2)Eighteen inches for class III dams.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-05	Shall	All pipes shall have the ability to resist corrosion from surrounding soils and impounded materials based on current acceptable testing standards.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-05	Shall	Corrugated metal pipe and corrugated plastic pipe shall not be used.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-06	Shall	Unless specifically exempted by the chief, dams in class I, class II, and class III shall include a device to permit draining the reservoir within a reasonable period of time as approved by the chief.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-06	Shall	Pipe conduits used for lake drains shall have a minimum inside diameter of not less than four inches and must be placed at an elevation to account for sedimentation in the reservoir.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-06	Must	Pipe conduits used for lake drains shall have a minimum inside diameter of not less than four inches and must be placed at an elevation to account for sedimentation in the reservoir.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-06	Shall	Valves or sluice gates in pipe conduits shall be installed upstream from the centerline of the dam unless otherwise approved by the chief.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-06	Shall	All pipe conduits used as drains, water supply lines, or other pressure-flow conduits, regardless of classification of the dam, shall meet the requirements of paragraphs (A), (B), (C), and (E) of rule 1501:21-13-04 of the Administrative Code and paragraphs (A), (C), and (D) of rule 1501:21-13-05 of the Administrative Code.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-06	Shall	All new dam construction shall include a bulkhead for the outlet works unless specifically exempted by the chief.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-07	Shall	Sufficient freeboard shall be provided to prevent overtopping of the top of the dam due to passage of the design flood and other factors including, but not limited to, ice and wave action.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-07	Require	The chief may approve a lower freeboard requirement if the dam is armored against overtopping erosion.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-07	Shall	For class I and class II dams that are upground reservoirs, the minimum elevation of the top of the dam shall be at least five feet higher than the elevation of the designed maximum operating pool level unless otherwise approved by the chief.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-07	Shall	For class III dams that are upground reservoirs, the minimum elevation of the top of the dam shall be at least three feet higher than the elevation of the designed maximum operating pool level unless otherwise approved by the chief.	1521.06	No, general rulemaking authority	Yes, state law

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1501:21-13-08	Shall	The safety factors for the various elements of the dam shall conform to good engineering practice as approved by the chief.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-08	Shall	The safety factors and the design standards that are used by the applicant shall agree with the approved design assumptions.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-08	Require	Inspection devices such as piezometers, settlement platforms, stand-pipes, tell-tale stakes, monitoring weirs, inclinometers, and permanent bench marks, may be required by the chief for the division's and the owner's use in the inspection of the structure during and after completion of construction.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-08	Require	The chief may require dams to have a staff gauge to allow monitoring of lake levels within a range from the lower of five feet below normal pool or the normal drawdown level, to the top of dam elevation.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-08	Shall	The applicant shall demonstrate to the satisfaction of the chief that the structure will be consistent and in accordance with all applicable state and local floodplain regulations and requirements.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-09	Shall	For the purpose of this chapter, levees shall be divided into three classes, which shall be known as class I, class II, and class III.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-09	Shall	For the purpose of this chapter, levees shall be divided into three classes, which shall be known as class I, class II, and class III.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-09	Shall	The chief shall establish a levee's appropriate classification by using use the following criteria as a guideline.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-09	Shall	Such classification shall be established by the chief during the review of the preliminary design report described by rule 1501:21-5-02 of the Administrative Code or during the periodic inspection described by rule 1501:21-21-01 of the Administrative Code.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-09	Shall	A levee shall be placed in class I when sudden failure of the levee would result in one of the following conditions. (a)Probable loss of human life. (b)Structural collapse of at least one residence or one commercial or industrial business.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-09	Shall	A levee shall be placed in class II when sudden failure of the levee would result in at least one of the following conditions, but loss of human life is not probable. (a)Disruption of a public water supply or wastewater treatment facility, or other health hazards. (b)Flooding of residential, commercial, industrial, or publicly owned structures. (c)Flooding of high-value property. (d)Damage or disruption to major roads including but not limited to interstate and state highways, and the only access to critical areas such as hospitals, nursing homes, or correctional facilities as determined by the chief. (e)Damage or disruption to railroads or public utilities.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-09	Shall	A levee having a height of not more than three feet shall be placed in class III.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-09	Shall	A levee having a height of more than three feet shall be placed in class III when sudden failure of the levee would result in at least one of the following conditions, but loss of human life is not probable. (a)Property losses including but not limited to rural buildings not otherwise described in paragraph (A) of this rule. (b)Damage or disruption to local roads including but not limited to roads not otherwise listed as major roads in paragraph (A) of this rule. (c)Property losses restricted mainly to the levee and to the owner's property or to rural lands.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-09	Shall	All pertinent information including any unusual circumstances shall be considered by the chief in establishing an appropriate classification for a levee.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-09	Shall	Probable future development of the area adjacent to the levee shall be considered.	1521.06	No, general rulemaking authority	Yes, state law

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1501:21-13-09	Shall	However, the above criteria shall in no way preclude the chief's requirement of greater safety in the interest of life, health, and property.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-10	Shall	Future development of areas upstream, downstream, and adjacent to the levee shall be considered in the design.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-10	Shall	The levee shall operate safely during all floods up to the design flood elevation.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-10	Shall	Provisions for drainage of the area protected by the levee shall be incorporated into the structure.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-10	Shall	Measures shall be included to prevent flooding of this area by backflow through the drainage system.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-10	Must	The levee must be protected from or designed to prevent erosive velocities along the structure and its foundation.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-11	Shall	Hydraulic analyses shall be conducted to determine flood elevations for stream reaches affected by the construction of a levee and in accordance with rule 1501:21-13-10 of the Administrative Code.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-11	Must	The analyses must provide flood depth and velocity data during the one-hundred-year, twenty-five-year, and five-year flood events, and for the top-of-levee flood event.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-11	Must	For construction of new levees, the flood depths and velocities must be determined with and without the levee.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-11	Must	The impact of increased flood depths and velocities on property and structures must be provided.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-12	Shall	The design flood shall be established by the chief in concert with the applicant's desired level of protection, but with the utmost interest in safeguarding life, health, and property.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-12	Shall	The design for the critical flood shall be for site specific conditions and based on a quantitative and relative impact analysis of the protected area.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-12	Shall	In determining the critical flood, the levee shall be designed so that there will be no additional potential for loss of life, health or property from overtopping failure of the levee when compared to the potential for loss of life, health or property caused by the flood in the absence of a levee overtopping failure.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-12	Shall	The magnitude of the design flood shall be determined from actual streamflow and flood frequency records or from synthetic hydrologic criteria based on current publications prepared by the division, the national oceanic and atmospheric administration (NOAA), the United States army corps of engineers, the United States geological survey, or others specifically approved by the chief.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-13	Shall	For levees in class I, the minimum elevations of the top of the levee shall be at least three feet higher than the maximum adjacent water surface elevations during passage of the design flood.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-13	Shall	For levees in class II the minimum elevations of the top of the levee shall be two feet higher than the maximum adjacent water surface elevations during passage of the design flood.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-13	Require	Where special conditions of severe frost damage, ice damage, stream obstruction, wave action, or impact of other structures may occur, the chief may require elevations higher than required in paragraph (A) of this rule.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-14	Shall	The safety factors of the various elements of the levee shall conform to good engineering practice as approved by the chief.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-14	Shall	The safety factors and the design standards that are used by the applicant shall agree with the approved design assumptions.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-14	Shall	Design references that are used shall be cited in the information that is submitted to the chief.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-14	Require	Inspection devices, which include but are not necessarily restricted to settlement platforms, tell-tale stakes, inclinometers and permanent bench marks, may be required by the chief for the division's and the owner's use in the inspection during and after completion of construction.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-13-14	Shall	The applicant shall demonstrate to the satisfaction of the chief that the structure will be consistent and in accordance with all applicable state and local floodplain regulations and requirements.	1521.06	No, general rulemaking authority	Yes, state law

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1501:21-15-01	Shall	The applicant shall submit in writing a schedule of the proposed construction including the estimated time to complete the construction activities.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-15-01	Shall	The applicant shall submit for approval a winterization plan if construction will extend over the winter season.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-15-01	Require	The chief may require that the drain remain open and no water be stored until construction has been approved in accordance with rule 1501:21-17-03 or rule 1501:21-22-03 of the Administrative Code.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-15-01	Require	The chief may require that the division be notified prior to the start of certain critical construction activities.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-15-01	Shall	Construction reports shall consist of a detailed daily log of all construction operations, including: (1)The date, location, and results of tests performed on construction materials; and (2)A narrative of problems encountered during construction and inspection and the manner in which they were resolved.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-15-01	Shall	The registered professional engineer who is responsible for inspecting the construction shall submit periodic progress reports during the construction period as required by the chief.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-15-01	Require	The registered professional engineer who is responsible for inspecting the construction shall submit periodic progress reports during the construction period as required by the chief.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-15-01	Shall	These reports shall be submitted no later than ten calendar days after the end of the reporting period or as stipulated in the terms of the construction permit.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-15-02	Shall	The chief shall be promptly advised of all proposed changes in the approved design, plans, or specifications.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-15-02	Shall	There shall be no change in the approved design, plans, or specifications without prior approval of the chief.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-15-02	Shall	All such approved changes shall be recorded on the complete set of as-built plans as required in rule 1501:21-15-04 of the Administrative Code.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-15-04	Shall	One complete set of as-built plans and the detailed final cost shall be submitted to the chief upon completion of the project.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-15-04	Shall	All modifications and approved changes shall be accurately recorded on the as-built plans as prescribed in rule 1501:21-15-02 of the Administrative Code.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-15-05	Shall	The registered professional engineer who has inspected the construction shall submit written certification that the structure has been built in conformance with the plans, specifications, and changes approved by the chief.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-15-06	Shall	A manual detailing the operation, maintenance, and inspection of the dam or levee and the appurtenances thereto, shall be prepared for the owner's use during the life of the structure.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-15-06	Shall	Manuals shall be required for all class I, class II, and class III dams and all class I and class II levees.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-15-06	Shall	The manual shall be submitted to the chief for approval upon the completion of construction or as otherwise directed by the chief.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-15-06	Shall	The manual shall be provided in both a paper and a digital file format acceptable to the chief.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-15-06	Shall	However, the manual shall include, but not be limited to, the following: (A)An operation plan including, if applicable, a plan for the initial filling of the reservoir; (B)A program of scheduled maintenance; (C)A program of regular inspection and monitoring of any inspection devices; (D)Procedures for safe-rate drawdown of the reservoir; (E)Provisions for inspection of the structure and its appurtenances by a qualified engineer; (F)Any other measures necessary to insure the continued safe operation and use of the structure.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-15-07	Shall	An emergency action plan shall be required for all class I, II and III dams and all class I and class II levees.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-15-07	Shall	The emergency action plan for all class I structures shall include but not be limited to an inundation map of the critical routing reach.	1521.06	No, general rulemaking authority	Yes, state law

RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1501:21-15-07	Require	An inundation map may also be required for class II and III dams as designated by the chief.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-15-07	Require	The required detail of this map depends upon the complexity of the downstream hazard and shall be acceptable to the chief.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-15-07	Shall	The required detail of this map depends upon the complexity of the downstream hazard and shall be acceptable to the chief.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-15-07	Shall	Three copies of the emergency action plan shall be submitted to the chief for approval upon the completion of construction or as otherwise directed by the chief.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-15-07	Require	The chief may require additional copies as necessary.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-15-07	Shall	The plan shall also be provided in a digital file format acceptable to the chief.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-17-02	Shall	Such notice shall state the particulars in which the work has not complied with the approved plans, specifications, and changes.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-17-02	Shall	As prescribed by rule 1501:21-23-01 of the Administrative Code, each chief's order or permit revocation shall inform the affected party of the hearing and appeal provisions of Chapter 119. of the Revised Code.	1521.06	Yes, state law	Yes, state law
1501:21-17-03	Shall	Upon receipt of the engineer's certification required in rule 1501:21-15-05 of the Administrative Code, the as-built plans and detailed final cost required in rule 1501:21-15-04 of the Administrative Code, the operation, maintenance, and inspection manual required in rule 1501:21-15-06 of the Administrative Code, and the emergency action plan required in rule 1501:21-15-07 of the Administrative Code, the chief shall within thirty days inspect the completed construction.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-17-03	Shall	If the chief finds that construction was completed in accordance with the approved plans, specifications, and changes, the chief shall within fourteen days after inspection approve the construction and so notify the owner and the surety in writing.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-17-03	Shall	The approval date shall be the date such notice is sent by the chief.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-17-04	Shall	In the twelfth month following approval of construction by the chief under rule 1501:21-17-03 of the Administrative Code, the chief shall make a final inspection of the construction.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-17-04	Shall	If the final inspection shows that no fact has become apparent to indicate that the construction was not performed in accordance with the terms of the permit, plans, specifications, and approved changes thereof, and that the completed construction as performed would apparently not endanger life, health, or property, the chief shall give final approval of the construction and release the surety bond as prescribed in rule 1501:21-7-02 of the Administrative Code.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-19-02	Shall	The following procedure shall be used for applying for an inspection exemption under section 1521.064 of the Revised Code. (a)The owner of the dam or levee shall submit a letter to the chief requesting an exemption under section 1521.064 of the Revised Code. (b)The owner shall also provide a map showing the location of the dam or levee. (c)The chief may require submittal of documentation verifying that no person, structure or facility will be damaged by failure of the dam or levee. This documentation may include but not be limited to inundation maps, dam break studies and other calculations and information as deemed necessary by the chief. (d)The owner shall submit a written certification that they accept liability for any injury, death, or loss to persons or property caused by the rupturing of or other structural damage to the dam or levee. This liability certification is not transferable. If the ownership of the dam or levee changes, the new owner shall submit a new liability certification to continue the exemption.	1521.064	Yes, state law	Yes, state law
1501:21-19-02	Shall	The owner of the dam or levee shall submit a letter to the chief requesting an exemption under section 1521.064 of the Revised Code.	1521.064	Yes, state law	Yes, state law

Rule Number	Regulatory Restriction	Description of Regulatory Restriction	Statute Under Which the Regulatory Restriction Was Adopted	Is the Regulatory Restriction Expressly or Specifically Required by State or Federal Law?	Is a Law Change Required in Order to Remove the Restriction?
1501:21-19-02	Shall	The owner shall also provide a map showing the location of the dam or levee.	1521.064	Yes, state law	Yes, state law
1501:21-19-02	Require	The chief may require submittal of documentation verifying that no person, structure or facility will be damaged by failure of the dam or levee.	1521.064	Yes, state law	Yes, state law
1501:21-19-02	Shall	The owner shall submit a written certification that they accept liability for any injury, death, or loss to persons or property caused by the rupturing of or other structural damage to the dam or levee.	1521.064	Yes, state law	Yes, state law
1501:21-19-02	Shall	If the ownership of the dam or levee changes, the new owner shall submit a new liability certification to continue the exemption.	1521.064	Yes, state law	Yes, state law
1501:21-19-02	Shall	The dam or levee shall meet the following standards before it can be exempted under section 1521.064 of the Revised Code. (a)A dam shall have sufficient discharge/storage capacity to pass the onehundred- year flood, or other design flood as deemed appropriate by the chief, safely through the appurtenant spillway system. (b)The dam or levee shall be in a condition sufficient to reasonably assure its continued operation and meet all requirements deemed necessary by the chief. (c)The chief may require the dam or levee to have an approved operation, maintenance and inspection manual and an emergency action plan.	1521.064	Yes, state law	Yes, state law
1501:21-19-02	Shall	A dam shall have sufficient discharge/storage capacity to pass the onehundred- year flood, or other design flood as deemed appropriate by the chief, safely through the appurtenant spillway system.	1521.064	Yes, state law	Yes, state law
1501:21-19-02	Shall	The dam or levee shall be in a condition sufficient to reasonably assure its continued operation and meet all requirements deemed necessary by the chief.	1521.064	Yes, state law	Yes, state law
1501:21-19-02	Require	The dam or levee shall be in a condition sufficient to reasonably assure its continued operation and meet all requirements deemed necessary by the chief.	1521.064	Yes, state law	Yes, state law
1501:21-19-02	Require	The chief may require the dam or levee to have an approved operation, maintenance and inspection manual and an emergency action plan.	1521.064	Yes, state law	Yes, state law
1501:21-19-02	Shall	The owner shall maintain the dam or levee in good condition and must be demonstrated to the satisfaction of the chief.	1521.064	Yes, state law	Yes, state law
1501:21-19-02	Must	The owner shall maintain the dam or levee in good condition and must be demonstrated to the satisfaction of the chief.	1521.064	Yes, state law	Yes, state law
1501:21-19-02	Shall	The owner shall submit notification to the chief of a change in ownership of the dam or levee.	1521.064	Yes, state law	Yes, state law
1501:21-19-02	Shall	If any fact becomes apparent to indicate that the hazard of the dam or levee has changed or that the dam or levee is no longer in good condition, the chief shall rescind the exemption and classify the dam or levee based on rule 1501:21-13-01 of the Administrative Code.	1521.064	Yes, state law	Yes, state law
1501:21-21-01	Shall	The chief shall make periodic inspections and evaluations of all class I, class II, and class III dams and all class I and class II levees to assure that their continued operation and use does not constitute a hazard to life, health, or property.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-21-01	Shall	The classification of each dam and levee shall be reviewed during each periodic or other inspection and may be changed as a result of such inspection.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-21-01	Shall	The classification of the dam or levee shall be determined by the chief in accordance with the criteria established in rules 1501:21-13-01 and 1501:21-13-09 of the Administrative Code.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-21-01	Shall	The report shall meet the requirements of rule 1501:21-3-02 and paragraphs (A) and (B) of rule 1501:21-21-02 of the Administrative Code.	1521.06	No, general rulemaking authority	Yes, state law

RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1501:21-21-02	Shall	Each periodic inspection shall consist of, but not be limited to, the following: (1)Review and analysis of available data on the design, construction, operation, and maintenance of the dam or levee, and its appurtenances; (2)Visual inspection of the dam or levee, its appurtenances, the downstream area, and all other areas potentially affected by the structure; (3)Evaluation of the general conditions of the dam or levee, and its appurtenances which may include assessment of the hydrologic and hydraulic capabilities, structural stabilities, and any other conditions which constitute or could constitute a hazard to the integrity of the structure; (4)Evaluation of operation, maintenance, and inspection procedures for the structure; and (5)Evaluation of the emergency action plan for the structure.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-21-02	Shall	The findings of the periodic inspection shall be presented in a written report that shall consist of, but not be limited to, the following: (1)An assessment of the conditions of the dam or levee based on the visual observations, available data on the design, construction, operation, and maintenance of the structure, and hydrologic, hydraulic, stability, and other evaluations; (2)Recommendations for any emergency measures and/or actions; (3)Recommendations for remedial and corrective measures and/or actions relating to design, construction, operation, maintenance, and inspection of the structure; (4)Recommendations for additional detailed studies, investigations, and analyses; and (5)Recommendations for time periods appropriate for implementing any necessary emergency, remedial, or corrective measures and/or actions, and any necessary additional studies, investigations, or analyses.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-21-02	Shall	The findings of the periodic inspection shall be presented in a written report that shall consist of, but not be limited to, the following: (1)An assessment of the conditions of the dam or levee based on the visual observations, available data on the design, construction, operation, and maintenance of the structure, and hydrologic, hydraulic, stability, and other evaluations; (2)Recommendations for any emergency measures and/or actions; (3)Recommendations for remedial and corrective measures and/or actions relating to design, construction, operation, maintenance, and inspection of the structure; (4)Recommendations for additional detailed studies, investigations, and analyses; and (5)Recommendations for time periods appropriate for implementing any necessary emergency, remedial, or corrective measures and/or actions, and any necessary additional studies, investigations, or analyses.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-21-02	Shall	The chief shall furnish a copy of the written report of the periodic inspection to the owner, detailing any required repairs, improvements, maintenance, investigations, studies, analyses, tests, or other remedial measures to the dam or levee needed to safeguard life, health, or property.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-21-02	Require	The chief shall furnish a copy of the written report of the periodic inspection to the owner, detailing any required repairs, improvements, maintenance, investigations, studies, analyses, tests, or other remedial measures to the dam or levee needed to safeguard life, health, or property.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-21-02	Shall	The chief shall advise the owner of the time period in which all required measures and actions shall be accomplished.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-21-02	Require	The chief shall advise the owner of the time period in which all required measures and actions shall be accomplished.	1521.06	No, general rulemaking authority	Yes, state law

Rule Number	Regulatory Restriction	Description of Regulatory Restriction	Statute Under Which the Regulatory Restriction Was Adopted	Is the Regulatory Restriction Expressly or Specifically Required by State or Federal Law?	Is a Law Change Required in Order to Remove the Restriction?
1501:21-21-02	Shall	The chief shall advise the owner of the time period in which all required measures and actions shall be accomplished.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-21-03	Require	Pursuant to the requirements and/or orders of the chief, the owner shall perform such repairs, improvements, maintenance, investigations, studies, analyses, tests, or other remedial measures to the dam or levee as may be judged by the chief as necessary to safeguard life, health, or property.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-21-03	Shall	Pursuant to the requirements and/or orders of the chief, the owner shall perform such repairs, improvements, maintenance, investigations, studies, analyses, tests, or other remedial measures to the dam or levee as may be judged by the chief as necessary to safeguard life, health, or property.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-21-03	Shall	The owner shall be provided with a reasonable period of time in which to perform such required measures and actions.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-21-03	Require	The owner shall be provided with a reasonable period of time in which to perform such required measures and actions.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-21-03	Shall	The severity of the deficiencies and the hazard posed by the dam or levee shall be considered by the chief in establishing the prescribed length of the time period.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-21-03	Require	The cost of all required measures and actions shall be borne by the owner.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-21-03	Shall	The cost of all required measures and actions shall be borne by the owner.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-21-03	Shall	The chief shall advise the owner as to which repairs, improvements, maintenance, investigations, analyses, tests, and other remedial measures to the dam or levee must be accomplished under the direction of a registered professional engineer as per rule 1501:21-3-02 of the Administrative Code.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-21-03	Must	The chief shall advise the owner as to which repairs, improvements, maintenance, investigations, analyses, tests, and other remedial measures to the dam or levee must be accomplished under the direction of a registered professional engineer as per rule 1501:21-3-02 of the Administrative Code.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-21-03	Shall	The owner shall submit to the chief for review and approval three copies each of the plans and specifications, and one design report that includes, but is not limited to, assumptions, references, calculations, and investigations.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-21-03	Shall	All plans and specifications shall be prepared in accordance with the provisions of rules 1501:21-5-05 and 1501:21-5-06 of the Administrative Code.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-21-03	Shall	The chief shall respond in writing within forty-five days from their date of receipt with either approval, conditional approval, or disapproval, describing any required modifications; however, the review of a critical flood analysis may require up to ninety days.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-21-03	Require	The chief shall respond in writing within forty-five days from their date of receipt with either approval, conditional approval, or disapproval, describing any required modifications; however, the review of a critical flood analysis may require up to ninety days.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-21-03	Require	The chief shall respond in writing within forty-five days from their date of receipt with either approval, conditional approval, or disapproval, describing any required modifications; however, the review of a critical flood analysis may require up to ninety days.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-21-03	Shall	Construction of corrective measures to dams and levees shall be accomplished under the inspection of a registered professional engineer and shall be in accordance with the requirements of rules 1501:21-15-01 to 1501:21-15-05 of the Administrative Code, unless otherwise modified by the chief.	1521.06	No, general rulemaking authority	Yes, state law

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1501:21-21-03	Shall	Construction of corrective measures to dams and levees shall be accomplished under the inspection of a registered professional engineer and shall be in accordance with the requirements of rules 1501:21-15-01 to 1501:21-15-05 of the Administrative Code, unless otherwise modified by the chief.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-21-03	Shall	The chief shall advise the owner as to which maintenance, repairs, or other remedial measures of a routine nature are not required to be accomplished under the direction of a registered professional engineer and are not subject to the chief's approval pursuant to division (E) of section 1521.062 of the Revised Code.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-21-04	Shall	Pursuant to the provisions of section 1521.062 of the Revised Code, the owner of a dam or levee shall be responsible for the continued safe operation and use of the structure so that it does not constitute a hazard to life, health, or property.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-21-04	Shall	The owner of a dam or levee shall prepare a written manual detailing the operation, maintenance, and inspection procedures necessary for the continued safe operation and use of the dam or levee, and an emergency action plan.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-21-04	Shall	The contents of such manual and plan shall be as described respectively in rules 1501:21-15-06 and 1501:21-15-07 of the Administrative Code.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-21-04	Shall	The emergency action plan shall be updated on at least an annual basis including updating all emergency contact information.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-21-04	Shall	The owner shall annually submit to the division and the local county emergency management director updated pages of the emergency action plan.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-21-05	Require	If the owner fails to perform such repairs, maintenance, remedial measures, or other measures within the required time period as may have been ordered by the chief, the chief shall so notify the owner of the noncompliance.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-21-05	Shall	If the owner fails to perform such repairs, maintenance, remedial measures, or other measures within the required time period as may have been ordered by the chief, the chief shall so notify the owner of the noncompliance.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-21-05	Shall	If the chief's intention is to remove or correct the unsafe structure, at the expense of the owner, pursuant to division (G) of section 1521.062 of the Revised Code, the chief shall so notify the owner in writing.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-21-05	Shall	Such cost is a lien upon such lands from the date of entry and shall be collected as other taxes and returned to the division.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-21-05	Shall	The cost of this remedy shall be recoverable from any person ultimately determined to be the owner of the dam or levee by a court of competent jurisdiction.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-22-02	Shall	Such notice shall state the particulars in which the work has not complied with the approved plans, specifications, and or changes.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-22-02	Shall	As prescribed by rule 1501:21-23-01 of the Administrative Code, each chief's order shall inform the affected party of the hearing and appeal provisions of Chapter 119. of the Revised Code.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-22-03	Shall	Upon receipt of the engineer's certification and the as-built plans required in paragraph (C) of rule 1501:21-21-03 of the Administrative Code, and the chief shall within thirty days inspect the completed construction.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-22-03	Shall	If the chief finds that construction was completed in accordance with the approved plans, specifications, and changes, the chief shall within fourteen days after inspection approve the construction and notify the owner in writing.	1521.06	No, general rulemaking authority	Yes, state law
1501:21-22-03	Shall	If the chief finds that construction was not completed in accordance with the approved plans, specifications, and changes, the chief shall notify the owner of the necessary remedial measures within fourteen days after inspection.	1521.06	No, general rulemaking authority	Yes, state law

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1501:21-23-01	Must	Such an appeal or request for hearing must be filed in strict compliance with the provisions therein specified.	1521.06	Yes, state law	Yes, state law
1501:21-23-01	Shall	Notice of a chief's order shall be sent to the affected party by registered or certified mail, return receipt requested, not later than the business day next succeeding such order.	1521.06	Yes, state law	Yes, state law
1501:21-23-01	Shall	Such notice shall state the reasons for the chief's action, cite the law or rule directly involved, and state that the party will be afforded a hearing if requested, in writing, within thirty days of the time of mailing the notice.	1521.06	Yes, state law	Yes, state law
1501:21-23-01	Shall	Whenever a party requests a hearing pursuant to provisions of Chapter 119. of the Revised Code, the chief shall immediately set the date, time, and place for such hearing and forthwith notify the party thereof.	1521.06	Yes, state law	Yes, state law
1501:21-23-01	Shall	The date for such hearing shall be within fifteen days, but not earlier than seven days, after the party has requested a hearing, unless otherwise agreed to by both the chief and the party.	1521.06	Yes, state law	Yes, state law
1501:21-23-01	Shall	Any such notices of appeal shall be filed within fifteen days after the mailing of the notice of the chief's order.	1521.06	Yes, state law	Yes, state law
1501:21-23-01	Shall	The filing of an appeal does not automatically stay the effectiveness of the orders of the chief, and until such time as the orders are reversed or otherwise declared unlawful, or a stay of the orders is granted by a court of competent jurisdiction, the orders shall remain in full force and effect.	1521.06	Yes, state law	Yes, state law
1501:21-24-01	Shall	The fee schedule for the annual fee established by section 1521.063 of the Revised Code shall be as follows: (1)For any dam classified as a class I dam under rule 1501:21-13-01 of the Administrative Code, three hundred dollars plus ten dollars per foot of height of dam, eight cents per foot of length of the dam, and eight cents per acre-foot of total storage volume impounded by the dam. (2)For any dam classified as a class II dam under rule 1501:21-13-01 of the Administrative Code, ninety dollars plus six dollars per foot of height of dam, eight cents per foot of length of the dam, and eight cents per acre-foot of total storage volume impounded by the dam. (3)For any dam classified as a class III dam under rule 1501:21-13-01 of the Administrative Code, ninety dollars plus four dollars per foot of height of dam, eight cents per foot of length of the dam, and eight cents per acre-foot of total storage volume impounded by the dam.	1521.063	Yes, state law	Yes, state law
1501:21-24-02	Shall	The compliant dam discount program established by section 1521.063 of the Revised Code shall be administered as follows: (A)The owner of the dam shall receive an annual ten per cent discount, to the nearest dollar, off the annual fee if the dam has an approved and up-to-date emergency action plan in accordance with rule 1501:21-21-04 of the Administrative Code. In order to maintain the discount, the owner must submit the emergency action plan update required by rule 1501:21-21-04 of the Administrative Code to the chief by June thirtieth of each year. (B)The owner of the dam shall receive an annual fifteen per cent discount, to the nearest dollar, off the annual fee if the dam is in good condition and meets all requirements deemed necessary by the chief in accordance with rule 1501:21-21-04 of the Administrative Code. For purposes of this discount, the chief will evaluate the condition of the dam at each periodic inspection as required by rule 1501:21-21-01 of the Administrative Code or more frequently as necessary. The dam owner will provide whatever documentation is necessary to verify the condition of the dam. (C)The discounted amount shall be reflected on the annual invoice sent to the dam owner. (D)If the annual fee is not paid within sixty days following the statutory due date, the full amount of the fee plus penalty and interest is owed as established by section 1521.063 of the Revised Code.	1521.063	Yes, state law	Yes, state law

RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1501:21-24-02	Shall	The owner of the dam shall receive an annual ten per cent discount, to the nearest dollar, off the annual fee if the dam has an approved and up-to-date emergency action plan in accordance with rule 1501:21-21-04 of the Administrative Code.	1521.063	Yes, state law	Yes, state law
1501:21-24-02	Must	In order to maintain the discount, the owner must submit the emergency action plan update required by rule 1501:21-21-04 of the Administrative Code to the chief by June thirtieth of each year.	1521.063	Yes, state law	Yes, state law
1501:21-24-02	Shall	The owner of the dam shall receive an annual fifteen per cent discount, to the nearest dollar, off the annual fee if the dam is in good condition and meets all requirements deemed necessary by the chief in accordance with rule 1501:21-21-04 of the Administrative Code.	1521.063	Yes, state law	Yes, state law
1501:21-24-02	Require	The owner of the dam shall receive an annual fifteen per cent discount, to the nearest dollar, off the annual fee if the dam is in good condition and meets all requirements deemed necessary by the chief in accordance with rule 1501:21-21-04 of the Administrative Code.	1521.063	Yes, state law	Yes, state law
1501:21-24-02	Shall	The discounted amount shall be reflected on the annual invoice sent to the dam owner.	1521.063	Yes, state law	Yes, state law
1501:22-1-01	Must	"Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the watersurface elevation more than a designated height.	1506.04	No, general rulemaking authority	No, general rulemaking authority
1501:22-1-01	Require	"Manufactured home" means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities.	1506.04	No, general rulemaking authority	No, general rulemaking authority
1501:22-1-01	Shall	This definition shall exclude any manufactured home park as defined in section 3733.01 of the Revised Code, over which the public health council has exclusive rule making power.	1506.04	No, general rulemaking authority	No, general rulemaking authority
1501:22-1-01	Must	In return for this insurance protection, participating communities must regulate new development within special flood hazard areas identified and mapped by the federal emergency management agency.	1506.04	No, general rulemaking authority	No, general rulemaking authority
1501:22-1-02	Shall	The invalidation by a court of a rule adopted or amended pursuant to section 1506.04 of the Revised Code shall not affect the validity of any other rule or portion thereof adopted or amended thereunder by the director.	1506.04	No, general rulemaking authority	Yes, state law
1501:22-1-03	Shall	The floodplain management criteria contained in rule 1501:22-1-04 of the Administrative Code shall apply to all counties and municipal corporations containing coastal flood hazard areas which are not participating in the national flood insurance program.	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-03	Shall	Such communities shall adopt resolutions or ordinances governing development within the coastal flood hazard areas which meet or exceed the standards of rule 1501:22-1-04 of the Administrative Code.	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-03	Must	These regulations must be legally enforceable, applied uniformly throughout the county or municipal corporation to all privately and publicly owned land within the coastal flood hazard area, and must take precedence over any less restrictive or conflicting local laws, resolutions, ordinances, or codes.	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-03	Must	These regulations must be legally enforceable, applied uniformly throughout the county or municipal corporation to all privately and publicly owned land within the coastal flood hazard area, and must take precedence over any less restrictive or conflicting local laws, resolutions, ordinances, or codes.	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-03	Shall	A county or municipal corporation that participates in the national flood insurance program shall comply with the floodplain management criteria set forth in the national flood insurance program regulations found in Part 60 of Title 44 of the Code of Federal Regulations.	1506.04	Yes, both state and federal law	Yes, both state and federal law

RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1501:22-1-04	Shall	(A)When a county or municipal corporation has been notified, pursuant to the requirements of the national flood insurance program, that it contains areas of special flood hazards (A zones) by the publication of a FHBM or FIRM, but where such maps neither identify a floodway or coastal high hazard area, nor contain water surface elevation data, the county or municipal corporation shall: (1)Require permits for all proposed construction and other developments including the placement of manufactured homes, within Zone A on the FHBM or FIRM; (2)Review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by federal or state law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334; (3)Review all permit applications to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in an area of special flood hazard, all new construction and substantial improvements shall (a) be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, (b) be constructed with materials resistant to flood damage, (c) be constructed by methods and practices that minimize flood damages, and (d) be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding. (4)Review subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, to determine whether such proposals will be reasonably safe from flooding. If a subdivision proposal or other proposed new development is in an area of special flood hazard, any such proposals shall be reviewed to assure that (a) all such proposals are consistent with the need to minimize flood damage within the flood-prone area, (b) all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage, and (c) adequate drainage is provided to reduce exposure to flood hazards; (5)Require within areas of special flood hazard new and replacement water supply systems to be designed to minimize or eliminate infiltration of flood waters into the systems; and (6)Require within areas of special flood hazard (a) new and replacement sanitary sewage systems to be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters and (b) onsite waste disposal systems to be located to avoid impairment to them or contamination from them during	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-04	Require	Require permits for all proposed construction and other developments including the placement of manufactured homes, within Zone A on the FHBM or FIRM;	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-04	Shall	If a proposed building site is in an area of special flood hazard, all new construction and substantial improvements shall (a) be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, (b) be constructed with materials resistant to flood damage, (c) be constructed by methods and practices that minimize flood damages, and (d) be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-04	Shall	If a subdivision proposal or other proposed new development is in an area of special flood hazard, any such proposals shall be reviewed to assure that (a) all such proposals are consistent with the need to minimize flood damage within the flood-prone area, (b) all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage, and (c) adequate drainage is provided to reduce exposure to flood hazards;	1506.04	Yes, both state and federal law	Yes, both state and federal law

RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1501:22-1-04	Require	Require within areas of special flood hazard new and replacement water supply systems to be designed to minimize or eliminate infiltration of flood waters into the systems;	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-04	Require	Require within areas of special flood hazard (a) new and replacement sanitary sewage systems to be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters and (b) onsite waste disposal systems to be located to avoid impairment to them or contamination from them during flooding.	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-04	Require	Require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than fifty lots or five acres, whichever is the lesser, include within such proposals base flood elevation data;	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-04	Require	Obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal, state, or other source, including data developed pursuant to paragraph (A)(7) of this rule, as criteria for requiring that new construction, substantial improvements, or other development in Zone A on the FHBM or FIRM meet the standards in paragraphs (B)(2), (B)(3), (B)(5), (B)(6), (B)(12), (B)(14), (C)(2) and (C)(3) of this rule;	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-04	Require	Require that all manufactured homes to be placed within Zone A on the FHBM or FIRM shall be installed using methods and practices which minimize flood damage.	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-04	Shall	Require that all manufactured homes to be placed within Zone A on the FHBM or FIRM shall be installed using methods and practices which minimize flood damage.	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-04	Must	For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse or lateral movement.	1506.04	Yes, both state and federal law	Yes, both state and federal law

Rule Number	Regulatory Restriction	Description of Regulatory Restriction	Statute Under Which the Regulatory Restriction Was Adopted	Is the Regulatory Restriction Expressly or Specifically Required by State or Federal Law?	Is a Law Change Required in Order to Remove the Restriction?
1501:22-1-04	Shall	(B)When, pursuant to the requirements of the national flood insurance program, a county or municipal corporation has been provided a notice of final flood elevations for one or more special flood hazard areas on the FIRM and, if appropriate, other special flood hazard areas have been designated without base flood elevations on the FIRM, but a regulatory floodway or coastal high hazard area has not been identified, the county or municipal corporation shall: (1)Require the standards of paragraph (A) of this rule within all A1-30 zones, AE zones, A zones, AH zones, and AO zones, on the FIRM: (2)Require that all new construction and substantial improvements of residential structures within Zones A1-30, AE and AH zones on the FIRM have the lowest floor, including basement, elevated to or above the base flood level. (3)Require that all new construction and substantial improvements of non-residential structures within Zones A1-30, AE and AH zones on the FIRM (a) have the lowest floor, including basement, elevated to or above the base flood level or, (b) together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; (4)Provide that where a non-residential structure is intended to be made watertight below the base flood level, (a) a registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of paragraph (B)(3)(b) or (B)(8)(b) of this rule, and (b) a record of such certificates which includes the specific elevation, in relation to mean sea level, to which such structures are floodproofed shall be maintained for public inspection with the official designated by the county or municipal corporation. (5)Require, for all new construction and substantial improvements, that fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria: a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-04	Require	Require the standards of paragraph (A) of this rule within all A1-30 zones, AE zones, A zones, AH zones, and AO zones, on the FIRM:	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-04	Require	Require that all new construction and substantial improvements of residential structures within Zones A1-30, AE and AH zones on the FIRM have the lowest floor, including basement, elevated to or above the base flood level.	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-04	Require	Require that all new construction and substantial improvements of non-residential structures within Zones A1-30, AE and AH zones on the FIRM (a) have the lowest floor, including basement, elevated to or above the base flood level or, (b) together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;	1506.04	Yes, both state and federal law	Yes, both state and federal law

RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1501:22-1-04	Shall	Provide that where a non-residential structure is intended to be made watertight below the base flood level, (a) a registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of paragraph (B)(3)(b) or (B)(8)(b) of this rule, and (b) a record of such certificates which includes the specific elevation, in relation to mean sea level, to which such structures are floodproofed shall be maintained for public inspection with the official designated by the county or municipal corporation.	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-04	Shall	Provide that where a non-residential structure is intended to be made watertight below the base flood level, (a) a registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of paragraph (B)(3)(b) or (B)(8)(b) of this rule, and (b) a record of such certificates which includes the specific elevation, in relation to mean sea level, to which such structures are floodproofed shall be maintained for public inspection with the official designated by the county or municipal corporation.	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-04	Shall	Provide that where a non-residential structure is intended to be made watertight below the base flood level, (a) a registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of paragraph (B)(3)(b) or (B)(8)(b) of this rule, and (b) a record of such certificates which includes the specific elevation, in relation to mean sea level, to which such structures are floodproofed shall be maintained for public inspection with the official designated by the county or municipal corporation.	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-04	Require	Require, for all new construction and substantial improvements, that fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters.	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-04	Shall	Require, for all new construction and substantial improvements, that fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters.	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-04	Must	Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria: a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-04	Shall	Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria: a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-04	Shall	The bottom of all openings shall be no higher than one foot above grade.	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-04	Require	Require that manufactured homes that are placed or substantially improved within Zones A1-30, AH, and AE on the FIRM on sites (a) outside of manufactured home park or subdivision (b) in a new manufactured home park or subdivision, (c) in an expansion to an existing manufactured home park or subdivision, or (d) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to or above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation collapse and lateral movement.	1506.04	Yes, both state and federal law	Yes, both state and federal law

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1501:22-1-04	Require	Require within any AO zone on the FIRM that all new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the FIRM (at least two feet if no depth number is specified);	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-04	Require	Require within any AO zone on the FIRM that all new construction and substantial improvements of nonresidential structures (a) have the lowest floor, including basement, elevated above the highest adjacent grade at least as high as the depth number specified in feet on the FIRM--at least two feet if no depth number is specified, or (b) together with attendant utility and sanitary facilities be completely floodproofed to that level to meet the floodproofing standard specified in paragraph (B)(3)(b) of this rule;	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-04	Require	Require within any A99 zones on a FIRM the standards of paragraphs (A)(1) to (A)(4)(a) and (A)(9) to (A)(12) of this rule;	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-04	Require	Require until a regulatory floodway is designated, that no new construction, substantial improvements, or other development, including fill, shall be permitted within Zones A1-30 and AE on the FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the county or municipal corporation.	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-04	Shall	Require until a regulatory floodway is designated, that no new construction, substantial improvements, or other development, including fill, shall be permitted within Zones A1-30 and AE on the FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the county or municipal corporation.	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-04	Require	Require within Zones AH and AO, adequate drainage paths around structures on slopes, to guide floodwaters around and away from proposed structures.	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-04	Require	Require that manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivisions within zones A1-30 AH, and AE on the FIRM that are not subject to the provisions of paragraph (B)(6) of this rule be elevated so that either (a) the lowest floor of the manufactured home is at or above the base flood elevation, or (b) the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than thirty-six inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-04	Require	Require that recreational vehicles placed on sites within Zones A1-30, AH, and AE on the FIRM either (a) be on the site for fewer than one hundred eighty consecutive days, (b) be fully licensed and ready for highway use, or (c) meet the permit requirements of (A)(1) of this rule and the elevation and anchoring requirements for "manufactured homes" in paragraph (B)(6) of this rule.	1506.04	Yes, both state and federal law	Yes, both state and federal law

RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1501:22-1-04	Shall	When, pursuant to the requirements of the National Flood Insurance Program, a county or municipal corporation has been provided a notice of final base flood elevations within Zones A1-30 and/or AE on the FIRM and, if appropriate, AO zones, AH zones, A99 zones, and A zones have been designated on the firm, and has been provided data from which the county or municipal corporation shall designate its regulatory floodway, the county or municipal corporation shall: (1)Meet the requirements of paragraph (B)(1) to (B)(14) of this rule; (2)Select and adopt a regulatory floodway based on the principle that the area chosen for the regulatory floodway must be designed to carry the waters of the base flood without increasing the water surface elevation of that flood more than one foot any point; (3)Prohibit encroachments, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the county or municipal corporation during the occurrence of the base flood discharge;	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-04	Shall	When, pursuant to the requirements of the National Flood Insurance Program, a county or municipal corporation has been provided a notice of final base flood elevations within Zones A1-30 and/or AE on the FIRM and, if appropriate, AO zones, AH zones, A99 zones, and A zones have been designated on the firm, and has been provided data from which the county or municipal corporation shall designate its regulatory floodway, the county or municipal corporation shall: (1)Meet the requirements of paragraph (B)(1) to (B)(14) of this rule; (2)Select and adopt a regulatory floodway based on the principle that the area chosen for the regulatory floodway must be designed to carry the waters of the base flood without increasing the water surface elevation of that flood more than one foot any point; (3)Prohibit encroachments, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the county or municipal corporation during the occurrence of the base flood discharge;	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-04	Must	Select and adopt a regulatory floodway based on the principle that the area chosen for the regulatory floodway must be designed to carry the waters of the base flood without increasing the water surface elevation of that flood more than one foot any point;	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-04	Prohibit	Prohibit encroachments, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the county or municipal corporation during the occurrence of the base flood discharge;	1506.04	Yes, both state and federal law	Yes, both state and federal law

Rule Number	Regulatory Restriction	Description of Regulatory Restriction	Statute Under Which the Regulatory Restriction Was Adopted	Is the Regulatory Restriction Expressly or Specifically Required by State or Federal Law?	Is a Law Change Required in Order to Remove the Restriction?
1501:22-1-04	Shall	When, pursuant to the requirements of the national flood insurance program, a county or municipal corporation has been provided a notice of final base flood elevations within Zones A1-30 and/or AE on the FIRM and, if appropriate, AH zones, AO zones, A99 zones, and A zones have been designated on the FIRM, and where on the FIRM coastal high hazard areas have been designated as Zones V1-30, VE, and/or V, the county or municipal corporation shall: (1)Meet the requirements of paragraphs (B)(1) to (B)(14) of this rule; (2)Within Zones V1-30, VE, and V on a FIRM. (a) Obtain the elevation in relation to mean sea level, of the bottom of the lowest structural member of the lowest floor, excluding pilings and columns, of all new and substantially improved structures, and whether or not such structures contain a basement, and (b) maintain a record of all such information with the official designated by the county or municipal corporation. (3)Provide that all new construction and substantial improvements in Zones V1-30 and VE, and also Zone V, if base flood elevation data are available, on the FIRM, are elevated on pilings and columns so that (a) the bottom of the lowest horizontal structural member of the lowest floor, excluding the pilings or columns, is elevated to or above the base flood level; and (b) the pile or column foundation and structure attached thereto is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Water loading values used shall be those associated with the base flood. Wind loading values used shall be those required by applicable state of local building standards. A registered professional engineer or architect shall develop or review the structural design, specifications and plans for the construction, and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of this paragraph. (4)Provide that all new construction and substantial improvements within Zones V1-30, VE, and V on the FIRM have the space below the lowest floor either free of obstruction or constructed with nonsupporting breakaway walls, open wood lattice-work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system. For the purposes of this paragraph, a breakaway wall shall have a design safe loading resistance of not less than ten and no more than twenty pounds per square foot. Use of breakaway walls which exceed a design safe loading resistance of twenty pounds per square foot, either by design or when so required by local or state codes, may be permitted only if a registered professional engineer or architect certifies that the designs proposed meet the following conditions:	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-04	Shall	Water loading values used shall be those associated with the base flood.	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-04	Shall	Wind loading values used shall be those required by applicable state of local building standards.	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-04	Require	Wind loading values used shall be those required by applicable state of local building standards.	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-04	Shall	A registered professional engineer or architect shall develop or review the structural design, specifications and plans for the construction, and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of this paragraph.	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-04	Shall	A registered professional engineer or architect shall develop or review the structural design, specifications and plans for the construction, and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of this paragraph.	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-04	Shall	For the purposes of this paragraph, a breakaway wall shall have a design safe loading resistance of not less than ten and no more than twenty pounds per square foot.	1506.04	Yes, both state and federal law	Yes, both state and federal law

Rule Number	Regulatory Restriction	Description of Regulatory Restriction	Statute Under Which the Regulatory Restriction Was Adopted	Is the Regulatory Restriction Expressly or Specifically Required by State or Federal Law?	Is a Law Change Required in Order to Remove the Restriction?
1501:22-1-04	Require	Use of breakaway walls which exceed a design safe loading resistance of twenty pounds per square foot, either by design or when so required by local or state codes, may be permitted only if a registered professional engineer or architect certifies that the designs proposed meet the following conditions: (a)Breakaway wall collapse shall result from a water load less than that which would occur during the base flood; and, (b)The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components- structural and non-structural. Water loading values used shall be those associated with the base flood. Wind loading values used shall be those required by applicable state or local building standards. Such enclosed space shall be useable solely for parking of vehicles, building access or storage.	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-04	Shall	Breakaway wall collapse shall result from a water load less than that which would occur during the base flood;	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-04	Shall Not	The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components- structural and non-structural.	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-04	Shall	Water loading values used shall be those associated with the base flood.	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-04	Shall	Wind loading values used shall be those required by applicable state or local building standards.	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-04	Require	Wind loading values used shall be those required by applicable state or local building standards.	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-04	Shall	Such enclosed space shall be useable solely for parking of vehicles, building access or storage.	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-04	Prohibit	Prohibit the use of fill for structural support of buildings within Zones V1-30, VE, and V on the FIRM;	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-04	Require	Require that manufactured homes placed or substantially improved within Zones V1-30, V, and VE on the FIRM on sites (a) outside of a manufactured home park or subdivision, (b) in a new manufactured home park or subdivision, (c) in an expansion to an existing manufactured home park or subdivision, or (d) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood, meet the standards of paragraphs (D)(2) to (D)(5) of this rule and that manufactured homes placed or substantially improved on other sites in an existing manufactured home park or subdivision within Zones V1-30, V, and VE on the FIRM meet the requirements of paragraph (B)(12) of this rule.	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-04	Require	Require that recreational vehicles placed on sites within Zones V1-30, V, and VE on the FIRM either (a) be on the site for fewer than one hundred eighty consecutive days, (b) be fully licensed and ready for highway use, or (c) meet the requirements in paragraphs (A)(1) and (D)(2) to (D)(5) of this rule.	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-05	Shall	Variances shall not be issued within any designated regulatory floodway if any increase in flood levels during the base flood discharge would result	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-05	Shall	Variances shall only be issued upon (1) a showing of good and sufficient cause, (2) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local resolutions or ordinances	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-05	Shall	Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief	1506.04	Yes, both state and federal law	Yes, both state and federal law
1501:22-1-05	Shall	A county or municipal corporation shall maintain a record of all variance actions, including justification for their issuance, and upon request, submit such information to the chief of the division of water in the department of natural resources.	1506.04	Yes, both state and federal law	Yes, both state and federal law

RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1501:22-1-06	Shall	Upon the written request by the director or his designee, the county or municipal corporation shall within thirty days of the mailing of the request furnish certified copies of such adopted resolutions or ordinances to the chief of the division of water in the department of natural resources.	1506.04	No, general rulemaking authority	No, general rulemaking authority
1501:22-1-06	Shall	A county or municipal corporation which makes any modifications or amendments to its adopted resolutions or ordinances governing coastal flood hazard areas shall within thirty days of adoption submit a certified copy of such modifications or amendments to the chief of the division of water in the department of natural resources.	1506.04	No, general rulemaking authority	No, general rulemaking authority
1501:22-1-07	Shall	A county or municipal corporation containing coastal flood hazard areas that fails to adopt or enforce resolutions or ordinances which comply with the floodplain management criteria of the national flood insurance program or the criteria contained in rule 1501:22-1-04 of the Administrative Code shall be considered noncompliant.	1506.04	No, general rulemaking authority	No, general rulemaking authority
1501:22-1-07	Shall	When the director or his designee determines that a county or municipal corporation is noncompliant, he shall send a written notice of noncompliance to the legislative authority of the county or municipality.	1506.04	No, general rulemaking authority	No, general rulemaking authority
1501:22-1-07	Shall	Such notice shall list the specific deficiencies noted and provided a reasonable amount of time not to exceed one hundred eighty days by which the noncompliance shall be corrected.	1506.04	No, general rulemaking authority	No, general rulemaking authority
1501:22-1-07	Shall	Such notice shall list the specific deficiencies noted and provided a reasonable amount of time not to exceed one hundred eighty days by which the noncompliance shall be corrected.	1506.04	No, general rulemaking authority	No, general rulemaking authority
1501:22-1-07	Shall	The legislative authority of the county or municipality shall report to the director within thirty days of the mailing of the written notice on the action which it is taking or proposes to take to correct the noncompliance.	1506.04	No, general rulemaking authority	No, general rulemaking authority
1501:31-1-01	Shall	Public notice for the hearing required by division (C) of section 119.03 of the Revised Code to be conducted by the division of wildlife shall be advertised in the register of Ohio at least thirty days prior to the hearing.	1531.08	Yes, state law	Yes, state law
1501:31-1-01	Shall	The notice shall state the intention to consider adopting, amending, or rescinding a rule, with a general statement of the subject matter to which the rule relates, and the date, time, and place of a hearing on proposed action.	1531.08	Yes, state law	Yes, state law
1501:31-1-01	Shall	The notice shall also state the place from which copies of the proposed rule, amendment, or rule to be rescinded may be obtained.	1531.08	Yes, state law	Yes, state law
1501:31-1-01	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-1-02	Shall	As used in rules 1501:31-1-01 to 1501:31-40-29 of the Administrative Code, the following respective terms shall mean:	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-1-02	Shall	"Angling" means fishing with not more than two hand lines, not more than two units of rod and line, or a combination of not more than one hand line and one rod and line, either in hand or under control at any time while fishing. The hand line or rod and line shall have attached to it not more than three baited hooks, or not more than three artificial fly rod lures, or one artificial bait casting lure equipped with not more than three sets of three hooks each.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-1-02	Shall	"Baited area" means any area where shelled, shucked, or unshucked corn, wheat or other grain, salt, or other feed whatsoever capable of luring, attracting, or enticing such birds is directly or indirectly placed, exposed, deposited, distributed, or scattered and such area shall remain a baited area for ten days following complete removal of all such corn, wheat or other grain, salt, or other feed.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1501:31-1-02	Shall	However, nothing in this paragraph shall prohibit: (1) The taking of all mourning doves and migratory game birds, including waterfowl, on or over standing crops, flooded standing crops, including aquatics, flooded harvested crop-lands, grain crops properly shucked on the field where grown, or grains found scattered solely as the result of normal agricultural planting or harvesting, or if you restore and manage wetlands as habitat for waterfowl and other migratory birds, you can manipulate the naturally occurring vegetation in these areas and make them available for hunting; and (2) The taking of all mourning doves and migratory game birds, except waterfowl, on or over any lands where shelled, shucked or unshucked corn, wheat or other grain, salt, or other feed has been distributed or scattered as the result of bona fide agricultural operations or procedures, or as a result of manipulation of a crop or other feed on the land where grown for wildlife management purposes; provided, that manipulation for wildlife management purposes does not include the distributing or scattering of grain or other feed once it has been removed from or stored on the field where grown.	1531.06, 1531.08, 1531.10		
1501:31-1-02	Shall	"Field trials" shall mean the using or working of dogs or raptors that are being tested or judged in their performance in finding, tracking, trailing, pointing, hunting or retrieving game birds, by persons other than the owner or handler.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-1-02	Prohibit	"Closed season" means that period of time during which the taking of wild animals protected by Chapters 1531. and 1533. of the Revised Code is prohibited.	1531.06, 1531.08, 1531.10	Yes, state law	Yes, state law
1501:31-1-02	Shall	Lake Erie yellow perch management unit one shall consist of all waters in Lucas, Ottawa and Erie counties between east and west boundaries as defined	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-1-02	Shall	Lake Erie yellow perch management unit two shall consist of all waters in Lorain and Cuyahoga counties between west and east boundaries as defined: The west boundary shall begin in the Huron river, including all boat ramps or marinas connected to the Huron river, then extending from the Huron pier lighthouse along an imaginary line northeast to the eighty-two degree, thirty minute meridian and thenceforth along that meridian north to the United States-Canada international line.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-1-02	Shall	Lake Erie yellow perch management unit three shall consist of all waters in Lake and Ashtabula counties between west and east boundaries as defined: The west boundary shall begin in the Grand river at the state route 535 bridge, including all boat ramps and marinas connected to the Grand river and extending from the Fairport harbor light along the eighty-one degree, twenty minute meridian north to the United States-Canada international line. The east boundary shall be the Ohio-Pennsylvania state line extending from the shoreline north to the United States-Canada international line.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-1-02	Must	"Marker" means a federally approved identification device bearing a serial number which must be attached to a raptor used in falconry.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	Yes, federal law
1501:31-1-02	Must	"New applicant for a commercial fishing license" means any person who was not licensed in the previous fishing season or did not hold in reserve a commercial fishing license in the previous fishing season. Such person must meet the pre-application qualifications set forth in section 1533.342 of the Revised Code for a person who was not licensed in the previous fishing season.	1531.06, 1531.08, 1531.10	Yes, state law	Yes, state law
1501:31-1-02	Shall	"Primitive weapons" shall mean single shot muzzleloading rifles, .38 caliber or larger, or any muzzleloading shotguns using single ball or rifled slug, crossbows and longbows and arrows.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-1-02	Shall	"Shotgun" means a shoulder firearm with a smooth inner surface barrel or a barrel with shallow grooves or rifling on the inner surface as long as the grooved or rifled barrel is stamped by the original manufacturer indicating a commonly recognized shotgun gauge.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-1-02	Shall	"Snagging," "snag," and "snatch hooks" shall mean taking with a hook or hooks, so as to pierce and hook a fish in a part of the body other than inside the mouth.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-1-03	Shall	Upon conviction of any law relative to the taking, possession, protection, preservation, or propagation of wild animals or their habitat, or litter, or destruction or injury to persons or property while hunting or trapping, or safety or weapons violations, or license violations, or hunting, trapping or fishing without permission violations and the suspension of hunting or fishing or trapping rights and privileges of a person by any member state in the interstate wildlife violator compact, the chief or their designee shall revoke or suspend such rights and privileges and each hunting license, fur taker permit, deer permit, wild turkey permit, wetlands habitat stamp and fishing license issued to that person under Chapter 1531. or 1533. of the Revised Code. (1) Such revocation or suspension shall be imposed if a same or similar violation could have resulted in a suspension of such licenses, permits or privileges had the violation occurred in Ohio. (2) No fee for such a license or permit shall be returned to the person. (3) Such a revocation or suspension shall expire at the same time as the original suspension in the interstate wildlife violator compact member state.	1531.06, 1531.08, 1531.10, 1531.133	Yes, state law	Yes, state law
1501:31-1-03	Shall	Such revocation or suspension shall be imposed if a same or similar violation could have resulted in a suspension of such licenses, permits or privileges had the violation occurred in Ohio.	1531.06, 1531.08, 1531.10, 1531.133	Yes, state law	Yes, state law
1501:31-1-03	Shall	No fee for such a license or permit shall be returned to the person.	1531.06, 1531.08, 1531.10, 1531.133	Yes, state law	Yes, state law
1501:31-1-03	Shall	Such a revocation or suspension shall expire at the same time as the original suspension in the interstate wildlife violator compact member state.	1531.06, 1531.08, 1531.10, 1531.133	Yes, state law	Yes, state law
1501:31-1-03	Shall	The chief or their designee, upon notification of a persons failure to comply with a citation, summons or complaint issued in another member state in the interstate wildlife violator compact, for a violation of any law relative to the taking, possession, protection, preservation or propagation of wild animals, or their habitat, or litter, or destruction or injury to persons or property while hunting or trapping, or safety or weapons violations, or license violations, or hunting, trapping or fishing without permission violations shall suspend such persons hunting or fishing or trapping rights and privileges and each hunting license, fur taker permit, deer permit, wild turkey permit, wetlands habitat stamp and fishing license issued under Chapters 1531. and 1533. of the Revised Code.	1531.06, 1531.08, 1531.10, 1531.133	Yes, state law	Yes, state law
1501:31-1-03	Shall	(1) No fee for such a license or permit shall be returned to the person.	1531.06, 1531.08, 1531.10, 1531.133	Yes, state law	Yes, state law
1501:31-1-03	Shall	(2) The suspension shall be lifted when the person comes in to compliance with the citation, summons or complaint.	1531.06, 1531.08, 1531.10, 1531.133	Yes, state law	Yes, state law
1501:31-1-03	Shall	It shall be unlawful for any person having a license or permit suspended or revoked under this rule to engage in hunting, trapping or fishing, or purchase, apply for or receive any such license or permit until such revocation or suspension has expired or been lifted.	1531.06, 1531.08, 1531.10, 1531.133	Yes, state law	Yes, state law
1501:31-1-03	Shall	It shall be unlawful for any person to fail to surrender within the specified time any current Ohio hunting license, fur taker permit, deer permit, wild turkey permit, wetlands habitat stamp or fishing license when ordered to do so under this rule.	1531.06, 1531.08, 1531.10, 1531.133	Yes, state law	Yes, state law
1501:31-1-04	Shall	The invalidation by a court and the holding of any rule or part of a rule adopted or amended pursuant to Chapter 1531. or 1533. of the Revised Code to be unconstitutional, void or ineffective for any cause, including failure to comply with Chapter 119. of the Revised Code, shall not affect the validity of any other rule or portion thereof adopted or amended thereunder by the chief of the division of wild	1531.06, 1531.08, 1531.10	No, general rulemaking authority	Yes, state law

RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1501:31-3-01	Shall	In the lake Erie fishing district, it shall be unlawful for any person to take or attempt to take fish from a seine, or to set, maintain, or bait a seine except from March first to June fourteenth and from the Wednesday following Labor day to December tenth each year.	1531.08, 1533.41	Yes, state law	Yes, state law
1501:31-3-01	Shall	It shall be unlawful for any person to take or attempt to take fish from any commercial fishing device, or to set, maintain, or bait any such device in the lake Erie fishing district except from March first to December tenth each year.	1531.08, 1533.41	Yes, state law	Yes, state law
1501:31-3-01	Shall	Provided further, it shall be unlawful for any person to take or attempt to take yellow perch (PERCA FLAVESCENS), with any commercial fishing device in the lake Erie fishing district except from May first to December tenth of each year.	1531.08, 1533.41	Yes, state law	Yes, state law
1501:31-3-01	Shall	It shall be unlawful for any person to take or attempt to take fish by any commercial fishing method without first complying with the licensing provisions of Chapter 1533. of the Revised Code and this chapter.	1531.08, 1533.41	Yes, state law	Yes, state law
1501:31-3-01	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.08, 1533.41	Yes, state law	Yes, state law
1501:31-3-02	Shall	It shall be unlawful for any person to sell, buy, transport, take, catch, or possess channel catfish (Ictalurus punctatus) less than fourteen and one-half inches in length, a yellow perch (Perca flavescens and Perca fluviatilis) less than eight and one-half inches in length, a yellow perch fillet or part fillet less than five and five-eighths inches, a headless yellow perch less than six and seven-eighths inches in length, a white bass (Morone chrysops) or white bass hybrids (M. chrysops x R. Americanus) less than eleven inches in length, a headless white bass or white bass hybrid less than eight and three-fourths inches in length, a white bass or white bass hybrid fillet or part thereof less than six and one-half inches in length, a walleye (Stizostedion vitreum vitreum) less than fifteen and one-half inches in length, a walleye fillet or part fillet of a length less than nine and one-half inches, a headless walleye less than twelve and one-fourth inches in length, a bullhead (Ictalurus melas, I. natalis and Nebulosus species) less than nine inches in length, a white fish (Coregonus sp.) less than seventeen inches in length.	1531.08, 1533.56, 1533.63	Yes, state law	Yes, state law
1501:31-3-02	Shall	Suckers and buffalo fish of any size may be bought and sold. Except as provided in paragraph (E) of this rule, all such fish caught or taken of a weight or length less than prescribed in this rule, and all fish that cannot be taken in Ohio waters by commercial fishing devices, shall be released back to the water immediately with as little injury as possible while the fishing device is lifted, hauled or operated.	1531.08, 1533.56, 1533.63	Yes, state law	Yes, state law
1501:31-3-02	Shall	It shall be unlawful for any person to release any species of protected or undersized fish prescribed in this rule into a privately owned pond, lake, live car, or other enclosure.	1531.08, 1533.56, 1533.63	Yes, state law	Yes, state law
1501:31-3-02	Shall	It shall be unlawful for any person to bring ashore, or possess aboard a boat used in commercial fishing, a fish mentioned in this rule with its head or tail removed or in such condition that its length, weight, or species cannot be determined.	1531.08, 1533.56, 1533.63	Yes, state law	Yes, state law
1501:31-3-02	Shall	This rule does not prohibit the catching, taking, or possession of undersized fish when caught or taken with hook and line, other than a commercial trotline, but when such fish are taken they cannot be bought or sold; provided that no person shall possess such undersized fish, or a species not permitted to be taken commercially, aboard a boat going to, while on, or when returning from commercial fishing devices.	1531.08, 1533.56, 1533.63	Yes, state law	Yes, state law
1501:31-3-02	Shall	It shall be unlawful for any person to take, possess, sell, buy, transport, or cause to be transported, a quantity, container, boat load, catch or haul of any species of fish referred to in this rule containing more than ten percent by weight of undersized round, filleted or headless fish.	1531.08, 1533.56, 1533.63	Yes, state law	Yes, state law
1501:31-3-02	Shall	It shall be unlawful for any person to take, by the aid of commercial fishing gear: blue pike; sauger; sturgeon; brook, brown, rainbow, and lake trout; or coho, chinook, and pink salmon; cisco; or mooneye from lake Erie or its tributaries or to possess any of the aforementioned species on a boat going to or returning from commercial fishing.	1531.08, 1533.56, 1533.63	Yes, state law	Yes, state law

RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1501:31-3-02	Shall	It shall be unlawful for any person to buy, sell, or possess a sauger less than eleven inches in length, or sauger fillet of a weight less than three ounces, or a part fillet of a weight less than one and one-half ounces; a sturgeon, except lake sturgeon, less than forty-eight inches in length; a cisco, except lake herring, less than eleven inches in length.	1531.08, 1533.56, 1533.63	Yes, state law	Yes, state law
1501:31-3-02	Shall	It shall be unlawful for any person to possess a walleye (Stizostedion vitreum vitreum) or part thereof, including roe, upon or in any boat, used in licensed commercial fisheries while such boat is going to, when on, or when returning from commercial fishing devices.	1531.08, 1533.56, 1533.63	Yes, state law	Yes, state law
1501:31-3-02	Shall	It shall be unlawful for any person to buy, sell, or trade walleye (Stizostedion vitreum vitreum) taken from the Ohio waters of lake Erie and its tributaries.	1531.08, 1533.56, 1533.63	Yes, state law	Yes, state law
1501:31-3-02	Shall	It shall be unlawful for any person to possess or transport aboard a boat a quantity of walleye (Stizostedion vitreum vitreum), in excess of the daily bag limit per licensed angler as specified in paragraph (A) of rule 1501:31-13-08 of the Administrative Code, except a nonresident transportation permittee may transport a quantity of walleyes when in conformity with sections 1533.301 and 1533.63 of the Revised Code.	1531.08, 1533.56, 1533.63	Yes, state law	Yes, state law
1501:31-3-02	Shall	All provisions in section 1533.63 of the Revised Code not mentioned in, or modified by this rule, shall remain in effect	1531.08, 1533.56, 1533.63	Yes, state law	Yes, state law
1501:31-3-02	Shall	"Headless" for this rule shall mean the length of a fish from the tip of the tail to the point where the head was removed.	1531.08, 1533.56, 1533.63	No, general rulemaking authority	No, general rulemaking authority
1501:31-3-02	Shall	It shall be unlawful for any person to sell, buy, offer for sale, possess, or transport for sale fish which have a length or weight limit, in any form other than round, headless, or as fillets, except salmon (Salmo species) and whitefishes (Coregonus species) may be sold in steak form or canned and channel catfish (Ictalurus punctatus) may be sold in nugget and strip form.	1531.08, 1533.56, 1533.63	Yes, state law	Yes, state law
1501:31-3-02	Shall	Persons processing fish in any county adjacent to lake Erie and in accordance with section 1533.56 of the Revised Code, shall be required to keep accurate daily records for a period of two years.	1531.08, 1533.56, 1533.63	Yes, state law	Yes, state law
1501:31-3-02	Shall	Those records shall show the name and address of each owner or other person from whom the processor receives the fish, the species, weight of fish, and date.	1531.08, 1533.56, 1533.63	Yes, state law	Yes, state law
1501:31-3-02	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.08, 1533.56, 1533.63	No, general rulemaking authority	No, general rulemaking authority
1501:31-3-02	Require	A violation of the length, weight, and species of fish required of this rule is a violation of section 1533.63 of the Revised Code.	1531.08, 1533.56, 1533.63	Yes, state law	Yes, state law
1501:31-3-02	Require	Persons processing fish in any county adjacent to lake Erie and in accordance with section 1533.56 of the Revised Code, shall be required to keep accurate daily records for a period of two years.	1531.08, 1533.56, 1533.63	Yes, state law	Yes, state law
1501:31-3-03	Shall	A licensee shall not be permitted to take his license out of reserve in the same year that it is reserved.	1531.08, 1533.342, 1533.69	Yes, state law	Yes, state law
1501:31-3-03	Shall	Any license issued pursuant to paragraph (A) of this rule shall be for the same type and amount of gear that was licensed in the previous fishing season, except, a person, including those presently holding a license, may be issued a transferred license in the same manner as a new applicant.	1531.08, 1533.342, 1533.69	Yes, state law	Yes, state law
1501:31-3-03	Shall	This rule does not apply to trotline, and carp apron licenses. Applications for such licenses shall be made in accordance with requirements prescribed in Chapters 1531. and 1533. of the Revised Code.	1531.08, 1533.342, 1533.69	Yes, state law	Yes, state law
1501:31-3-03	Shall	All provisions in section 1533.342 of the Revised Code not mentioned in or modified by this rule shall be in effect.	1531.08, 1533.342, 1533.69	Yes, state law	Yes, state law
1501:31-3-03	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.08, 1533.342, 1533.69	No, general rulemaking authority	No, general rulemaking authority

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1501:31-3-03	Must	In the case of a license transferred during the commercial fishing season the transferor and transferee must have made proper applications and paid the required fees before the transfer was effective; provided such persons have complied with the necessary provisions in Chapters 1531. and 1533. of the Revised Code and division of wildlife orders in previous fishing seasons.	1531.08, 1533.342, 1533.69	Yes, state law	Yes, state law
1501:31-3-04	Shall	(A) It shall be unlawful for any person to use or to set, place, fish, locate, or maintain a net or trotline in the limited fishing areas in the lake Erie fishing district described as follows:(1) From the Camp Perry firing area located in Ottawa county, north of Camp Perry and northwest of Port Clinton, Ohio, beginning at a point north of the mouth of the Toussaint river, located at longitude 83° 03.4 ' and latitude 41° 36' in the proximity of buoy (W-or-J); thence easterly at 93° for approximately 13,000 yards to a point located at longitude 82° 54.8 ' and latitude 41 35.7 ' in the proximity of buoy (W-or-F); thence northwesterly at 326° for approximately 14,000 yards to a point located at longitude 83° 00' and latitude 41° 41.5 ' in the proximity of buoy (W-or-C); thence westerly at 270° for approximately 11,400 yards to a point located at longitude 83° 07.6 ' and latitude 41° 41.5 ' in the proximity of buoy (W-or-A); thence southeasterly at 150° for approximately 12,700 yards to the point of beginning.(2) Bass island area located in Ottawa county northeast of Port Clinton, beginning at buoy (R2) FI-6 Sec., south of South Bass island; thence northeasterly at 25° for approximately 11,650 yards to buoy (1) FI-4 Sec.-Bell; thence northerly at 12° for approximately 2,100 yards to international buoy (W-or-E); thence northwesterly at 302° for approximately 8,050 yards to buoy (R6) FI-r-4 Sec.-Bell; thence southwesterly at 203° for approximately 5,225 yards to buoy (RN2); thence southerly at 185° for approximately 8,100 yards to Green island light (FI-2-1/2 Sec.-80 ft. 8 Stm); thence southeasterly at 131° for approximately 6,050 yards to the point of beginning.(3) Kellys island area located in Erie and Ottawa counties north of Sandusky, Ohio, beginning at the Marblehead light (FI-G-6 Sec.-67 ft. 7 Stm); thence northwesterly at 339° for approximately 9,800 yards to buoy (R2)(FI R-4 Sec.); thence northeasterly at 27° for approximately 10,700 yards to the Canadian-United States international line at the western tip of Middle island; thence southeasterly at 129° for approximately 7,100 yards to buoy (1)(FI-4 Sec.); thence southwesterly at 209° for approximately 15,100 yards to the point of beginning.	1531.06, 1531.08, 1533.48, 1533.55, 1533.69	Yes, state law	Yes, state law
1501:31-3-04	Shall	It shall be unlawful for any person to set or use in fishing a net or trotline within one-half mile of West Sister island, located in Jerusalem township, Lucas county waters of lake Erie northeast of Toledo, Ohio.	1531.06, 1531.08, 1533.48, 1533.55, 1533.69	No, general rulemaking authority	No, general rulemaking authority
1501:31-3-04	Shall	It shall be unlawful for any person to set, use or maintain from May fifteenth to October fifteenth each year a net or trotline within four nautical miles of the stipulated reference points at each of the following Ohio lake Erie harbors:	1531.06, 1531.08, 1533.48, 1533.55, 1533.69	Yes, state law	Yes, state law
1501:31-3-04	Shall	It shall be unlawful for any person to set a net or use any device in fishing, except a seine, in the following described area: Maumee bay waters of the lake Erie fishing district located in Lucas county north, northeast and east of Toledo, Ohio, beginning at the west bank of the mouth of the Maumee river; thence northwest and northerly following the lake Erie shoreline to the Ohio-Michigan boundary line; thence east and northeast following the Ohio-Michigan boundary line in lake Erie to Turtle island; thence southeasterly to the northerly tip of Cedar Point marsh in Jerusalem township; thence southwest and westerly following the lake Erie shoreline to the east bank of the mouth of the Maumee river; thence westerly across the mouth of the Maumee river to the point of beginning.	1531.06, 1531.08, 1533.48, 1533.55, 1533.69	Yes, state law	Yes, state law

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1501:31-3-04	Shall	Except as otherwise provided, it shall be unlawful for any person, to set, maintain, or use a net, seine, or any other fishing device, other than a trotline or hook and line, from May fifteenth to the following October fifteenth within one mile of the shoreline in a portion of lake Erie bounded on the west by an imaginary line running due north from the water tower of the "Ford Motor Company" west of Lorain to an imaginary point one mile offshore, and on the east by an imaginary line running due north from the east bank of the Chagrin river to a point one mile offshore.	1531.06, 1531.08, 1533.48, 1533.55, 1533.69	Yes, state law	Yes, state law
1501:31-3-04	Shall	It shall be unlawful for any person to set, maintain or use a net, or other fishing devices from May fifteenth through October fifteenth in that portion of lake Erie beginning at the Lakeside association dock for one-half mile north at 41° 33' 35" north and 82° 45' 05" west, to a point one-half mile northeast of the Marblehead lighthouse at 41° 32' 35" north and 82° 42' 20" west to a point extending one-half mile off the Sandusky pier light at 41° 30' 15" north and 82° 39' 55" west.	1531.06, 1531.08, 1533.48, 1533.55, 1533.69	Yes, state law	Yes, state law
1501:31-3-04	Shall	It shall be unlawful for any person to set, maintain or use a trap net or fyke net in any part of the Sandusky bay and more specifically west of an imaginary line running from the northern most point of Sandusky pier light which is 41° 30' north and 82° 40' 5" west to Shafer's dock on Marblehead which is 82° 43' west and 41° 31' 3" north.	1531.06, 1531.08, 1533.48, 1533.55, 1533.69	Yes, state law	Yes, state law
1501:31-3-04	Shall	It shall be lawful to place, locate, pull, or maintain a seine in Sandusky bay from one hour before sunrise on Sunday to one half hour after sunset on Sunday, during the commercial fishing season as set in rule 1501:31-3-01 of the Administrative Code, Commercial Fishing Seasons.	1531.06, 1531.08, 1533.48, 1533.55, 1533.69	Yes, state law	Yes, state law
1501:31-3-04	Shall	It shall be unlawful to set, place, locate, or maintain a seine in Sandusky bay and the inland fishing district during the nighttime from one hour after sunset until one hour before sunrise.	1531.06, 1531.08, 1533.48, 1533.55, 1533.69	Yes, state law	Yes, state law
1501:31-3-04	Shall	Except as otherwise provided, it shall be unlawful for any person, from March first to December tenth each year, to set, maintain, or use a trap net or fyke net within one half mile of any structure, breakwater, pier, or jetty associated with any federally maintained navigation channel in lake Erie.	1531.06, 1531.08, 1533.48, 1533.55, 1533.69	Yes, state law	Yes, state law

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1501:31-3-04	Shall	It shall be unlawful for any person, from March first to December tenth each year, to set, maintain, or use a net or other fishing device within one-quarter mile of the following defined reefs: (1) Niagara reef - 41 degrees 39.9 minutes latitude, -82 degrees 58.4 minutes longitude (2) Mouse island reef - 41 degrees 36.4 minutes latitude, -82 degrees 50.0 minutes longitude (3) Starve island reef - 41 degrees 36.8 minutes latitude, -82 degrees 48.8 minutes longitude (4) Scott Point central reef - 41 degrees 35.8 minutes latitude, -82 degrees 49.1 minutes longitude (5) Scott Point east reef - 41 degrees 35.9 minutes latitude, -82 degrees 48.7 minutes longitude (6) Scott Point west reef - 41 degrees 36.0 minutes latitude, -82 degrees 49.7 minutes longitude (7) Middle Harbor south reef - 41 degrees 34.1 minutes latitude, -82 degrees 47.6 minutes longitude (8) Middle Harbor north reef - 41 degrees 34.4 minutes latitude, -82 degrees 47.5 minutes longitude (9) Gull island reef - 41 degrees 40.3 minutes latitude, -82 degrees 40.5 minutes longitude (10) Kelleys island reef - 41 degrees 38.5 minutes latitude, -82 degrees 38.1 minutes longitude (11) Airport reef - 41 degrees 35.9 minutes latitude, -82 degrees 39.8 minutes longitude (12) West reef - 41 degrees 43.0 minutes latitude, -82 degrees 51.5 minutes longitude	1531.06, 1531.08, 1533.48, 1533.55, 1533.69	Yes, state law	Yes, state law
1501:31-3-04	Shall	All provisions in sections 1533.48 and 1533.55 of the Revised Code not mentioned in or modified by this rule shall remain in effect.	1531.06, 1531.08, 1533.48, 1533.55, 1533.69	Yes, state law	Yes, state law
1501:31-3-04	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08, 1533.48, 1533.55, 1533.69	No, general rulemaking authority	No, general rulemaking authority
1501:31-3-05	Shall	(A) It shall be unlawful for any person to draw, set, place, locate, use, maintain, or possess gill nets in the state of Ohio, except: (1) Bona fide manufacturers and dealers in gill netting or gill nets may possess and transport gill netting or gill nets in this state in the regular course of their business. (2) Persons who hold a valid wild animal collecting permit issued by the chief of the division of wildlife under section 1533.08 of the Revised Code may possess and transport gill nets so long as such nets are used in accordance with the permit.	1531.06, 1531.08, 1533.48, 1533.55, 1533.69	Yes, state law	Yes, state law

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1501:31-3-05	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08, 1533.48, 1533.55, 1533.69	No, general rulemaking authority	No, general rulemaking authority
1501:31-3-05	Shall	All provisions in section 1533.55 of the Revised Code not mentioned in or modified by this rule shall remain in effect.	1531.06, 1531.08, 1533.48, 1533.55, 1533.69	Yes, state law	Yes, state law
1501:31-3-06	Shall	It shall be unlawful for a licensed commercial fyke net or trap net fishermen to engage in setting, pulling or maintaining commercial fishing gear without having a vessel monitoring system and electronic catch reporting system that is provided and administered by a mobile data service provider approved by the Chief of the ODNR Division of Wildlife.	1531.06, 1531.08, 1531.10, 1533.343	Yes, state law	Yes, state law
1501:31-3-06	Shall	It shall be unlawful for a licensed commercial fyke net or trap net fishermen to engage in setting, pulling or maintaining commercial fishing gear without having the approved vessel monitoring system and electronic catch reporting system turned on and fully operational on the vessel from the time it leaves port until it's return to any port.	1531.06, 1531.08, 1531.10, 1533.343	Yes, state law	Yes, state law
1501:31-3-06	Shall	It shall be unlawful for any person to render or attempt to render the vessel monitoring system and/or electronic catch reporting system inoperable or manipulate or tamper with the vessel monitoring system and/or electronic catch reporting system in such a way the system will report inaccurate data.	1531.06, 1531.08, 1531.10, 1533.343	Yes, state law	Yes, state law
1501:31-3-07	Shall	It shall be unlawful for any person to use set or place in the Ohio waters of lake Erie any fyke or trap net without the name of the licensee branded or stamped on the left side of the top brail, top rear spreader or support bar in letters at least one inch high and legible at all times.	1531.06, 1531.08, 1531.10	Yes, state law	Yes, state law
1501:31-3-07	Shall	Such name shall be listed on the owner's or user's fishing license application for each season.	1531.06, 1531.08, 1531.10	Yes, state law	Yes, state law
1501:31-3-07	Shall	If a person acquired ownership or use of a fyke or trap net which already has a name in the left corner of the brail or top spreader bar, any new name shall be placed immediately to the right of the old name and any subsequent name shall be placed to the right of the previous name.	1531.06, 1531.08, 1531.10	Yes, state law	Yes, state law
1501:31-3-07	Shall	If a person acquired ownership or use of a fyke or trap net which already has a name in the left corner of the brail or top spreader bar, any new name shall be placed immediately to the right of the old name and any subsequent name shall be placed to the right of the previous name.	1531.06, 1531.08, 1531.10	Yes, state law	Yes, state law
1501:31-3-07	Shall	Each fyke net or trap net set singly, or the first and last net of any string of fyke or trap nets in the Ohio waters of lake Erie shall display one red flag on the inshore end, and two flags on the offshore end.	1531.06, 1531.08, 1531.10	Yes, state law	Yes, state law
1501:31-3-07	Shall	The top offshore flag shall be red, the bottom offshore flag may be any color except orange.	1531.06, 1531.08, 1531.10	Yes, state law	Yes, state law
1501:31-3-07	Shall	All flags shall be eighteen inches or more on a side and shall be displayed on a pole at least eight feet above the water on the offshore end and at least six feet above the water on the inshore end.	1531.06, 1531.08, 1531.10	Yes, state law	Yes, state law
1501:31-3-07	Shall	Serially numbered tags issued by the division of wildlife shall be attached by the licensee within thirty-six inches of the uphaul buoy on the rope supporting the buoy.	1531.06, 1531.08, 1531.10	Yes, state law	Yes, state law
1501:31-3-07	Shall	It shall be unlawful for any person to possess on the boat or use in fishing any trap net or fyke net without having a tag issued by the division of wildlife attached to the uphaul buoy rope.	1531.06, 1531.08, 1531.10	Yes, state law	Yes, state law
1501:31-3-07	Shall	In the lake Erie fishing district it shall be unlawful for any person to lift, set, maintain, remove fish from or place a fyke net or trap net without manually entering the tag number issued by the chief of the division of wildlife into the electronic catch reporting system.	1531.06, 1531.08, 1531.10	Yes, state law	Yes, state law
1501:31-3-07	Shall	All provisions in sections 1533.44 and 1533.343 of the Revised Code not mentioned in or modified by this rule shall remain in effect.	1531.06, 1531.08, 1531.10	Yes, state law	Yes, state law

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1501:31-3-07	Shall	All definitions set forth in rules 1501:31-1-02 and 1501:31-3-12 of the Administrative Code and section 1533.02 of the Revised Code shall apply to this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-3-08	Shall	All fish, taken from a net or other commercial fishing gear, other than a seine shall be brought ashore between one-half hour before sunrise to one-half hour after sunset on the same day that the fish were taken or caught.	1531.08, 1533.55	Yes, state law	Yes, state law
1501:31-3-08	Shall	Live cars and other holding devices containing live fish shall be brought to, and kept at, the licensee's docking area specified on his commercial fishing license application, on the same day the fish were taken or caught.	1531.08, 1533.55	Yes, state law	Yes, state law
1501:31-3-08	Shall	The live car or other holding device shall remain at the docking area until emptied or until the next operation of the seine, whichever occurs first.	1531.08, 1533.55	Yes, state law	Yes, state law
1501:31-3-08	Shall	All fish caught by seines, except a seine which has been authorized to be hauled during the night, shall be removed from such seines no later than one-half hour after sunset of the day the fish were caught.	1531.08, 1533.55	Yes, state law	Yes, state law
1501:31-3-08	Shall	All boats with fish caught by nets shall be docked at a port listed on the licensee's commercial fishing license application by one-half hour after sunset the day in which the nets were lifted.	1531.08, 1533.55	Yes, state law	Yes, state law
1501:31-3-08	Shall	All provisions in section 1533.55 of the Revised Code not mentioned in or modified by this rule shall remain in effect.	1531.08, 1533.55	Yes, state law	Yes, state law
1501:31-3-08	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.08, 1533.55	No, general rulemaking authority	No, general rulemaking authority
1501:31-3-09	Shall	Every commercial fish licensee, except trap net or trotline fishermen using seventy hooks or less, shall keep an accurate daily record of his catch upon a report form furnished by the division of wildlife, and shall monthly submit such report to the division of wildlife whether he fishes or not.	1533.42, 1531.08, 1533.343	Yes, state law	Yes, state law
1501:31-3-09	Shall	Every commercial fish licensee, except trap net or trotline fishermen using seventy hooks or less, shall keep an accurate daily record of his catch upon a report form furnished by the division of wildlife, and shall monthly submit such report to the division of wildlife whether he fishes or not.	1533.42, 1531.08, 1533.343	Yes, state law	Yes, state law
1501:31-3-09	Shall	If a licensee does not fish in a month, he shall state such fact upon his catch report for that month.	1533.42, 1531.08, 1533.343	Yes, state law	Yes, state law
1501:31-3-09	Shall	Trap net licensees shall keep an accurate daily record of their catch on an electronic catch reporting system as established by the chief of the division of wildlife.	1533.42, 1531.08, 1533.343	Yes, state law	Yes, state law
1501:31-3-09	Shall	The licensee shall pay the cost of the electronic equipment, operating costs, installation and maintenances of these devices and any replacement thereof.	1533.42, 1531.08, 1533.343	Yes, state law	Yes, state law
1501:31-3-09	Shall	The daily report form entitled "Daily Report of Commercial Fisheries in Lake Erie" shall be kept for a seining operation, at the seine grounds when fishing is in progress.	1533.42, 1531.08, 1533.343	Yes, state law	Yes, state law
1501:31-3-09	Shall	If a trap net licensee is fishing with more than one boat, he shall keep an electronic catch reporting system on each boat and submit all reports to the division of wildlife as specified by law.	1533.42, 1531.08, 1533.343	Yes, state law	Yes, state law
1501:31-3-09	Shall	The report shall be kept accurate and legible at all times.	1533.42, 1531.08, 1533.343	Yes, state law	Yes, state law
1501:31-3-09	Shall	An estimated weight of quota species of fish taken by fyke or trap net shall be entered into an electronic catch reporting system immediately after each net lifted.	1533.42, 1531.08, 1533.343	Yes, state law	Yes, state law
1501:31-3-09	Shall	All of the estimated weights entered in to the electronic catch reporting system shall be electronically transmitted after lifting the last net, or at least one half hour prior to landing at the dock listed on the license.	1533.42, 1531.08, 1533.343	Yes, state law	Yes, state law
1501:31-3-09	Shall	When setting or removing nets, an electronic report detailing the activity shall be transmitted at least one half hour prior to landing at the dock listed on the license.	1533.42, 1531.08, 1533.343	Yes, state law	Yes, state law
1501:31-3-09	Shall	The estimated weight of harvest entered into the electronic catch reporting system shall be within 10% of the actual weight of harvest for quota species.	1533.42, 1531.08, 1533.343	Yes, state law	Yes, state law

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1501:31-3-09	Shall	An estimated weight of non-quota species of fish taken by fyke or trap net shall be entered into an electronic catch reporting system prior to entering a different grid.	1533.42, 1531.08, 1533.343	Yes, state law	Yes, state law
1501:31-3-09	Shall	All of the estimated weights entered in to the electronic catch reporting system shall be electronically transmitted after lifting the last net, or at least one half hour prior to landing at the dock listed on the license.	1533.42, 1531.08, 1533.343	Yes, state law	Yes, state law
1501:31-3-09	Shall	A violation of this rule shall be a violation of section 1533.42 of the Revised Code.	1533.42, 1531.08, 1533.343	Yes, state law	Yes, state law
1501:31-3-09	Shall	All definitions set forth in section 1531.01 of the Revised Code shall apply to this rule.	1533.42, 1531.08, 1533.343	Yes, state law	Yes, state law
1501:31-3-10	Shall	The meshes of the back of the crib or car of all crib nets, fyke nets, or trap nets used in fishing in this state shall measure not less than one-quarter inch nor more than four inches as found in use or possession measured on the bar.	1531.08, 1533.49, 1533.69	Yes, state law	Yes, state law
1501:31-3-10	Shall	Such meshes shall extend from the top to the bottom of the crib or car of the nets.	1531.08, 1533.49, 1533.69	Yes, state law	Yes, state law
1501:31-3-10	Shall	It shall be unlawful to use or possess in the inland and lake Erie fishing districts seines, as described in section 1533.62 of the Revised Code, with twine composed of less than four-inch mesh, measured on the bar, throughout the wings.	1531.08, 1533.49, 1533.69	Yes, state law	Yes, state law
1501:31-3-10	Shall	All provisions in sections 1533.49 and 1533.62 of the Revised Code not mentioned in or modified by this rule shall remain in effect.	1531.08, 1533.49, 1533.69	Yes, state law	Yes, state law
1501:31-3-10	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.08, 1533.49, 1533.69	No, general rulemaking authority	No, general rulemaking authority
1501:31-3-11	Shall	Applicants for an Ohio fishing guide license shall submit a copy of their valid coast guard license along with their application and fee.	1531.06, 1531.08, 1531.10	Yes, both state and federal law	Yes, both state and federal law
1501:31-3-11	Shall	This paragraph shall not apply to fishing guides who use their licenses only to guide fishermen to ice shanties.	1531.06, 1531.08, 1531.10	Yes, state law	Yes, state law
1501:31-3-11	Shall	It shall be unlawful for any person to make a copy of an Ohio fishing guide license.	1531.06, 1531.08, 1531.10	Yes, state law	Yes, state law
1501:31-3-11	Shall	The individual in command of a boat or in charge of an ice guide service shall possess his original fishing guide license when guide services are being performed and shall exhibit it upon demand to any wildlife officer or other law enforcement officer who has authority to enforce the wildlife, hunting, and fishing laws.	1531.06, 1531.08, 1531.10	Yes, state law	Yes, state law
1501:31-3-11	Shall	The individual in command of a boat or in charge of an ice guide service shall possess his original fishing guide license when guide services are being performed and shall exhibit it upon demand to any wildlife officer or other law enforcement officer who has authority to enforce the wildlife, hunting, and fishing laws.	1531.06, 1531.08, 1531.10	Yes, state law	Yes, state law
1501:31-3-11	Shall	It shall be unlawful for any individual to operate on lake Erie as a fishing guide without possessing a valid Ohio fishing guide license.	1531.06, 1531.08, 1531.10	Yes, state law	Yes, state law
1501:31-3-11	Shall	Provided further, persons properly licensed as a fishing guide shall be exempt from keeping catch reports as required in section 1533.511 of the Revised Code.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-3-11	Shall	It shall be unlawful for any person to operate on lake Erie a boat for consideration or hire as a fishing guide boat without displaying a fishing guide decal furnished by the division of wildlife.	1531.06, 1531.08, 1531.10	Yes, state law	Yes, state law

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1501:31-3-11	Shall	The fishing guide decal shall be: (1) In a form prescribed by the chief of the division of wildlife. (2) Serialized with a different number on each decal. (3) Issued annually. (4) Valid on April sixteenth of each year and expire on the following April fifteenth. (5) Displayed in the inside lower left corner of the front windshield of a boat, or when no windshield is present, displayed on the exterior of the boat stern in the upper left corner.	1531.06, 1531.08, 1531.10	Yes, state law	Yes, state law
1501:31-3-11	Shall	It shall be unlawful for: (1) A person to display on a boat an expired fishing guide decal. (2) A person to display on a boat a fishing guide decal issued to another person, except when it is displayed in addition to the one issued to the person performing as a fishing guide.	1531.06, 1531.08, 1531.10	Yes, state law	Yes, state law
1501:31-3-11	Shall	It shall be unlawful for any individual to operate on lake Erie as an Ohio fishing guide without a valid coast guard license or while such coast guard license is under suspension or revocation or has expired.	1531.06, 1531.08, 1531.10	Yes, both state and federal law	Yes, both state and federal law
1501:31-3-11	shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-3-12	Must	Written transfer requests must be notarized at the division of wildlife, Sandusky office, during the specified dates when quotas may be transferred.	1531.06, 1531.08, 1533.341, 1533.342	Yes, state law	Yes, state law
1501:31-3-12	Shall	Commercial harvest quotas shall be determined and allocated annually for yellow perch (<i>Perca flavescens</i>) in the Ohio waters of lake Erie by the chief of the division of wildlife.	1531.06, 1531.08, 1533.341, 1533.342	Yes, state law	Yes, state law
1501:31-3-12	Shall	Annual yellow perch quota allocations shall be pounds of yellow perch and may be allocated separately by lake Erie yellow perch management units as defined in rule 1501:31-1-02 of the Administrative Code.	1531.06, 1531.08, 1533.341, 1533.342	Yes, state law	Yes, state law
1501:31-3-12	Shall	In annually determining and allocating pounds of yellow perch quotas to commercial harvest, the chief shall consider and be guided by: (1) Recommendations made by the great lakes fishery commission, lake Erie committee and its technical subcommittees: (2) Other pertinent scientific, economic, and social data.	1531.06, 1531.08, 1533.341, 1533.342	Yes, state law	Yes, state law
1501:31-3-12	Shall	In annually apportioning pounds of yellow perch quotas within the commercial industry, the chief shall consider and be guided by: Other pertinent scientific, economic, and social data.	1531.06, 1531.08, 1533.341, 1533.342	Yes, state law	Yes, state law
1501:31-3-12	Shall	Pounds of yellow perch quotas shall be apportioned annually within the commercial industry, by commercial fishing license, and shall be stipulated as terms and conditions of each license.	1531.06, 1531.08, 1533.341, 1533.342	Yes, state law	Yes, state law
1501:31-3-12	Shall	Pounds of yellow perch quotas shall be apportioned annually within the commercial industry, by commercial fishing license, and shall be stipulated as terms and conditions of each license.	1531.06, 1531.08, 1533.341, 1533.342	Yes, state law	Yes, state law

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1501:31-3-12	Shall	It shall be the responsibility of the transferor licensee to specify, in writing, the amount of yellow perch quotas being transferred, the lake Erie yellow perch management units in which that quota was originally assigned, and the license to which the quota is being transferred.	1531.06, 1531.08, 1533.341, 1533.342	Yes, state law	Yes, state law
1501:31-3-12	Shall	It shall be unlawful for any trap net licensee to harvest more pounds of yellow perch than that allocated for his specific license.	1531.06, 1531.08, 1533.341, 1533.342	Yes, state law	Yes, state law
1501:31-3-12	Shall	It shall be unlawful for a licensed commercial fisherman or his employee(s) to remove fish from nets licensed by another fisherman unless he is authorized in writing to remove fish from anothers nets, by the licensee of such nets.	1531.06, 1531.08, 1533.341, 1533.342	Yes, state law	Yes, state law
1501:31-3-12	Shall	It shall be unlawful for a licensed commercial fisherman or his employee(s) to have in possession on a boat, on the waters of Lake Erie, yellow perch that have been taken from lake Erie yellow perch management unit one and lake Erie yellow perch management unit two at the same time.	1531.06, 1531.08, 1533.341, 1533.342	Yes, state law	Yes, state law
1501:31-3-12	Shall	For the purpose of this rule, the following definitions shall apply: (1) Commercial harvest quotas or quota shall be defined as the pounds of fish in total or by statistical district which the chief will allow to be legally harvested by commercial fishing gear. (2) Licensee shall be defined as the individual who holds the license.	1531.06, 1531.08, 1533.341, 1533.342	Yes, state law	Yes, state law
1501:31-3-12	Shall	For the purpose of this rule, the following definitions shall apply: (1) Commercial harvest quotas or quota shall be defined as the pounds of fish in total or by statistical district which the chief will allow to be legally harvested by commercial fishing gear. (2) Licensee shall be defined as the individual who holds the license.	1531.06, 1531.08, 1533.341, 1533.342	Yes, state law	Yes, state law
1501:31-3-12	Shall	For the purpose of this rule, the following definitions shall apply: (1) Commercial harvest quotas or quota shall be defined as the pounds of fish in total or by statistical district which the chief will allow to be legally harvested by commercial fishing gear. (2) Licensee shall be defined as the individual who holds the license.	1531.06, 1531.08, 1533.341, 1533.342	Yes, state law	Yes, state law
1501:31-3-13	Shall	Every commercial fish trapnet licensee, shall keep an accurate daily record of his or her yellow perch (Perca flavescens) catch for each license and in a manner prescribed by the chief and submitted to the division of wildlife by the licensee, as specified in paragraphs (B) and (C) of this rule.	1531.06, 1531.08, 1533.341, 1533.342, 1533.343	Yes, state law	Yes, state law
1501:31-3-13	Shall	No person shall remove any quantity of yellow perch (perca flavescens) from a fyke or trap net without first entering the tag number into the electronic catch reporting system.	1531.06, 1531.08, 1533.341, 1533.342, 1533.343	Yes, state law	Yes, state law
1501:31-3-13	Shall	All yellow perch (perca flavescens) shall be weighed dockside.	1531.06, 1531.08, 1533.341, 1533.342, 1533.343	No, general rulemaking authority	No, general rulemaking authority
1501:31-3-13	Shall	The total actual weight shall then be entered in to the electronic catch reporting system for each license before loading onto a motor vehicle for transportation.	1531.06, 1531.08, 1533.341, 1533.342, 1533.343	No, general rulemaking authority	No, general rulemaking authority

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1501:31-3-13	Shall	It shall be unlawful for a person to transport any quantity of yellow perch, commercially taken by a licensee, from the place where the fish are landed to a point outside the state without the licensee or his employee first weighing and recording on the original catch report the actual weight of the yellow perch, the date weighed, and the name and address of the fish processor or buyer.	1531.06, 1531.08, 1533.341, 1533.342, 1533.343	Yes, state law	Yes, state law
1501:31-3-13	Shall	It shall be unlawful for a licensee to report any quantity of yellow perch on their catch report other than yellow perch taken by authority of his or her license.	1531.06, 1531.08, 1533.341, 1533.342, 1533.343	Yes, state law	Yes, state law
1501:31-3-13	Shall	A license shall report all yellow perch taken by authority of his or her license.	1531.06, 1531.08, 1533.341, 1533.342, 1533.343	Yes, state law	Yes, state law
1501:31-3-13	Shall	For the purpose of this rule, the following definitions shall apply: (1) Licensee means a commercial fisherman licensed by the state of Ohio to fish trap nets; (2) Trapnet boats means any boat used to set, lift, pull, or transport trap nets, fyke nets, or fish taken by the aid of said nets.	1531.06, 1531.08, 1533.341, 1533.342, 1533.343	No, general rulemaking authority	No, general rulemaking authority
1501:31-3-13	Shall	The electronic catch report required by this rule shall be open for inspection by any wildlife officer at all reasonable hours.	1531.06, 1531.08, 1533.341, 1533.342, 1533.343	No, general rulemaking authority	No, general rulemaking authority
1501:31-3-13	Shall	All provisions in section 1533.42 of the Revised Code not mentioned in or modified by this rule shall remain in effect.	1531.06, 1531.08, 1533.341, 1533.342, 1533.343	Yes, state law	Yes, state law
1501:31-3-14	Shall	Every commercial trapnet licensee shall keep a daily record for each license of all sales of his or her catch of round yellow perch (<i>Perca flavescens</i>) on a form furnished by the division of wildlife and in a manner prescribed by the chief. (1) The report form entitled "yellow perch sales" shall be kept accurate, clean, and legible at all times and submitted on a monthly basis to the Sandusky office of the division of wildlife. The trapnet licensee shall submit the report by the fifteenth of the month following the month of sale. (2) All sales shall be recorded on the form by noon of the day following the day of the sale.	1531.08, 1533.63	Yes, state law	Yes, state law
1501:31-3-14	Shall	The report form entitled "yellow perch sales" shall be kept accurate, clean, and legible at all times and submitted on a monthly basis to the Sandusky office of the division of wildlife.	1531.08, 1533.63	No, general rulemaking authority	No, general rulemaking authority
1501:31-3-14	Shall	The trapnet licensee shall submit the report by the fifteenth of the month following the month of sale.	1531.08, 1533.63	No, general rulemaking authority	No, general rulemaking authority
1501:31-3-14	Shall	All sales shall be recorded on the form by noon of the day following the day of the sale.	1531.08, 1533.63	No, general rulemaking authority	No, general rulemaking authority

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1501:31-3-14	Shall	Any person purchasing round yellow perch from a trap net licensee or his employee shall keep a daily record of all purchases on a form furnished by the division of wildlife and in a manner prescribed by the chief. (1) The report form entitled "yellow perch purchase record" shall be kept accurate and legible at all times and submitted to the Sandusky office of the division of wildlife on a monthly basis. The purchaser shall submit the record by the fifteenth of the month following the month in which the purchase was made. (2) All purchases shall be recorded on the form by noon of the day following the day of purchase.	1531.08, 1533.63	No, general rulemaking authority	No, general rulemaking authority
1501:31-3-14	Shall	The report form entitled "yellow perch purchase record" shall be kept accurate and legible at all times and submitted to the Sandusky office of the division of wildlife on a monthly basis.	1531.08, 1533.63		
1501:31-3-14	Shall	The purchaser shall submit the record by the fifteenth of the month following the month in which the purchase was made.	1531.08, 1533.63	No, general rulemaking authority	No, general rulemaking authority
1501:31-3-14	Shall	All purchases shall be recorded on the form by noon of the day following the day of purchase.	1531.08, 1533.63	No, general rulemaking authority	No, general rulemaking authority
1501:31-3-14	Shall	The sale and purchase records required by this rule shall be open for inspection by any wildlife officer at all reasonable hours.	1531.08, 1533.63	Yes, state law	Yes, state law
1501:31-3-14	Shall	An individual who purchases yellow perch for his or her personal consumption shall not be required to keep a record of the purchase.	1531.08, 1533.63	No, general rulemaking authority	No, general rulemaking authority
1501:31-3-14	Shall	All provisions in section 1533.63 of the Revised Code not mentioned in or modified by this rule shall remain in effect.	1531.08, 1533.63	Yes, state law	Yes, state law
1501:31-5-01	Shall	It shall be unlawful for any person to use a watercraft mooring or tie-up stake on any property administered or controlled by the division of wildlife without first having complied with the requirements of rule 1501:31-9-06 of the Administrative Code("User fee schedule").	1531.06	No, general rulemaking authority	No, general rulemaking authority
1501:31-5-01	Shall	It shall be unlawful for any person to anchor, dock, moor, beach, or tie up any watercraft or leave any watercraft unattended for a period in excess of eight consecutive hours on the Resthaven wildlife area, Margaretta township, Erie county, Ohio.	1531.06	No, general rulemaking authority	No, general rulemaking authority
1501:31-5-01	Shall	Watercraft, except watercraft occupied continuously by persons fishing or hunting rails, gallinules, or waterfowl shall not be anchored, docked, moored, beached, tied up or left unattended by any person on any land or water area of the division of wildlife for a period of time in excess of four hours unless such watercraft is anchored, docked, moored, beached, or tied up at a division-designated public docking area.	1531.06	No, general rulemaking authority	No, general rulemaking authority
1501:31-5-01	Shall	It shall be unlawful for any person to anchor, dock, moor, beach, tie up or leave unattended for a period in excess of forty-eight hours, more than one watercraft on any lake administered or controlled by the wildlife division except as herein provided.	1531.06	No, general rulemaking authority	No, general rulemaking authority
1501:31-5-01	Shall	It shall be unlawful for any person to dock, moor, tie up, leave unattended, or control more than one watercraft at a wildlife division public docking area.	1531.06	No, general rulemaking authority	No, general rulemaking authority
1501:31-5-01	Shall	The provisions of this rule and provisions in rule 1501:31-5-02 of the Administrative Code shall not apply to concessionaires properly licensed by the department of natural resources, to rent watercraft to the public, or watercraft owned by any division within the department of natural resources, or watercraft owned by any agency of the federal government or any political subdivision.	1531.06	Yes, state law	Yes, state law
1501:31-5-01	Shall	It shall be unlawful for any person to anchor, dock, moor, beach, or tie up any watercraft at a division-designated public docking area from December first to March first of the following year excepting therefrom, waterfowl hunters having a tie-up permit may use such areas during the waterfowl season.	1531.06	No, general rulemaking authority	No, general rulemaking authority

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1501:31-5-01	Shall	It shall be unlawful for any person to anchor, dock, moor, beach, or tie up any watercraft to any designated division public docking area when such watercraft is not properly licensed or marked as required in Chapter 1547. of the Revised Code.	1531.06	Yes, state law	Yes, state law
1501:31-5-01	Shall	It shall be unlawful for any person to dock, moor, or tie up any watercraft at the division of wildlife dock at the state fish hatchery on South Bass island, Put-In-Bay township, Ottawa county, Ohio unless such person has official business at the state fish hatchery.	1531.06	No, general rulemaking authority	No, general rulemaking authority
1501:31-5-01	Shall	It shall be unlawful for any person to anchor, beach, tie up or leave any watercraft unattended in the Metzger marsh boat launching channel, for a period in excess of four consecutive hours.	1531.06	No, general rulemaking authority	No, general rulemaking authority
1501:31-5-01	Shall	or the benefit of rules in the Administrative Code, "watercraft" shall mean any contrivance used for navigation on water which is capable of carrying a passenger.	1531.06	No, general rulemaking authority	No, general rulemaking authority
1501:31-5-01	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06	No, general rulemaking authority	No, general rulemaking authority
1501:31-5-02	Shall	No person shall operate (start/run) or permit to be operated a motor, other than an electric motor, to propel a vessel on water areas on the following state-owned or on controlled areas, or on water areas managed under agreement by the division of wildlife.	1531.06	No, general rulemaking authority	No, general rulemaking authority
1501:31-5-02	Shall	No person shall operate (start/run) or permit to be operated a motor, or combination of motors, exceeding a horsepower rating in excess of ten horsepower on the waters of Greenfield lake wildlife area in Fairfield county, Jackson lake in Jackson county, Kokosing lake in Knox county, Rush creek reservoir in Fairfield and Perry counties, Veto lake in Washington county, Rockmill lake wildlife area in Fairfield county, Clouse lake in Perry county, Fox lake in Athens county, Monroe lake in Monroe county, Clark lake in Clark county, Grant lake in Brown county, Rush Run lake in Preble county, Jockey Hollow wildlife area ponds in Harrison county, Zepernick lake wildlife area in Columbiana county, and Highlandtown lake wildlife area in Columbiana county.	1531.06	No, general rulemaking authority	No, general rulemaking authority
1501:31-5-02	Shall	No person shall operate (start/run) or permit to be operated a motor, or combination of motors, exceeding a horsepower rating of ten horsepower on Knox lake in Knox county, and Rupert lake in Vinton county unless motors in excess of ten horsepower are operated at idle speed and do not create a wake.	1531.06	No, general rulemaking authority	No, general rulemaking authority
1501:31-5-02	Shall	o person shall operate (start/run), or permit to be operated any powercraft on any water area on Aldrich pond wildlife area in Sandusky county, Aquilla lake wildlife area in Geauga county, La Su An wildlife area Williams county, Fallsville wildlife area in Highland county, Fulton ponds wildlife area in Fulton county, Killdeer Plains wildlife area in Wyandot county, New Lyme lake in Ashtabula county, Oxbow lake wildlife area in Defiance county, Resthaven wildlife area in Erie county, Ross lake wildlife area in Ross county, St. Joseph river wildlife area in Williams county, Shreve lake in Wayne county, Spencer lake in Medina county, Tycoon lake wildlife area in Gallia county, Wayne R. Carr lake in Paulding county, and Wingfoot lake in Portage county, unless the powercraft is operated at idle speed and does not create a wake.	1531.06	No, general rulemaking authority	No, general rulemaking authority
1501:31-5-02	Shall	No person shall operate (start/run) or permit to be operated an electric motor exceeding four horsepower to propel a vessel on or within any water area owned or controlled by the division of wildlife.	1531.06	No, general rulemaking authority	No, general rulemaking authority
1501:31-5-02	Shall	No person shall operate (start/run) or permit to be operated a motor, or combination of motors, exceeding a horsepower rating in excess of ten horsepower on any body of water on the American electric power recreation area.	1531.06	No, general rulemaking authority	No, general rulemaking authority
1501:31-5-02	Shall	Nothing in this rule shall prohibit vessels with higher horsepower motors from being present on these waters provided they comply with paragraphs (A), (B), (C), (D) (E) and (F) of this rule.	1531.06	No, general rulemaking authority	No, general rulemaking authority
1501:31-5-02	Shall	No person shall operate (start/run), use, or permit to be operated or used, a boat on Barnesville reservoir no. 1.	1531.06	No, general rulemaking authority	No, general rulemaking authority

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1501:31-5-02	Shall	It shall be unlawful to operate watercraft on or within any water area owned or controlled by the division of wildlife in a manner that is not in conformity with posted regulations.	1531.06	No, general rulemaking authority	No, general rulemaking authority
1501:31-5-02	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06	No, general rulemaking authority	No, general rulemaking authority
1501:31-5-03	Shall	The water of Berlin reservoir shall have five designated areas: (1) All the waters lying between U.S. route 224 and the dam shall be designated as area one. (2) All the waters lying between U.S. route 224 and the "N.Y.C. Railroad" bridge shall be designated as area two. (3) All the waters lying between the "N.Y.C. Railroad" bridge and state route 14 shall be designated as area three. (4) All the waters lying between state route 14 and state route 225 shall be designated as area four. (5) All the remaining waters not included in paragraphs (A)(1), (A)(2), (A)(3), and (A)(4) of this rule lying westward of state route 225 shall be designated as area five.	1531.06	No, general rulemaking authority	No, general rulemaking authority
1501:31-5-03	Shall	All the waters lying between U.S. route 224 and the dam shall be designated as area one.	1531.06	No, general rulemaking authority	No, general rulemaking authority
1501:31-5-03	Shall	All the waters lying between U.S. route 224 and the "N.Y.C. Railroad" bridge shall be designated as area two.	1531.06	No, general rulemaking authority	No, general rulemaking authority
1501:31-5-03	Shall	All the waters lying between the "N.Y.C. Railroad" bridge and state route 14 shall be designated as area three.	1531.06	No, general rulemaking authority	No, general rulemaking authority
1501:31-5-03	Shall	All the waters lying between state route 14 and state route 225 shall be designated as area four.	1531.06	No, general rulemaking authority	No, general rulemaking authority
1501:31-5-03	Shall	All the remaining waters not included in paragraphs (A)(1), (A)(2), (A)(3), and (A)(4) of this rule lying westward of state route 225 shall be designated as area five.	1531.06	No, general rulemaking authority	No, general rulemaking authority

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1501:31-5-03	Shall	In area one, no person shall: (1) Operate or use a boat within five hundred feet of the intake tower and crest gate in the dam at Berlin reservoir. (2) Operate (start/run) or permit to be operated a motor other than an electric motor, to propel a boat within two thousand feet of the dam at Berlin reservoir. (3) Engage in water-skiing or aquaplaning within two thousand feet of the dam at Berlin reservoir. (4) Operate a watercraft within one hundred fifty feet of any developed shoreline in such a manner as to cause a wake of sufficient size or force to cause discomfort, injury or damage to any person, watercraft or property. (5) No person shall operate a vessel at greater than idle speed or at a speed that creates a wake within three hundred feet of any marina, boat docking faccility, boat gasoline dock, launch ramp, reacreational boat harbor, or harbor entrance.	1531.06	No, general rulemaking authority	No, general rulemaking authority
1501:31-5-03	Shall	o person shall operate a vessel at greater than idle speed or at a speed that creates a wake within three hundred feet of any marina, boat docking faccility, boat gasoline dock, launch ramp, reacreational boat harbor, or harbor entrance.	1531.06	No, general rulemaking authority	No, general rulemaking authority
1501:31-5-03	Shall	In area two, it shall be unlawful: For any person to operate a watercraft within one hundred fifty feet of any undeveloped shoreline in such a manner as to cause a wake of sufficient size or force to cause discomfort, injury or damage to any person, watercraft or property	1531.06	No, general rulemaking authority	No, general rulemaking authority
1501:31-5-03	Shall	In area three, it shall be unlawful: For any person to operate a watercraft within one hundred fifty feet of any undeveloped shoreline in such a manner as to cause a wake of sufficient size or force to cause discomfort, injury or damage to any person, watercraft or property.	1531.06	No, general rulemaking authority	No, general rulemaking authority
1501:31-5-03	Shall	In area four,it shall be unlawful: (1) For any person to operate a watercraft within one hundred fifty feet of any undeveloped shoreline in such a manner as to cause a wake of sufficient size and force to cause discomfort, injury or damage to any person, warercraft or property. (2) For any person to operate a watercraft within the area from state route 14 to a line of buoys located at the area known as Treasure Cove in such a manner as to cause a wake of sufficient size or force to cause discomfort, injury or damage to any person, watercraft or property.	1531.06	No, general rulemaking authority	No, general rulemaking authority

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1501:31-5-03	Shall	In area five, it shall be unlawful: (1) For any person to operate, be in physical control, or manipulate any water-skis, or aquaplane, or for any person to operate a watercraft towing any person using water-skis, aquaplane or similar device at any time. (2) For any person to operate a watercraft within one hundred fifty feet of any undeveloped shoreline in such a manner as to cause a wake of sufficient size to cause discomfort, injury or damage to any person, watercraft or property.	1531.06	No, general rulemaking authority	No, general rulemaking authority
1501:31-5-03	Shall	It shall be unlawful for any person to operate a watercraft within one hundred feet of any bridge in such a manner as to cause a wake of sufficient size or force to cause discomfort, injury or damage to any person, watercraft or property.	1531.06	No, general rulemaking authority	No, general rulemaking authority
1501:31-5-03	Shall	A "wake" as used in this rule shall be defined as a track left by a watercraft in the water causing waves or swells.	1531.06	No, general rulemaking authority	No, general rulemaking authority
1501:31-5-03	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06	No, general rulemaking authority	No, general rulemaking authority
1501:31-5-03	Shall	It shall be unlawful for any person to operate a watercraft at a speed greater than ten miles per hour from sunset to sunrise local time.	1531.06	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-02	Shall	It shall be unlawful to hunt or take migratory game birds: (1) With a trap, snare, net, crossbow and arrow, rifle, pistol, swivel gun, punt gun, machine gun, pumpkin ball, or rifled slug, fish hook, poison, drug, explosive, or stupefying substance. (2) With a shotgun of any description originally capable of holding more than three shells, unless the magazine has been cut off, altered, or plugged with a one piece filler incapable of removal without disassembling the gun, so as to reduce the capacity of the said gun to not more than three shells in the magazine and chamber combined. (3) From or by means, aid, or use of a sinkbox, motor-driven conveyance, motor vehicle, or aircraft of any kind. (4) From any motorboat, or other craft having a motor attached, or any sailboat, unless the motor has been completely shut off and/or the sails furled, and the craft has come to rest. A craft under power may be used to retrieve dead or crippled birds; however, crippled birds may not be shot from such craft when under power. (5) By the use or aid of livestock as a blind or means of concealment.	1531.06, 1531.08, 1531.10	Yes, state law	Yes, state law
1501:31-7-02	May not	From any motorboat, or other craft having a motor attached, or any sailboat, unless the motor has been completely shut off and/or the sails furled, and the craft has come to rest. A craft under power may be used to retrieve dead or crippled birds; however, crippled birds may not be shot from such craft when under power.	1531.06, 1531.08, 1531.10	Yes, state law	Yes, state law
1501:31-7-02	Shall	No person shall take migratory waterfowl on an area where tame or captive live ducks or geese are present unless such birds are and have been for a period of ten consecutive days prior to such taking, confined within an enclosure which substantially reduces the audibility of their calls and totally conceals such birds from the sight of wild migratory waterfowl	1531.06, 1531.08, 1531.10		

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1501:31-7-02	Shall	It shall be unlawful for any person to construct or place a permanent blind on a wildlife hunting area or any other state or federal property unless approved by the chief of the division of wildlife.	1531.06, 1531.08, 1531.10		
1501:31-7-02	Shall	Further, any portable blind placed or constructed on a public hunting area shall be removed immediately upon the completion of the day's hunt.	1531.06, 1531.08, 1531.10		
1501:31-7-02	Shall	Non-toxic shot shall mean, shot comprised totally of steel, steel shot coated with copper, or any shot which has been approved by the U.S. fish and wildlife service.	1531.06, 1531.08, 1531.10	Yes, both state and federal law	Yes, both state and federal law
1501:31-7-02	Shall	It shall be unlawful to possess any shot other than non-toxic shot while hunting migratory waterfowl, rails, common snipe, or gallinules.	1531.06, 1531.08, 1531.10	Yes, both state and federal law	Yes, both state and federal law
1501:31-7-02	Shall	It shall be unlawful to use or possess, at any time, shells or shot for any gauge shotgun loaded with shot other than non-toxic shot while hunting waterfowl.	1531.06, 1531.08, 1531.10	Yes, both state and federal law	Yes, both state and federal law
1501:31-7-02	Shall	It shall be unlawful to place or set any decoys on a wildlife area or in waters of the state which are left unattended before or after legal shooting hours.	1531.06, 1531.08, 1531.10	Yes, state law	Yes, state law
1501:31-7-02	Shall	All decoys shall be removed at the end of each day's hunt.	1531.06, 1531.08, 1531.10	Yes, state law	Yes, state law
1501:31-7-02	Shall	It shall be unlawful to hunt with or possess any shot except non-toxic shot on Metzger marsh wildlife area, Mallard Club wildlife area, Pipe creek wildlife area, Magee marsh wildlife area, Toussaint wildlife area, and Little Portage wildlife area.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-02	Shall	All definitions set forth in section 1531.01 of the Revised Code and rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08, 1531.10	Yes, state law	Yes, state law

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1501:31-7-03	Shall	It shall be unlawful for any person: (1) To take in any one day more than the daily bag limit or aggregate daily bag limit, whichever applies; (2) To possess on the opening day of the season any freshly killed migratory game birds in excess of the daily bag limit or aggregate daily bag limit, whichever applies; (3) To possess any freshly killed migratory game birds during the closed season; (4) To possess any dressed migratory game bird, except mourning doves and Eurasian collared-doves, which does not have the head or one fully feathered wing attached at any place other than at the personal abode of the possessor or a migratory bird preservation facility; (5) To possess a wounded migratory game bird that is not immediately killed and made part of a daily bag limit; (6) To kill or cripple any migratory game bird without making a reasonable effort to retrieve the bird and retain it in his actual custody at the place where taken or between that place and either: (a) His automobile or principal means of land transportation, or (b) His personal abode or temporary or transient place of lodging, or (c) A migratory bird preservation facility, or (d) A post office, or (e) A common carrier facility.	1531.06, 1531.08, 1531.10	Yes, state law	Yes, state law
1501:31-7-03	Shall	All disposed birds shall be included as a part of such person's daily bag limit.	1531.06, 1531.08, 1531.10	Yes, state law	Yes, state law
1501:31-7-03	Shall	It shall be unlawful for any person to buy or sell or barter any feathers or other parts of any migratory game bird.	1531.06, 1531.08, 1531.10	Yes, state law	Yes, state law
1501:31-7-03	Shall	It shall be unlawful for any person to take or hunt a migratory game bird with a raptor except during the dates listed in rules 1501:31-7-05 and 1501:31-7-06.ofthe Administrative Code.	1531.06, 1531.08, 1531.10	Yes, state law	Yes, state law
1501:31-7-03	Shall	No person using a raptor shall exceed the daily and possession limits mentioned in rules 1501:31-7-05 and 1501:31-7-06.ofthe Administrative Code.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-03	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-04	Shall	No hunter who legally takes and possesses any migratory game birds shall place or leave any such birds in the custody of any other person for picking, cleaning, freezing, processing, shipping, transportation, or storage, including temporary storage, or dispose of such birds by gift to another person, unless such birds have a tag attached signed by the hunter stating his address, the total number and kinds of birds, and the date such birds were killed.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-7-04	Shall	No hunter who legally takes and possesses any migratory game birds shall place or leave such birds at any place for storage, including temporary storage, other than at his personal abode unless such birds are tagged as required under paragraph (A) of this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-04	Shall	Legally possessed migratory game birds being transported in any vehicle as the personal baggage of the possessor shall not be deemed to be in storage or temporary storage.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-04	Shall	No migratory bird preservation facility shall: (1) Receive or have in custody any migratory game bird unless accurate records are maintained which can identify each bird received by, or in the custody of, the facility by the name of the person from whom the bird was obtained, and show: (a) The number of each species; (b) The location where taken; (c) The date such birds were received; (d) The name and address of the person from whom such birds were received; (e) The date such birds were disposed of; and (f) The name and address of the person to whom such birds were delivered.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-04	Shall	No person shall destroy any records required to be maintained under this rule for a period of one year following the last entry on the record.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-04	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-05	Shall	Throughout the state, it shall be unlawful for any person to hunt, kill, wound, take, or attempt to take, or to possess any of the migratory game birds specified in this rule except as provided in this rule or other rules of the Administrative Code.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-05	Shall	It shall be unlawful for any person to hunt, take, or possess any rails except sora and Virginia, which may be hunted and taken from September 1, 2019 through November 9, 2019.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-05	Shall	It shall be unlawful for any person to take or possess more than twenty-five rails singly or in the aggregate in one day, or to possess more than seventy-five rails singly or in the aggregate at anytime after the second day.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-05	Shall	It shall be unlawful for any person to hunt, take, or possess common snipe (Wilson's snipe) at any time, except from September 1, 2019 through November 26, 2019 and December 14, 2019 through January 2, 2020.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-05	Shall	It shall be unlawful for any person to hunt, take, or possess woodcock at any time, except from October 12, 2019 through November 25, 2019.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-05	Shall	It shall be unlawful for any person to hunt or take rails, common snipe (Wilson's snipe), woodcock, or gallinules (common moorhens) at any time, except from sunrise to sunset daily during the open season.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-05	Shall	It shall be unlawful for any person to take more than three woodcock in one day or possess more than nine woodcock after the second day.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-05	Shall	It shall be unlawful for any person to take more than eight common snipe (Wilson's snipe) in one day or possess more than twenty-four common snipe (Wilson's snipe) at any time after the second day.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-7-05	Shall	It shall be unlawful for any person to hunt, take, or possess gallinules (common moorhens) at any time except from September 1, 2019 through November 9, 2019.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-05	Shall	It shall be unlawful for any person to take more than fifteen gallinules (common moorhens) in one day or possess more than forty-five gallinules (common moorhens) at any time after the second day.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-05	Shall	It shall be unlawful for any person to hunt, take, or possess Canada geese, except Canada geese may be hunted statewide and taken from September 7, 2019 through September 15, 2019.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-05	Shall	It shall be unlawful for any person to take more than five Canada geese in one day or possess more than fifteen Canada geese at any time after the second day during the special early goose season.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-05	Shall	It shall be unlawful for any person to hunt or take teal or Canada geese at any time, except from sunrise to sunset daily during the special early Canada goose/ teal seasons.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-05	Shall	It shall be unlawful for any person to hunt, take, or possess teal at anytime except from September 7, 2019 through September 22, 2019 or during the open season for ducks as specified in rule 1501:31-7-06 of the Administrative Code.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-05	Shall	It shall be unlawful for any person to take more than six teal in one day during the September 7, 2019 through September 22, 2019 open season for teal or possess more than eighteen teal taken during the September 7, 2019 through September 22, 2019 open season for teal any time after the second day.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-05	Shall	For licensed falconers, it shall be unlawful to exceed the daily bag limit of an aggregate of three migratory game birds of any species while hunting with a raptor.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-05	Shall	It shall be unlawful for any person to hunt, take, or possess mourning doves or Eurasian collared-doves at any time except from September 1, 2019 through November 3, 2019, and December 17, 2019 through January 11, 2020.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-05	Shall	It shall be unlawful for any person to hunt or take mourning doves or Eurasian collared-doves at any time except from sunrise to sunset daily during the open season.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-05	Shall	Provided further, it shall be unlawful to hunt or possess mourning doves or Eurasian collared-doves except during the posted hours on any public hunting area posted with signs stating the restricted hunting hours.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-05	Shall	It shall be unlawful for any person to take or possess more than fifteen mourning doves or Eurasian collared-doves singly or in the aggregate in one day, or possess more than forty-five mourning doves or Eurasian collared-doves singly or in the aggregate after the second day.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-05	Shall	It shall be unlawful to hunt mourning doves or Eurasian collared-doves on any public hunting area designated as a controlled hunt area without a permit from the chief of the division of wildlife.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-05	Shall	It shall be unlawful for any person to take a mourning dove or Eurasian collared-doves that is on any type of building, utility wire or utility pole.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-05	Shall	It shall be unlawful for any person to transport any migratory game bird, except mourning doves and Eurasian collared-doves, unless the head or one fully feathered wing remains attached to each bird at all times while being transported from the place where taken until they have arrived at the personal abode of the possessor or a commercial preservation facility.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-05	Shall	No person who legally takes and possesses any mourning doves or Eurasian collared-doves shall place or leave any such birds in the custody of any other person for picking, cleaning, freezing, processing, shipping, transportation, or storage, including temporary storage, or dispose of such birds by gift to another person, unless such birds have a tag attached signed by the hunter stating his address, the total number and kinds of birds, and the date such birds were killed.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-7-05	Shall	No person who legally takes and possesses any mourning doves and Eurasian collared-doves shall place or leave such birds at any place for storage, including temporary storage, other than at his personal abode unless such birds are tagged as required under paragraph (C)(1) of this rule. Legally possessed mourning doves being transported in any vehicle as the personal baggage of the possessor shall not be deemed to be in storage or temporary storage.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-05	Shall	It shall be unlawful for any person to hunt any migratory game bird or migratory waterfowl without first having been harvest information program (HIP) certified, provided further all hunters shall carry their HIP certification when hunting migratory game birds or migratory waterfowl.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-05	Shall	It shall be unlawful for any person to hunt any migratory game bird or migratory waterfowl without first having been harvest information program (HIP) certified, provided further all hunters shall carry their HIP certification when hunting migratory game birds or migratory waterfowl.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-05	Shall	It shall be unlawful for any person to hunt any migratory game bird or migratory waterfowl without first having been harvest information program (HIP) certified, provided further all hunters shall carry their HIP certification when hunting migratory game birds or migratory waterfowl.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-05	Shall	It shall be unlawful for any person to hunt ducks, geese or brant on the lands of another without first obtaining an annual wetland habitat stamp.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-05	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-06	Shall	Throughout the state, it shall be unlawful for any person to hunt, kill, wound, take, or attempt to take or to possess any of the birds specified in this rule except as provided in this rule or other rules in the Administrative Code.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-06	Shall	The lake Erie marsh zone shall be all land and water within the boundaries of the area bordered by a line starting at the intersection of interstate 75 at the Ohio-Michigan state line and continuing south to interstate 280, then south on I-280 to the Ohio turnpike (I-80/I-90), then east on the Ohio Turnpike to the Erie-Lorain county line, then north to lake Erie.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-06	Shall	It shall be unlawful for any person to hunt ducks, brant, geese, coots, and mergansers at any time except from one half hour before sunrise to sunset during the open season.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-06	Shall	It shall be unlawful for any person to take or possess more than six ducks per day or possess at any time after the second day more than eighteen ducks, except as hereinafter expressly provided.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-06	Shall	The daily bag limit of six ducks shall not include more of the following species than: (a) Four mallard ducks of which no more than two may be female; (b) Three wood ducks; (c) Two black duck; (d) Two redhead ducks; (e) One pintail ducks; (f) One mottled duck; (g) Three scaup; (h) Two canvasback.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-7-06	Shall	The possession limit of eighteen ducks after the second day shall not include more of the following species than: (a) Twelve mallard ducks of which no more than six may be female; (b) Nine wood ducks; (c) Six black ducks; (d) Six redhead ducks; (e) Three pintail ducks; (f) Three mottled ducks; (g) Nine scaup; (h) Six canvasbacks.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-06	Shall	It shall be unlawful for any person in any one day to take more than any of the following: three in the aggregate of Canada geese, brant, or white-fronted geese of which no more than one may be a brant; or ten snow, blue, or Ross' geese singly or in the aggregate.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-06	Shall	It shall be unlawful for any person after the second day to possess more than any of the following: nine Canada geese; three brant; nine white-fronted geese; or thirty snow, blue, or Ross' geese singly or in the aggregate.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-06	Shall	In addition to the daily bag and maximum possession limit on other ducks, it shall be unlawful for any person to take more than five mergansers in any one day of which no more than two may be a hooded merganser, or possess after the second day more than fifteen mergansers singly or in the aggregate, except that not more than six hooded mergansers may be included in the maximum possession limit.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-06	Shall	It shall be unlawful for any person to take more than fifteen coots in any one day or possess after the opening day more than forty-five coots at any time.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-06	Shall	It shall be unlawful for any person to possess more than the daily limit of migratory game birds, or the aggregate daily bag limit, whichever applies, at or between the place where taken and one's principal or ordinary home or dwelling place, one's temporary or transient place of lodging, a migratory bird preservation facility, or a post office or common carrier facility.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-06	Shall	It shall be unlawful for any person to hunt on the Ottawa national wildlife refuge without first obtaining a permit issued by the division of wildlife.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-06	Shall	It shall be unlawful for any person to hunt on the Ottawa national wildlife refuge without first checking into the division of wildlife checking station provided for such area.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-06	Shall	It shall be unlawful for any person to take any wild animal other than what is listed on the controlled hunt rules while hunting on the Ottawa national wildlife refuge.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-06	Shall	It shall be unlawful for any person to hunt on the Ottawa national wildlife refuge during the controlled waterfowl hunt at any time other than one half hour before sunrise to twelve noon daily on Monday, Wednesday, Friday, and Saturday.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-06	Shall	It shall be unlawful for any person to be in a division blind on the Ottawa national wildlife refuge any time after one p.m. each day.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-06	Shall	It shall be unlawful for any person having a permit to hunt on the Ottawa national wildlife refuge to fail to check back through the division of wildlife checking station from which the permit was obtained by two p.m. on the day they hunt.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-7-06	Shall	It shall be unlawful for any person to hunt or shoot on the Ottawa national wildlife refuge except from within seventy-five yards of his assigned blind, except when permitted by authorized division personnel.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-06	Shall	It shall be unlawful for more than two hunters to occupy a division of wildlife blind on the Ottawa national wildlife refuge.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-06	Shall	It shall be unlawful for any person to possess more than twenty-five shells while hunting on the Ottawa national wildlife refuge.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-06	Shall	It shall be unlawful for any person to participate in hunting on the Ottawa national wildlife refuge more than one time during a season.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-06	Shall	It shall be lawful for persons seventeen years of age or younger to hunt, take, and possess ducks, mergansers, geese and coots on October 5 and 6, 2019 statewide in accordance with this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-06	Shall	This season shall be designated as the youth waterfowl season. All persons seventeen years of age and younger must be accompanied by a non-hunting person eighteen years of age or older.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-06	Shall	This season shall be designated as the youth waterfowl season. All persons seventeen years of age and younger must be accompanied by a non-hunting person eighteen years of age or older.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-06	Shall	It shall be unlawful for any person to hunt migratory waterfowl including ducks, brant, geese, coots or mergansers on or over a baited area where a person knows or reasonably should know that the area is or has been baited. A baited area is considered to be baited for ten days after complete removal of any bait.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-06	Shall	It shall be unlawful for any person to hunt ducks, geese and brant without possessing a current valid federal migratory bird stamp that is validated by the person's signature written on the stamp in ink or for forty-five days after the date of purchase, a valid receipt for a federal electronic duck stamp or E-stamp.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-06	Shall	Provisions of this rule and rule 1501:31-7-02 of the Administrative Code shall not apply to employees of the division of wildlife or persons authorized by the chief of the division of wildlife while conducting activities as part of a management program for migratory game birds that has been approved by the chief of the division of wildlife.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-7-06	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-01	Shall	This rule shall not apply to authorized division employees or other persons designated by the chief of the division of wildlife or to private landowners conducting activities on their properties where hunting, trapping, or fishing is permitted because of an agreement with the division of wildlife.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-01	Shall	It shall be unlawful for any person to conceal or bury any property or to injure, remove, deface, damage, or destroy any tree, plant, lawn, embankment, decoration, poster, sign, fence, or artifacts valued at less than one thousand dollars on any area under agreement with and administered by or under control of the division of wildlife.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-01	Shall	It shall be unlawful for any person to disturb, remove, damage, destroy, molest or possess any equipment or property of the division of wildlife valued at less than five hundred dollars.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-01	Shall	It shall be unlawful for any person to commit any act by use or operation of any vehicle on any area under agreement with and under control and supervision of the division, which act if committed on a public highway or street in the state of Ohio would be prohibited and unlawful.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1501:31-9-01	Shall	It shall be unlawful for any person to operate or park a vehicle, or any vehicle propelled by human power, or permit such vehicles to be operated or parked on any area under agreement with, and administered by, or under control of the division of wildlife, except: (1) On designated roads, driveways and parking areas provided for such purpose. (2) For any person who has first obtained written permission from the chief of the division of wildlife for such purposes. (3) For any mobility impaired person who has been issued a permit by the chief of the division of wildlife or their designee, for all-purpose vehicle use, to operate in or park on any designated area. (a) Each person issued a permit for all-purpose vehicle use will carry such permit on their person while operating in or parked on a designated area, and exhibit such permit to anyone upon request. (b) "Designated Areas" as used in this rule shall be those areas within one hundred yards of an access lane posted with a sign indicating access for mobility impaired persons possessing an all-purpose vehicle permit only. (4) For any mobility impaired person in a wheelchair.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-01	Shall	"Designated Areas" as used in this rule shall be those areas within one hundred yards of an access lane posted with a sign indicating access for mobility impaired persons possessing an all-purpose vehicle permit only.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-01	Shall	It shall be unlawful for any person to ride a horse, mule, pony or any other animal, on any area owned, administered or controlled by the division including property managed by virtue of a lease or an agreement, except on public access roads and driveways.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-01	Shall	Horses shall not be ridden upon or along the banks of any pond, or on dams or dikes of water impoundments, or in any fields where agricultural crops have been planted.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-01	Shall	No person shall deposit rubbish, garbage, refuse, or debris from a personal residence in any refuse receptacle provided for users of state owned or controlled land.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-01	Shall	It shall be unlawful for any person to remove or plant any agricultural crop, ice, sand, gravel, stone, wood, fruits, plants, water, or other substances from any area under agreement with and administered by or under control of the division without first obtaining written permission from the chief of the division.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-01	Shall	This provision shall not apply to the picking of berries, nuts or mushrooms, picking up naturally shed deer antlers during the daylight hours or picking up litter for proper disposal during the daylight hours.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-01	Shall	It shall be unlawful for any person on any area under agreement with and under the supervision and control of the division to sell, or offer for sale or rent, any tangible property, without first obtaining written permission from the chief of the division.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-01	Shall	It shall be unlawful for any person to erect, post, or construct any placard, sign, notice, poster, billboard, building, fence, or other structure on any area under agreement with and administered or controlled by the division without the written permission of the chief of the division.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-01	Shall	The provisions of this rule shall not apply to persons regularly employed by the division while such persons are in the normal and lawful pursuit of their assigned duties or prevent concessionaires properly licensed by the department of natural resources from conducting the operations stipulated in their license agreements.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-9-01	Shall	It shall be unlawful for any person to swim or wade in any water area under agreement with, owned or controlled by the division of wildlife without written permission from the chief, except persons lawfully engaged in hunting, fishing or trapping.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-01	Shall	It shall be unlawful for any person to operate or use any powered or wind-driven conveyance upon the frozen surface of any area owned or controlled, maintained or under agreement with the division of wildlife.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-01	Shall	It shall be unlawful for any person to release or permit to be released livestock on any area under agreement with and owned or controlled by the division of wildlife without first receiving written permission from the chief of the division.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-01	Shall	It shall be unlawful for any person to build or use an open fire for any reason on any area under agreement with, owned, administered or controlled by the division of wildlife except in designated places.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-01	Shall	It shall be unlawful for any person to possess or use fireworks on any property owned, controlled, or under agreement with the division of wildlife.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-01	Shall	It shall be unlawful for any person to distribute, place, or scatter salt, grain, or other feed whatsoever capable of luring, enticing, or attracting wild birds or deer, on lands owned, controlled, or maintained by the wildlife division including those lands managed by the division by virtue of a lease or an agreement without first obtaining written permission from the wildlife chief.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-01	Shall	It shall be unlawful to hunt or take wild birds or deer by the use of salt, grain, or any other feed whatsoever, capable of luring, enticing, or attracting wild birds or deer on lands owned, controlled, or maintained by the wildlife division including those lands managed by the division by virtue of a lease or an agreement without first obtaining written permission from the wildlife chief.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-01	Shall	It shall be unlawful for any person to be on a division of wildlife owned, leased or controlled wildlife area between eight p.m. and the following six a.m. from September first to the following May first; and between ten p.m. and the following six a.m. from May second to the following August thirty-first for any purpose without first obtaining written permission from the chief of the division of wildlife unless such person is hunting, fishing, or trapping.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-01	Shall	Provided further, it shall be unlawful for any person not actively engaged in hunting, fishing or trapping to be on a division owned, leased, or controlled wildlife area when posted with signs stating "Area Open For Hunting, Fishing, And Trapping only, all Other Activities Prohibited."	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-01	Shall	It shall be unlawful for any person to conduct any dog sledding activities on division of wildlife owned wildlife areas except on public access roads.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-01	Shall	It shall be unlawful for any person to wind surf on the Killdeer reservoir located in Wyandot county.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-01	Shall	The chief may issue permits for hunting, trapping, and fishing activities on all division of wildlife owned, controlled, or agreement lands; provided further it shall be unlawful for any person who receives said permit to not comply with all conditions listed on the permit.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-01	Shall	It shall be unlawful for any person to apply for any division of wildlife permit by falsification of any information required for the issuance of said permit.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-01	Shall	It shall be unlawful for any person to hunt on Pipe creek wildlife area other than for waterfowl during legal seasons and only by special permit from the chief of the division of wildlife.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-01	Shall	It shall be unlawful to hunt on or within one hundred feet of the point at which the water level meets the outside dike of Pipe creek wildlife area.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-01	Shall	It shall be unlawful for any person to hunt or trap on Beaver creek wildlife area other than for waterfowl, deer, and furbearers during the legal season.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-9-01	Shall	It shall be unlawful for any person to apply more than one time for a specific controlled hunt administered by the division of wildlife unless otherwise permitted by the chief of the division of wildlife.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-01	Shall	It shall be unlawful to sit, stand, or be in contact with oil wells, gas wells, transmission wells, pumps, tanks, pipes, and any other equipment which is on a wildlife area.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-01	Shall	It shall be lawful for physically handicapped persons to operate a motor vehicle and park in certain areas of Deer creek, Resthaven, La Su An, Grand river, Brush creek, Waterloo, Cooper hollow, east Fork, Fallsville, Berlin, Big island, Woodbury, Killdeer and Spring Valley wildlife areas.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-01	Shall	Areas shall be marked with signs reading "Physically Handicapped Access Area - road closed to all motor vehicles except physically handicapped persons carrying a physician's statement listing the illness which prohibits the individual from walking."	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-01	Shall	Provided further, it shall be unlawful to shoot from any motorized vehicle whether a person is handicapped or not, while hunting in a handicapped access area, unless the handicapped person holds a valid all-purpose vehicle permit issued by the division of wildlife.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-01	Shall	It shall be unlawful for any person to engage in any paintball shooting activities or paintball games or any other combat simulation game or activities while on a public hunting area or wildlife area.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-01	Shall	It shall be unlawful for any person to enter in to, or remain upon, any portion of any area owned, administered or controlled by the division of wildlife, including property managed by virtue of a lease or an agreement, that is posted with a sign or buoy prohibiting entry into that area.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-01	Shall	It shall be unlawful to construct, erect, or use any tree stand, or insert or place any device into a tree, on any area owned, administered or controlled by the division of wildlife except, a portable tree stand may be erected or used during the period from the first day of September through the last day of February.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-01	Shall	It shall be unlawful to use a portable tree stand on any area owned, administered or controlled by the division of wildlife that does not have attached thereto a durable, waterproof tag, written in English letters, legible at all times, identifying the owner or user by one of the following means: name and mailing address or unique division of wildlife customer identification number, or does not have stamped into or is permanently marked with information written in English letters, legible at all times, identifying the owner or user by one of the following means: name and mailing address, or unique division of wildlife customer identification number.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-01	Shall	It shall be unlawful to operate a vehicle at a speed in excess of thirty miles per hour or at a speed in excess of the posted speed limit.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-01	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-02	Shall	It shall be unlawful for any person to camp on any property owned, administered or controlled by the division of wildlife except within posted designated camping areas on lands listed in this rule and other lands as permitted by the chief of the division of wildlife.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-02	Shall	It shall be unlawful for any person to camp on the Tri-Valley wildlife area, except within posted designated camping areas.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-02	Shall	It shall be unlawful for any person to camp or stay in a fixed location for more than twenty-four hours on the Tri-Valley wildlife area except for individuals participating in field trials on the Tri-Valley wildlife area who have first complied with the requirements of rule 1501:31-9-06 of the Administrative Code.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-02	Shall	It shall be unlawful for any person to camp on the Tri-Valley wildlife area except when camping in a car trailer or vehicle built or modified for camping use.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-02	Shall	It shall be unlawful for any person to build or use an open fire for any reason, except in designated places.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-9-02	Shall	It shall be unlawful for any person to leave litter or other debris on camp sites.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-02	Must	All litter and other debris must be picked up and placed in a trash container or removed from the area.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-02	Must	All dogs must be kept on leashes, except when participating in a field trial stake.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-02	Must	It shall be unlawful for any person to camp on the K H Butler wildlife area except when camping in a self-contained camping vehicle which must have a self-contained water or chemical toilet and a separate permanently installed holding tank for both black and gray water, each with a minimum capacity of three days waste.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-02	Must	Persons seventeen and under must be accompanied by an adult holding a valid "Range Permit."	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-02	Must	Persons seventeen and under must be accompanied by an adult holding a valid "Range Permit."	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-02	Must	Persons seventeen and under must be accompanied by an adult holding a valid "Range Permit."	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-02	Must	The following conditions must be adhered to when conducting a field trial on state lands: (1) No admission fee may be charged for spectators. (2) Activities of the field trial, including spectators, must be confined to the approved site as indicated on the permit.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-02	Must	Activities of the field trial, including spectators, must be confined to the approved site as indicated on the permit.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-02	Must	Horses must be confined to the immediate trial area or as otherwise designated.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-02	Must	If a concession stand is permitted, acceptable standards of sanitation and food quality must be maintained.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-02	Shall	It shall be unlawful to leave a camping unit unattended for more than twenty-four hours.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-02	Shall	It shall be unlawful for any person to camp on the Woodbury wildlife area, except within the thirty one camping sites at the posted designated camping area.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-02	Shall	It shall be unlawful for any person to camp on the Woodbury wildlife area, except for individuals that possess a valid Ohio hunting license, fishing license or fur taker permit.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-02	Shall	It shall be unlawful to camp or stay in a fixed location for more than twenty-four hours on the Woodbury wildlife area at any time except from the last Friday in September to the third Monday in May.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-02	Shall	It shall be unlawful for any person to use more than one designated camping site at the designated camping area.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-02	Shall	It shall be unlawful to park more than two motor vehicles on one designated camping site at the designated camping area.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-02	Shall	It shall be unlawful for any person to build or use an open fire for any reason, except in designated places.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-02	Shall	It shall be unlawful for any person to violate any rules established and posted at any division of wildlife camping area.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-9-02	Shall	It shall be unlawful for any person to camp on the Crown City wildlife area, except within the ten camping sites at the posted designated camping area.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-02	Shall	It shall be unlawful for any person to camp on the Crown City wildlife area, except for individuals that possess a valid Ohio hunting license, fishing license or fur taker permit.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-02	Shall	It shall be unlawful to camp or stay in a fixed location for more than twenty-four hours on the Crown City wildlife area at any time except from the last Friday in September to the third Monday in May.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-02	Shall	It shall be unlawful for any person to use more than one designated camping site at the designated camping area.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-02	Shall	It shall be unlawful to park more than two motor vehicles on one designated camping site at the designated camping area.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-02	Shall	It shall be unlawful for any person to build or use an open fire for any reason, except in designated places.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-02	Shall	It shall be unlawful for any person to violate any rules established and posted at any division of wildlife camping area.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-02	Shall	It shall be unlawful for any person to camp on the K H Butler wildlife area except when camping in a self-contained camping vehicle which must have a self-contained water or chemical toilet and a separate permanently installed holding tank for both black and gray water, each with a minimum capacity of three days waste.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-02	Shall	It shall be unlawful for any person to camp on the K H Butler wildlife area, except within the ten camping sites at the posted designated camping area.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-02	Shall	It shall be unlawful for any person to camp on the K H Butler wildlife area, except for individuals that possess a valid Ohio hunting license, fishing license or fur taker permit.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-02	Shall	It shall be unlawful to camp or stay in a fixed location for more than twenty-four hours on the K H Butler wildlife area at any time except from the first day of March to the last day of November.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-02	Shall	It shall be unlawful for any person to use more than one designated camping site at the designated camping area.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-02	Shall	It shall be unlawful to park more than two motor vehicles on one designated camping site at the designated camping area.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-02	Shall	It shall be unlawful for any person to build or use an open fire for any reason on the K H Butler wildlife area.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-02	Shall	It shall be unlawful for any person to violate any rules established and posted at any division of wildlife camping area.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-02	Shall	It shall be unlawful for any person to use any electrical outlet plug provided by the division of wildlife on any property administered or controlled by the division of wildlife without first having complied with the requirements of rule 1501:31-9-06 of the Administrative Code.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-02	Shall	It shall be unlawful for any person to camp at any time on camp Belden wildlife area except when written permission is given by the chief of the division of wildlife.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-02	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-9-03	Shall	On any state public hunting area, or on any area under control of the division of wildlife by virtue of a lease, or agreement, it shall be unlawful for any person: (1) To hunt within an area posted with "Safety Zone" signs on a cooperative or a controlled hunting area, without the prior permission of the landowner or tenant in control of such safety zone. (2) To shoot a fully automatic firearm on a division owned, administered or controlled area including target ranges. Provided further, it shall be unlawful to use any trigger assisting devices to alter a firearm to shoot like a fully automatic firearm. (3) To hunt within an area posted with division of wildlife "No Hunting Zone" signs. (4) To use a rifle, pistol, revolver, shotgun or other firearm at any time except while lawfully trapping, or hunting wild animals, or lawfully target practicing on a designated division of wildlife target range.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-03	Shall	Provided further, it shall be unlawful to use any trigger assisting devices to alter a firearm to shoot like a fully automatic firearm.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-03	Shall	On any designated division of wildlife target range, it shall be unlawful for any person: (1) To target practice at any time other than from sunrise to sunset daily or outside of the posted hours of operation. (2) To shoot in any direction other than from the firing line down range to the target on any division of wildlife target range. (3) To use any type of target, other than a single sheet of paper on a division of wildlife target range, or a stationary reactive or self healing polymer target, except that clay targets may be used on division of wildlife target ranges equipped for trap and skeet only. (4) To use a shotgun or rifle loaded with any projectile other than shot on a designated class C range. To use any shotgun or rifle loaded with any projectile other than single projectiles on designated class A or B ranges, except that the patterning of shotguns using shot is permitted on designated class A or B ranges. (5) To fail to leave a division of wildlife shooting range when so ordered by a division of wildlife employee. (6) To violate any range rule established and posted at any division of wildlife target range. (7) To use any explosive target that when shot will cause another explosion to occur. (8) To enter a division of wildlife class "A" range before he or she signs in on a form provided by the range attendant. (9) To fire any weapon in a repeated manner that causes the person firing the weapon to fail to completely control the muzzle of the weapon.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-9-03	Shall	Supervised rifle and pistol ranges shall be designated class A target ranges.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-03	Shall	It shall be unlawful for persons age eighteen or older to use class A ranges except when the person has made application and received from the chief of the division of wildlife a "Range Permit."	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-03	Shall	Unsupervised rifle and pistol target ranges shall be designated class B target ranges. It shall be unlawful for persons age eighteen or older to use class B ranges except when the person has made application and received from the chief of the division of wildlife a "Range Permit." Persons seventeen and under must be accompanied by an adult holding a valid "Range Permit."	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-03	Shall	It shall be unlawful for persons age eighteen or older to use class B ranges except when the person has made application and received from the chief of the division of wildlife a "Range Permit."	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-03	Shall	Unsupervised shotgun ranges where clay targets are used shall be designated class C target ranges.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-03	Shall	It shall be unlawful for persons age eighteen or older to use class C ranges except when the person has made application and received from the chief of the division of wildlife a "Range Permit."	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-03	Shall	Unsupervised archery target ranges shall be designated as class D archery target ranges.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-03	Shall	It shall be unlawful to use a class A range unless the shooter first registers with the range attendant.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-03	Shall	It shall be unlawful to use, place, or shoot at any target on a class A or class B range except in the designated target area, or to shoot from any place except the firing line.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-03	Shall	It shall be unlawful to leave target materials, other than clay pigeons on any range owned or controlled by the division.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-03	Shall	It shall be unlawful for any person to shoot a cannon on any division range.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-03	Shall	It shall be unlawful for any person to use tracer ammunition on any division of wildlife owned, controlled, or administered property.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-03	Shall	It shall be unlawful for any person to use a division of wildlife target range when designated closed.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-03	Shall	It shall be unlawful to use any shot size larger than number 6 lead or number 4 steel on a class C range.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-03	Shall	It shall be unlawful to use any firearm for target practice on a class D range.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-03	Shall	It shall be unlawful to use arrows tipped with a broadhead on any division of wildlife archery ranges, except that arrows tipped with broadheads may be used in designated target areas specially provided for their use.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-03	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-9-04	Shall	(B) It shall be unlawful for any person to use any area owned, administered, or controlled by a division of the Ohio department of natural resources for field trial purposes without first making application for and receiving a permit to do so from the chief of the division of wildlife or his designated representative. (1) Application for a permit shall be made in writing to the chief of the division of wildlife or his designated representative and postmarked not less than thirty days prior to the date of trial. Permits for the spring season will not be issued prior to the first of October of the preceding year. Permits for the fall season will not be issued prior to the first of April of the year involved. However, beginning at noon on the last Sunday in August, or as otherwise agreed by the division and interested field trial participants a priority scheduling meeting will be held at division headquarters, Columbus, or another mutually agreeable site for the purpose of establishing an annual schedule of dates for field trials on public lands. (2) It shall be unlawful for any person to release wild animals on any area open to field trials unless such release was previously approved by an authorized agent of the division of wildlife.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-04	Shall	Application for a permit shall be made in writing to the chief of the division of wildlife or his designated representative and postmarked not less than thirty days prior to the date of trial.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-04	Shall	It shall be unlawful for any person to release wild animals on any area open to field trials unless such release was previously approved by an authorized agent of the division of wildlife.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-04	Shall	It shall be unlawful for any person to use any area for field trial purposes which is administered or controlled by the division of wildlife without first having complied with the requirements of rule 1501:31-9-06 of the Administrative Code.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-04	Shall	Horses shall not be ridden or led across standing crops, pond fills, dikes, or other areas designated by the area manager.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-04	Shall	It shall be unlawful to fail to report any unbanded quails, chukar partridges, ducks, pheasants or other game birds that are accidentally shot during a field trial to the division of wildlife; provided further, clubs are not required to release replacement birds for those that are accidentally shot.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-04	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-05	Shall	It shall be unlawful for any person to train, work, or exercise any dog on any division owned, administered or controlled property that is posted with signs reading "Public Hunting Area" or "Wildlife Area" between the first day of May and the thirty-first day of August, both dates inclusive.	1533.06, 1533.08, 1533.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-05	Shall	It shall be unlawful for any person who is engaged in the business of training or boarding dogs for financial gain to train, work, or exercise any dog on the aforementioned areas except when participating in a field trial authorized by the division of wildlife.	1533.06, 1533.08, 1533.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-05	Shall	It shall be unlawful for any person to train, work, or exercise any dog on the Magee marsh public hunting area at any time, except in conjunction with authorized hunting.	1533.06, 1533.08, 1533.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-05	Shall	It shall be lawful for individuals to purchase domestically raised pheasants, Chukar partridge, quail and mallard ducks from licensed propagators, and may shoot said game birds from sunrise to sunset while training dogs within areas on state public hunting areas posted with signs reading "Dog Training is Permitted All Year Only in this Posted Unit."	1533.06, 1533.08, 1533.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-05	Shall	Provided further, it shall be unlawful to train or work dogs on public hunting areas or wildlife areas from May first through the thirty-first of August.	1533.06, 1533.08, 1533.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-9-05	Shall	Each such game bird shall be banded with a lock-type band or butt-end type for quail and Chukars prior to release.	1533.06, 1533.08, 1533.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-05	Shall	This rule in no way shall alter or affect the hunting license requirements which shall be adhered to by individuals while participating on dog training areas.	1533.06, 1533.08, 1533.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-05	Shall	All definitions set forth in section 1531.01 of the Revised Code shall apply to this rule.	1533.06, 1533.08, 1533.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-06	Shall	The daily fee for Tri-Valley wildlife area when used for field trials shall be two hundred and thirty-five dollars day.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-06	Shall	Persons who pay this fee shall be entitled to use the field trial grounds, horse corral, parking facilities, meeting room, and dog kennels.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-06	Shall	The annual use permit fee for watercraft mooring at tie up boat stakes shall be one hundred sixty dollars.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-06	Shall	Beginning on the first day of January 2021 the annual use permit fee for watercraft mooring at tie up boat stakes shall be two hundred and sixty dollars.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-06	Shall	The annual use permit fee for watercraft mooring at private tie up boat stakes shall be one hundred dollars.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-06	Shall	There shall be a non-refundable application fee for hunting, fishing and trapping control permits administered by the division of wildlife headquarters office.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-06	Shall	The non-refundable fee shall be three dollars when submitted by internet application and up to a five dollar fee when submitted by any other method.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-06	Shall	The annual fee for a "Range Permit" shall be twenty-three dollars and a one dollar writing fee, unless the person also obtains an annual resident hunting license in the same transaction, then the annual fee for a "Range Permit" shall be ten dollars and a four per cent writing fee.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-06	Shall	The annual fee for a "Range Permit" shall be twenty-three dollars and a one dollar writing fee, unless the person also obtains an annual resident hunting license in the same transaction, then the annual fee for a "Range Permit" shall be ten dollars and a four per cent writing fee.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-06	Shall	The annual "Range Permit" shall be valid from the first day in March through midnight of the last day in February the following year.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-06	Shall	The daily fee for a "Range Permit" shall be four dollars and a one dollar writing fee.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-06	Shall	A daily "Range Permit" shall be valid for only one day of use.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-06	Shall	There shall be a four-dollar fee for reissuing any "Range Permit."	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-06	Shall	It shall be unlawful for any person to use any of the facilities or participate in any of the activities for which fees have been established under this rule without first having paid said fees and received proof of payment.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-06	Shall	It shall be unlawful for any person, except those authorized by the wildlife chief, to sublease, or charge, or accept a fee for any facility on property owned, administered, or operated by the division of wildlife.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-06	Shall	Such fees shall be set by the chief in accordance to the service provided to the public.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-06	Shall	It shall be unlawful for any person to anchor, dock, moor, beach or tie up any watercraft at a dock space or tie up stake other than that designated on the mooring permit issued by the division of wildlife.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-9-06	Shall	The division shall publish a list that indicates the item and the price of each item available for sale. The chief of the division of wildlife may waive all or any portion of any listed fee for items used in division sponsored programs.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-06	Shall	The division shall advertise each year that trapping by bidding is available, in a newspaper having general distribution in the county where the trapping opportunity is available.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-06	Shall	Persons signing the bid form shall agree to all the provisions therein. If any provision is violated, the contract will terminate and any fees paid to the state will be forfeited to the state.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-06	Shall	The division shall determine the number necessary for each lake, and the bid per stake cannot be less than is provided in paragraph (A)(3) of this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-06	Shall	The division shall advertise each year that boat rental opportunities by bidding will be available.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-06	Shall	Persons signing the bid form shall agree to all the provisions therein.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-06	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-07	Shall	Methods of take: (1) It shall be unlawful to take any game, captive white-tailed deer or nonnative wildlife from a wild animal hunting preserve by any method other than hunting: (a) With a gun, (b) With a gun and dog, (c) With a bow and arrow, (d) With a shotgun that is ten gauge or smaller or, (e) By falconry as defined in Administrative Code.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-07	Shall	It shall be unlawful to place any type of game, captive white-tailed deer or nonnative wildlife in a wild animal hunting preserve which would not contain the animal and allow the animal to escape into the wild.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-07	Shall	It shall be unlawful to release any game, captive white-tailed deer or nonnative wildlife from a cage or holding pen and immediately shoot or attempt to take said game, captive white-tailed deer or nonnative wildlife.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-07	Shall	It shall be unlawful to release anygame, captive white-tailed deer or nonnative wildlife on a wild animal hunting preserve which is untagged or improperly tagged.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-07	Shall	It shall be unlawful to transport or possess any game, captive white-tailed deer or nonnative wildlife taken from a wild animal hunting preserve without a tag as described in division (C) of section 1533.731 of the Revised Code except captive white-tailed deer must be tagged according to rules adopted under section 943.24 of the Revised Code.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-07	Shall	It shall be unlawful for the holders of a wild animal hunting preserve license to fail to keep accurate daily records of the information required by divisions (E) and (F) of section 1533.731 of the Revised Code.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-07	Shall	All required information shall be recorded on forms supplied by the division of wildlife or the Ohio department of agriculture or in any manner that documents the required information and is available for review and inspection.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-07	Shall	It shall be unlawful for the operator of a wild animal hunting preserve to fail to notify by telephone the chief of the division of wildlife or his representative of the escape of any game, captive white-tailed deer or nonnative wildlife within twenty-four hours of becoming aware of the escape.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-9-07	Shall	It shall be unlawful for the operator of a wild animal hunting preserve to fail to immediately upon becoming aware of an escape of any game, captive white-tailed deer or nonnative wildlife, make repairs to the enclosure to prevent additional escapes of any game, captive white-tailed deer or nonnative wildlife.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-07	Shall	It shall be unlawful to fail to clearly define the boundaries of each wild animal hunting preserve enclosure with signs. These signs must: (1) Be constructed of a durable, weather resistant material; (2) Be at least ten inches by fourteen inches in size; (3) Read "Licensed Hunting Preserve" in the English language, (4) Be placed at a height above the ground of no less than four feet, (5) Be secured to the outside of the fenced enclosure, (6) Be placed along the perimeter of the fenced enclosure at intervals that do not exceed four hundred feet.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-07	Shall	All definition set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-08	Shall	It shall be unlawful to possess or use an all-purpose vehicle permit unless the holder meets one of the following requirements, as documented by a licensed physician: (1) Has a permanent or irreversible physical disability that prevents the ability to ambulate without prolonged use of a wheelchair, walker, crutches, one leg brace or external prosthesis above the knee, two leg braces or external prosthesis below the knee for mobility, or: (2) Has lung disease to the extent that forced expiratory volume for one second when measured by spirometry is less than one liter or the arterial oxygen tension is less than sixty millimeters of mercury on room air at rest, or: (3) Has cardiovascular disease to the extent that functional limitations are classified in severity as class three or four, according to standards accepted by the American heart association on May 3, 1988 and where ordinary physical activity causes palpitation, dyspnea or anginal pain.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-9-08	Require	It shall be unlawful to possess or use an all-purpose vehicle permit unless the holder meets one of the following requirement, as documented by a licensed physician: (1) Has a permanent or irreversible physical disability that prevents the ability to ambulate without prolonged use of a wheelchair, walker, crutches, one leg brace or external prosthesis above the knee, two leg braces or external prosthesis below the knee for mobility, or: (2) Has lung disease to the extent that forced expiratory volume for one second when measured by spirometry is less than one liter or the arterial oxygen tension is less than sixty millimeters of mercury on room air at rest, or: (3) Has cardiovascular disease to the extent that functional limitations are classified in severity as class three or four, according to standards accepted by the American heart association on May 3, 1988 and where ordinary physical activity causes palpitation, dyspnea or anginal pain.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-08	Shall	Anyone meeting the requirements set forth in paragraph (A) of this rule and seeking such a permit shall apply on a form provided by the division of wildlife for such a permit.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-08	Shall	The issued permit shall be valid on an annual or multi-year basis as determined appropriate by the chief.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-08	Shall	Such a permit and application shall be free.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-08	Shall	It shall be unlawful for anyone other than the holder of an all-purpose vehicle permit, or a person assisting such a permit holder, to operate an all-purpose vehicle or motor vehicle on or along a designated access road, except as provided in rule 1501:31-9-01 of the Administrative Code;	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-08	Shall	It shall be unlawful to park an all-purpose vehicle or motor vehicle used under the authorization of an all-purpose vehicle permit in a manner that obstructs vehicular traffic on designated state wildlife area access roads;	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-08	Shall	It shall be unlawful to operate or park a motor vehicle other than an all-purpose vehicle, more than ten feet off of a designated access road edge;	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-08	Shall	It shall be unlawful to operate an all-purpose vehicle more than one hundred yards perpendicular from the nearest designated access road edge.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-08	Shall	The holder of an all-purpose vehicle permit shall carry and exhibit upon demand such permit to any person while hunting from or with the aid of an all-purpose vehicle or motor vehicle .	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-08	Shall	It shall be unlawful for a holder of an all-purpose vehicle permit to possess or use a loaded firearm unless the all-purpose vehicle or motor vehicle they occupy is at a complete stop with the motor or engine turned off.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-9-08	Shall	It shall be unlawful for persons accompanying the holder of an all-purpose vehicle permit to use the all-purpose vehicle or motor vehicle for a hunting blind or shooting platform or to discharge a firearm, bow or crossbow from such a vehicle.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-11-01	Shall	It shall be unlawful for any person to trespass at any time without a permit from the chief of the division of wildlife within a certain area on the Mosquito reservoir posted as "State Game Refuge, Trespassing Unlawful" more particularly described as follows: Beginning at a point in Mecca township, Trumbull county where the Hoagland-Blackstub road (county road #203) intersects the Mahan Denman road (county road #240), said point also being a common corner of lots 3, 4, 13, and 14 of the Kirtland tract. Thence along the center of Mahan Denman road S 89°-30' W 60 rods, more or less to a point, thence due north 86.0 rods, thence S 89°-45' W 140.0 rods, thence N 1°-05' W 54.0 rods to the Greene-Mecca township line, thence S 89°-45' W 32.0 rods, thence N 0°-30' W 83 rods, thence S 89°-45' W 329.0 rods, to Park avenue (county road), thence N 0°-15' E 121.0 rods, thence S 43°- 30.0 ' E 55.0 rods, thence N 89°-45' E 101.0 rods, thence N 0°-15' E 34 rods, thence N 89°-45' E 39 rods, thence N 20°-45' E 150 rods, thence N 89°-45' E 32 rods, thence N 0°-20' W 12 rods, thence N 89°-45' E 37 rods, thence N 0°-30' W 66 rods, thence N 89°-45' E 10 rods, thence N 0°-30' W 25 rods, thence N 89°-45' E 10 rods, thence S 0°-30' E 23 rods, thence N 89°-45' E 17 rods, thence S 0°-30' E 33 rods, thence N 89°-45' E 99 rods, thence N 57°-30' E 22 rods, thence N 35°-15' E 22 rods, thence S 54°-45' E 6 rods, thence S 35°-15' W 24 rods, thence S 57°-30' W 24 rods, thence S 89°-45' W 31 rods, thence S 0°-30' E 39 rods, thence N 89°-45' E 80 rods, thence N 0°-30' W 41 rods, thence N 89°-45' E 64 rods, thence S 1°-05' E 41 rods, thence S 89°-45' W 8 rods, thence S 0°-30' E 23 rods, thence N 89°-45' E 51 rods, thence S 0°-30' E 64 rods, thence N 89°-45' E 36 rods, thence N 0°-30' W 106 rods, thence N 89°-45' E 103 rods, thence S 0°-30' E 18 rods, thence N 89°-45' E 4 rods, thence N 80°-45' E 10 rods, thence N 44°-30' E 16 rods, thence N 0°-30' W 25 rods, thence N 19°-30' W 45 rods, thence N 0°-30' W 33 rods, thence N 25°-25' E 24 rods, thence N 2°-05' E 28 rods, thence S 88°-45' W 5 rods, thence N 17°-00' N 58 rods, thence N 88°-45' E 14 rods, thence N 40°-00' E 12 rods, thence N 20°-00' W 11 rods, thence S 88°-45' W 11 rods, thence N 17°-00' E 8 rods, thence N 1°-00' W 128 rods, thence N 89°-15' E 8 rods, thence N 1°-00' W 1 rod, thence N 89°-15' E 6 rods, thence N 1°-00' W 17 rods, thence N 89°-15' E 9 rods, thence N 1°-00' W 8 rods, to a point on the center of state route #87, thence N 89°-15' E 17 rods along the center of state route #87, thence S 1°-00' E 55 rods, thence N 89°-15' E 14 rods, thence S 1°-00' E 69 rods, thence N 88°-45' E 21 rods, thence N 1°-00' W 6 rods, thence N 88°-45' E 40 rods, thence N 1°-00' W 118 rods to a point on the center of state route #87, thence N 89°-15' E 12 rods along state route #87, thence S 1°-00' E 16 rods, thence S 62°-00' E 9 rods, thence S 1°-00' E 66 rods, thence N 88°-45' E 9 rods, thence S 1°-00' E 32 rods, thence S 88°-45' W 17 rods, thence S 1°-00' E 48 rods, thence S 51°-30' E 87 rods, thence S 0°-10' W 103	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-11-01	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-11-03	Shall	It shall be unlawful for any person to trespass or hunt at any time without a permit from the division of wildlife within a certain area on the Killdeer plains wildlife area posted with signs reading "State Wildlife Refuge, Trespassing Unlawful."	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-11-03	Shall	Further provided, fishing and wildlife observation shall be permitted in this area which is posted with signs reading "Open To fishing Or Wildlife Observation Permitted." Said area more particularly described as follows: Located in Marseilles and Pitt townships, in Wyandot county, Ohio. Beginning at the junction of township road TH-108 and former road CH-75 (all-purpose vehicle lane) thence easterly following the centerlines of former road CH-75 (all-purpose vehicle lane) to road CH-115. Thence southerly following the center line of road CH-115 to the junction of road CH-68 and road CH-115 thence easterly following the centerline of road CH-68 to the junction of road CH- 119 and road CH-68. Thence northerly following the property boundary to the junction with road CH-71, thence westerly on road CH-71 following the centerline to the junction of road TH-108 and road CH-71. Thence southerly on road TH-108 following the centerline to the junction of road TH-108 and former road CH-75 (all-purpose vehicle lane).	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-11-03	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-11-04	Shall	It shall be unlawful for any person to trespass at any time within a certain area in Mercer county posted as "State Game Refuge, Trespassing Unlawful" more particularly described as follows: Located in Jefferson, Butler and Franklin townships in Mercer county beginning at a stone in the Franklin-Butler township line and in the southeast corner of the northeast quarter of said section 24, Butler township and running thence north along said township line, a distance of 429.00 feet to a stone marked "S.L.," thence along the line surveyed in 1876 by Raudabaugh and as recorded as "State Property Line" in "Plat Book 1," page 120, Mercer county recorder's office, the following sixteen courses and distances: South 63°30' west, a distance of 181.50 feet to a point; South 11°30' west, a distance of 132.00 feet to a point; South 66°00' west, a distance of 165.00 feet to a point; North 15°00' east, a distance of 198.00 feet to a point; North 21°45' east, a distance of 132.00 feet to a point; North 82°00' west, a distance of 99.00 feet to a point; North 31°30' west, a distance of 280.50 feet to a point; North 15°30' east, a distance of 198.00 feet to a point; North 38°00' west, a distance of 115.50 feet to a point; North 13°30' west, a distance 115.50 feet to a point; North 25°15' east, a distance of 132.00 feet to a point; North 73°45' east, a distance of 132.00 feet to a point; South 85°45' east, a distance of 99.00 feet to a point; South 60°45' east, a distance of 115.50 feet to a point; South 88°45' east, a distance of 115.50 feet to a point; North 51°15' east, a distance of 26.15 feet to a point; on the Franklin-Butler township line; thence leaving said Raudabaugh line and running north along said Franklin-Butler township line, a distance of 385.63 feet to a point on the Raudabaugh line; thence leaving said township line and running with said Raudabaugh line the following seven courses and distances: North 55°00' west, a distance of 41.79 feet to a point; North 39°00' west, a distance of 82.50 feet to a point; North 57°00' west, a distance of 82.50 feet to a point; North 68°45' east, a distance of 82.50 feet to a point; North 13°00' west, a distance of 66.00 feet to a point; North 85°30' east, a distance of 66.00 feet to a point; North 61°45' east, a distance of 31.32 feet to a point; on said township line, thence leaving said Raudabaugh line and running north with said township line a distance of 96.51 feet to a point in said Raudabaugh line, thence leaving said township line and running with said Raudabaugh line the following twenty-eight courses and distances:	1531.06, 1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-11-04	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule	1531.06, 1531.08	No, general rulemaking authority	No, general rulemaking authority

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1501:31-11-05	Shall	It shall be unlawful for any person to possess, hunt or take ducks, geese, or any other migratory bird at any time without a permit from the division of wildlife on or within an area in Mercer county posted as "Restricted Zone Unlawful to Hunt Waterfowl" or "Public Hunting Area, Permit Required" or to trespass within an area posted as "Controlled Waterfowl Hunting Area, Trespass Permit Required" more particularly described as follows: Located in Jefferson, Butler and Franklin townships, in Mercer county, beginning at the junction of state route 127 and Brown road, thence south on the east edge of state route 127 to the junction of state route 127 and state route 703, thence eastwardly on the north edge of state route 703 to the east side of the village of Montezuma, thence northward on the west edge of state route 219 to the junction of state route 219 and Windy Point road, thence north along Windy Point road to the northeast corner of Shademoor landing, thence westwardly across Grand Lake St. Marys to the point of beginning. And beginning at a corner post at intersection of It's It road and state route 703, thence south 1,135 feet to a corner post, thence west 1,581 feet to a corner post, thence north 1,368 feet to a corner post, thence northwest along the old "C.H. & D Railroad" bed, 1,800 feet to a corner post, thence southeast along state route 703, 4,375 feet to the point of beginning containing approximately 67 acres more or less. All land described lies in southwest quarter section 19 and the northeast quarter of the northwest quarter of section 30, Franklin township, Mercer county, Ohio and beginning at a corner post at the junction of It's It road and state route 703, thence southeast along state route 703, 2,310 feet to a corner post, thence south 910 feet to a corner post, thence west 100 feet to a corner post, thence south 160 feet to a corner post, thence west 900 feet to a corner post, thence south 480 feet, thence west 2,850 feet along state route 219 to a corner post, thence north 830 feet to a corner post, thence east 1,585 feet to a corner post, thence north 2,440 feet to place of beginning containing approximately 100 acres more or less. Situated in Franklin township, section 30, Mercer county.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-11-06	Shall	It shall be unlawful for any person to possess, hunt, or take ducks, geese, or any other migratory birds at any time, on or within an area in Auglaize county posted as "Restricted Zone, Unlawful to Hunt Waterfowl" more particularly described as follows: Located in St. Marys township, Auglaize county beginning at a point six rods east of the southwest corner of the east half of the northwest quarter of said section 9 and running thence north 160 rods to the north line of said section, thence east with the section line to the right-of-way of the "Nickel Plate" railroad right-of-way, thence continuing 1,192 feet to the line fence running north and south in the tract formerly the property of Flora L. Berry, thence proceeding south along said property line on a straight line extended to the center of the reservoir pike or Greenville road, thence westerly along the center of said road to the place of beginning.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-11-06	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-11-07	Shall	No person shall at any time hunt, trap, take or possess a wild animal within the Eagle creek wildlife area located in Brown county, except when authorized by the chief of the division of wildlife, except that fish, frogs, or turtles may be taken and possessed unless expressly prohibited.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-11-07	Shall	It shall be unlawful to hunt or trap within the Eagle creek wildlife area without a permit issued by the chief of the division of wildlife.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-11-07	Shall	It shall be unlawful to violate any condition listed on the permit to hunt or trap within the Eagle creek wildlife area.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-11-07	Shall	It shall be unlawful for any person to hunt within an area posted with signs showing "No Hunting Zone," on the Eagle creek wildlife area.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-11-08	Shall	The following regulations shall apply to the hunting of waterfowl in a portion of or on state and federal waterfowl management areas, comprised of Pickerel creek wildlife area, Sandusky county; Killdeer plains wildlife area, Wyandot and Marion counties; Mosquito creek wildlife area, Trumbull county; Grand river wildlife area, Trumbull county; and Killbuck wildlife area, Wayne and Holmes counties .	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-11-08	Shall	Unless otherwise specified in Administrative Code, it shall be unlawful for any person to hunt upon the above-named wildlife management areas at any time on the areas posted with signs reading "Restricted Zone Trespassing Unlawful," or "No Trespassing Zone."	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-11-08	Shall	It shall be unlawful for any person to possess any species of waterfowl taken within a waterfowl management area, after two hours of the conclusion of their permitted hunt, that was not taken to a wildlife check station for inspection.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-11-08	Shall	Provided further, it shall be unlawful for any hunter to leave Pickerel creek wildlife area who has not returned his or her daily permit to the check station within two hours after the end of the day's hunt.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-11-08	Shall	It shall be unlawful for any person to hunt within an area posted with signs reading "Controlled Waterfowl Hunting Area" on the above-named waterfowl management areas without a permit issued by the wildlife division stating times and dates for which the permit is valid.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-11-08	Shall	It shall be unlawful for any person to trespass without a permit within a waterfowl management area when posted with signs reading "Permit Required" or "Controlled Waterfowl Hunting Area."	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-11-08	Shall	It shall be unlawful for any person to hunt or shoot any place on a waterfowl management area except within seventy-five yards of his assigned blind or from within their assigned zone, except for the purpose of killing waterfowl which has been crippled.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-11-08	Shall	It shall be unlawful for any person to use or possess more than twenty-five shells or any combination of those used and possessed, the total of which exceeds twenty-five within the confines of a waterfowl management area listed in paragraph (A) of this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-11-08	Shall	It shall be unlawful for any person to hunt any wild animal except the species specified on the permit while on a state or federal-operated waterfowl management area.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-11-08	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-11-09	Shall	It shall be unlawful for any person to trespass at any time without a permit from the division of wildlife within a certain area on the Pickerel creek wildlife area posted with signs reading, "State Game Refuge, Trespassing Unlawful." Said area more particularly described as follows. Located in sections 1, 35 and 36, Riley township, Sandusky county, Ohio. Commencing at the junction of the west line of section 36 and the center line of Raccoon creek thence northerly and northeasterly on and along the meandering center line of said Raccoon creek to the north line of said section 36; thence east on the north line of said section 36 to its intersection with the low water mark of Sandusky bay; thence southeasterly on and along the low water line of Sandusky bay to its intersection with the east line of the east half of the southwest quarter of section 36; thence south along the west edge of Riley township road 256 to a point some 330 feet south of the southeast corner of the north half of the northwest quarter of section 1; thence west along a straight line to the west line of section 1; thence north along the west line of section 1 to a point 660 feet south of the northwest corner of section 1; thence east along a line parallel to the north line of said section 1 to the east edge of Riley township road 254; thence northerly and northwesterly along the east edge of Riley township road 254 to its intersection with the west line of section 36; thence north along the west line of said section 36 to the northwest corner of the southwest quarter of said section 36; thence west along a straight line to the middle of Raccoon creek; thence northerly and northwesterly on and along the meandering centering line of said Raccoon creek to the place of beginning.	1531.06, 1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-11-09	Shall	The lands described above shall be closed to all persons except authorized personnel of the division of wildlife while such persons are in the performance of their official duties, or those issued a permit by the chief of the division of wildlife.	1531.06, 1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-11-09	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-11-10	Shall	It shall be unlawful for any person to possess, hunt, or take ducks, geese, or any other migratory birds at any time, on or within the area posted as "Restricted Zone, Unlawful to Hunt Waterfowl" or "State Game Refuge, Hunting Unlawful" and more particularly described as follows: Located in Mecca, Greene and Bloomfield townships in Trumbull county, beginning at the intersection of township road 240 and county highway 263, thence in a northerly direction to the intersection of county highway 263 and township road 234, thence in a westerly direction to the intersection of township road 234 and the Pennsylvania railroad, thence in a northerly direction to the intersection of the Pennsylvania railroad and state route 87, thence in an easterly direction to the intersection of state route 87 and state route 46, thence in a southerly direction to the junction of state route 46 and township road 240, thence in a westerly direction along township road 240 or a line of buoys where such road is inundated by water, to the point of beginning.	1531.06, 1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-11-10	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08	No, general rulemaking authority	No, general rulemaking authority

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1501:31-11-11	Shall	It shall be unlawful for any person to trespass at any time without a permit from the chief of the division of wildlife within certain areas of the Mosquito creek wildlife area posted as "State Game Refuge, Trespassing Unlawful", located in portions of Trumbull county within the following boundaries. Beginning at a point where state route 46 and state route 87 intersects, thence west on state route 87 to state route 45, thence east on state route 45 to Peck Leach road (Twp. 234), thence east on Peck Leach road to Townline road, thence south on Townline road to Mahan Denman road (twp. 240), thence south on Mahan Denman road across Mosquito lake to the intersection of state route 46 and Mahan Denman road, thence north on state route 46 to state route 87 to the point of beginning.	1531.06, 1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-11-11	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-11-12	Shall	All state game refuges established by the chief of the division of wildlife shall be posted with state signs designating such areas.	1531.06, 1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-11-12	Shall	No person shall at any time hunt, trap, take or possess a wild animal on any area owned, acquired by lease, agreement or otherwise under control of the division of wildlife, which has been designated a state game refuge except when authorized by the chief of the division of wildlife, except that fish may be taken and possessed on state game refuges unless expressly prohibited.	1531.06, 1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-11-12	Shall	It shall be unlawful for any person at any time to hunt, take or possess any wild animal, except fish, frogs, or turtles, without written approval by the chief of the division of wildlife on any land or water designated as a state game refuge.	1531.06, 1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-11-12	Shall	It shall be unlawful for any person to hunt any wild animal within any area posted with signs reading "National Wildlife Refuge, Unauthorized Entry Prohibited."	1531.06, 1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-11-12	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-11-15	Shall	It shall be unlawful for any person to trespass at any time within a certain area on the Urbana wildlife area, posted as "State Game Refuge, Trespassing Unlawful," without written permission from the chief of division of wildlife, and more particularly described as follows: Beginning at the intersection of Short Game Farm road and Game Farm road, thence westerly for 5,625 feet to a point, thence south for 3,320 feet, thence east for 2,772 feet, thence south for 1,914 feet, thence east for 2,735 feet to Game Farm road, thence north to beginning point (5,280 feet).	1531.06, 1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-11-15	Shall	The lands described above shall be closed to all persons except for persons tending crops, persons authorized to hunt by special permit issued by the chief or his agent, and authorized division of wildlife personnel in the performance of their official duties.	1531.06, 1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-11-15	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08	No, general rulemaking authority	No, general rulemaking authority

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1501:31-11-16	Shall	It shall be unlawful for any person to enter at any time without written permission from the chief of the division of wildlife within a certain area on the Green island refuge, posted with signs reading "State Game Refuge, Trespassing Unlawful," more particularly described as follows: A tract of land situated on Green island in lake Erie, Ottawa county, Ohio, beginning at a point on said island twenty-five feet true west of the vertical centerline of the abandoned stone lighthouse tower, and proceeding true north a distance of one hundred ninety-five feet, more or less, to a point on the shoreline of lake Erie; thence, easterly, southerly, and westerly along said shoreline to a point; thence true north a distance of two hundred thirty-five feet, more or less to a point of beginning, containing 15.80 acres, more or less.	1531.06, 1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-11-16	Shall	The lands described above shall be closed to all persons except authorized division of wildlife personnel while such persons are in the performance of their official duties, or those issued a permit by the chief, division of wildlife.	1531.06, 1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-11-16	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative code shall apply to this rule.	1531.06, 1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-11-17	Shall	It shall be unlawful for any person to hunt or take ducks, geese, or any other migratory bird at any time from any watercraft or floating conveyance on or within the water area posted with signs reading "Restricted Zone - Unlawful To Hunt Migratory Birds From Water." Said area is more particularly described as follows: Known as and being an area known as the open water areas of Muddy creek bay lying within sections 20, 21, 22, and 23, T6N, R16E Bay township, Ottawa county, Ohio and sections 27, 28, and 29, T6N R16E Rice township, and sections 26, 27, 28, and 34, T6N R16 Riley township, Sandusky county, Ohio, and being more particularly described as follows:	1531.06, 1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-11-17	Shall	It shall be lawful to hunt or take ducks, geese, or any other migratory game bird during the legal shooting hours and during the open season within the following area: Commencing at the west quarter post of section 16, T6N, R16E Bay township, Ottawa county, Ohio; thence proceeding south 0 degrees 00 minutes west in the west line of sections 16 and 21, T6N, R16E Bay township, Ottawa county, Ohio, a distance of five thousand three hundred thirty-six feet to the shores of Muddy creek bay and the point and place of beginning of the parcel herein excepted; thence proceeding along the shoreline of Muddy creek bay and such appropriate boundary lines in the following courses, to wit:	1531.06, 1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-11-17	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08	No, general rulemaking authority	No, general rulemaking authority

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1501:31-11-18	Shall	It shall be unlawful for any person to enter at any time without written permission from the chief of the division of wildlife within a certain area on the Killbuck refuge, posted with signs reading "State Game Refuge, Trespassing Unlawful," more particularly described as follows: (1) Beginning at the southwest corner of Wooster township in Wayne county and continuing due east along the boundary between Wooster and Franklin townships for a distance of three thousand two hundred feet; thence due north for a distance of two thousand four hundred twenty-five feet; thence due west for a distance of five hundred forty feet; thence due south for a distance of one thousand seven hundred ten feet; thence due west for a distance of two thousand six hundred forty feet to the boundary between Wooster and Plain townships; thence due south along the boundary between Wooster and Plain townships for a distance of six hundred seventy feet to the point of beginning. (2) Begining at a point where state highway 83 intersects County Line road, thence northerly on state highway 83 to Force road, thence westerly on Force road to township road 76, thence southerly on township road 76 to Shreve Eastern road to County Line road, thence easternly on County Line road to state highway 83.	1531.06, 1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-11-18	Shall	The lands described above shall be closed to all persons except authorized personnel of the division of wildlife while such persons are in the performance of their official duties, or those issued a permit by the chief of the division of wildlife.	1531.06, 1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-11-19	Shall	It shall be unlawful for any person to trespass from November first through March first without a permit from the chief of the division of wildlife within a certain area of the Big Island wildlife area posted as "No Trespassing Zone" and more particularly described as follows: Located in Big Island township, Marion county, beginning at point 83 degrees 14.85 minutes west, 40 degrees 34.30 minutes north, proceed west for a distance of 1,471 feet to a point on the bank of Glade Run, 83 degrees 15.17 minutes west, 40 degrees 34.31 minutes north; then proceed south-southwest a distance of 815 feet to a point along Glade Run, 83 degrees 15.09 minutes west, 40 degrees 34.195 minutes north, then proceed east a distance of 1,080 feet to the point 83 degrees 14.86 minutes west, 40 degrees 34.19 minutes north, then proceed north a distance of 658 feet to the point of beginning, 83 degrees 14.85 minutes west, 40 degrees 34.30 minutes north.	1531.06, 1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-11-19	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-01	Shall	It shall be unlawful for any person at any time to engage in fishing with more than two hand lines or more than two units of rod and line or a combination of more than one hand line and one rod and line, either in hand or under control.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-01	Shall	Throughout the state, it shall be unlawful for any person to take or attempt to take fish by the use of explosives, poisons, firearms, electricity, chemicals, seines, nets, or traps, provided gizzard shad, minnows and smelt may be taken with a minnow seine, minnow dip net, or hand landing net.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-01	Shall	Throughout the state, it shall be unlawful for any person to use tipups, float lines, trotlines, set lines, bank lines, turtle traps, or an ice fishing shelter which does not have attached thereon the name and address of the owner or user in legible letters in the English language or the unique division of wildlife customer identification number of the owner or user legible at all times.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-13-01	Shall	Provided further, it shall be unlawful to use an ice fishing shelter that does not have the owner or user's name and address or their unique division of wildlife customer identification number exhibited on the outer part of the structure of an ice fishing shelter.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-01	Shall	It shall be unlawful for any person to set, use or maintain any fishing device having floats or buoys made of glass or other shatterable material attached thereto.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-01	Shall	It shall be unlawful for any person to release any fish or aquatic insect into waters of the state, or waters under control of the division of wildlife, from which it did not originate, without first obtaining permission from the chief of the division of wildlife.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-01	Prohibit	Sheepshead, carp, grass carp, silver carp, black carp, big-head carp, quillback, suckers, bowfin, gar, buffalo, gizzard shad, and goldfish throughout the state are hereby designated as "forage fish" or "rough fish" and may be taken by any method except as expressly prohibited in paragraphs (A)(1) and (A)(2) of this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-01	Shall	It shall be unlawful for any person to take or possess any fish not mentioned in paragraph (A)(8) of this rule, which were taken by snagging, spearing, or shooting with a cross-bow or longbow and arrow.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-01	Shall	It shall be lawful to take forage fish and minnows with a cast net.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-01	Shall	It shall be unlawful for any person to use a cast net within a distance of one thousand feet down stream from any dam posted with division of wildlife signs indicating cast net use is prohibited.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-01	Shall	Provided further it shall be unlawful to use cast nets with a square mesh less than one-quarter inch on a side or larger than one-inch on a side, and with a diameter larger than ten feet, to take forage fish.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-01	Shall	It shall be unlawful to set or maintain any device for rearing, culturing or raising aquatic animals into waters of the state or waters under control of the division of wildlife.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-01	Shall	In the inland fishing district it shall be unlawful for any person to cut or fish through a hole in the ice which has a diameter that exceeds twelve inches.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-01	Shall	Throughout the state, it shall be unlawful for any person to use more than six tip-ups while fishing through the ice.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-01	Shall	In the lake Erie fishing district, it shall be unlawful for any person to cut or fish through a hole in the ice which has a width that exceeds twelve inches.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-01	Shall	It shall be unlawful for any person, other than authorized division employees, to remove fish from, tamper with, destroy in any manner, or possess any fishing device set, maintained, or owned by the division of wildlife.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-01	Shall	It shall be unlawful for any person to engage in fishing at any time other than from sunrise to sunset daily from March first through April thirtieth, in the following areas: (1) Maumee river from the Ohio turnpike bridge upstream to the Old Waterville interurban bridge at the end of Forst road in Wood county. (2) Maumee river from the state route 295 bridge upstream to the Grand Rapids Providence dam. (3) Sandusky river from the Waterworks dam, city of Tiffin, Seneca county to the northern tip of Brady's island in Sandusky county. (4) Portage river from the state route 19 bridge upstream to the dam at Elmore. (5) Mahoning river from the dam at Berlin reservoir to lake Milton.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-13-01	Shall	It shall be unlawful for any person, while fishing from March first through April thirtieth, to have attached to their line: (1) More than one single hook or; (2) Any double hook or; (3) Any treble hook or; (4) More than one lure or; (5) Any lure having more than one single hook or; (6) Any hook larger than one-half inch from shank to point;	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-01	Shall	It shall be unlawful for any person at any time to place or dispose of a dead fish in a stream, river, pond, lake, or any other body of water or upon the banks thereof, except dead fish or parts of fish may be used as bait or a lure.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-01	Shall	It shall be unlawful to take any species of trout by any means other than angling, in the following areas.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-01	Shall	It shall be unlawful to take a brook trout from the Chagrin river or its tributaries located in Geauga county.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-01	Shall	It shall be unlawful to take a brook trout from the Rocky river or its tributaries located in Medina county.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-01	Shall	It shall be unlawful for any person to sell any fish taken from any waters in the state wherein an Ohio fishing license is required by section 1533.32 of the Revised Code except: Fish lawfully taken pursuant to a license or permit issued under section 1533.34, 1533.35 or 1533.40 of the Revised Code.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-01	Shall	It shall be unlawful for any person to take or possess paddlefish in or within two thousand feet of Deer creek reservoir and dam, Paint creek reservoir and dam, Caesar creek reservoir and dam, and East Fork reservoir and dam.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-01	Shall	Each annual resident fishing license, annual nonresident fishing license, special senior fishing license, tourist's fishing license, or one day fishing license shall be issued in the form prescribed by the chief of the division of wildlife. Such license may be in either printed or electronic form.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-01	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-13-02	Shall	It shall be unlawful for any person to set, use or maintain a trotline except: (1) In streams; (2) North of the causeway in Mosquito lake to the southern boundary of the waterfowl refuge; (3) In that part of Charles Mill lake lying north of state route 430; (4) In Seneca lake in all areas extending south of state route 147; (5) In Clendening lake in all areas extending east of state route 799; (6) In Tappan lake in all areas extending above gas line causeway and state route 646; (7) In Atwood lake in the area north and east of state route 542 north at Delroy,Ohio; (8) In Piedmont lake in all areas in sections 11 and 12 of Kirkwood township; (9) In Wills creek lake, provided it is unlawful to set, use or maintain a trotline in that area directly in front of the Muskingum conservancy district boat landing; (10) In Berlin lake in that area lying south and west of state route 225; (11) In Grand lake St. Marys in that area bounded on the west by Prairie creek, on the east by Big Chickasaw creek, and on the north by a line of buoys extending east to west between Big Chickasaw creek and Prairie creek. In such area it is unlawful to set, use or maintain a trotline in channels, or across the mouths of channels or streams and; (12) In the inland part of Sandusky bay, commonly called Mud creek bay;	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-02	Shall	It shall be unlawful for any person to set, use, or maintain a trotline composed all or in part of wire or cable;	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-02	Shall	It shall be unlawful for any person to set, use, or maintain a trotline which can be removed from the water by pulling on the shore end of such line;	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-02	Shall	It shall be unlawful for any person to set, use, or maintain a trotline within a distance of one thousand feet downstream from any dam;	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-02	Shall	It shall be unlawful for any person to set, use, or maintain more than three trotlines in any one body of water in the inland fishing district;	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-02	Shall	It shall be unlawful for any person to use a trotline having more than fifty hooks attached in any tributary of lake Erie;	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-02	Shall	It shall be unlawful for any person to fail to inspect or maintain their trotline once every twenty-four hour period;	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-02	Shall	It shall be unlawful for any person to disturb or molest a legally placed trotline of another without permission from the trotline owner or user;	1531.08	No, general rulemaking authority	No, general rulemaking authority

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1501:31-13-02	Shall	It shall be unlawful for any person to set, use, or maintain a trotline in the inland fishing district unless they have attached thereto a durable waterproof tag bearing the name and mailing address of the user in English letters or the unique division of wildlife customer identification number of the user legible at all times.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-02	Shall	It shall be unlawful for any person to set or use a float line except: (1) In streams; (2) In Sandusky bay west of the railroad bridge; (3) In Berlin lake in that area lying south and west of state route 225; (4) In Mosquito lake north of the causeway and south of a line of buoys designating the waterfowl refuge; (5) Charles Mill lake north of state route 430; (6) Clendening lake east of state route 799; (7) Seneca lake south of state route 147; (8) Tappan lake above the gas line causeway and state route 646; (9) Atwood lake in all areas north and east of state route 542 north at Delroy; (10) Piedmont lake in sections 11 and 12 of Kirkwood township; (11) Wills creek lake except that part directly in front of Muskingum watershed conservancy district boat landing; (12) In all public waters of the state of Ohio unless specifically prohibited by the owner in authority of said body of water.	1531.08	No, general rulemaking authority	No, general rulemaking authority

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1501:31-13-02	Shall	It shall be unlawful for any person: (1) To use float lines in any area except in those specified in paragraph (B) of this rule; (2) To use any float line unless the user is present within a distance from which he can observe and attend such line at all times; (3) To use a float line anchored, fastened, or otherwise restricted from moving, floating or drifting freely and independent of any other line whatsoever; (4) To set, use, or maintain more than six floatlines in all public waters of the state of Ohio less than seven hundred surface acres. Provided further, it shall be unlawful to use a treble hook or more than one single hook on any floatline; (5) To set, use, or maintain a float line unless they have attached thereto a durable waterproof tag bearing the name and mailing address of the user in English letters or the unique division of wildlife customer identification number of the user legible at all times.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-02	Shall	Provided further, it shall be unlawful to use a treble hook or more than one single hook on any floatline;	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-02	Shall	It shall be unlawful for any person to set, use, or maintain in excess of fifty set or bank lines, or attach more than one single hook to any one line. Treble hooks are unlawful.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-02	Shall	It shall be unlawful for any person to set, use, or maintain a set or bank line from a dock, wharf, pier, boat, dam or artificially constructed retaining wall, or attach such lines to fishing rods or fishing poles.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-02	Shall	It shall be unlawful for any person to set, use, or maintain a set or bank line which is attached to any stake placed or present in or under the water.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-02	Shall	It shall be unlawful for any person to set, use, or maintain more than six set or banklines in all public waters of the state of Ohio less than seven hundred surface acres.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-02	Shall	Provided further, it shall be unlawful to use a treble hook on any set or bankline.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-02	Shall	It shall be unlawful for any person to fail to inspect or maintain their set or banklines once every twenty-four hour period.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-02	Shall	It shall be unlawful for any person to leave any part of a set or bankline which was brought to the site upon completion of use.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-02	Shall	It shall be unlawful for any person to set, use, or maintain set or banklines unless they have attached thereto a durable waterproof tag bearing the name and mailing address of the user in English letters or the unique division of wildlife customer identification number of the user legible at all times.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-02	Shall	It shall be unlawful for any person to disturb or molest a legally placed set or bankline of another without permission from the set or bankline owner or user.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-02	Shall	It shall be unlawful for any person to use snatch hooks, snag hooks, snag lines, or to catch fish in any manner other than by mouth, within a distance of one thousand feet downstream from any dam in the Muskingum river.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-02	Shall	It shall be unlawful for any person to engage in snag fishing within a distance of one thousand feet down stream from any dam posted with division of wildlife signs indicating snagging is prohibited.	1531.08	No, general rulemaking authority	No, general rulemaking authority

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1501:31-13-02	Shall	It shall be unlawful for any person to snag a fish or engage in snagging while using a hook exceeding five-eighths inches in space between the point and shank of the hook.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-02	Shall	It shall be unlawful for any person to use snatch hooks, snag hooks, snag lines, or to catch fish in any manner other than the mouth, during the period from September first through April thirtieth in the entire drainage basins of the Rocky river, Grand river, Chagrin river, Conneaut creek, Ashtabula river, Vermilion river, Arcola creek, Cowles creek, Euclid creek, Indian creek, Turkey creek, or Wheeler creek.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-02	Shall	It shall be unlawful for any person to use snatch hooks, snag hooks, snag lines, engage in snag fishing or possess any fish taken by snagging in any waters of the state within the eastern or western fishing units of the Ohio river, as described in rule 1501:31-13-11 of the Administrative Code.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-02	Shall	In the lake Erie fishing district and other waters wherein fishing with nets is licensed by law, and in East and West harbors, Ottawa county, it shall be lawful for any person to use a minnow seine of any length or width, or a minnow dip net not exceeding seventy-two inches on a side to take minnows, cray fish, and larval aquatic insects;	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-02	Shall	however, it shall be unlawful for any person: (a) To have in possession or use a seine or dip net with a square mesh larger than one-half inch on a side; (b) To have in possession or use a dip net having any side greater than seventy-two inches; (c) To have in possession or use a seine having other than straight sides.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-02	Shall	However, it shall be unlawful for any person: (a) To have in possession or use a minnow seine exceeding ninety-six inches in length or exceeding forty-eight inches in depth except in such waters wherein fishing with nets is licensed by law, and excepting East and West harbors, Ottawa county, Ohio; (b) To use a seine or dip net with a square mesh larger than one-half inch on a side; (c) To have in possession or use a dip net having any side greater than forty-eight inches, except in such waters wherein fishing with nets is licensed by law, and excepting East and West harbors, Ottawa county, Ohio; (d) To have in possession or use a seine having other than straight lines; (e) To use two or more seines fastened together the combination of which exceeds ninety-six inches in length or forty-eight inches in width; (f) It shall be unlawful for any person to use a minnow seine from nine p.m. to four a.m. except in East and West harbors, Ottawa county, and in such waters wherein fishing with nets is licensed by law. (G) Minnow or bait fish traps are permitted subject to the following:	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-02	Shall	It shall be unlawful for any person to use a minnow seine from nine p.m. to four a.m. except in East and West harbors, Ottawa county, and in such waters wherein fishing with nets is licensed by law.	1531.08	No, general rulemaking authority	No, general rulemaking authority

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1501:31-13-02	Shall	It shall be unlawful for any person: (1) To have in possession or use a minnow or bait fish trap which measures more than twenty-four inches in its greatest overall length, or measures more than twelve inches in its greatest overall width; (2) To have in possession or use a minnow or bait fish trap having an opening larger than one inch in diameter. (3) To set, use, or maintain a minnow or bait fish trap unless they have attached thereto a durable waterproof tag bearing the name and mailing address of the user in English letters or the unique division of wildlife customer identification number of the user legible at all times.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-02	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-04	Shall	It shall be unlawful: (a) For a person permitted under section 1533.40 of the Revised Code to possess minnows, fish listed in paragraphs (A)(2) and (A)(3)(e) of this rule, crayfish and hellgrammites at any place, except at the address listed on that person's application for a ' permit, without having each receptacle containing minnows, fish, crayfish, and hellgrammites marked with that person's name, address and permit number in letters and numerals at least one-half inch high in the English language; (b) For any person to take any fish not mentioned in paragraph (A)(1) of this rule by the aid or use of a trap, net or seine unless authorized by a license or permit issued by the division of wildlife; (c) For any person, except a person possessing a permit issued under section 1533.40 of the Revised Code or a licensed fishing guide providing bait to their customers, to have in possession more than one hundred crayfish or five hundred in the aggregate of the wild animals specified in paragraph (A)(2) of this rule, excepting therefrom, smelt, hellgrammites, other larval aquatic insects, and canned or preserved minnows, except as provided for in section 1533.57 of the Revised Code; (d) For a person permitted under section 1533.40 of the Revised Code to sell to any person other than a person possessing a permit issued under section 1533.40 of the Revised Code more than one hundred crayfish or five hundred in the aggregate of the wild animals specified in paragraph (A)(2) of this rule, excepting therefrom, smelt, hellgrammites, other larval aquatic insects and canned or preserved minnows; (e) For a person permitted under section 1533.40 of the Revised Code to sell or offer for sale: bluegill sunfish (Lepomis machrochirus), longear sunfish (Lepomis megalotis), green sunfish (Lepomis cyanellus), orange-spotted sunfish (Lepomis humilis), pumpkinseed sunfish (Lepomis gibbosus), redear sunfish (Lepomis microlophus), warmouth sunfish (Lepomis gulosis), yellow bullhead (Ameiurus natalis), brown bullhead (Ameiurus nebulosus), or black bullhead (Ameiurus melas) unless those fish have been legally acquired from a person permitted under section 1533.40 or section 1533.632 of the Revised Code or legally acquired from out of state;	1531.08	Yes, state law	Yes, state law

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1501:31-13-04	Shall	It shall be unlawful for a person permitted under section 1533.40 of the Revised Code to sell any fish listed in paragraph (A)(3)(e) of this rule without providing a receipt to the purchaser listing the following: (a) The date and time of sale (b) The number of fish by species (c) The name and address of the seller	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-04	Shall	(ii) It shall be unlawful to possess any fish listed in paragraph (A)(3)(e) of this rule acquired from a person permitted under section 1533.40 of the Revised Code without a receipt listing the following: (a) The date and time of sale (b) The number of fish by species (c) The name and address of the seller (f) For a person permitted under section 1533.40 of the Revised Code to possess any live fish listed in paragraph (A)(3)(e) of this rule at the person's usual place of business listed on that person's application unless those fish have been legally acquired from a person permitted under section 1533.40 or section 1533.632 of the Revised Code or legally acquired from out of state; (g) For a person permitted under section 1533.40 of the Revised Code to fail to keep a copy of the receipts as described in paragraph (A)(3)(e) of this rule for at least two years; (h) For any person to possess, buy, sell or offer for sale live skipjack herring within the lake Erie drainage basin, except as provided for in section 1533.632 of the Revised Code.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-04	Shall	Such records shall be open for inspection at all reasonable hours.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-04	Shall	It shall be unlawful for any person to take crayfish or larval aquatic insects by any method, from nine p.m. to the following four a.m., except by trapping, angling or by hand picking.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-04	Shall	It shall be unlawful for any person to sell as bait fish, or use as bait any fish or minnow not already established in waters of Ohio over which the wildlife chief has control.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-04	Shall	It shall be unlawful for any individual permitted under section 1533.40 of the Revised Code to fail to keep accurate daily records of all transactions with a person permitted under section 1533.40 or section 1533.632 of the Revised Code from within or without the state.	1531.08	No, general rulemaking authority	No, general rulemaking authority

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1501:31-13-04	Shall	Such records shall be for all sales or purchases of minnows, fish, crayfish, hellgrammites and other larval aquatic insects and shall include: (1) The type of animal bought or sold, (2) The amount of animals in gallons, numbers or pounds, (3) The date of sale or purchase, (4) The name and address of the buyer and seller.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-04	Shall	It shall be unlawful to fail to keep the records required under this rule for a period of less than two years.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-04	Shall	The sale and purchase records required by this rule shall be open for inspection by any wildlife officer at all reasonable hours.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-04	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-06	Shall	It shall be unlawful to engage in skin diving while using a snorkel or to engage in diving with scuba (self-contained underwater breathing apparatus) in any water area owned or controlled by the division of wildlife except when fishing for forage fish specified in paragraph (A) of rule 1501:31-13-01 of the Administrative Code.	1531.06, 1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-06	Shall	It shall be lawful to take only the forage fish specified in rule 1501:31-13-01 of the Administrative Code while skin diving with a snorkel or while scuba diving with self-contained underwater breathing apparatus in any water area owned or controlled by the division of wildlife or in any other water area where skin or scuba diving is lawful.	1531.06, 1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-06	Shall	It shall be unlawful for any person to engage in fishing while skin or scuba diving while alone, or without first marking the fishing area by displaying an official diving flag at the water's surface.	1531.06, 1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-06	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-07	Shall	It shall be unlawful for any person to take any species of fish, frog, turtle, crayfish, or larval aquatic insect at any time in the areas listed in this paragraph. (1) Any state fish farm; (2) Bathing beaches supervised by the department of natural resources, the boundaries of which are posted with "no fishing" signs; (3) Wildlife ponds located on state-owned or controlled areas which are posted with state signs reading, "no fishing."	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-07	Shall	It shall be unlawful for any person to use a seine in any lake, pond, quarry, reservoir, canal, or gravel pit in the inland fishing district which is subject to regulation by the wildlife chief.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-07	Shall	It shall be unlawful for any person to fish on the Conesville, Gavin, Poston, or ReCreation Land public hunting areas without first securing a special permit.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-13-07	Shall	It shall be lawful for any person to engage in fishing in the Mahoning river within a distance of one thousand feet downstream from the Berlin lake dam except for restricted areas posted within this zone.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-07	Shall	It shall be unlawful for any person to engage in fishing within five hundred feet of crest gates or intake tower in the dam at Berlin lake.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-07	Shall	It shall be unlawful for any person to fish from the shore from the dam crest gates west then south to the "no motor boundary zone" sign at Berlin lake.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-07	Shall	It shall be unlawful for any person to fish from the bank or shore of Deer creek reservoir in Stark county, except from the following described areas: beginning at the railroad bridge located in the northwest section of said reservoir, thence east along the north shoreline of the peninsula located at the north end of spillway embankment to a marker established by the division of wildlife.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-07	Shall	It shall be unlawful for any person to fish in the area east of an imaginary line drawn straight from the marker referred to in paragraph (H) of this rule to a similar marker established by the division of wildlife on the south shore of Deer creek reservoir in Stark county west of the south end of the spillway embankment.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-07	Shall	It shall be unlawful for any person to fish from the east shore of the dam and spillway embankment in the area designated by signs at Deer creek reservoir in Stark county.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-07	Shall	It shall be unlawful for any person to fish or wade from the bank or shore in the following described area at the East Branch reservoir in Geauga county: all of the shoreline north of U.S. route 322 and the eastern shoreline of the reservoir south of U.S. route 322 down to and including the length of the dam.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-07	Shall	It shall be unlawful for any person to use gasoline motors.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-07	Shall	It shall be unlawful for any person to use gasoline motors. External fuel tanks are prohibited.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-07	Prohibit	External fuel tanks are prohibited.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-07	Shall	It shall be unlawful to fish or wade from the bank or shore within five hundred feet surrounding Black brook dam and Bridge creek dam.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-07	Prohibit	External fuel tanks are prohibited.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-07	Shall	It shall be unlawful for any person to fish or wade from the bank or shoreline from the following locations: (a) Five hundred feet surrounding the Mogadore reservoir dam, or (b) On the bridges, or (c) Within the rights-of-way of Ranfield road, Congress lake road, and state route 43.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-07	Shall	It shall be unlawful for any person to use gasoline motors.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-07	Shall	It shall be unlawful for any person to fish in the area immediately above the dam in Clear fork reservoir for a distance of approximately five hundred feet to an imaginary line extending straight across the reservoir from a marker on the southerly shore to a similar marker on the northerly shore.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-07	Prohibit	External fuel tanks are prohibited.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-13-07	Shall	It shall be unlawful for any person to fish from that part of the shore of Clear fork reservoir extending from the marker on the northerly shore referred to in paragraph (O) of this rule to the Orweiler road.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-07	Shall	It shall be unlawful for any person at Pymatuning lake to use more than five tip-ups or other legal devices when fishing through holes in the ice.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-07	Shall	It shall be unlawful for any person at Pymatuning lake to cut or use a hole in the ice for fishing purposes that is larger than ten inches between the farthest points as measured in any direction.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-07	Shall	It shall be unlawful for any person at Pymatuning lake to take minnows by means of a minnow trap which measures more than twenty-four inches in its greatest overall length, or more than twelve inches in its greatest overall width, or have openings larger than one inch in diameter.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-07	Shall	It shall be unlawful for any person at Pymatuning lake to take minnows with a seine or dip net having a side of such seine or dip net that exceeds forty-eight inches in length, or having a size of the mesh in such seine or dip net which measures not less than one-eighth inch on a side or larger than one-half inch on a side.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-07	Shall	It shall be unlawful for any person to take more than six walleyes, or two muskellunge, or twenty crappie, or five largemouth and smallmouth bass singly or in the aggregate, in any one day while at, on, or when returning from Pymatuning lake.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-07	Shall	There shall be no daily bag limit for other fish taken from Pymatuning lake.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-07	Shall	It shall be unlawful for any person to take or possess a walleye less than fifteen inches, or a muskellunge less than thirty inches, or a largemouth or smallmouth bass less than twelve inches, or a crappie less than nine inches while at, on, or when returning from Pymatuning lake.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-07	Shall	It shall be unlawful for any person to take or possess frogs, turtles, and tadpoles from Pymatuning lake at any time except from July first to October thirty-first, both dates inclusive.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-07	Shall	It shall be unlawful for any person at Pymatuning lake to take or have in possession in any one day more than fifteen frogs or fifteen tadpoles.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-07	Shall	Frogs shall not be taken with the aid of a light or by means of firearms.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-07	Shall	It shall be unlawful for any person at Pymatuning lake to take more than ten turtles in any one day (except snapping turtles-unlimited).	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-07	Shall	Hooks used for taking turtles by set lines shall be not less than three and one-half inches long with not less than one inch of space between point and shank.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-07	Shall	It shall be unlawful for any person to take crayfish, mussels, and larval aquatic insects at any time from Pymatuning lake.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-07	Shall	It shall be unlawful for any person to take fish in any manner other than with up to three hand lines, up to three units of rod and line, or a combination of up to three hand lines or units of rod and line in the aggregate from Pymatuning lake, except carp and suckers may be taken with longbow and arrow or a spear from said lake.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-07	Shall	It shall be unlawful for any person to possess a fish in any form or condition other than in the round while on a boat or when unloading the fish from a boat, while wading or while fishing from shore on the Ohio side of Pymatuning lake.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-07	Shall	It shall be unlawful to possess or transport a fish taken from Pymatuning lake unless the fish is in the round or complete fillet until a person reaches their permanent residence or until the fish is being prepared for immediate consumption. Frozen fish must be transported in such a way the fillets can be easily identified and counted.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-13-07	Shall	It shall be unlawful for any person to take, catch or attempt to take or catch or engage in fishing in or possess fish taken from any body of water that is posted with signs declaring the lake, stream, river, or portion thereof closed to all fishing or posted with division of wildlife signs stating "No Fishing" or "Fishing In This Area Is Prohibited."	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-07	Shall	It shall be unlawful for any person to take or possess fish from any waters of the state that is not in conformity with the regulations on the posted division of wildlife sign.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-07	Shall	It shall be unlawful for any person sixteen years of age or older to take, catch, or attempt to take or catch fish, or engage in fishing in any manner in any waters posted with division of wildlife signs stating "Fishing in this area restricted to persons fifteen years of age or younger."	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-07	Must	Pennsylvania fishermen angling from the shore on the Ohio side of Pymatuning lake must have an Ohio non-resident fishing license.	1531.06, 1531.08, 1531.10	Yes, state law	Yes, state law
1501:31-13-07	Must	Ohio fishermen angling from the shore of the Pennsylvania side of Pymatuning lake must have a Pennsylvania non-resident license.	1531.06, 1531.08, 1531.10	Yes, state law	Yes, state law
1501:31-13-07	Must	Frozen fish must be transported in such a way the fillets can be easily identified and counted.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-07	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-08	Shall	Throughout the state it shall be unlawful for any person to take or possess more than six saugeyes, six sauger, or six walleyes, singly or in the aggregate in any one day while on any stream, river or other body of water where fishing therein requires the licenses set forth in section 1533.32 of the Revised Code; excepting therefrom the lake Erie sport fishing district in accordance with rule 1501:31-13-14 of the Administrative Code and the eastern and western fishing units of the Ohio river in accordance with rule 1501:31-13-11 of the Administrative Code.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-08	Shall	It shall be unlawful for any person to take or possess more than: one muskellunge, or one tiger muskellunge, singly or in the aggregate; or five black bass, including smallmouth, largemouth, or spotted bass singly or in the aggregate in any one day statewide except: black bass in the lake Erie sport fishing district in accordance with paragraph (V) of this rule, the eastern and western fishing units of the Ohio river in accordance with rule 1501:31-13-11, Pymatuning lake in accordance with paragraph (Q) of rule 1501:31-13-07 of the Administrative Code, or in waters with designated split daily bag limits associated with length limits as specified in paragraphs (T) and (U) of this rule .	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-08	Shall	The possession limits set forth in paragraphs (A), (B) , (F), (K), (M) and (V) of this rule shall not apply to such fish when transported on a commercial ferry boat in lake Erie.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-08	Shall	It shall be unlawful for any person to take or possess blue pike or sturgeon from lake Erie or any of its tributaries.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-08	Shall	It shall be unlawful for any person to take or possess white amur or grass carp (Ctenopharyngodon idella) from waters owned, leased, or controlled by the division of wildlife posted with a sign indicating the take or possession from such waters is prohibited.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-08	Shall	It shall be unlawful for any person to take or possess singly or in the aggregate more than five rainbow or steelhead trout, lake trout, brown trout, golden trout, coho, chinook, or pink salmon daily, from any waters in this state; excepting therefrom these areas listed in paragraph (H)(1) of rule 1501:31-13-01 of the Administrative Code.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-08	Shall	It shall be unlawful for any person to take or possess more than two trout or salmon species (as listed in this paragraph) in lake Erie and its direct and indirect tributaries from September first through May fifteenth.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-13-08	Shall	It shall be unlawful to take or possess more than two trout any one day in any area listed in paragraph (H)(1) of rule 1501:31-13-01 of the Administrative Code.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-08	Shall	It shall be unlawful for any person to take coho, chinook, or pink salmon by any means other than hook and line.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-08	Shall	It shall be unlawful for any person to seine or take bait in King's creek between the bridge on county road no. 223 and the Mad river.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-08	Shall	It shall be unlawful for any person to possess a fish in any form or condition other than in the round while on or when unloading the fish from a boat, while wading , while fishing from shore, or while on any waters in this state where a fishing license is required as set forth in section 1533.32 of the Revised Code.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-08	Shall	It shall be unlawful to possess or transport a fish taken from any stream, river or other body of water where fishing therein requires the licenses set forth in section 1533.32 of the Revised Code unless the fish is in the round or complete fillet until a person reaches their permanent residence or until the fish is being prepared for immediate consumption.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-08	Shall	It shall be lawful to possess fish in the round or as a complete fillet while returning from the lake Erie islands on a commercial ferry boat.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-08	Shall	Such statement or receipt shall list the name of the person, the number and species of fish and the date said fish were caught.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-08	Shall	It shall be unlawful to falsify any information on said statement or receipt or to provide a falsified statement or receipt to anyone.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-08	Shall	It shall be unlawful for any person to take or possess more than thirty yellow perch (<i>Perca flavescens</i>) in any one day statewide, except in the eastern and western fishing units of the Ohio river, in accordance with the rule 1501:31-13-11 of the Administrative Code, Pymatuning lake, in accordance with paragraph (Q) of rule 1501:31-13-07 of the Administrative Code, and the lake Erie sport fishing district, in accordance with rule 1501:31-13-14 of the Administrative Code.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-08	Shall	It shall be unlawful for any person to take or possess more than six channel catfish in any one day from any public waters of the state of Ohio less than seven hundred acres.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-08	Shall	It shall be unlawful for any person to possess more than one channel catfish (<i>Ictalurus punctatus</i>) in excess of twenty-eight inches, and one flathead catfish (<i>Pylodictus olivaris</i>) in excess of thirty-five inches, and one blue catfish (<i>Ictalurus furcatus</i>) in excess of thirty-five inches in any one day statewide from any waters in the state wherein an Ohio fishing license is required by section 1533.32 of the Revised Code, except Hoover reservoir in accordance with paragraph (N) of this rule and Pymatuning lake in accordance with paragraph (Q) of rule 1501:31-13-07 of the Administrative Code.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-08	Shall	It shall be unlawful for any person to take or possess more than four channel catfish (<i>Ictalurus punctatus</i>) or blue catfish (<i>Ictalurus furcatus</i>) singly or in the aggregate, of which no more than three can be less than eighteen inches in length and no more than one can be greater than or equal to twenty eight inches in length while on the water or surrounding shoreline of the following body of water: Hoover reservoir in Franklin and Delaware counties upstream on Big Walnut creek to the Columbus street bridge in Galena and upstream on Little Walnut creek to the state route 3 bridge.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-13-08	Shall	It shall be unlawful for any person to take or possess more than ten sunfish in the aggregate in any one day from each of the following areas: St. Joseph river wildlife area; Oxbow lake wildlife area; Killdeer Plains wildlife area.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-08	Shall	It shall be unlawful for any person to take or possess more than ten crappie in the aggregate in any one day from each of the following areas: St. Joseph river wildlife area; Oxbow lake wildlife area; Killdeer Plains wildlife area.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-08	Shall	It shall be unlawful for any person to take or possess more than thirty crappie in the aggregate in any one day from each of the following areas: Alum Creek lake in Delaware county upstream to the state route 521 bridge in Kilbourne; Berlin lake in Stark, Mahoning and Portage counties upstream to Webb avenue; Buckeye lake in Licking, Fairfield and Perry counties; Caesar Creek lake in Clinton, Greene and Warren counties upstream on Anderson Fork creek to the state route 380 bridge and upstream on Caesar creek to the Roxanna-New Burlington bridge; Deer Creek lake in Fayette and Pickaway counties upstream to the Yankeetown Pike bridge; Delaware lake in Delaware county, including the Olentangy river in Marion county upstream to the Waldo dam and Whetstone creek upstream to state route 229; Dillon lake in Muskingum county upstream on Stump Run to Shannon Valley road, upstream on Poverty run to Pinecrest drive, upstream on Big run to Creamery road and upstream on the Licking river to the county road 408 bridge; East Fork lake in Clermont county upstream on Todd run to the state route 133 bridge and upstream on the East Fork of the Little Miami river to West Main street bridge in Williamsburg; Ferguson lake in Allen county; Grand Lake St. Marys in Auglaize and Mercer counties upstream in the tributaries from the south to state route 219 and upstream on Coldwater creek to state route 127; Hoover reservoir in Franklin and Delaware counties upstream on Big Walnut creek to the Columbus street bridge in Galena and upstream in Little Walnut creek to the state route 3 bridge; Indian lake in Logan county upstream on the north fork of the Great Miami river to the state route 117 bridge and upstream on the south fork of the Great Miami river to the Bickham covered bridge on county road 38; Kiser lake Champaign county; Lake Loramie in Auglaize and Shelby counties upstream in Loramie creek to state route 29 and upstream on Northwest feed to state route 119; Milton lake Mahoning county upstream to Ellsworth road; Mahoning river between Berlin lake and lake Milton in Mahoning and Portage counties; Mahoning river from the dam at lake Milton to West Mahoning/Trumbull County Line road;	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-08	Shall	It shall be unlawful to take or possess more than thirty striped bass, hybrid striped bass, or white bass, singly or in the aggregate in any one day from any waters in the state wherein an Ohio fishing license is required by section 1533.32 of the Revised Code, except Pymatuning lake and the lake Erie sport fishing district.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-13-08	Shall	It shall be unlawful to take or possess more than four striped bass, hybrid striped bass, or white bass singly or in the aggregate greater than fifteen inches in length in any one day from any waters in the state wherein an Ohio fishing license is required by section 1533.32 of the Revised Code, except Pymatuning lake and the lake Erie sport fishing district.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-08	Shall	It shall be unlawful for any person to take or possess more than twenty sunfish (Lepomis spp.) in the aggregate in any one day from all AEP recreation lands lakes and ponds in Coshocton, Muskingum, Perry, Morgan, Noble, and Guernsey counties. This includes the AEP recreation lands and the Conesville coal lands.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-08	Shall	It shall be unlawful for any person to take or possess more than four largemouth, smallmouth, or spotted bass singly or in aggregate, of which no more than two can be less than fifteen inches in length and no more than two can be greater than or equal to fifteen inches in length on the following bodies of water or surrounding shoreline: Acton lake in Preble and Butler counties upstream on Four Mile creek to Main Loop road and upstream on Little Four Mile creek to Main Loop road; Findley lake in Lorain county; Hargus Creek lake in Pickaway county; Highlandtown lake in Columbiana county; Lake Snowden in Athens county; New Lyme lake in Ashtabula county; Paint creek lake in Highland and Ross counties upstream in Rattlesnake creek to state route 138 and upstream on Paint creek to route 28; Salt Fork lake in Guernsey county upstream on Sugartree Fork to the township road 587 bridge, upstream on Brushy Fork to the state route 22 bridge, upstream on Salt Fork to the Fairground road bridge and upstream on Rocky Fork to the township road 855 bridge; Silver creek lake in Summit county; Upper Sandusky reservoir no. 2 in Wyandot county.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-08	Shall	It shall be unlawful for any person to take or possess more than three largemouth, smallmouth, or spotted bass singly or in aggregate, of which no more than two can be less than fourteen inches in length and no more than one can be greater than or equal to twenty inches in length on the following bodies of water or surrounding shoreline.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-13-08	Shall	In addition, it shall be unlawful for any person to take or possess largemouth bass, smallmouth bass, or spotted bass greater than fourteen inches but less than twenty inches in length while on the water or surrounding shoreline of the following bodies of water: All AEP recreation lands lakes and ponds in Coshocton, Muskingum, Perry, Morgan, Noble, and Guernsey counties This includes the AEP recreation lands and the Conesville coal lands; Belmont lake in Belmont county; Guilford lake in Columbiana county; Killdeer Plains reservoir, Killdeer pond number 30, and Killdeer pond number 33 in Wyandot county; Kiser lake in Champaign county; Long lake in Summit county; Oxbow lake in Defiance county; Spencer lake in Medina county; St. Joseph river wildlife area lakes in Williams county; Tycoon lake in Gallia county; Wingfoot lake in Portage county; Wolf Run lake in Noble county.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-08	Shall	It shall be unlawful for any person to take or possess more than one black bass, including smallmouth, largemouth, or spotted bass, in any one day while on or within one-quarter mile of the lake Erie sport fishing district from May first until the fourth Saturday in June.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-08	Shall	Unless otherwise provided by division rule, there shall be no daily bag limit for the following species of fish statewide: crappie, white bass, bluegill, sunfish, and rock bass.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-08	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-09	Shall	It shall be unlawful for any person to take or possess a coho, chinook, or pink salmon less than twelve inches in length.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-13-09	Shall	It shall be unlawful for any person to take or possess a walleye, sauger, or saugeye less than fifteen inches in length while on the following bodies of water: Lake Milton in Mahoning and Portage counties; Berlin lake in Stark, Portage and Mahoning counties; Mahoning river between Berlin lake and lake Milton in Mahoning and Portage counties. C.J. Brown reservoir in Clark county upstream on Buck creek to the Moorefield road bridge; Lake Erie sport fishing district; Acton lake in Butler and Preble counties upstream on Four Mile creek to Main Loop road and upstream on Little Four Mile creek to Main Loop road; Alum Creek lake in Delaware county upstream on Alum creek to the state route 521 bridge in Kilbourne; Atwood lake in Carroll and Tuscarawas counties upstream to Glendale road; Buckeye lake in Fairfield, Perry and Licking counties; Caesar Creek lake in Clinton, Greene and Warren counties upstream on Anderson Fork to the state route 380 bridge and upstream on Caesar creek to the Roxanna-New Burlington bridge; Ferguson reservoir in Allen county; Findlay reservoirs 1 and 2 in Hancock county; Indian lake in Logan county upstream on the North Fork of the Great Miami river to the state route 117 bridge and upstream on the South Fork of the Great Miami river to the Bickham covered bridge (county road 38); Metzger reservoir in Allen county; Piedmont lake in Guernsey, Harrison and Belmont counties upstream on Stillwater creek to the township road 343 bridge; Pleasant Hill lake in Richland and Ashland counties upstream to the Pleasant hill road bridge; Rocky Fork lake in Highland county upstream on Rocky Fork creek to state route 124, upstream on Clear creek to Northshore drive and upstream on Plum run, the southeast feed, to Lucas lane; Seneca lake in Guernsey and Noble counties upstream on Beaver creek to the state route 513 bridge and upstream on Seneca Fork of Wills creek to the county road 62 bridge; Tappan Lake in Harrison county upstream to Addy road;	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-09	Shall	It shall be unlawful to take or possess rainbow trout, steelhead trout, brown trout, or brook trout less than twelve inches in length while on lake Erie or its direct or indirect tributaries, including all the streams in the entire drainage basin, excepting therefrom Cold creek upstream of state route 2 located in Erie county.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-09	Shall	It shall be unlawful to take or possess trout less than twelve inches in length while on the Mad river or its tributaries in Clark, Champaign and Logan counties, and the Clear Fork branch of the Mohican river and its tributaries in Richland county.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-13-09	Shall	It shall be unlawful to take or possess largemouth bass, smallmouth bass, or spotted bass less than fifteen inches in length on the following bodies of water: Blue Rock lake in Muskingum county; Cowan lake in Clinton county upstream on Cowan creek to West Champlain road, township highway 103 and upstream on Wilson creek to Osborn road; Greenfield lake in Fairfield county; Wellington south reservoir in Lorain county; Zepernick lake in Columbiana county; Dale Walborn reservoir in Portage and Stark counties; Ross lake in Ross county; Adams lake in Adams county; Resthaven pond no. 8 in Erie county; Rush creek lake in Fairfield and Perry counties; Rush Run lake in Preble county upstream on Rush run to the state line; Pine lake in Ross county; Seneca lake in Guernsey and Noble counties upstream on Beaver creek to the state route 513 bridge and upstream on Seneca Fork of Wills creek to the county road 62 bridge; Hancock county wetland lake in Hancock county; Caldwell lake in Ross county; Ohio/Erie canal in Cuyahoga county.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-09	Shall	It shall be unlawful to take or possess largemouth bass, smallmouth bass, or spotted bass less than eighteen inches in length on the following bodies of water: Knox lake in Knox county; Lake La Su An wildlife area lakes in Williams county.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-09	Shall	It shall be unlawful to take or possess largemouth, smallmouth, and spotted bass less than fourteen inches in length while on or within one-quarter mile of the lake Erie sport fishing district from the fourth Saturday in June through Aprial thirty.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-09	Shall	It shall be unlawful to take or possess largemouth, smallmouth, and spotted bass less than eighteen inches in length while on or within one-quarter mile of the lake Erie sport fishing district from May first until the fourth Saturday in June.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-13-09	Shall	It shall be unlawful for any person to take or possess largemouth bass, smallmouth bass, or spotted bass greater than twelve inches but less than fifteen inches in length while on the water or surrounding shoreline of the following bodies of water: Burr Oak lake in Athens and Morgan counties; Dow lake in Athens county; Fox lake in Athens county; Lake Rupert (Wellston city reservoir) in Vinton county upstream on Little Raccoon creek to the county road 25 bridge; Jackson City reservoir (Hammertown lake) in Jackson county; Slope creek reservoir (Barnsville no. 3) in Belmont county; Turkey creek lake in Scioto county.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-09	Shall	It shall be unlawful for any person to take or possess black crappie or white crappie less than nine inches in length on the following bodies of water: Alum Creek lake in Delaware county upstream in Alum creek to the state route 521 bridge in Kilbourne; Berlin lake in Stark, Mahoning and Portage counties upstream to Webb avenue; Buckeye lake in Licking, Fairfield and Perry counties; Caesars Creek lake in Clinton, Greene and Warren counties upstream on Anderson Fork to the state route 380 bridge and upstream on Caesar creek to the Roxanna-New Burlington bridge; Deer Creek lake in Fayette and Pickaway counties upstream on Deer creek to the Yankeetown Pike bridge; Delaware lake in Delaware county, including the Olentangy river in Marion county upstream to the Waldo dam and Whetstone creek upstream to state route 229; Dillon lake in Muskingum county upstream on Stump run to the Shannon Valley road bridge, upstream on Poverty run to the Pinecrest drive bridge, upstream on Big run to the Creamery road bridge and upstream on the Licking river to the county road 408 bridge; East Fork lake in Clermont county upstream on Todd run to the state route 133 bridge and upstream on East Fork of the Little Miami river to the West Main street bridge in Williamsburg; Ferguson lake in Allen county; Grand Lake St. Marys in Auglaize and Mercer counties upstream in the tributaries to the south to state route 219 and upstream on Coldwater creek to state route 127; Hoover reservoir in Franklin and Delaware counties upstream on Big Walnut creek to the Columbus street bridge in Galena and upstream on Little Walnut creek to the state route 3 bridge; Indian lake in Logan county upstream on the North Fork of the Great Miami river to the state route 117 bridge and upstream on the South Fork of the Great Miami river to the Bickham covered bridge (county road 38); Kiser lake in Champaign county; Lake Loramie in Auglaize and Shelby counties upstream on Loramie creek to state route 29 and upstream on Northwest Feed to state route 119; Milton lake in Mahoning county upstream to Ellsworth road; Mahoning river between Berlin lake and lake Milton in Mahoning and Portage counties;	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-13-09	Shall	It shall be unlawful for any person to take or possess largemouth bass, smallmouth bass, or spotted bass greater than fourteen inches but less than twenty inches in length while on the water or surrounding shoreline of the following bodies of water: All AEP recreation lands lakes and ponds in Coshocton, Muskingum, Perry, Morgan, Noble, and Guernsey counties (This includes the main AEP recreation lands, and Conesville coal lands); Belmont lake in Belmont county; Guilford lake in Columbiana county; Killdeer Plains reservoir, Killdeer pond number 30, and Killdeer pond number 33 in Wyandot county; Kiser lake in Champaign county; Long lake in Summit county; Oxbow lake in Defiance county; Spencer lake in Medina county; St. Joseph river wildlife area lakes in Williams county; Tycoon lake in Gallia county; Wingfoot lake in Portage county; Wolf Run lake in Noble county;	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-09	Shall	It shall be unlawful to take or possess largemouth, smallmouth, or spotted bass less than twelve inches in length from any waters in this state where a fishing license is required as set forth in section 1533.32 of the Revised Code, not withstanding any other length limits in this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-09	Shall	It shall be unlawful for any person to take or possess channel catfish (Ictalurus punctatus) or blue catfish (Ictalurus furcatus) greater than eighteen inches but less than twenty eight inches in length while on the water or surrounding shoreline of the following body of water: Hoover reservoir in Delaware and Franklin counties upstream on Big Walnut creek to the Columbus street bridge in Galena and upstream on Little Walnut creek to the state route 3 bridge.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-09	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-10	Shall	It shall be lawful for residents of this state to take or catch fish by angling in any waters of the state without procuring a resident fishing license as prescribed in section 1533.32 of the Revised Code on the first consecutive Saturday and Sunday in May.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-10	Shall	Provided further, it shall be unlawful to take or catch fish contrary to the Ohio Revised Code and any division order or rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-10	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-11	Shall	The eastern fishing unit of the Ohio river shall consist of those counties bordering the state of West Virginia and more specifically the counties of Columbiana, Jefferson, Belmont, Monroe, Washington, Athens, Meigs, Gallia, and that portion of Lawrence east of the West Virginia and Kentucky state lines.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-11	Shall	Provided further, it shall be unlawful to take or possess any fish contrary to this rule or any other division of wildlife rule when within a quarter mile of the Ohio river or its embayment areas and tributaries to the first riffle or dam in the eastern fishing unit of the Ohio river.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-13-11	Shall	It shall be unlawful for any person to take or possess more than two muskellunge, or six largemouth, smallmouth, or spotted bass singly or in the aggregate in any one day in the area prescribed in paragraph (A) of this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-11	Shall	It shall be unlawful for any person to take or possess a muskellunge or tiger muskie less than thirty inches in length, in the area prescribed in paragraph (A) of this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-11	Shall	It shall be unlawful for any person to take or possess more than thirty striped bass, hybrid striped bass, or white bass, singly or in the aggregate of which no more than four may be more than fifteen inches in length in any one day in the area prescribed in paragraph (A) of this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-11	Shall	It shall be unlawful to take or possess a largemouth bass, smallmouth bass or spotted bass less than twelve inches in length from the area described in paragraph (A) of this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-11	Shall	It shall be unlawful to take or possess more than thirty black or white crappie singly or in the aggregate in any one day from the area described in paragraph (A) of this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-11	Shall	It shall be unlawful for any person to take or possess more than ten saugeyes, ten walleyes, or ten sauger, singly or in the aggregate in any one day from the area describe in paragraph (A) of this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-11	Shall	The western fishing unit of the Ohio river shall consist of those counties bordering the state of Kentucky and more specifically that portion of Lawrence county west of the Kentucky and Ohio border and the entire counties of Scioto, Adams, Brown, Clermont, and Hamilton.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-11	Shall	Provided further, it shall be unlawful to take or possess any fish contrary to this rule or any other division of wildlife rule when on or within a quarter mile of the Ohio river or in its embayment areas and tributaries to the first riffle or dam in those counties or portions thereof in the western fishing unit of the Ohio river.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-11	Shall	It shall be unlawful for any person to take or possess more than six largemouth, smallmouth, or spotted bass singly or in the aggregate, or more than two muskellunge or tiger muskie singly or in the aggregate, or thirty black or white crappie singly or in the aggregate in any one day in the area prescribed in paragraph (C) of this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-11	Shall	It shall be unlawful for any person to take or possess more than thirty striped bass, hybrid striped bass, white bass, singly or in the aggregate in any one day in the area prescribed in paragraph (C) of this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-11	Shall	Provided further, it shall be unlawful to take or possess more than four striped bass, hybrid striped bass, white bass singly or in the aggregate more than fifteen inches in length in any one day in the area prescribed in paragraph (C) of this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-11	Shall	It shall be unlawful to take or possess a largemouth bass, spotted bass or smallmouth bass less than twelve inches in length or a muskellunge or tiger muskie less than thirty inches in length.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-11	Shall	It shall be unlawful for any person to take or possess more than ten saugeyes, ten walleyes, or ten sauger, singly or in the aggregate in any one day in the area described in paragraph (C) of this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-11	Shall	The possession limits set forth in this rule shall not apply to such fish when stored in a persons abode in those areas prescribed in paragraphs (A) and (C) of this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-11	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-12	Shall	Each nonresident lake Erie sport fishing district permit issued in accordance with section 1533.38 of the Revised Code shall be valid between the first day of January and the last day of April.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-12	Shall	It shall be unlawful for any person required to obtain a nonresident lake Erie sport fishing district permit while fishing in the lake Erie sport fishing district to fail to carry the person's permit and exhibit it to any enforcement officer so requesting.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-13-12	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-13	Shall	The one day fishing license shall expire at midnight on the day for which the license is valid.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-13	Shall	The lake Erie charter one day fishing license shall expire at midnight on the day for which the license is valid.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-13	Shall	It shall be unlawful to engage in angling or fishing with a lake Erie charter one day fishing license which is not validated. A lake Erie charter one day fishing license is validated when signed and dated prior to beginning angling or fishing.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-13	Shall	Notwithstanding division (C)(3) of section 1533.32 of the Revised Code, an annual fishing license issued in accordance with division (C)(2) of section 1533.32 of the Revised Code shall begin on the date of issuance of the one day fishing license and shall expire one year from the date of issuance of the one day fishing license.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-13	Shall	Notwithstanding division (C)(3) of section 1533.32 of the Revised Code, an annual fishing license issued in accordance with division (C)(2) of section 1533.32 of the Revised Code shall begin on the date of issuance of the one day fishing license and shall expire one year from the date of issuance of the one day fishing license.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-13	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-14	Shall	It shall be unlawful for any person to take or possess more than the daily bag limit of walleye, sauger or saugeye, singly or in the aggregate in the lake Erie sport fishing district and in the following areas of the lake Erie sport fishing district: Sandusky river from the Waterworks dam, city of Tiffin, Seneca county to a line in Sandusky bay that runs one quarter mile east of and parallel to the full length of the railroad bridge in Sandusky bay (from N 41 degrees 29' 35.4 ", W 82 degrees 49' 18.0 " to N 41 degrees 28' 02.4 ", w 82 degrees 47' 58.2 "), as determined in the following table and published by the division and posted on the Ohio division of wildlife website at wildohio.gov: Lake Erie quota and daily bag limits for walleye, sauger or saugeye	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-13-14	Shall	It shall be unlawful for any person to take or possess more than the daily bag limit of yellow perch in the sport management unit, as determined in the following table and published by the division and posted on the Ohio division of wildlife website at wildohio.gov: Lake Erie yellow perch management unit quotas	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-01	Shall	Throughout the state, it shall be unlawful for any person to hunt, take or possess game birds, game quadrupeds, or furbearing animals except according to this rule and other provisions of the Administrative Code or the Revised Code.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-01	Shall	It shall be unlawful for any person to hunt or take a squirrel at any time, except between one-half hour before sunrise to sunset daily during the open season for squirrels.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-01	Shall	It shall be unlawful for any person to take more than six red, gray, black or fox squirrels, singly or in the aggregate, in any one day or possess more than six squirrels taken in one day.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-01	Shall	It shall be unlawful for any person to possess more than six red, gray, black or fox squirrels singly or in the aggregate in the field while hunting or when returning from hunting.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-01	Shall	It shall be unlawful for any person to hunt or take grouse at any time, except between one-half hour before sunrise to sunset daily during the open season for grouse.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-15-01	Shall	It shall be unlawful for any person to hunt or take more than two grouse in any one day.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-01	Shall	Provided further, it shall be unlawful for any person to possess more than two grouse in the field while hunting or when returning from hunting.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-01	Shall	It shall be unlawful for any person to hunt or take rabbits at any time, except between sunrise to sunset daily during the open season for rabbits.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-01	Shall	It shall be unlawful for any person to hunt or take more than four rabbits in any one day.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-01	Shall	It shall be unlawful for any person to possess more than four rabbits in the field while hunting or when returning from hunting.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-01	Shall	It shall be unlawful for any person to hunt or take pheasants or chukar partridge at any time except between sunrise to sunset daily during the pheasant and chukar partridge season.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-01	Shall	It shall be unlawful for any person to possess more than two pheasants and two chukar partridge in the field while hunting or when returning from hunting.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-01	Shall	It shall be unlawful for any person to hunt or take more than two pheasants and two chukar partridge in any one day.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-01	Shall	It shall be unlawful for any person to hunt, take, or possess a hen pheasant at any time, or to possess a hen pheasant in a vehicle while hunting or when returning from hunting except when legally acquired and tagged in accordance with law.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-01	Shall	It shall be unlawful for any person to transport, ship, mail, or express a pheasant the exterior sex identity of which has been destroyed, and no person shall have in possession, while in the field a pheasant the exterior sex identity of which has been destroyed.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-01	Shall	It shall be unlawful for any person to transport, ship, mail, or express a pheasant the exterior sex identity of which has been destroyed, and no person shall have in possession, while in the field a pheasant the exterior sex identity of which has been destroyed.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-01	Shall	It shall be unlawful for any person to hunt or take bobwhite quail at any time except between sunrise to sunset daily during the open season for quail.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-01	Shall	It shall be lawful for persons possessing a valid falconry permit from the chief of the division of wildlife to hunt the game animals permitted to be hunted in this rule and other rules of the Administrative Code.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-01	Shall	It shall be unlawful for any person to take or hunt any of the game animals mentioned in this rule with a raptor unless authorized by the chief of the division of wildlife.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-01	Shall	It shall be unlawful for any person to take, possess, or hunt any of the game animals mentioned in this rule with a raptor in excess of the daily limit listed for each.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-01	Shall	It shall be unlawful for any person to hunt or take more than four bobwhite quail in any one day.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-01	Shall	It shall be unlawful for any person to possess more than four bobwhite quail in the field while hunting or when returning from hunting.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-01	Shall	It shall be unlawful for any person to possess a bobwhite quail in the field, except in the counties open to quail hunting as set forth in paragraph (H) of rule 1501:31-15-17 of the Administrative Code or when legally acquired and tagged in accordance with law.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-01	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-15-02	Shall	It shall be unlawful for any person to shoot, shoot at, kill, take, or attempt to take any wild bird or wild quadruped, or facsimile thereof, or part of a wild animal along, on, from, or across any public road or highway.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-02	Shall	Except as provided in section 2923.16 of the Revised Code and rule 1501:31-9-08 of the Administrative Code, it shall be unlawful for any person to hunt, shoot, shoot at, kill, take or attempt to take any wild bird or wild quadruped from or by means, aid, or use of any aircraft, including aerial drones, or any motor-driven conveyance or its attachments.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-02	Shall	It shall be lawful to hunt small game and furbearers, except mink, muskrat, river otter and beaver from a powercraft if the motor has been completely shut off and the powercraft has come to rest.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-02	May not	Live furbearing animals, game quadrupeds or wild birds may not be held in captivity nor sold except as provided in section 1533.71 of the Revised Code or as provided in the provisions of the Administrative Code.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-02	Shall	It shall be unlawful for any person to use a deadfall of any type to take or attempt to take a wild bird or wild quadruped.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-02	Shall	It shall be lawful for any person to hunt or take by falconry or with a crossbow any wild animal permitted to be taken by hunting; however, migratory birds may not be hunted or taken with cross-bows and arrows.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-02	May not	It shall be lawful for any person to hunt or take by falconry or with a crossbow any wild animal permitted to be taken by hunting; however, migratory birds may not be hunted or taken with cross-bows and arrows.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-02	Shall	Crossbows used in hunting wild animals shall have a working safety and have a stock twenty-five inches or longer.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-02	Shall	It shall be unlawful to start a fire in or near weeds, brush, marsh, trees, woodlands, or other game cover for the purpose of taking game.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-02	Shall	It shall be unlawful for any person to hunt or take wild animals at any time within one hundred fifty yards of any burning weeds, or burning brush.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-02	Shall	It shall be unlawful for a nonresident of Ohio to possess, hunt, or trap a wild animal in Ohio if an Ohio resident may not lawfully possess, hunt, or trap that wild animal in the home state of the nonresident.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-02	May not	It shall be unlawful for a nonresident of Ohio to possess, hunt, or trap a wild animal in Ohio if an Ohio resident may not lawfully possess, hunt, or trap that wild animal in the home state of the nonresident.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-02	Shall	It shall be unlawful for any person to disturb or destroy the eggs, nest or young of a game bird or to possess the eggs or young taken from a nest of a game bird.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-02	Shall	It shall be unlawful for any person to train, work or exercise a dog or permit a dog to run at large or be upon any property owned, controlled, or administered by the division of wildlife that is managed or posted as a state game refuge.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-02	Shall	It shall be unlawful to carry any firearm or weapon unless displayed and visible on the outermost garment, and only when carried in accordance with the Revised Code.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-02	Shall	It shall be unlawful to shoot, shoot at or kill a wild animal with a firearm carried concealed under a license issued pursuant to section 2923.125 of the Revised Code or federal legislation HR 218, "The Law Enforcement Officers Safety Act of 2004."	1531.06, 1531.08, 1531.10	Yes, both state and federal law	Yes, both state and federal law
1501:31-15-02	Shall	It shall be unlawful to have any mechanical, electrical or electronic device attached to a longbow or crossbow while hunting, which is capable of projecting a visible beam or ray of light on a wild animal.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-02	Shall	It shall be unlawful for any person or any member of a party to have in his possession a firearm or any other device that could be used in hunting while training or working a dog pursuing furbearing animals during the closed season.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-15-02	Shall	It shall be unlawful for any person or any member of a party to have in his possession a firearm or any other device that could be used in hunting while training or working a dog pursuing coyotes, at any time except from sunrise to sunset daily.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-02	Shall	It shall be unlawful for any person to take wild animals, other than those permitted to be taken by any rule in the Administrative Code or the Revised Code, from properties owned, controlled, or maintained by the division of wildlife without first obtaining permission from the wildlife chief.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-02	Shall	Any taxidermist, the owner, manager, or employee of any cold storage, locker plant, or meat processor receiving, processing or having in custody any wild animal or parts thereof, shall maintain accurate diurnal records showing the dates when such wild animal or parts thereof were received, and when the same were disposed of, and the name and address of the owner of the wild animal or parts thereof, and the state or province from which the wild animal or parts thereof were taken and if applicable, the official tag or seal number or certificate of ownership number.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-02	Shall	The records required to be maintained shall be retained by the person or persons responsible for their preparation and maintenance for a period of two years following the date of receiving, possessing or having such wild animals.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-02	Shall	It shall be unlawful for any person to release wild quadrupeds, furbearing animals, or wild turkey into the wild that were raised pursuant to a license issued under section 1533.71 of the Revised Code.	1531.06, 1531.08, 1531.10	Yes, state law	Yes, state law
1501:31-15-02	Shall	It shall be unlawful for any person to release a deer or wild boar in Ohio without first obtaining written permission from the chief of the division of wildlife or his representative, except on a licensed wild animal hunting preserve.	1531.06, 1531.08, 1531.10	Yes, state law	Yes, state law
1501:31-15-02	Shall	It shall be lawful to live trap a wild boar at any time provided that the wild boar is immediately euthanized at the trap location.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-02	Shall	It shall be unlawful to use a foothold trap or snare to trap a wild boar.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-02	Shall	It shall be unlawful for any person to trap who has not complied with the provisions as set forth in rule 1501:31-29-02 of the Administrative Code.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-02	Shall	It shall be unlawful for the responsible adult, eighteen years of age or older, to allow a hunter aged fifteen or under to hunt unaccompanied during any hunting season.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-02	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be lawful for any person to trap or take live, nuisance wild animals.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful for any person to trap or take nuisance wild animals, except as provided in this rule.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful for any person who traps or takes a nuisance wild animal in accordance with paragraph (A) of this rule, who is not a licensed commercial nuisance wild animal control operator to charge a fee or receive compensation.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	For the purposes of this rule a fee or compensation shall be considered a requested or required payment of money, or exchange of material goods or services.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful for any person who is not a licensed commercial nuisance wild animal control operator to sell, use, or give to another person any live nuisance wild animal trapped or taken for removal in accordance with paragraph (A) of this rule.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority

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1501:31-15-03	Shall	It shall be unlawful for any person to trap or take nuisance wild animals on the lands of another without first obtaining permission from the owner or their authorized agent.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful for any person who is not a licensed commercial nuisance wild animal control operator to possess such trapped or taken nuisance wild animals longer than twenty-four hours from the time of capture.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful to fail to euthanize nuisance wild animals trapped or taken whose injuries affect normal biological or physiological functions.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	Notwithstanding any other provision in this rule, it shall be lawful for any person applying for and receiving a commercial nuisance wild animal control operators license, and any person acting under the authority of a commercial nuisance wild animal control operators license, to trap or take nuisance wild animals.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	Such trapping or taking shall be in accordance with the following provisions: (a) It shall be unlawful to possess for more than four days any live nuisance wild animals trapped or taken under the authority of a commercial nuisance wild animal control operator's license. (b) It shall be unlawful to sell any nuisance wild animals trapped or taken under the authority of a commercial nuisance wild animal control operator license. Except, carcasses or parts not to include hides, of the following nuisance wild animals may be sold: (i) Raccoon, (ii) Opossum, (iii) Beaver, (iv) Muskrat, (v) Red or gray fox, (vi) Coyote, (vii) Skunk, (viii) Woodchuck or groundhog, (ix) Mink. (c) It shall be unlawful to sell hides of furbearing animals taken under the authority of a commercial nuisance wild animal control operators license, except those acquired during the open season as specified under rule 1501:31-15-17 of the Administrative Code may be held and sold from from the first day of the respective open season through June fifteenth of the following year. (d) It shall be lawful to sell hides and tails of red, gray and fox squirrels trapped or taken under the authority of a commercial nuisance wild animal control operator license.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful to possess for more than four days any live nuisance wild animals trapped or taken under the authority of a commercial nuisance wild animal control operator's license.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful to sell any nuisance wild animals trapped or taken under the authority of a commercial nuisance wild animal control operator license.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful to sell hides of furbearing animals taken under the authority of a commercial nuisance wild animal control operators license, except those acquired during the open season as specified under rule 1501:31-15-17 of the Administrative Code may be held and sold from from the first day of the respective open season through June fifteenth of the following year.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority

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1501:31-15-03	Shall	It shall be lawful to sell hides and tails of red, gray and fox squirrels trapped or taken under the authority of a commercial nuisance wild animal control operator license.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful for any person to fail to monitor traps, snares or any other device used to take or capture nuisance wild animals, and remove all animals from their traps, snares or other devices once every calendar day, except: (a) It shall be unlawful for any person engaged in trapping muskrats, beaver or river otters under ice to fail to monitor and remove all animals from their traps or snares at least once in every seventy-two hour period. (b) It shall be unlawful for any person engaged in trapping muskrats with body gripping traps less than six inches in diameter that are completely submerged in water, to fail to monitor and remove all animals from their traps at least once in every seventy-two hour period. (c) Traps or other devices used for control of nuisance rats, mice, moles, shrews or voles are exempt from trap monitoring requirements.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful for any person engaged in trapping muskrats, beaver or river otters under ice to fail to monitor and remove all animals from their traps or snares at least once in every seventy-two hour period.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful for any person engaged in trapping muskrats with body gripping traps less than six inches in diameter that are completely submerged in water, to fail to monitor and remove all animals from their traps at least once in every seventy-two hour period.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful for any person to disturb or molest a legally set trap, snare, or other device used to take or capture nuisance wild animals or remove any nuisance wild animal from a trap or snare of another without permission from the trap, snare or device owner or user.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	Unless otherwise specified, it shall be unlawful for any person to set, use, or maintain a trap, snare or other device, used to take a nuisance wild animal, unless such trap, snare or other device: (a) Has attached thereto a durable, waterproof tag, written in English letters, legible at all times, identifying the owner or user by one of the following means: (i) Name and mailing address, (ii) Unique division of wildlife customer identification number, (iii) Unique division of wildlife commercial nuisance wild animal control operator's license number, or (b) Has stamped into or is permanently marked with information written in English letters, legible at all times, identifying the owner or use by one of the following means: (i) Name and mailing address, (ii) Unique division of wildlife customer identification number, (iii) Unique division of wildlife commercial nuisance wild animal control operator's license number. (c) Traps or devices used to take moles, shrews, voles or house mouse (Mus musculus), Norway rat (Rattus norvegicus) or roof rat (Rattus rattus) are not required to be marked.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	For the purposes of this rule, traps shall be measured in the open set position, from the inside of the main trap jaws as produced by the manufacturer and shall not include jaw modifications or add-ons.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	For the purposes of this rule, traps shall be measured in the open set position, from the inside of the main trap jaws as produced by the manufacturer and shall not include jaw modifications or add-ons.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority

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1501:31-15-03	Shall	For the purposes of this rule, measurement of foot hold traps shall be made perpendicular to the frame at the widest location parallel with the dog.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	Measurement of foot hold traps without dogs shall be made perpendicular to the frame at the widest location parallel with the pan shank.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful for any person to set, use, or maintain a foothold trap, on land, for the purpose of taking a nuisance wild animal, that has an inside diameter jaw spread greater than five and five eighths inches, except foothold traps with a jaw spread not larger than six inches may be utilized when they meet the following: (a) The jaws have a minimum of five-sixteenths inch gripping surface. (b) Each trap has a minimum of three swiveling points.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful for any person to set, use, or maintain a foothold trap, submerged in the water, for the purpose of taking a nuisance wild animal, that has an inside diameter jaw spread greater than eight and one-quarter inches.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful for any person to set, use, or maintain any foothold trap on land or in water, for the purpose of taking a nuisance wild animal, that is not covered.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful for any person to set, use, or maintain a foot encapsulating trap, for the purpose of taking a nuisance wild animal, that has an opening that is greater than two inches in diameter or two inches along any one side.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful to set a foothold or foot encapsulating trap on land, for the purpose of taking a nuisance wild animal, that has less than two swiveling points.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	For the purposes of this rule, body gripping traps shall be measured from the inside of the main jaw at the trigger assembly to the inside of the opposing jaw across the entrance window.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful for any person other than a licensed commercial nuisance wild animal control operator to set, use, or maintain a body gripping trap, on land for the purpose of taking a nuisance wild animal, that has an inside diameter jaw spread larger than five inches in diameter, except as provided in paragraph (H) of this rule.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful for any licensed commercial nuisance wild animal control operator to set, use, or maintain a body gripping trap, on land for the purpose of taking a nuisance wild animal, that has an inside diameter jaw spread larger than six inches in diameter, except as provided in paragraph (H) of this rule.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful for any person to set, use, or maintain a body gripping trap, for the purpose of taking a nuisance wild animal, with a jaw measurement of greater than five inches or less than or equal to seven inches unless partially or completely submerged in a natural body of water, except as provided in paragraph (H) of this rule.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful for any person at any time to set, use, or maintain a body gripping trap, in the water for the purpose of taking a nuisance wild animal, that has a jaw spread larger than seven inches except while completely submerged.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful to use any snare that is constructed of any material other than multi or single strand steel cable.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority

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1501:31-15-03	Shall	It shall be unlawful for a person to set, use, and maintain snares, except for a spring-loaded, or spring-assisted or a snare with a mechanical device to assist in capturing or closing around a wild animal, for the purpose of taking a nuisance wild animal that does not have: (a) A relaxing lock and a stop to prevent the opening of the snare from closing to a diameter of less than two and one half inches in diameter, or, (b) A relaxing lock system with a breaking point of not greater than three hundred fifty pounds.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful to set a snare with a loop diameter of greater than fifteen inches.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful to use a snare attached to a drag.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful for any person, except a licensed commercial nuisance wild animal control operator, to have attached to or use a spring-loaded, spring-assisted or mechanical device on a snare to assist the snare in capturing or closing around a nuisance wild animal.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful for any person to use a spring-loaded, spring-assisted or mechanical device on a snare that is designed or marketed as a lethal snare that has a loop diameter greater than five inches on land.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful for any person to use a spring-loaded, spring-assisted or mechanical device on a snare that is designed or marketed as a lethal snare that has a loop diameter greater than eight inches in water.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	Except as otherwise provided, it shall be unlawful for any person to place, set, or maintain any type of unattended trap other than a cage or box trap, body gripping trap, snare, or spring assisted snare, foot hold trap, foot-encapsulating trap, mole trap, snap trap or glue board for the purpose of taking a nuisance wild animal.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful to fail to euthanize, or release on site, any nuisance raccoon, skunk, beaver, coyote, red fox, or opossum that is captured, trapped or taken.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	Except as otherwise provided, it shall be unlawful to fail to release all other nuisance wild animals: (a) Outside the limits of any incorporated city or village, (b) On public or private property without the permission of the landowner, (c) Squirrels, chipmunks, woodchucks,mice, shrews, voles, rats, rabbits, mink, muskrats or moles may be released or may be euthanized.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful for any person to use traps, for the purpose of taking a nuisance wild animal, having teeth on the jaws except mouse, rat or mole traps as designed by the manufacturer.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful to use any flesh bait that is not totally covered or concealed unless such bait is encapsulated by the trap.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful to set, use, or maintain any trap or snare on any area designated as a public hunting area for the purpose of removing nuisance wild animals without permission of the chief of the division of wildlife or their designee.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful to take a raccoon, opossum, skunk or fox with the use of dogs outside of a structure during the closed season.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful to fail to euthanize a trapped nuisance feral swine at the trap location.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority

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1501:31-15-03	Shall	It shall be lawful to use a toxicant or chemical substance, excepting contraceptive chemicals, as a means of control for nuisance wild animals.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful to use a toxicant or chemical substance for the taking or control of a nuisance wild animal contrary to or in violation of instructions on the label or manufacturer recommendations.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful for a licensed commercial wild animal control operator as defined in section 1531.40 of the Revised Code to use a toxicant or chemical substance for the taking or control of a nuisance wild animal without first possessing the appropriate license under Chapter 921. of the Revised Code.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be lawful to use a contraceptive chemical to control the population of common pigeons.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful to use a contraceptive chemical for the taking or control of nuisance wild birds contrary to or in violation of instructions on the label or the manufacturer's recommendations.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be lawful for a licensed commercial nuisance wild animal control operator to use a gun equipped with a silencer or muffler.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful for any person to violate any stipulation set forth on their permit.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	All nuisance white-tailed deer immobilized with chemicals or drugs shall be euthanized.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful for any person to violate any stipulation set forth on their permit	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful for any person to violate any stipulation set forth on their permit.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful to capture or kill nuisance migratory birds without first obtaining a permit to do so from the United States department of interior, fish and wildlife service, except for the following: (i) Crows	1531.06, 1531.08, 1531.10, 1531.40	Yes, both state and federal law	Yes, both state and federal law
1501:31-15-03	Shall	Notwithstanding any other provision in this rule, it shall be lawful for any person to take crows which are found committing or about to commit depredations upon ornamental or shade trees, agricultural crops, livestock, or wildlife, or when concentrated in such numbers and manner as to constitute a health hazard or other nuisance.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful to take or attempt to take crows under paragraph (E) of this rule with the aid or assistance of any calls, artificially placed bait or decoys.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful for any person to violate any stipulation set forth on their permit. A violation of any permit stipulation is a violation of this rule, and such permit is the subject to revocation by the chief or their designee.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful to take nuisance migratory birds in violation of the United States Code of Federal Regulations.	1531.06, 1531.08, 1531.10, 1531.40	Yes, both state and federal law	Yes, both state and federal law
1501:31-15-03	Shall	It shall be unlawful to euthanize or kill a bat unless a bite or potential exposure to rabies has occurred.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful for any person who is not a licensed commercial nuisance wild animal control operator to charge a fee or receive compensation to perform bat exclusion, unless exempted from certification in paragraph (J)(1) of this rule,	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful to fail to inspect the structure for the presence of bats prior to performing bat exclusion.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority

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1501:31-15-03	Shall	In addition, if no bats are observed when the structure is inspected, from May sixteenth of each year through July thirty-first of each year, it shall be unlawful to fail to perform or have performed a minimum of two bat watches over a seven day period prior to performing a bat exclusion.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful to perform a bat exclusion on a structure where fifteen or more bats are present or observed from May sixteenth of each year through July thirty-first of each year without prior written permission from the chief of the division of wildlife or their designee.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	For the purpose of this rule "bat watch" shall be defined as the act of observing a structure to document whether bats are emerging from or entering the structure.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	Such observations shall be for the period of one-half hour before sunrise to one hour after sunrise or the period of one-half hour before sunset to one-half hour after sunset.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful to use a body gripping trap with a jaw spread greater than seven inches across to take woodchucks.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful to set, use, or maintain a body gripping trap to take woodchucks which is set more than three feet from the hole, or structure the woodchuck is inhabiting.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful to set, use, or maintain a body gripping trap greater than five inches to take woodchucks that does not have an enclosure or structure around the trap which prohibits other animals from getting into the trap from the outside.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful for any person except licensed commercial nuisance wild animal control operators to use snares without a relaxing lock for the purpose of taking woodchucks,	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful to capture or kill nuisance wild animals listed as endangered in rule 1501:31-23-01 of the Administrative Code or listed as threatened in rule 1501:31-23-02 of the Administrative Code without a permit to do so issued by the chief of the division of wildlife or their designee.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	The chief of the division of wildlife or their designee shall issue a commercial nuisance wild animal control operator license to any person who applies in writing, with the following conditions:	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	Notification of suspension or revocation of a commercial nuisance wild animal control operators license shall be made by certified mail or personal service of a letter of suspension or revocation.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	No fees paid for said revoked license shall be refunded.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	For the purpose of this rule, under on-site supervision shall be while staying within a distance from the person that enables uninterrupted, unaided visual and auditory communications.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	Minimum content of the course shall include but is not limited to: (a) Public safety, (b) Public health, (c) Nuisance wild animal life history, (d) The use of nuisance wild animal removal and control devices, (e) Laws and rules governing nuisance wild animal removal.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	Courses shall be conducted statewide.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority

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1501:31-15-03	Shall	Courses shall be free of charge with the exception that instructors may charge nominal fees, in accordance with policies established by the chief, to cover training costs such as facility fees.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	Completion of the course shall include passing of an examination and receiving a certificate prescribed by the chief of the division of wildlife.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	Renewal of certification shall be through passing of an examination of knowledge of continuing education material presented from the division of wildlife on-line or in-person.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful to fail to report any wild animal, excepting migratory birds, captured or killed under paragraph (K)(1) of this rule to the division of wildlife within twenty-four hours of the animal being captured or killed	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful to fail to surrender any threatened or endangered species captured or killed under paragraph (K)(1) of this rule to the division of wildlife.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful to fail to obtain a receipt from a wildlife officer for a white-tailed deer carcass to be given away for consumption which was killed under paragraph (K)(1) of this rule	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful to transfer the carcass any wild animal killed under paragraph (K)(1) of this rule to any other person without the permission of the chief of division of wildlife or their designee.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful for a person operating under authority of a commercial nuisance wild animal control operator license to fail to carry proof of successfully completing the certification course as required by division (C)(1) of section 1531.40 of the Revised Code while working under the authority of a commercial nuisance wild animal control operator license.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	Such certification shall be exhibited upon demand to any wildlife officer or other person with like authority.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	It shall be unlawful for a person operating under the authority of a commercial nuisance wild animal control operator's license to fail to carry a copy of the valid commercial nuisance wild animal control operator's license under which they operate.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Shall	Such license shall be exhibited upon demand to any wildlife officer or other person with like authority.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Require	The application is made in good faith and all required information is provided as indicated on the application, including but not limited to the name and address of the applicant,	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Require	Such license will not be considered valid unless the licensee or an employee of the licensee has a current certification as required under division (C) (1) of section 1531.40 of the Revised Code.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Require	The chief of the division of wildlife or their designee may deny an application for a commercial nuisance wild animal control operators license if the application does not meet the requirements listed or if payment is not received or if any check, money order or other instrument of payment is of insufficient funds.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Require	Requirements for a certification course required by division (C)(1) of section 1531.40 of the Revised Code	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Must	Any bat killed or euthanized must be reported to the local health department by the affected landowner or their designated agent by the end of the next business day.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-03	Require	It shall be unlawful for a person operating under authority of a commercial nuisance wild animal control operator license to fail to carry proof of successfully completing the certification course as required by division (C)(1) of section 1531.40 of the Revised Code while working under the authority of a commercial nuisance wild animal control operator license.	1531.06, 1531.08, 1531.10, 1531.40	No, general rulemaking authority	No, general rulemaking authority

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1501:31-15-04	Shall	It shall be unlawful for any person to hunt any wild animal on any public hunting area administered by the division of parks and recreation listed on wildohio.gov with any device or by any means other than shotguns; falconry; longbow and arrow; muzzleloading rifles and shotguns; and crossbows and arrows.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-04	Shall	It shall be lawful to hunt game birds, game quadrupeds and furbearing animals, and trap furbearing animals in the division of parks and recreation areas named on wildohio.gov when done in accordance to the official hunting maps for the parks listed.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-04	Shall	It shall be unlawful for any person to hunt within a public hunting area posted with signs showing "No Hunting," or "Safety Zone-No Hunting," "No Trapping," or "No Hunting and No Trapping."	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-04	Shall	It shall be unlawful for any person to take, kill or harass a wild animal in any state park at any time unless authorized by the chief of the division of wildlife, except during the open season.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-04	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-05	Shall	It shall be unlawful for any person to hunt, take or possess any game except ducks, geese, and coots, and deer on Magee marsh.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-05	Shall	It shall be unlawful for any person to hunt on the Magee Marsh without first obtaining a special hunting permit from the chief of the division of wildlife; however, it shall be unlawful for any person to hunt more than one time per-season during the first segment of the waterfowl season, except during the special teal season.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-05	Shall	It shall be unlawful for any person to hunt on the Magee Marsh without first obtaining a special hunting permit from the chief of the division of wildlife; however, it shall be unlawful for any person to hunt more than one time per-season during the first segment of the waterfowl season, except during the special teal season.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-05	Shall	It shall be unlawful for any person to hunt waterfowl as permitted by this rule at any time except from the designated opening time established by rule 1501:31-7-05 or 1501:31-7-06 of the Administrative Code to the closing time indicated on their permit.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-05	Shall	It shall be unlawful for any person to trespass at any time on the Magee Marsh where posted with signs reading "Controlled Hunting Area, Permit Required."	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-05	Shall	It shall be unlawful for any person to hunt from any position farther than seventy-five yards from the assigned blind, except for the purpose of killing a duck or coot which has been crippled.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-05	Shall	It shall be unlawful for any person to possess more than twenty-five shotgun shells at any time while hunting on said area.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-05	Shall	It shall be unlawful for any person to shoot from a dike at any time unless from within an assigned blind located thereon.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-05	Shall	All definitions set forth in section 1531.01 of the Revised Code shall apply to this rule.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-05	Must	Provided, further, all hunters must check in for inspection at a waterfowl checking station not later than two hours following the indicated time on their permit.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-05	Prohibit	Trapping is prohibited on the Magee marsh and Crane creek beach state public hunting areas except when authorized in writing by the chief of the division of wildlife.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-06	Shall	It shall be unlawful for any person to hunt or trap on the "American electric power" wildlife area, at any time, without first securing a special permit from the division of wildlife or the owner's authorized agent.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-06	Shall	It shall be unlawful for any person to hunt deer without a controlled deer hunting permit on any portion of the Mosquito creek wildlife area designated as "state game refuge".	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-15-06	Shall	It shall be unlawful for any person taking a deer during a controlled deer hunt on the Mosquito creek wildlife area to fail to take such deer to the wildlife area headquarters on the area for final tagging prior to leaving the area.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-06	Shall	It shall be unlawful for any person to fail to check back through the wildlife area headquarters at the termination of a controlled deer hunt on the day for which such permit was issued.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-06	Shall	It shall be unlawful for any person to hunt wild turkeys during the spring turkey season on lake La Su An wildlife area without a valid permit authorizing such activity.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-06	Shall	Said permit shall be issued by the chief of the division of wildlife and shall provide conditions whereby individuals may hunt or fish when complying with the conditions of the permit.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-06	Shall	Said permit shall be issued by the chief of the division of wildlife and shall provide conditions whereby individuals may hunt or fish when complying with the conditions of the permit.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-06	Shall	It shall be unlawful for any person to buy, sell, trade, or barter any controlled hunting, fishing or trapping permit issued by the division of wildlife.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-06	Shall	t shall be lawful to exchange any controlled hunting, fishing or trapping permit issued by the division of wildlife with another successful applicant selected for the same controlled hunting, fishing or trapping opportunity.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-06	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-07	Shall	It shall be unlawful for any person to hunt on that part of the Resthaven wildlife area or the Magee marsh state public hunting area posted with state signs reading, "No Hunting Zone."	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-07	Shall	It shall be unlawful for any person to hunt on that part of the land area in the northwest section, also that part of the area in the southeast section of said reservoir which are posted with "No Hunting" signs.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-07	Shall	It shall be unlawful for any person to hunt on this area with any firearm or device other than a shotgun or longbow and arrow.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-07	Shall	It shall be unlawful for any person to hunt on that part of the land area in the northwest section and also that part of the land area in the southeast section of said reservoir which is posted with "No Hunting" signs.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-07	Shall	It shall be unlawful for any person to hunt a wild animal on or within an area owned or used by the division of wildlife for propagating fish.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-07	Shall	It shall be unlawful for any person to trap beaver on the "American Electric Power" recreation public hunting area without a special permit from the "American Electric Power."	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-07	Shall	It shall be unlawful for any person to hunt waterfowl at any time that is not in conformity with the regulations on the posted division of wildlife signs on portions of the Shenango, Salt Fork, and Killbuck wildlife areas.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-07	Shall	It shall be unlawful for any person at any time to take or hunt a groundhog or woodchuck on the "American Electric Power" recreation public hunting area.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-07	Shall	It shall be unlawful for any person without a permit issued by the chief of the division of wildlife or his agent to hunt at any time on the Urbana wildlife area.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-07	Shall	It shall be unlawful for any person eighteen years of age or older to hunt, trap or fish on camp Belden wildlife area. Provided further, persons younger than eighteen years of age may hunt, trap or fish when accompanied by a non-hunting, non-trapping or non-fishing adult.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-07	Shall	It shall be unlawful to hunt waterfowl on this area without a valid permit authorizing such activity, except for the last forty-five days of the north zone goose season as established in rule 1501:31-7-06 of the Administrative Code when no permit shall be required.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-15-07	Shall	It shall be unlawful to hunt waterfowl on this area without a valid permit authorizing such activity, except for the last forty-five days of the north zone goose season as established in rule 1501:31-7-06 of the Administrative Code when no permit shall be required.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-07	Shall	It shall be unlawful to hunt waterfowl on the Wendell R. LaDue reservoir east of state route 44 without a valid permit authorizing such activity, except for the last forty-five days of the north zone goose season as established in rule 1501:31-7-06 of the Administrative Code when no permit shall be required, however no permit shall be required to hunt waterfowl on the remainder of the LaDue property, including the portion of the Wendell R. LaDue reservoir west of state route 44.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-07	Shall	It shall be unlawful to hunt waterfowl on the Wendell R. LaDue reservoir east of state route 44 without a valid permit authorizing such activity, except for the last forty-five days of the north zone goose season as established in rule 1501:31-7-06 of the Administrative Code when no permit shall be required, however no permit shall be required to hunt waterfowl on the remainder of the LaDue property, including the portion of the Wendell R. LaDue reservoir west of state route 44.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-07	Shall	It shall be unlawful to hunt at the Marsh wetlands nature preserve in Portage county and the Elm road public hunting area in Trumbull county with anything other than archery equipment.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-07	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-08	Shall	The chief of the division of wildlife hereby establishes free deer damage control permits. Persons having sustained actual and substantial nursery, orchard, farm crop or other property damage by deer shall apply for a permit, which may be issued according to individual circumstances and need and for such length of time as determined by personnel of the division of wildlife or the chief's designee.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-08	Shall	It shall be unlawful for any person acting under authority of a permit mentioned in this rule to take, possess, or transport any white tailed deer or part thereof contrary to any condition or specification set forth within the permit or established by the chief of the division of wildlife.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-08	Shall	It shall be unlawful for any person issued a permit mentioned in this rule to fail to comply with any condition or specification set forth within the permit or established by the chief of the division of wildlife.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-08	Shall	Failure to comply with the provisions set forth in a deer damage control permit shall result in the immediate revocation of the permit.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-08	Shall	It shall be unlawful to sell, barter or trade any part of a deer killed under authority of a deer damage control permit.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-08	Shall	It shall be unlawful for any person not listed on a deer damage control permit to aid or assist in the taking or killing of deer.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-08	Shall	It shall be unlawful to take or attempt to take deer under the authority of a deer damage control permit at any time other than within the dates listed on the deer damage control permit.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-08	Shall	It shall be unlawful to dispose of any parts of a deer except as specified on the deer damage control permit.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-08	Shall	It shall be unlawful to take or attempt to take a deer at any time of the day or night except during the times specifically listed on the deer damage control permit.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-08	Shall	It shall be lawful to take or attempt to take a deer on a deer damage control permit with any rifle, shotgun, pistol, revolver, bow or crossbow and arrow unless otherwise prohibited on the issued permit.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-08	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.08	No, general rulemaking authority	No, general rulemaking authority

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1501:31-15-08	Shall	It shall be unlawful to sell, barter, or trade a deer damage control permit obtained under this rule.	1531.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-09	Must	A snare shall have a minimum loop diameter of at least ten inches and the bottom of the snare must be covered with not less than one inch of water at all times while set on those areas listed in paragraph (L)(1) of this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-09	Must	Every river otter pelt taken or possessed during the river otter trapping season must be delivered to a division of wildlife representative, during normal business hours, for mandatory checking and tagging within five business days following harvest.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-09	Must	Each person delivering a river otter for mandatory checking and tagging must report the date, time, location and any other information requested by the division of wildlife.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-09	Require	When two or more persons are hunting or trapping together for such animals, one light only is required and may be carried by any member of the party.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-09	Shall	Throughout the state, it shall be unlawful for a person to hunt, trap, take, or possess furbearing animals except according to this rule and other rules in the Administrative Code or the Revised Code.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-09	Shall	It shall be unlawful for any person to pursue, hunt, or trap furbearing animals from sunset to sunrise, without carrying a continuous white light visible for a distance of at least one-quarter of a mile.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-09	Shall	It shall be unlawful for any person to train dogs pursuing furbearing animals during the closed season except from six p.m. to six a.m. daily.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-09	Shall	It shall be unlawful for any person to use or possess climbers, or any other device that may be used for climbing trees except tree stands, while hunting, trapping or pursuing furbearing animals.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-09	Shall	It shall be unlawful for any person to fail to immediately kill and reduce to the person's possession or immediately release at the capture site any trapped furbearing animal.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-09	Shall	It shall be unlawful for any person engaged in trapping to fail to visit and remove all animals from their traps once every calendar day.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-09	Shall	It shall be unlawful for any person to set, use, or maintain a trap or snare for the purpose of taking a wild animal, unless such trap or snare has attached thereto a durable waterproof tag bearing the name and mailing address or unique division of wildlife customer identification number of the user in English letters legible at all times, or which has the name and mailing address or unique division of wildlife customer identification number of the user stamped into such trap in English letters legible at all times.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-09	Shall	It shall be unlawful for any person to disturb or molest a legally set trap, dispatch or remove a furbearing animal from a trap of another person without permission from the trap owner or user.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-09	Shall	It shall be unlawful for any person to erect, post, or place any stake, flagging or any other type of marker for the purpose of identifying a proposed trap set location on any area designated as public hunting area unless authorized by the chief of the division of wildlife.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-09	Shall	It shall be unlawful for any person to place, set, or maintain any type of trap other than a cage trap, body gripping trap, foot encapsulating trap, foothold trap, or snare for the purpose of taking a wild animal.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-09	Shall	It shall be unlawful for any person to use a trap, for the purpose of taking a wild animal, having teeth on the gripping surface.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-09	Shall	It shall be unlawful to use any flesh bait for the purpose of trapping a wild animal that is not totally covered.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-09	Shall	It shall be unlawful for any person to set, use, or maintain, a trap or snare in or upon any path, or road ordinarily used by domestic animals or human beings.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-15-09	Shall	Except as provided in rule 1501:31-15-03 of the Administrative Code, it shall be unlawful for any person at any time to shoot a mink, muskrat, river otter or beaver that is not caught in a trap or snare.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-09	Shall	It shall be unlawful for any person to set, use, or maintain any type of a trap on land, except a cage trap, for the purpose of taking a wild animal within one hundred fifty feet of an occupied residence without advising a person residing therein.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-09	Shall	It shall be unlawful for any person to set, use, or maintain a foothold trap, on land, for the purpose of taking a wild animal, that has an inside diameter jaw spread greater than five and three eights inches, except foothold traps with a jaw spread not larger than six inches may be utilized when they meet the following: (i) The jaws have a minimum of five-sixteenths inch gripping surface. (ii) Each trap has a minimum of three swiveling points.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-09	Shall	It shall be unlawful for any person to set, use, or maintain a foothold trap, submerged in the water, for the purpose of taking a wild animal, that has an inside diameter jaw spread greater than eight and one-quarter inches.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-09	Shall	It shall be unlawful for any person to set, use, or maintain any foothold trap on land or in water, for the purpose of taking a wild animal, that is not covered.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-09	Shall	It shall be unlawful for any person to set, use, or maintain a foot encapsulating trap that has an opening that is greater than two inches in diameter or two inches along any one side.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-09	Shall	It shall be unlawful to set a foothold or foot encapsulating trap on land that has less than two swiveling points.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-09	Shall	It shall be unlawful for any person to set, use, or maintain a body gripping trap for the purpose of taking a wild animal with a jaw measurement greater than five inches on land.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-09	Shall	It shall be unlawful for any person to set, use, or maintain a body gripping trap for the purpose of taking a wild animal, with a jaw measurement of greater than five inches or less than or equal to seven inches unless partially or completely submerged in a natural body of water, except as provided in paragraph (N) of this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-09	Shall	It shall be unlawful for any person to set, use, or maintain a body gripping trap for the purpose of taking a wild animal with a jaw measurement of greater than seven inches unless completely submerged in water and only during the open trapping season for beaver or river otter.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-09	Shall	It shall be unlawful for a person to set, use, and maintain a snare for the purpose of taking furbearing animals that does not have a relaxing lock and a stop to prevent the opening of the snare from closing to a diameter of less than two and one half inches in diameter, or a relaxing lock system with a breaking point of not greater than three hundred fifty pounds.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-09	Shall	It shall be unlawful to use a snare that is not securely attached or affixed to an immovable object or securely staked.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-09	Shall	It shall be unlawful to set, use, or maintain any snare on any area designated as a public hunting area except on those areas listed in paragraph (L)(1) of this rule and then only when beaver or river otter trapping.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-09	Shall	A snare shall have a minimum loop diameter of at least ten inches and the bottom of the snare must be covered with not less than one inch of water at all times while set on those areas listed in paragraph (L)(1) of this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-09	Shall	It shall be unlawful to use any snare that is constructed of any material other than multi strand steel cable.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-15-09	Shall	It shall be unlawful to set a snare with a loop diameter of greater than fifteen inches.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-09	Shall	It shall be unlawful to have attached to a snare any spring loaded or mechanical device to assist the snare in closing.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-09	Shall	It shall be unlawful for any person to engage in trapping for beaver or river otter on any state public hunting area area unless such person has a special beaver or river otter trapping permit for that specific public hunting area issued by the chief of the division of wildlife or their representative.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-09	Shall	It shall be unlawful to trap beaver or river otter on American electric power lands without written permission from the company or its authorized representative.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-09	Shall	It shall be unlawful for any person to remove, disturb, or destroy a beaver dam located on any division owned, administered or controlled area without permission from the chief of the division of wildlife or on any private land without permission of the landowner.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-09	Shall	It shall be unlawful for any person other than the person who trapped a river otter to present the river otter to a division of wildlife representative for mandatory checking and tagging.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-09	Shall	For the purposes of this rule, traps shall be measured in the open set position, from the inside of the main trap jaws including jaw modifications or add-ons.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-09	Shall	Measurement of foot hold traps shall be made perpendicular to the frame at the widest location parallel with the dog.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-09	Shall	Measurement of foot hold traps without dogs shall be made perpendicular to the frame at the widest location parallel with the pan shank.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-09	Shall	Body gripping traps shall be measured from the inside of the main jaw at the trigger assembly to the inside of the opposing jaw across the entrance window.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-09	Shall	Measurement of foot-encapsulating traps with round or oblong openings shall be made across the opening at the widest location.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-09	Shall	Measurement of foot-encapsulating traps with square or rectangular openings shall be made along the longest side of the opening.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-09	Shall	It shall be lawful for persons to take coyotes without a fur taker permit.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-09	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Must	The valid tag, seal, permanent tag number, game check confirmation number, certificate for legal ownership, statement or receipt must remain attached to the wild turkey until the wild turkey has been processed into a taxidermy product.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Must	However the tag, permanent tag number, game check confirmation number, seal, certificate for legal ownership, statement or receipt must remain affixed permanently to the taxidermy product.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Must	At the time of the purchase or sale the taxidermy product must be accompanied by a signed statement or receipt, legible in the English language, which lists the previous owner's name, address and phone number, the state of kill(s) and the assigned tag, game check confirmation number, seal, certificate for legal ownership or permit number(s), if applicable, and the number of wild turkey, from which the said wild turkey parts originated, that were sold during the transaction.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Must	This information must remain with the taxidermy product unless said product(s) are disassembled and manufactured into a wildlife ornamental product(s).	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-15-10	Shall	It shall be unlawful for any person to hunt or take wild turkeys at any time except in accordance with this rule or any provisions of this rule: (a) The northeast zone for turkey shall be defined as Ashtabula, Cuyahoga, Geauga, Lake and Trumbull counties. Spring wild turkey season is open in the northeast zone from May 4, 2020 through May 31, 2020. (b) The south zone for turkey shall be the remaining eighty-three counties not included in the northeast zone. Spring wild turkey season is open in the south zone from April 20, 2020 through May 17, 2020. (c) Youth spring wild turkey season is open on April 18 and 19,	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	The northeast zone for turkey shall be defined as Ashtabula, Cuyahoga, Geauga, Lake and Trumbull counties. Spring wild turkey season is open in the northeast zone from May 4, 2020 through May 31, 2020.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	The south zone for turkey shall be the remaining eighty-three counties not included in the northeast zone.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	It shall be unlawful for any person to take or possess a wild turkey during the spring wild turkey season that does not have a visible beard.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	It shall be unlawful for any person to hunt, take or possess more than one wild turkey per day.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	It shall be unlawful for any person to hunt, take or possess more than two bearded wild turkeys during the spring wild turkey season.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	It shall be unlawful for any person to hunt, take or possess more than one wild turkey of either sex during the fall wild turkey season.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	It shall be unlawful for any person to hunt or take a wild turkey with any archery equipment except: (i) A longbow and arrow. (ii) A crossbow and arrow.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	It shall be unlawful for any person to hunt wild turkey while being in possession of, or take a wild turkey with, explosive or poisoned arrows.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	It shall be unlawful for any person to hunt or take wild turkey with a longbow having a draw weight less than forty pounds, or with a crossbow having a draw weight less than seventy-five pounds.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	It shall be unlawful for any person to hunt or take a wild turkey with a broadhead having less than two cutting edges measuring less than three quarters inch wide.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	Firearms: It shall be unlawful for any person to hunt or take wild turkeys with any firearm except: A shotgun using shot.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	It shall be unlawful for any person to possess more than one hunting implement, singly or in the aggregate, to include a firearm, longbow or crossbow while hunting wild turkey.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	It shall be unlawful for any person during the spring wild turkey season to hunt or take a wild turkey at any time other than from one half hour before sunrise to twelve p.m. during the period of May 4, 2020 through May 10, 2020 in the northeast zone.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1501:31-15-10	Shall	It shall be unlawful for any person during the spring wild turkey season to hunt or take a wild turkey at any time other than from one half hour before sunrise to twelve p.m. during the period of April 20, 2020 through April 26, 2020 in the south zone.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	It shall be unlawful for any person during the spring wild turkey season to hunt or take a wild turkey at any time other than from one half hour before sunrise to sunset during the period of May 11, 2020 through May 31, 2020 in the northeast zone.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	It shall be unlawful for any person during the spring wild turkey season to hunt or take a wild turkey at any time other than from one half hour before sunrise to sunset during the period of April 27, 2020 through May 17, 2020 in the south zone.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	It shall be unlawful for any person during the spring youth wild turkey season to hunt or take a wild turkey at any time other than from one half hour before sunrise to sunset.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	It shall be unlawful for any person during the fall wild turkey season to hunt or take a wild turkey at any time other than from one half hour before sunrise to sunset.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	It shall be unlawful for any person to hunt or take a wild turkey by the aid of baiting or on or over any baited area.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	It shall be unlawful for any person to hunt or take a wild turkey by the use or aid of live birds as decoys.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	It shall be unlawful for any person to possess or use any electronic calling device capable of producing recorded turkey or other wild animal calls or sounds, or recorded and/or electronically amplified imitations of turkey or other wild animal calls or sounds, while hunting wild turkey.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	It shall be unlawful for any person to take a wild turkey when it is in a tree.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	It shall be unlawful for any person during the spring wild turkey season to hunt or take a wild turkey with the aid of a dog, except wounded wild turkeys may be tracked using a dog that is leashed.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	It shall be unlawful for any person to hunt or take a wild turkey during the spring wild turkey season without possessing a valid electronic or printed spring turkey permit.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	It shall be unlawful for any person to hunt or take a wild turkey during the fall turkey season without possessing a valid electronic or printed fall turkey permit.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	It shall be unlawful for any person to possess or use a spring turkey permit or a fall turkey permit of another while hunting wild turkey.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	It shall be unlawful for any person, during the spring wild turkey season, to hunt or take wild turkey or aid another person in the hunting or taking of wild turkey, while having in their possession a hunting implement, while being solely in possession of a spring turkey permit for which a game check confirmation number has been issued or the date, time and county of kill have been written on the spring turkey permit.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	It shall be unlawful for any person, during the fall wild turkey season, to hunt or take wild turkey or aid another person in the hunting or taking of wild turkey, while having in their possession a hunting implement, while being solely in possession of a fall turkey permit for which a game check confirmation number has been issued or the date, time and county of kill has been written on the fall turkey permit.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-15-10	Shall	It shall be unlawful, after killing a turkey, to fail to immediately complete a spring turkey permit, fall turkey permit, or landowner turkey tag, with the hunters name, date, time, and county of kill prior to moving the carcass from the place where it fell or fail to game check your turkey prior to moving the carcass from the place it fell.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	It shall be unlawful to leave a turkey that has been killed unattended without first attaching a completed spring turkey permit, fall turkey permit or landowner turkey tag with the hunters name, date, time and county of kill to the turkey, or attaching a game check confirmation number to the turkey.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	It shall be unlawful to remove a spring turkey permit, fall turkey permit or a landowner turkey tag from any turkey until the turkey has been game checked and a valid game check confirmation number has been affixed to the turkey.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	It shall be unlawful for any person to attach a spring turkey permit, fall turkey permit or a landowner turkey tag , or a game check confirmation number to any wild turkey or parts thereof which was taken by another person.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	It shall be unlawful to attach or use a turkey permit on or for any turkey that was taken before the permit was purchased or otherwise obtained.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	It shall be unlawful to manufacture, counterfeit, sell, trade, distribute, forge and/or falsify a spring turkey permit, fall turkey permit, landowner turkey tag, or game check confirmation number for a turkey.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	It shall be unlawful to possess, attach, affix or otherwise use a counterfeit or falsified or invalid spring turkey permit, fall turkey permit, landowner turkey tag, or game check confirmation number on or for any turkey.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	It shall be unlawful to possess any turkey, or part thereof, which has attached or affixed a counterfeit or otherwise falsified spring turkey permit, fall turkey permit, landowner turkey tag or game check confirmation number.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	It shall be unlawful to fail to immediately attach your spring turkey permit, fall turkey permit, or landowner turkey tag with the hunters name, date, time and county of kill, or the game check confirmation number to a harvested turkey upon arrival at a personal or temporary abode.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	It shall be unlawful to use or attempt to use an invalid or voided turkey permit to obtain a game check confirmation number through the game check process.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	It shall be unlawful to attach, affix or otherwise use a game check confirmation number for a turkey, or parts thereof, other than for the turkey the game check confirmation number was issued to at the time of game checking.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	It shall be unlawful for any person to leave the state of Ohio with a turkey that was taken by hunting that has not been game checked and the game check confirmation number permanently attached.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	It shall be unlawful to attach a game check confirmation number from a spring wild turkey permit to a wild turkey taken during the fall wild turkey season.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	It shall be unlawful to attach a game check confirmation number from a fall wild turkey permit to a wild turkey taken during the spring wild turkey season.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	It shall be unlawful to remove the feet, beard and feathers of a turkey until the turkey has been game checked and tagged with a valid game check confirmation number.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	It shall be unlawful for each person who kills a wild turkey to fail to game check and permanently attach the game check confirmation number to the turkey, regardless of the season, by eleven-thirty p.m. on the same day the wild turkey is killed.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	It shall be unlawful, while at any personal or temporary abode, for any person to fail to immediately and permanently attach their valid game check confirmation number to the turkey after it as been game checked.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-15-10	Shall	It shall be unlawful to provide any false information or data when game checking any turkey.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	It shall be unlawful at any time to possess a wild turkey or wild turkey parts that were taken in violation of any Administrative Code rule or the Ohio Revised Code.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	With the exception of a hunter harvested turkey prior to reaching a personal or temporary abode, it shall be unlawful for any person to possess a dead wild turkey, or any part thereof, unless such wild turkey, or parts thereof, are accompanied by an attached valid permit, tag, seal, certificate of legal ownership, statement or receipt.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	If through the butchering process one or more packages of meat are produced the tag, game check confirmation number, seal, certificate for legal ownership, statement or receipt shall be maintained and available for inspection until the entire wild turkey is consumed.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	It shall be unlawful for any person to place or leave a wild turkey, or any part thereof, unattended or in the custody of another person for the purpose of skinning, processing, taxidermy, transportation, shipping, storage, including temporary storage, or any other reason, unless such wild turkey or parts thereof are accompanied by an attached valid permit, tag, permanent tag number, game check confirmation number, seal, certificate for legal ownership, statement or receipt.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	It shall be unlawful for any person to buy, sell or offer for sale any wild turkey, or part thereof, taken from the wild, except: (1) Legally acquired and possessed turkey feathers, bones, spurs, feet, skin and beards may be bought and sold at any time individually or as a wildlife ornamental product by the legal owner. (2) Wild turkey taxidermy products may be bought or sold at any time. At the time of the purchase or sale the taxidermy product must be accompanied by a signed statement or receipt, legible in the English language, which lists the previous owner's name, address and phone number, the state of kill(s) and the assigned tag, game check confirmation number, seal, certificate for legal ownership or permit number(s), if applicable, and the number of wild turkey, from which the said wild turkey parts originated, that were sold during the transaction. This information must remain with the taxidermy product unless said product(s) are disassembled and manufactured into a wildlife ornamental product(s).	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	It shall be unlawful for any person eighteen years of age or older and not possessing a valid hunting license and turkey permit to hunt or take a wild turkey during the spring or fall wild turkey season on any area designated youth hunting only.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-10	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Must	he valid tag, permanent tag number, seal, certificate for legal ownership, statement or receipt or game check confirmation number must remain attached to the antlers until the deer has been processed into a taxidermy product.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Must	If through the taxidermy process multiple taxidermy products are produced the permanent deer tag or permanent tag number or game check confirmation number must remain attached to the taxidermy product to which the antlers are connected.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Must	Any other products from the same deer must have the permanent deer tag number or game check confirmation number written legibly in permanent ink or inscribed on the item in a location which allows for visual inspection.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-15-11	Must	At the time of the purchase or sale these deer parts must be accompanied by a signed statement or receipt, legible in the English language, which lists the previous owner's name, address and phone number, the state of kill(s) and the assigned game check confirmation number or tag, seal, certificate for legal ownership or permit number(s), if applicable, and the number of deer, from which the said deer parts originated, that were sold during the transaction.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Must	This information must remain with these parts until said deer parts are manufactured into a wildlife ornamental product.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful to hunt, take, or possess deer except in accordance with Chapter 1531. or 1533. of the Revised Code, division 1501:31 of the Administrative Code, or as otherwise authorized by the chief of the division of wildlife or the chief's designee.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	Provided further, all provisions of this rule or any other division of wildlife rule shall apply to all persons issued said permit.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful to take more than six deer per license year, regardless of method of take or location taken, except as provided in paragraphs (B)(6), (B) (7) and (B)(8) of this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful to take more than one antlered deer per license year, regardless of method of take or location.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	For purposes of this rule an antlered deer shall be any deer with antlers three inches in height or greater.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	An antlerless deer shall be any deer with no antlers or antlers less than three inches in height.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful to take an antlered deer with a management permit.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful to hunt or take more than two deer per license year from the following counties: Allen, Auglaize, Butler, Champaign, Clark, Clinton, Darke, Defiance, Erie, Fayette, Fulton, Geauga, Greene, Hancock, Henry, Jefferson, Madison, Mercer, Miami, Montgomery, Morrow, Ottawa, Paulding, Pickaway, Preble, Putnam, Sandusky, Shelby, Van Wert, Warren, Williams, or Wood counties	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful to hunt or take more than two deer per license year under the authority of a deer permit outside of a division of wildlife authorized controlled hunt, from the following counties: Allen, Auglaize, Butler, Champaign, Clark, Clinton, Darke, Defiance, Erie, Fayette, Fulton, Geauga, Greene, Hancock, Henry, Jefferson, Madison, Mercer, Miami, Montgomery, Morrow, Ottawa, Paulding, Pickaway, Preble, Putnam, Sandusky, Shelby, Van Wert, Warren, Williams, or Wood counties.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful to hunt or take any deer under the authority of a management permit, outside of a division of wildlife authorized controlled hunt, from the following counties: Allen, Auglaize, Butler, Champaign, Clark, Clinton, Darke, Defiance, Erie, Fayette, Fulton, Geauga, Greene, Hancock, Henry, Jefferson, Madison, Mercer, Miami, Montgomery, Morrow, Ottawa, Paulding, Pickaway, Preble, Putnam, Sandusky, Shelby, Van Wert, Warren, Williams, or Wood counties.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful to hunt or take more than three deer per license year from the following counties: Adams, Ashland, Ashtabula, Athens, Belmont, Brown, Carroll, Clermont Columbiana, Coshocton, Crawford, Fairfield, Gallia, Guernsey, Hardin, Harrison, Highland, Hocking, Holmes, Huron, Jackson, Knox, Lake, Lawrence, Licking, Logan, Lorain, Mahoning, Marion, Medina, Meigs, Monroe, Morgan, Muskingum, Noble, Perry, Pike, Portage, Richland, Ross, Scioto, Seneca, Stark, Trumbull, Tuscarawas, Union, Vinton, Washington, Wayne, and Wyandot counties, provided further,	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-15-11	Shall	It shall be unlawful to hunt or take more than three deer per license year under the authority of a deer permit, outside of a division of wildlife authorized controlled hunt, from the following counties: Adams, Ashland, Ashtabula, Athens, Belmont, Brown, Carroll, Clermont, Columbiana, Coshocton, Crawford, Fairfield, Gallia, Guernsey, Hardin, Harrison, Highland, Hocking, Holmes, Huron, Jackson, Knox, Lake, Lawrence, Licking, Logan, Lorain, Mahoning, Marion, Medina, Meigs, Monroe, Morgan, Muskingum, Noble, Perry, Pike, Portage, Richland, Ross, Scioto, Seneca, Stark, Trumbull, Tuscarawas, Union, Vinton, Washington, Wayne, and Wyandot counties, and	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful to hunt or take more than one antlerless deer per year under the authority of a management permit, outside of a division of wildlife authorized controlled hunt, from the following counties: Lake, Lorain, Portage and Stark, counties.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful to hunt or take any deer under the authority of a management permit, outside of a division of wildlife authorized controlled hunt, from the following counties: Adams, Ashland, Ashtabula, Athens, Belmont, Brown, Carroll, Clermont, Columbiana, Coshocton, Crawford, Fairfield, Gallia, Guernsey, Hardin, Harrison, Highland, Hocking, Holmes, Huron, Jackson, Knox, Lawrence, Licking, Logan, Mahoning, Marion, Medina, Meigs, Monroe, Morgan, Muskingum, Noble, Perry, Pike, Richland, Ross, Scioto, Seneca, Trumbull, Tuscarawas, Union, Vinton, Washington, Wayne, and Wyandot counties.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful to hunt or take more than four deer per license year from the following counties: Cuyahoga, Delaware, Franklin, Hamilton, Lucas, and Summit, counties, provided further,	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful to hunt or take more than four deer per license year under the authority of a deer permit, outside of a division of wildlife authorized controlled hunt, from the following counties: Cuyahoga, Delaware, Franklin, Hamilton, Lucas, and Summit counties, and	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful to hunt or take more than one antlerless deer per year under the authority of a management permit, outside of a division of wildlife authorized controlled hunt, from the following counties: Cuyahoga, Delaware, Franklin, Hamilton,, Lucas, and Summit counties.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful for any person to hunt or take more than six deer per license year from any division of wildlife administered or authorized controlled hunt. Said deer may be taken in addition to any other deer taken in that county and in addition to the limit of six deer taken per license year as indicated in paragraph (B)(1) of this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful to take an antlerless deer from December 9, 2019 through the first Sunday of February from any state-owned or administered lands designated as public hunting areas in rule 1501:31-15-04 of the Administrative Code.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful to take more than one antlerless deer per license year from state-owned or administered lands designated as public hunting areas in rule 1501:31-15-04 of the Administrative Code outside of a division of wildlife authorized controlled hunt.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	Archery (a) It shall be unlawful for any person to hunt deer with any archery equipment except: (i) A longbow and arrow.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful for any person to hunt or take deer while being in possession of, or take a deer with, explosive or poisoned arrows.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful for any person to hunt or take deer with a longbow having a draw weight less than forty pounds, or with a crossbow having a draw weight less than seventy-five pounds.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

Rule Number	Regulatory Restriction	Description of Regulatory Restriction	Statute Under Which the Regulatory Restriction Was Adopted	Is the Regulatory Restriction Expressly or Specifically Required by State or Federal Law?	Is a Law Change Required in Order to Remove the Restriction?
1501:31-15-11	Shall	It shall be unlawful for any person to hunt or take a deer with a broadhead having less than two cutting edges measuring less than three quarters inch wide.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful for any person hunting deer with a longbow or crossbow to possess any firearm.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful for any person to hunt or take a deer during the deer archery season with any hunting implement other than the archery equipment described in paragraph (C)(1) of this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	Firearms (a) It shall be unlawful for any person to hunt or take deer with any firearm except: (i) A shotgun no larger than ten-gauge or smaller than .410 caliber firing a single projectile per barrel.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful for any person hunting deer to use any shell casing which is necked down or made totally of metal for any of the shotguns listed.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful for any person hunting deer to use in any rifle or possess any rifle cartridge which is necked down.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful for any person hunting deer during any deer gun season, to possess or use any shotgun or rifle which is loaded with more than three shells or cartridges in the magazine and chamber combined.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful for any person to hunt or take deer during the deer gun season with any hunting implement other than described in paragraph (C) of this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful for any person to possess or carry a rifle, pistol, revolver or any other type of firearm while hunting deer or when assisting or accompanying a person that is hunting deer, during the archery season, outside of the youth deer gun season, deer gun season and deer muzzleloading season.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful for any person to possess rifle cartridges while hunting during the deer muzzleloading season.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful to possess shotgun shells, containing shot, while hunting during the youth deer gun season, deer gun season from the first Monday after Thanksgiving through the following Sunday and deer muzzleloading season except: (i) Persons hunting waterfowl may possess shotgun shells containing non-toxic shot. (ii) Persons hunting other legal game may possess shotgun shells containing shot not larger than number four.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful for any person to hunt or take a coyotes and wild boar during the youth deer gun season or the deer gun season without using a hunting implement described in paragraph (C) of this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful for any person hunting during the deer muzzleloading season to possess shotgun slugs or rifle ammunition.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful for any person to be in possession of shotgun slugs or rifle ammunition while hunting during the youth deer gun season, except youth hunters hunting deer.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful for any person to hunt or take deer during the deer muzzleloading season with any hunting implement other than the archery equipment described in paragraph (C)(1) of this rule or a muzzleloader as described in paragraph (C)(2)(a)(ii) of this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful for any person to possess more than one hunting implement, singly or in the aggregate, to include a firearm, longbow or crossbow while hunting deer.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1501:31-15-11	Shall	It shall be unlawful for any person to hunt or take deer at any time except from one-half hour before sunrise to one-half hour after sunset.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful for any person to hunt or take wild animals from one-half hour before sunrise to one half-hour after sunset, except deer, waterfowl, wild boar, and coyotes from the first Monday after Thanksgiving through the following Sunday.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful for any person to hunt or take wild boar or coyotes at any time other than from one-half hour before sunrise to one half- hour after sunset during the youth deer gun season, deer gun season and deer muzzleloading season.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful for any person to hunt or take coyotes and wild boar from one-half hour before sunrise to one half-hour after sunset during the youth deer gun season, deer gun season and the deer muzzleloading season without possessing both a valid hunting license and valid deer permit or management permit.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful for any person to hunt or take coyotes and wild boar during the deer muzzleloading season without using a muzzleloader as described in paragraph (C)(2)(a)(ii) of this rule or any archery equipment described in paragraph (C)(1) of this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful for any person to possess a loaded hunting implement while going to or coming from hunting deer, wild boar or coyote at any time except between one-half hour before sunrise to one half-hour after sunset during the youth deer gun season, deer gun season or the deer muzzleloading season.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful for any person to hunt or take any wild animal except waterfowl, from one-half hour before sunrise to one half-hour after sunset, during the youth deer gun season, deer gun season or the deer muzzleloading season, unless such person is visibly wearing a vest, jacket or coveralls colored solid hunter orange, or camouflage hunter orange.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful for any person to hunt or take deer by the aid of dog, except wounded deer may be tracked using a dog that is leashed.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful for any person to hunt or take coyotes by the aid of a dog during the deer gun season from one-half hour before sunrise to one half-hour after sunset.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful to use any device capable of transmitting or receiving a person's voice to aid in the hunting or taking of deer.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful for any person to hunt or take a deer that is in the water.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful for any person to construct, place, or use permanent-type tree stands, or place spikes, nails, wires, or other metal objects to hold tree stands or as steps to tree stands on any property except with the landowner's permission.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful for any person to hunt or take a deer without possessing a valid electronic or printed deer permit or management permit during any of the open deer seasons.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful for any person to hunt with or carry an electronic or printed deer permit or management permit of another.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful for any person to hunt or take deer or aid another person in the hunting of deer, while having in their possession a hunting implement, while being solely in possession of a deer permit or management permit for which a game check confirmation number has been issued or the date, time and county of kill have been written on the deer permit or management permit.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	The fee for management permits shall be fourteen dollars plus a one dollar writing fee.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-15-11	Shall	It shall be unlawful for any person to hunt or take a deer under the authority of a management permit, except from the last Saturday in September through the Sunday following Thanks giving day.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful to hunt or take a subsequent deer before the date, time and county of kill are written on the corresponding deer permit, management permit or landowner deer tag or the date, time and county of kill have been submitted to the game check system for the deer that was taken.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful to attach a deer permit, manangement permit, landowner deer tag, or a game check confirmation number to a deer or parts of a deer, taken by another person.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful to attach an antlerless game check confirmation number to an antlered deer.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful to attach or otherwise use a deer permit or management permit on or for any deer that was taken before the permit was purchased or otherwise obtained.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful to manufacture, counterfeit, sell, trade, distribute, forge and/or falsify a deer permit, management permit, landowner deer tag, or a game check confirmation number .	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful to possess, attach, affix or otherwise use a counterfeit or falsified deer permit, management permit, landowner deer tag, or game check confirmation number on or for any deer.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful to possess any deer, or part thereof, which has attached or affixed a counterfeit or otherwise falsified deer permit, management permit, landowner deer tag or game check confirmation number.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	t shall be unlawful after killing a deer to fail to immediately complete a deer permit, management permit, or landowner deer tag with the hunters name, date, time, and county of kill prior to moving the carcass from the place where it fell or fail to game check your deer prior to moving the carcass from the place it fell.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful to leave a deer that has been killed unattended, or with another person, without first attaching a completed deer permit, management permit, or landowner deer tag with the hunters name, date, time and county of kill to the deer or a game check confirmation number to the deer.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful to fail to immediately attach your deer permit, managment permit or landowner deer tag with the hunters name, date, time and county of kill, or the game check confirmation number to a harvested deer upon arrival at a personal or temporary abode.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful to obtain a game check confirmation number with a management permit for any deer hunted or taken in any county in which a management permit is not valid, outside of a division of wildlife authorized controlled hunt.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful to remove a deer permit, managment permit, or landowner deer tag from any deer until the deer has been game checked and a valid game check confirmation number has been affixed to the deer.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful to skin or remove the head of a deer until the deer has been game checked and tagged with a valid game check confirmation number.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful to fail to game check and affix a game check confirmation number to a deer, taken during any open deer season, by noon of the day following the date the deer was killed.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	Provided further, it shall be unlawful to fail to game check and affix a game check confirmation number to a deer taken by eleven-thirty p.m. on the final day of the archery season, youth deer gun season, deer gun season and deer muzzleloading season.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful to provide false information or data when game checking any deer.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful to game check a deer that has been killed within a wild animal hunting preserve as described in section 1533.731 of the Revised Code.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-15-11	Shall	It shall be unlawful, while at any personal or temporary abode, for any person to fail to immediately and permanently attach their valid game check confirmation number to the deer after it has been game checked.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful to attach an invalid or falsified game check number to any deer.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful to attach, affix or otherwise use a game check confirmation number for a deer, or parts thereof, other than for the deer the game check confirmation number was issued to at the time of game checking.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful for any person to leave the state of Ohio with a deer that was taken by hunting that has not been game checked and the game check confirmation number permanently attached.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	With the exception of naturally shed antlers, and a hunter harvested deer prior to reaching a personal or temporary abode, it shall be unlawful to possess a dead deer, or any part thereof, unless such deer, or parts thereof, are accompanied by an attached valid permit, tag, seal, certificate of legal ownership, statement or receipt. For the purposes of this section a valid permit, tag, seal, certificate for legal ownership, statement or receipt for any deer, or part thereof is any one or more of the following: (a) A valid Ohio division of wildlife deer permit, management permit, landowner deer tag, permanent deer tag or permanent deer tag number or game check confirmation number. (b) An Ohio division of wildlife deer damage control permit temporary tag or a receipt for deer carcass-deer damage control tag or the tag number. (c) An Ohio division of wildlife approved tag or seal under the authority of section 1533.74 of the Revised Code if the deer or parts thereof were sold for food. (d) A signed statement or receipt, legible in the English language, which states the previous owners name, address and phone number and the valid commercial propagation permit number if the deer or parts thereof were sold or given away under the authority of section 1533.71 of the Revised Code. (e) A certificate for legal ownership issued under the authority of section 1533.121 of the Revised Code. (f) A tag as described in division (G) of section 1533.731 of the Revised Code. (g) A signed statement or receipt, legible in the English language, which lists the owner or previous owners name, address and phone number, the state and county of kill, the date of kill and the assigned permanent deer tag number or game check confirmation number, if applicable. (h) An official tag or seal, and an accompanying valid hunting license issued by another state or province if the deer was	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	If antlers are removed from the deer, but not processed into a taxidermy product, the permanent tag or game check confirmation number may be removed from the antlers provided the permanent deer tag number or game check confirmation number is legibly written in permanent ink or inscribed on the antlers in a location which allows for visual inspection. However, the valid tag, seal, certificate of legal ownership, statement or receipt shall be maintained by the owner and available for inspection.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-15-11	Shall	When through the butchering process, multiple packages of meat are produced, the valid tag, permanent tag number, seal, certificate for legal ownership, statement or receipt or game check confirmation number shall be maintained and available for inspection until the entire deer has been consumed.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful for any person to place or leave a deer, or any part thereof, unattended or in the custody of another person for the purpose of skinning, processing, taxidermy, transportation, shipping, storage, including temporary storage, or any other reason, unless such deer or parts thereof are accompanied by an attached valid permit, tag, seal, certificate for legal ownership, statement or receipt or game check confirmation number.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful to possess a deer, or parts thereof, that were taken in violation of any division rule or the Ohio Revised Code.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful to buy, sell or offer for sale any deer, or part thereof, taken from the wild, except: Legally acquired and possessed deer hides, feet, and antlers may be bought or sold at any time. At the time of the purchase or sale these deer parts must be accompanied by a signed statement or receipt, legible in the English language, which lists the previous owner's name, address and phone number, the state of kill(s) and the assigned game check confirmation number or tag, seal, certificate for legal ownership or permit number(s), if applicable, and the number of deer, from which the said deer parts originated, that were sold during the transaction. This information must remain with these parts until said deer parts are manufactured into a wildlife ornamental product.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful for any person to possess or transport a deer off the Plum Brook station, Ottawa national wildlife refuge, or Ravenna training and logistics site unless the deer has affixed a game check confirmation number.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful for any person to hunt on Plum Brook station at any time other than from eight a.m. to five p.m.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful for any person to hunt on Plum Brook station, Ravenna training and logistics site or Ottawa national wildlife refuge without an area permit.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	Such area permit shall specify the specific area assigned to the hunter on the day they are authorized to hunt and the type of deer permitted to be taken.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	It shall be unlawful to take or attempt to take a deer other than the type specified on the area permit.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-11	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-12	Shall	Management permits shall be valid only during the period or in areas as specified in rule 1501:31-15-11 of the Administrative Code.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-12	Shall	The fee for management permits shall be fourteen dollars and a one dollar writing fee.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-14	Shall	It shall be unlawful for a person seventeen years of age or younger to hunt in a youth hunting season if they are not accompanied by a non-hunting adult eighteen years of age or older.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-14	Shall	It shall be unlawful for a non-hunting adult eighteen years of age or older to accompany more than two persons seventeen years of age or younger during a youth hunting season.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-14	Shall	It shall be unlawful for the responsible non-hunting adult eighteen years of age or older to allow a person seventeen years of age or younger to hunt unaccompanied during a youth hunting season.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-15-14	Shall	It shall be unlawful during a youth hunting season for an adult who accompanies a person seventeen years of age or younger who is participation in a youth hunting season to hunt or possess a device commonly used to take wild animals.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-14	Shall	All definitions set forth in section 1531.01 of the Revised Code and rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-17	Must	All applications must be received by August first immediately preceding the requested hunting opportunity. This permit does not supersede requirements for any applicable hunting license or deer permits.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-17	Must	All applications must be received by January first immediately preceding the requested hunting opportunity. This permit does not supersede requirements for any applicable hunting license or wild turkey permits.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-17	May not	Hungarian partridge may not be taken or possessed at any time except when taken from a commercial bird shooting preserve, a bona fide dog training area, or a shooting field trial.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-17	Shall	There shall be no open hunting season on wild animals unless expressly set forth in this rule or other rules of the Administrative Code or the Revised Code.	1531.06, 1531.08, 1531.10	Yes, state law	Yes, state law
1501:31-15-17	Shall	It shall be unlawful for any person to hunt or take a bobcat, bear, badger, fisher, porcupine or a snowshoe hare at any time.	1531.06, 1531.08, 1531.10	Yes, both state and federal law	Yes, both state and federal law
1501:31-15-17	Shall	It shall be unlawful for any person to hunt, take, or possess red, gray, black and fox squirrels, except from September first through January thirty-first.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-17	Shall	It shall be unlawful for any person to hunt, take, or possess grouse, except from the second Saturday in October through the last day of January.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-17	Shall	It shall be unlawful for any person to hunt, take, or possess rabbits, except from the first Friday in November through the last day of February.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-17	Shall	It shall be unlawful for any person to hunt, take, or possess pheasants or chukar partridge, except cock pheasants and chukar partridge may be hunted, taken or possessed from the first Friday in November through the second Sunday in January.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-17	Shall	It shall be unlawful for any person to hunt, take or possess quail except from the first Friday in November through the Sunday immediately following Thanksgiving in the following counties: Adams, Athens, Brown, Butler, Clermont, Clinton, Gallia, Highland, Jackson, Lawrence, Meigs, Montgomery, Muskingum, Pike, Preble, Ross, Scioto, Vinton, and Warren.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-17	Shall	It shall be unlawful to hunt, take, or possess quail in Muskingum county, except on the Tri Valley wildlife area.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-17	Shall	It shall be unlawful to hunt, take, or possess quail in Gallia or Lawrence county, except: (a) On the Crown City wildlife area. (b) When authorized by the chief of the division of wildlife.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-17	Shall	It shall be unlawful for any person to hunt or take crows at any time except on Friday, Saturday, and Sunday from June 7, 2019 through March 7, 2020 and from June 5, 2020 through March 6, 2021, one-half hour before sunrise to sunset.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-17	Shall	It shall be unlawful for any person to hunt or possess a raccoon, opossum, skunk, or weasel at any time except from November tenth through midnight, January thirty-first.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-15-17	Shall	It shall be unlawful for any person to hunt, take, or possess a fox at any time other than from November tenth through January thirty-first.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-17	Shall	It shall be unlawful for any person to trap a raccoon except from November tenth through January thirty-first.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-17	Shall	It shall be unlawful for any person to trap fox, opossum, skunk, or weasel at any time except from November tenth through January thirty-first.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-17	Shall	It shall be unlawful for any person to trap or possess a beaver except from December twenty-sixth through the last day of February.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-17	Shall	It shall be unlawful to trap or possess mink or muskrat except from November tenth through the last day of February.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-17	Shall	The falconry seasons shall correspond with the dates for each game animal mentioned in this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-17	Shall	It shall be unlawful for any person to hunt or take any of the animals mentioned in this rule while using a raptor on any date other than those listed in this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-17	Shall	Except properly licensed falconers may hunt, take, and possess the following wild animals during the following extended season: (1) It shall be unlawful for any person to hunt, take or possess quail except from September first through March tenth in the following counties: Adams, Athens, Brown, Butler, Clermont, Clinton, Highland, Jackson, Meigs, Montgomery, Muskingum, Pike, Preble, Ross, Scioto, Vinton and Warren. It shall be unlawful to hunt, take, or possess quail in Muskingum county, except on the Tri Valley wildlife area.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-17	Shall	Except properly licensed falconers may hunt, take, and possess the following wild animals during the following extended season: (1) It shall be unlawful for any person to hunt, take or possess quail except from September first through March tenth in the following counties: Adams, Athens, Brown, Butler, Clermont, Clinton, Highland, Jackson, Meigs, Montgomery, Muskingum, Pike, Preble, Ross, Scioto, Vinton and Warren. It shall be unlawful to hunt, take, or possess quail in Muskingum county, except on the Tri Valley wildlife area.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-17	Shall	It shall be unlawful for any person to hunt, take or possess pheasants except cock pheasants may be hunted, taken, or possessed from September first through March tenth.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-17	Shall	It shall be unlawful for any person to hunt, take or possess red, gray, black and fox squirrels, except from September first through March tenth.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-17	Shall	It shall be unlawful for any person to hunt, take or possess grouse, except from September first through March tenth.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-17	Shall	It shall be unlawful for any person to hunt, take or possess rabbits, except from September first through March tenth.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-17	Shall	All possession and daily limits listed for game animals shall apply except migratory birds of which the daily limit is three, singly or in the aggregate.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-17	Shall	It shall be lawful to take all legal wild birds or wild quadrupeds by falconry during all deer seasons.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-17	Shall	It shall be unlawful to trap or possess river otter at any time except in accordance with this paragraph and other provisions of wildlife rules.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-15-17	Shall	It shall be unlawful to take or trap more than three river otters per season of which no more than one may be taken in zone B.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-17	Shall	It shall be unlawful for persons acting under the authority of said permit issued by the chief of the division of wildlife or their designee to hunt or take deer: (1) On any property or area not listed on the permit (2) Contrary to or in violation of any conditions or terms listed on the permit.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-17	Shall	It shall be unlawful for persons acting under the authority of said permit issued by the chief of the division of wildlife or their designee to hunt or take game birds: (1) On any area listed in rule 1501:31-15-04 of the Administrative Code or on any property or area not listed on the permit (2) Contrary to or in violation of any conditions or terms listed on the permit (3) Or other wild animals not listed on the permit or for which there is no current open season.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-17	Shall	It shall be unlawful for persons acting under the authority of said permit issued by the chief of the division of wildlife or their designee to hunt or take wild turkey: (1) On any property or area not listed on the permit (2) Contrary to or in violation of any conditions or terms listed on the permit.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-17	Shall	There shall be a youth hunting season on the two Saturdays and Sundays immediately prior to the first Friday in November whereby cottontail rabbits, pheasants, chukar partridge and bobwhite quail may be taken according to division rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-17	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-17	Shall	All persons dealing in green or dried furs, skins, or parts thereof and licensed pursuant to section 1533.23 of the Revised Code shall keep accurate daily records of all species of furbearing animals which are bought or sold.	1531.08, 1533.23, 1533.24	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-19	Shall	Such records shall be open to inspection by any employee of the division of wildlife.	1531.08, 1533.23, 1533.24	No, general rulemaking authority	No, general rulemaking authority
1501:31-15-19	Shall	All daily records are to be maintained at the place of business for a period of two years. Failure to properly and accurately complete daily record forms and the fur dealer summary report shall constitute a violation of section 1533.24 of the Revised Code.	1531.08, 1533.23, 1533.24	Yes, state law	Yes, state law
1501:31-15-19	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.08, 1533.23, 1533.24	No, general rulemaking authority	No, general rulemaking authority
1501:31-16-01	Shall	The sum of the scores for the seven criteria in paragraph (A)(1) of this rule shall be multiplied by one of the weighting factors listed in paragraph (A)(2) of this rule.	1531.06, 1531.08, 1531.10, 1531.201	No, general rulemaking authority	No, general rulemaking authority
1501:31-16-01	Shall	A wildlife species which is not sought at all shall be scored as zero, while a highly sought species shall be scored three.	1531.06, 1531.08, 1531.10, 1531.201	No, general rulemaking authority	No, general rulemaking authority

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1501:31-16-01	Shall	A wildlife species which is not sought at all shall be scored as zero, while a highly sought species shall be scored three.	1531.06, 1531.08, 1531.10, 1531.201	No, general rulemaking authority	No, general rulemaking authority
1501:31-16-01	Shall	The following shall be presumed to be the minimum value to the state of wild animals illegally held, taken, bought, sold or possessed.	1531.06, 1531.08, 1531.10, 1531.201	No, general rulemaking authority	No, general rulemaking authority
1501:31-17-01	Shall	Throughout the state, it shall be unlawful for any person to take, collect, or possess mussels, except according to this rule or any section of the Revised Code.	1531.08	Yes, both state and federal law	Yes, both state and federal law
1501:31-17-01	Shall	It shall be unlawful for any person to sell, barter or trade any mussels or parts thereof.	1531.08	Yes, both state and federal law	Yes, both state and federal law
1501:31-17-01	Shall	It shall be unlawful for any person to take, or attempt to take mussels or mussel shells.	1531.08	Yes, both state and federal law	Yes, both state and federal law
1501:31-17-01	Shall	All definitions set forth in section 1531.01 of the Revised Code shall apply to this rule.	1531.08	Yes, both state and federal law	Yes, both state and federal law
1501:31-19-01	Must	The possessor also must have a permit or other document from the state agency from where he came indicating the raccoon was legally possessed in the former state.	1531.06, 1531.08, 1533.31	No, general rulemaking authority	No, general rulemaking authority
1501:31-19-01	Require	Records, as required by the chief, shall be maintained and open to inspection at all reasonable hours by wildlife officers or any designee of the chief.	1531.06, 1531.08, 1533.31	No, general rulemaking authority	No, general rulemaking authority
1501:31-19-01	Shall	It shall be unlawful for any person at any time to possess, import or sell live individuals of the species or their hybrids designated as injurious aquatic invasive species and posted on the Ohio division of wildlife website at http://www.wildohio.gov .	1531.06, 1531.08, 1533.31	No, general rulemaking authority	No, general rulemaking authority
1501:31-19-01	Shall	It shall be unlawful to possess any of the species listed on the Ohio division of wildlife website at http://www.wildohio.gov and designated as injurious aquatic invasive species, except for white perch (<i>Morone americana</i>), unless it is in one of the following forms: (a) Headless (b) Preserved in ethanol or formaldehyde. (c) Eviscerated (internal organs removed).	1531.06, 1531.08, 1533.31	No, general rulemaking authority	No, general rulemaking authority
1501:31-19-01	Shall	It shall be unlawful for any person to import or cause to be imported, transport, or cause to transported, or receive or possess live raccoons which have been imported or transported into this state from a point without this state.	1531.06, 1531.08, 1533.31	No, general rulemaking authority	No, general rulemaking authority
1501:31-19-01	Shall	It shall be unlawful for any person to sell any wild bird or wild quadruped unless permitted by this rule, other wildlife orders, or the Revised Code.	1531.06, 1531.08, 1533.31	No, general rulemaking authority	No, general rulemaking authority
1501:31-19-01	Shall	It shall be unlawful for any person to possess, import or sell exotic species of fish or hybrids thereof for introduction or to release into any body of water that is connected to or otherwise drains into a flowing stream or other body of water that would allow egress of the fish into public waters, or waters of the state, without first having obtained permission of the chief.	1531.06, 1531.08, 1533.31	No, general rulemaking authority	No, general rulemaking authority
1501:31-19-01	Shall	It shall be unlawful for any person to import or sell triploid white amur within this state without first applying for and receiving written authorization from the chief.	1531.06, 1531.08, 1533.31	No, general rulemaking authority	No, general rulemaking authority
1501:31-19-01	Shall	It shall be unlawful to import or sell triploid white amur except in accordance with the specifications and limitations as prescribed in the written authorization from the chief.	1531.06, 1531.08, 1533.31	No, general rulemaking authority	No, general rulemaking authority
1501:31-19-01	Shall	All rules and regulations in the Ohio Revised Code and Ohio Administrative Code for possession, transportation, sale, or purchase of fish shall apply to this rule.	1531.06, 1531.08, 1533.31	No, general rulemaking authority	No, general rulemaking authority
1501:31-19-01	Shall	Records, as required by the chief, shall be maintained and open to inspection at all reasonable hours by wildlife officers or any designee of the chief.	1531.06, 1531.08, 1533.31	No, general rulemaking authority	No, general rulemaking authority

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1501:31-19-01	Shall	Persons authorized by the chief, to import or sell triploid white amur shall import and/or sell only triploid white amur that are certified triploid by the U.S. fish and wildlife service or other person or agency approved by the chief, and shall retain for a period of not less than three years all records of sales of triploid white amur.	1531.06, 1531.08, 1533.31	No, general rulemaking authority	No, general rulemaking authority
1501:31-19-01	Shall	Persons authorized by the chief, to import or sell triploid white amur shall import and/or sell only triploid white amur that are certified triploid by the U.S. fish and wildlife service or other person or agency approved by the chief, and shall retain for a period of not less than three years all records of sales of triploid white amur.	1531.06, 1531.08, 1533.31	No, general rulemaking authority	No, general rulemaking authority
1501:31-19-01	Shall	Persons authorized by the chief to import or sell triploid white amur shall annually report in writing to the chief of the division of wildlife, the total number of triploid white amur sold and the total number purchased during each month of the year for which authorization to import or sell triploid white amur has been given.	1531.06, 1531.08, 1533.31	No, general rulemaking authority	No, general rulemaking authority
1501:31-19-01	Shall	Such report shall be due in the office of the chief not later than January thirty-first of the year following the year being reported.	1531.06, 1531.08, 1533.31	No, general rulemaking authority	No, general rulemaking authority
1501:31-19-01	Shall	Persons authorized by the chief to import or sell triploid white amur shall notify the chief of the division of wildlife in writing of each sale of triploid white amur in excess of one hundred fish.	1531.06, 1531.08, 1533.31	No, general rulemaking authority	No, general rulemaking authority
1501:31-19-01	Shall	Such notification shall identify the name and address of the purchaser, the date of the sale, and the number of triploid white amur sold.	1531.06, 1531.08, 1533.31	No, general rulemaking authority	No, general rulemaking authority
1501:31-19-01	Shall	It shall be due in the office of the chief within fifteen days of the sale.	1531.06, 1531.08, 1533.31	No, general rulemaking authority	No, general rulemaking authority
1501:31-19-01	Shall	It shall be unlawful for any person to fail to comply with the provisions established in paragraphs (G), (H), and (I) of this rule.	1531.06, 1531.08, 1533.31	No, general rulemaking authority	No, general rulemaking authority
1501:31-19-01	Shall	It shall be unlawful for any person to possess, import or sell raccoon dog (Nyctereutes procyonides).	1531.06, 1531.08, 1533.31	No, general rulemaking authority	No, general rulemaking authority
1501:31-19-01	Shall	All definitions set forth in section 1531.01 of the Revised Code and rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08, 1533.31	No, general rulemaking authority	No, general rulemaking authority

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1501:31-19-02	Shall	No person shall possess all or any part of a cervidae carcass from an area outside of Ohio, unless the carcass is kept in the area where legally taken, killed or processed, except when the cervidae carcass consists only of any of the following: (1) De-boned meat; (2) Meat that is cut and securely and completely wrapped either commercially or privately with no part of the spinal column or head attached; (3) Quarters or other portions of meat with no part of the spinal column or head attached; (4) Antlers; (5) Antlers attached to a skull cap from which all soft tissue has been removed; (6) Upper canine teeth from which all soft tissue has been removed; (7) Hides and capes without any part of the head or lymph nodes attached; (8) Finished taxidermy mounts; (9) Any soft body tissue wrapped and packaged for use by a diagnostic research laboratory.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-19-02	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-19-03	Shall	The disease surveillance area shall include all areas within a minimum of six miles centering on the location of the detection of chronic wasting disease.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-19-03	Shall	The heads of deer taken from within a disease surveillance area during the deer gun season from the first Monday after Thanksgiving through the following Sunday shall be delivered for inspection and sampling to an official division of wildlife carcass inspection station within the disease surveillance area where killed no later than noon the following day after harvest or by eight p.m. if harvested on the last day of that season.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-19-03	Shall	It shall be unlawful to fail to comply with paragraph (B) of this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-19-03	Shall	It shall be unlawful within a disease surveillance area to place, expose, deposit, distribute, or scatter salt, mineral supplement, grain, fruit, vegetables or other feed whatsoever capable of luring, enticing, or attracting deer, except salt, mineral supplement, grain, fruit, vegetables or feed placed, exposed, deposited, distributed, or scattered as a result of normal agricultural practices.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-19-03	Shall	It shall be unlawful within a disease surveillance area to hunt or take deer by the aid of or on or over any area where salt, mineral supplement, grain, fruit, vegetables or other feed whatsoever capable of luring, enticing, or attracting deer has been placed, exposed, deposited, distributed, or scattered.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-19-03	Shall	It shall be unlawful within a disease surveillance area to hunt or take deer on or over any area where salt, mineral supplement, grain, fruit, vegetables or other feed whatsoever has been placed, exposed, deposited, distributed, or scattered for ten days following the complete removal of any salt, mineral supplement, grain, fruit, vegetables or other feed whatsoever.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-19-03	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-19-04	Must	The enclosure must prevent ingress or egress of any captive white-tailed deer or their hybrids.	1531.06, 1531.08, 1531.10, 1533.79	No, general rulemaking authority	No, general rulemaking authority
1501:31-19-04	Must	Enclosures must be a minimum of eight feet in height with a maximum deviation not to exceed four per cent.	1531.06, 1531.08, 1531.10, 1533.79	No, general rulemaking authority	No, general rulemaking authority
1501:31-19-04	Must	Enclosures must be constructed of materials approved by the division of wildlife in consultation with the U.S. department of agriculture animal and plant health inspection service, the Ohio department of agriculture and representatives of the Ohio cervid industry. The current minimum enclosure standards are: Woven wire mesh fencing.	1531.06, 1531.08, 1531.10, 1533.79	No, general rulemaking authority	No, general rulemaking authority
1501:31-19-04	Shall	It shall be unlawful for holders of a captive white-tailed deer propagation license in possession of white-tailed deer (Odocoileus virginianus) or their hybrids to: (1) Maintain or keep white-tailed deer or their hybrids in an enclosure that does not meet the following standards: (a) The enclosure must prevent ingress or egress of any captive white-tailed deer or their hybrids. (b) Enclosures must be a minimum of eight feet in height with a maximum deviation not to exceed four per cent. (c) Enclosures must be constructed of materials approved by the division of wildlife in consultation with the U.S. department of agriculture animal and plant health inspection service, the Ohio department of agriculture and representatives of the Ohio cervid industry. The current minimum enclosure standards are: Woven wire mesh fencing. (2) Take white-tailed deer from the wild in to captivity.	1531.06, 1531.08, 1531.10, 1533.79	No, general rulemaking authority	No, general rulemaking authority
1501:31-19-04	Shall	It shall be unlawful to release or fail to prevent escape of any member of the family cervidae or their hybrids outside of a pen, fence or other enclosure.	1531.06, 1531.08, 1531.10, 1533.79	No, general rulemaking authority	No, general rulemaking authority
1501:31-19-04	Shall	It shall be unlawful to dispose of, in a manner not approved by the Ohio department of agriculture under section 941.14 of the Revised Code or at an Ohio environmental protection agency approved facility, any carcasses or parts of captive cervidae which are killed or die.	1531.06, 1531.08, 1531.10, 1533.79	Yes, state law	Yes, state law
1501:31-19-04	Shall	It shall be unlawful for the holder of a captive white-tailed deer propagation license to fail to notify the chief of the division of wildlife or their agent of any escape of any captive white-tailed deer within twenty-four hours of becoming aware of the escape.	1531.06, 1531.08, 1531.10, 1533.79	No, general rulemaking authority	No, general rulemaking authority
1501:31-19-04	Shall	It shall be unlawful for the holder of a captive white-tailed deer propagation license to fail to immediately upon becoming aware of an escape of any captive white-tailed deer, make repairs to the enclosure to prevent escape of any additional captive white-tailed deer.	1531.06, 1531.08, 1531.10, 1533.79	No, general rulemaking authority	No, general rulemaking authority

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1501:31-19-04	Shall	Permanent establishments accredited by the American zoo and aquarium association, or scientific or research institutions with approval from the chief of the division of wildlife are exempt from this rule, however it shall be unlawful for such establishments or institutions to: (1) Fail to report by March fifteenth of each year the sex, quantity and disposition of all white-tailed deer or their hybrids in possession during the previous twelve months. Such report shall be on a division of wildlife approved form. (2) To release any member of the family cervidae or their hybrids outside of a pen, fence or other enclosure. (3) Fail to notify by telephone the chief of the division of wildlife or his agent of any escaped or missing white-tailed deer or their hybrids within twenty-four hours of knowledge of their absence.	1531.06, 1531.08, 1531.10, 1533.79	No, general rulemaking authority	No, general rulemaking authority
1501:31-19-04	Shall	Such report shall be on a division of wildlife approved form.	1531.06, 1531.08, 1531.10, 1533.79	No, general rulemaking authority	No, general rulemaking authority
1501:31-21-02	Must	Persons under sixteen years of age are not required to possess an Ohio wetlands habitat stamp or federal migratory bird stamp to participate, however they must possess a valid hunting license.	1531.06, 1531.08, 1531.10, 1533.79	No, general rulemaking authority	No, general rulemaking authority
1501:31-21-02	Shall	It shall be unlawful for any person to place, construct, maintain, or use a waterfowl blind on state property at lake St. Marys, and Clark lake wildlife area without first obtaining a written permit from the chief of the division or his authorized agent.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-21-02	Shall	Persons receiving a division duck blind permit shall construct a blind on the designated location within forty-five days after the issuance of said permit.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-21-02	Shall	Failure to comply shall cause the forfeiture of the location.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-21-02	Shall	It shall be unlawful for any person to apply for more than one blind or apply or draw for a blind for another person.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-21-02	Shall	No person shall draw for a blind until they exhibit their Ohio hunting license and proof of purchase of their Ohio wetlands habitat stamp for the current year, and their federal migratory bird stamp from the previous year or current year.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-21-02	Shall	No person shall construct a duck blind on lake St. Marys or Clark lake wildlife area except within twenty-five yards of the stake placed by the division of wildlife at the location drawn by such person.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-21-02	Shall	It shall be unlawful for any person to construct or place a blind on lake St. Marys or Clark lake wildlife area that does not have attached to the blind the name and address of said person.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-21-02	Shall	The name and address shall be attached immediately upon completion of construction.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-21-02	Shall	It shall be unlawful for any person to fail to remove blinds seven through thirteen and blind number ninety if attached to a stake on Grand Lake St. Marys no later than the second Sunday in December.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-21-02	Shall	Furthermore, it shall be lawful to use floater blinds at these sites during the season.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-21-02	Shall	It shall be unlawful for any person to fail to remove any stakes or any part of a structure built for or used as a means of concealment by waterfowl hunters in lake St. Marys or Clark lake wildlife area.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-21-02	Shall	It shall be unlawful for any person to construct a blind made of metal or to use metal stakes for blinds at lake St. Marys, or Clark lake wildlife area.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-21-02	Shall	It shall be unlawful for any person to attach waterfowl blinds twelve to nineteen to a stake at lake St. Marys.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-21-02	Shall	Further, no person shall place a stake within one hundred yards of waterfowl blinds fourteen to nineteen in lake St. Marys.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-21-02	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-23-01	Shall	Notwithstanding any other provision of this or any other wildlife order, or Chapters 1531. and 1533. of the Revised Code, the following native species and subspecies of wild animals shall be designated as endangered in accordance with section 1531.25 of the Revised Code	1531.06, 1531.08, 1531.10, 1531.25	Yes, both state and federal law	Yes, both state and federal law
1501:31-23-01	Shall	It shall be unlawful to sell, barter, trade, or offer for sale any wild animal, or parts there of, listed in this paragraph:	1531.06, 1531.08, 1531.10, 1531.25	Yes, both state and federal law	Yes, both state and federal law
1501:31-23-01	Shall	It shall be unlawful for any person to take, transport, sell, offer for sale or possess any of the native endangered species of wild animals, applying to endangered wild animals that are either resident within or migrate into or through Ohio, or hides or parts thereof listed in this rule or any other wildlife order without first obtaining a written permit from the wildlife chief, except as provided in paragraphs (B) and (F) of this rule.	1531.06, 1531.08, 1531.10, 1531.25	Yes, both state and federal law	Yes, both state and federal law
1501:31-23-01	Shall	Provided further, it shall be unlawful to trespass in areas posted with signs stating "Endangered Species Nesting Area, Trespassing Unlawful."	1531.06, 1531.08, 1531.10, 1531.25	No, general rulemaking authority	No, general rulemaking authority
1501:31-23-01	Shall	All persons requesting a permit for the taking, selling, or possession of an endangered species or hide or part thereof for zoological, educational, scientific, or propagation purposes shall at the time of application for such permit provide the following information to the division of wildlife: (1) A program or project description with a clear statement of the study objectives; (2) Justification for the study; (3) Duration of the study; (4) Project location; (5) Species and number to be collected or involved in the study; (6) Study methods, regarding collecting gear and techniques; and (7) Assurance that a final or annual report will be filed with the division of wildlife, containing a clear statement on the final disposition of each individual of each endangered species collected, along with a copy of any reports or publications derived from the study of these animals.	1531.06, 1531.08, 1531.10, 1531.25	No, general rulemaking authority	No, general rulemaking authority
1501:31-23-01	Shall	Persons failing to provide full information required in paragraph (C) of this rule to the satisfaction of the wildlife chief shall be denied a permit.	1531.06, 1531.08, 1531.10, 1531.25	No, general rulemaking authority	No, general rulemaking authority
1501:31-23-01	Shall	Further, failure to fill the requirements at the conclusion of the project shall be reason for the chief to not issue future permits to the person failing to comply.	1531.06, 1531.08, 1531.10, 1531.25	No, general rulemaking authority	No, general rulemaking authority
1501:31-23-01	Shall	All definitions set forth in section 1531.01 of the Revised Code shall apply to this rule.	1531.06, 1531.08, 1531.10, 1531.25	No, general rulemaking authority	No, general rulemaking authority

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1501:31-23-02	Shall	Notwithstanding any other provision of this or any other wildlife order, or Chapters 1531. and 1533. of the Revised Code, the following native species and subspecies of the wild animals shall be designated as threatened.	1531.06, 1531.08, 1531.10	Yes, both state and federal law	Yes, both state and federal law
1501:31-25-01	Must	All banding permit holders must have or work under the authority of a valid banding or marking permit issued by the U.S. geological survey.	1531.06, 1531.08, 1531.10	Yes, both state and federal law	Yes, both state and federal law
1501:31-25-01	Require	Persons failing to provide full information required on the application form to the satisfaction of the wildlife chief will be denied a permit. In addition, a copy of all published reports or publications derived from the data collected shall be provided to the division of wildlife.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-01	Shall	The chief shall establish criteria and guidelines for qualification for such permits.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-01	Shall	Persons desiring to engage in bird banding activities shall receive banding permit from the division of wildlife.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-01	Shall	All birds killed or injured during banding activities, shall be provided to the division of wildlife or transferred to an approved wild animal permit holder.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-01	Shall	All persons requesting a scientific collecting, education or banding permit shall at the time of application for such permit provide the information requested on forms provided by the division of wildlife for each separate project.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-01	Shall	In addition, a copy of all published reports or publications derived from the data collected shall be provided to the division of wildlife.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-01	Shall	Persons desiring a letter permit shall supply information as required by the chief. Failure to provide such information will result in denial of the permit.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-01	Shall	It shall be unlawful for any person receiving a permit established by this rule or section 1533.08 of the Revised Code to fail to submit a written report of collecting activities prior to March fifteen each year.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-01	Shall	The report shall list the following information for each specimen collected: (1) Scientific name and quantity collected. (2) Date collected. (3) Location (county and township) collected. (4) Location, date and method each specimen was disposed of.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-01	Shall	It shall be unlawful for any person possessing a permit mentioned in this rule to take, possess, or transport any wild animal contrary to any condition set forth within the permit or established by the chief of the division of wildlife.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-01	Shall	It shall be unlawful to use or provide any contraceptive drugs, substances or chemicals to any free ranging wild animal.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-01	Shall	It shall be unlawful to disturb, molest, tamper with, damage, move or remove any labeled material, equipment or appurtenance associated with an authorized division of wildlife research, survey or inventory project activity unless authorized by the chief of the division of wildlife or their designee.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-01	Shall	It shall be unlawful to disturb, molest, remove or take any specimen associated with an authorized division of wildlife research, survey, inventory project or activity unless authorized by the chief of the division of wildlife or their designee.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-25-01	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-03	Must	Rehabilitator permit applicants must be eighteen years of age or older.	1531.06, 1531.08, 1531.10, 1533.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-03	Shall	It shall be unlawful to rehabilitate any wild animal without first obtaining a category I or category II rehabilitators permit.	1531.06, 1531.08, 1531.10, 1533.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-03	Shall	Rehabilitator permit holders shall provide proper facilities for all animals in their care.	1531.06, 1531.08, 1531.10, 1533.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-03	Shall	All persons applying for a rehabilitators permit shall meet the cage and holding requirements specified on the permit application form.	1531.06, 1531.08, 1531.10, 1533.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-03	Shall	Category I rehabilitators permit applicants shall have completed a division of wildlife approved rehabilitation course or a course established by the Ohio wildlife rehabilitators association and approved by the division of wildlife and provide documentation that they have a veterinarian's assistance when needed.	1531.06, 1531.08, 1531.10, 1533.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-03	Shall	Category II rehabilitators shall provide documentation that they have veterinarian assistance and the ability to properly care for wild animals that are diseased, injured, or need rehabilitative care.	1531.06, 1531.08, 1531.10, 1533.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-03	Shall	Persons holding a rehabilitators permit shall comply with all provisions and conditions set forth in the permit and any of the Ohio division of wildlife minimum standards for the care and welfare of animals.	1531.06, 1531.08, 1531.10, 1533.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-03	Shall	All rehabilitators permit holders shall keep a record of all animals by species which are held for rehabilitation.	1531.06, 1531.08, 1531.10, 1533.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-03	Shall	Records shall include where the animal was found, the date the wild animal was received, the reason the animal needed rehabilitation, the date and location where the wild animal was released, or its final disposition.	1531.06, 1531.08, 1531.10, 1533.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-03	Shall	Provided further all of the aforementioned records shall be held on file for a period of two years and shall be open for inspections by any division of wildlife personnel.	1531.06, 1531.08, 1531.10, 1533.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-03	Shall	Provided further all of the aforementioned records shall be held on file for a period of two years and shall be open for inspections by any division of wildlife personnel.	1531.06, 1531.08, 1531.10, 1533.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-03	Shall	Failure to comply with any provisions or conditions of the rehabilitators permit, this rule, or any other division of wildlife rule shall result in the revocation of the rehabilitators permit.	1531.06, 1531.08, 1531.10, 1533.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-03	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08, 1531.10, 1533.08	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-04	Require	It shall be unlawful to fail to maintain on the premises as stated on the license, for a period of less than five years any: (a) Records required by this rule.	1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-04	Require	Certificate of origin, a bill of sale, receipt, record of acquisition or invoice required by this rule.	1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-04	Require	Records required by this rule.	1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-04	Require	Certificate of origin, a bill of sale, receipt, record of acquisition or invoice required by this rule.	1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-25-04	Require	It shall be unlawful to fail to make available for inspection, by an authorized representative of the division of wildlife, at any reasonable time: (a) Reptiles and amphibians possessed. (b) Records required by this rule. (c) Certificate of origin, a bill of sale, receipt, record of acquisition or invoice required by this rule.	1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-04	Shall	It shall be unlawful for any person to take bullfrogs or green frogs from May first through six p.m. on the second Friday of June each year.	1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-04	Shall	It shall be unlawful for any person to take snapping turtles or softshell turtles from January first through the last day of June each year.	1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-04	Shall	It shall be unlawful to take, collect or possess the eggs of snapping turtles or softshell turtles unless legally acquired from outside the state, or propagated under the authority of a commercial or noncommercial propagating license issued under section 1533.71 of the Revised Code.	1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-04	Shall	It shall be unlawful for any person to take more than fifteen bullfrogs or green frogs, singularly or in the aggregate, in any one day.	1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-04	Shall	It shall be unlawful for any person to possess more than fifteen bullfrogs or green frogs, singularly or in the aggregate, at or between the place where taken and a residence or place of lodging.	1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-04	Shall	It shall be unlawful for any person to take snapping turtles or softshell turtles with a straight-line carapace length of less than eleven inches.	1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-04	Shall	It shall be unlawful for an Ohio resident to take or possess more than four total individuals of each species of collectable reptiles or collectable amphibians from the wild in Ohio.	1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-04	Shall	It shall be unlawful to take any reptile or amphibian not listed as a collectable reptile or collectable amphibian from the wild in Ohio except bullfrogs, green frogs, snapping turtles and softshell turtles.	1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-04	Shall	It shall be unlawful to take or possess any reptile or amphibian from any area under agreement with, owned, controlled or administered by the division of wildlife, except for: (a) Persons who have received written permission from the chief of the division of wildlife, provided they carry and exhibit said permission upon request. (b) Persons lawfully taking bullfrogs, green frogs, snapping turtles and softshell turtles.	1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-04	Shall	It shall be unlawful for a nonresident to take any collectable reptile or collectable amphibian from the wild in Ohio.	1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-04	Shall	It shall be unlawful for any person to take reptiles or amphibians by shooting; except bullfrogs and green frogs may be taken with a longbow or crossbow and arrow.	1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-04	Shall	It shall be unlawful for any person to set, use or maintain a turtle trap having mesh measuring less than four inches on a side unless such traps are provided with an escape ring of at least six inches in diameter, leading out of the trap, held open at all times.	1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-04	Shall	It shall be unlawful for any person to take or attempt to take turtles by means of a trap, placed in the water, having wings or leads.	1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-04	Shall	It shall be unlawful for any person to take reptiles or amphibians with a foot hold or body-gripping trap.	1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-25-04	Shall	It shall be unlawful for any person to fail to inspect or maintain their trap once every twenty-four hour period.	1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-04	Shall	It shall be unlawful for any person to set, use or maintain traps unless they have attached thereto a durable waterproof tag bearing the name and address of the user legible in the English language.	1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-04	Shall	It shall be unlawful for any person to disturb or molest a legally set trap of another person without permission from the trap's owner or user.	1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-04	Shall	It shall be unlawful to take reptiles or amphibians with the aid or use of chemicals, deleterious or stupefying substances, smoke, explosives, winches, jacks or other device or material that may cause damage to or destroy the den, hibernaculum, nest, or immediate surroundings thereof.	1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-04	Shall	It shall be unlawful to buy, sell, barter or trade any reptile or amphibian taken from the wild in Ohio except snapping turtles and softshell turtles.	1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-04	Shall	It shall be unlawful to export live snapping turtles or live softshell turtles taken from the wild in Ohio, except for live snapping turtles or live softshell turtles possessed under the authority of a commercial or noncommercial propagating license issued under section 1533.71 of the Revised Code.	1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-04	Shall	It shall be unlawful for any person eighteen years of age or older to fail to apply to the division of wildlife for a propagating license under section 1533.71 of the Revised Code after taking possession of a reptile or amphibian, except: (a) Bullfrogs and green frogs legally acquired from outside the state, or propagated under the authority of a commercial propagating license issued under section 1533.71 of the Revised Code, that are accompanied by a bill of sale, receipt, record of acquisition or invoice, legible in the English language, and are possessed and sold solely for consumption as food. (b) Snapping turtles and softshell turtles legally acquired from outside the state, or legally obtained from within the state, that are accompanied by a bill of sale, receipt, record of acquisition or invoice, legible in the English language, and are possessed and sold solely for consumption as food. (c) Snapping turtles and softshell turtle heads, shells and feet legally acquired from outside the state, or legally obtained from within the state, that are accompanied by a bill of sale, receipt, record of acquisition or invoice, legible in the English language. (d) Wildlife ornamental products.	1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-04	Shall	It shall be unlawful for an Ohio resident seventeen years of age or younger to posses, without applying for a propagating license under section 1533.71 of the Revised Code, more than four individuals or more than twenty-five eggs, tadpoles, or larvae of each species of reptile or amphibian.	1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-25-04	Shall	It shall be unlawful for any person possessing, buying, selling, trading, bartering, receiving or gifting reptiles or amphibians to fail to maintain accurate records, legible in the English language, which include the scientific and common names and the following, when applicable: (a) The date of acquisition or transactions. (b) The number of reptiles or amphibians by species. (c) The birth dates of reptiles and amphibians propagated while in possession, by species. (d) The location of capture and length of all reptiles and amphibians taken from the wild by species. (e) The complete name and address of the person from whom the reptile or amphibian was purchased or otherwise acquired. (f) The complete name and address of the person to whom the reptile or amphibian was sold, traded, bartered or given as a gift. (g) The weight of snapping turtles or softshell turtles sold solely for consumption as food by species. (h) The date of death or escape.	1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-04	Shall	It shall be unlawful to fail to retain a certificate of origin, a bill of sale, receipt, record of acquisition or invoice legible in the English language, for each individual reptile or amphibian produced in captivity or legally obtained from out of state which includes: (a) Both the scientific and common name. (b) Number of reptiles and amphibians by species. (c) Date of acquisition or transaction. (d) The complete name and address of the person from whom the reptile or amphibian was purchased or otherwise acquired. (e) The propagating license number as issued under section 1533.71 of the Revised Code, when applicable.	1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-04	Shall	It shall be unlawful to fail to maintain on the premises as stated on the license, for a period of less than five years any: (a) Records required by this rule. (b) Certificate of origin, a bill of sale, receipt, record of acquisition or invoice required by this rule.	1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-25-04	Shall	It shall be unlawful to fail to make available for inspection, by an authorized representative of the division of wildlife, at any reasonable time: (a) Reptiles and amphibians possessed. (b) Records required by this rule. (c) Certificate of origin, a bill of sale, receipt, record of acquisition or invoice required by this rule.	1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-04	Shall	Records shall not be required for: (a) Retail store and restaurant sales of snapping turtles, softshell turtles, bullfrogs and green frogs to persons solely for their own consumption as food. (b) Persons who purchase snapping turtles, softshell turtles, bullfrogs and green frogs solely for their own consumption as food. (c) Wildlife ornamental products.	1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-04	Shall	It shall be unlawful to possess any live reptile not permanently implanted with a unique passive integrated transponder with a frequency of 125 kHz, 134.2 kHz or 400 kHz in each: (a) Snake with a snout-vent length of eighteen inches or greater. (b) Turtle with a straight-line carapace length of four inches or greater, except: Snapping turtles and softshell turtles legally acquired from outside the state, or legally obtained from within the state, that are accompanied by a bill of sale, receipt, record of acquisition or invoice, legible in the English language, and are possessed and sold solely for consumption as food.	1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-04	Shall	It shall be unlawful to sell, barter, trade or gift any reptile, regardless of size, to another person that is not permanently implanted with a unique passive integrated transponder with a frequency of 125 kHz, 134.2 kHz or 400 kHz in each specimen, except: Snapping turtles and softshell turtles legally acquired from outside the state, or legally obtained from within the state, that are accompanied by a bill of sale, receipt, record of acquisition or invoice, legible in the English language, and are possessed and sold solely for consumption as food.	1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-04	Shall	It shall be unlawful to release any reptile or amphibian into the wild that has been produced in captivity or obtained from outside the state.	1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-04	Shall	It shall be unlawful to release any reptile or amphibian into the wild that was taken from the wild in Ohio and was held in captivity for more than thirty days.	1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-04	Shall	It shall be unlawful to release any reptile or amphibian into the wild at any place other than the location of capture.	1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-04	Shall	It shall be unlawful to release any reptile or amphibian into the wild that has been held in captivity, in the same enclosure with any other species of reptile or amphibian.	1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority

RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1501:31-25-04	Shall	It shall be unlawful to take frogs and turtles in any manner or by any method except as provided in rule 1501:31-13-07 of the Administrative Code.	1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-25-04	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-27-01	Must	However, such persons must annually apply for a free deer permit, turkey permit, trapping permit, and/or wetlands habitat stamp in accordance with section 1533.12 of the Revised Code.	1533.12	Yes, state law	Yes, state law
1501:31-27-01	Shall	In accordance with section 1533.12 of the Revised Code, all persons exempt from purchasing a fishing or hunting license; deer, turkey, or trapping permit; or wetlands habitat stamp shall annually apply for a free fishing or hunting license; deer, turkey, or trapping permit; or wetlands habitat stamp on an official application form provided by the chief of the division of wildlife.	1533.12	Yes, state law	Yes, state law
1501:31-27-01	Shall	Each person who is a resident of Ohio that possesses an honorable discharge from the armed forces that has been declared a prisoner of war by the armed forces of the United States and/or has a disability that has been determined by the veterans' administration to be permanently and totally disabling, who receives a pension or compensation from the veterans' administration and every veteran to whom the registrar of motor vehicles has issued a set of license plates under section 4503.41 of the Revised Code, shall obtain certification from the veterans' administration which indicates name, address and file number of such person.	1533.12	Yes, state law	Yes, state law
1501:31-27-01	Shall	Said certification shall be submitted in addition to his/her application as provided in paragraph (A) of this rule.	1533.12	No, general rulemaking authority	No, general rulemaking authority
1501:31-27-01	Shall	Each qualified resident of Ohio who applies for said licenses shall be issued a free license, permit, and/or stamp in accordance with section 1533.12 of the Revised Code.	1533.12	Yes, state law	Yes, state law
1501:31-27-01	Shall	Each person who receives licenses, permits, and/or stamps in accordance with section 1533.12 of the Revised Code shall comply with all laws, rules, and regulations of the Revised Code and Administrative Code concerning the carrying, exhibiting, and displaying of licenses, and the taking or possessing of wild animals.	1533.12	Yes, state law	Yes, state law
1501:31-27-01	Shall	All definitions set forth in section 1531.01 of the Revised Code shall apply to this rule.	1533.12	No, general rulemaking authority	No, general rulemaking authority
1501:31-27-02	Shall	Each annual hunting license, deer permit, wild turkey permit, fur taker permit and wetlands habitat stamp shall be valid from the first day in March through midnight of the last day in February the following year.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-27-02	Shall	Each fishing license, hunting license, nonresident lake Erie sport fishing district permit, deer permit, wild turkey permit, fur taker permit and wetlands habitat stamp shall be issued in the form prescribed by the chief of the division of wildlife. Such licenses, permits and stamps may be in either printed or electronic form.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-27-02	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08, 1531.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-27-03	Shall	A multi-year hunting license issued in accordance with section 1533.321 of the Revised Code to a person who has not obtained a certificate of completion issued upon completion of a hunter education and conservation course approved by the chief or has not submitted evidence of equivalent training in content and manner approved by the chief, shall bear an "apprentice" hunter designation and shall be subject to the provisions of section 1533.102 of the Revised Code and division (G) of section 1533.10 of the Revised Code and rules adopted thereunder, as applicable.	1531.06, 1531.08, 1531.10, 1533.102, 1533.11, 1533.321	Yes, state law	Yes, state law

RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1501:31-27-03	Shall	A multi-year hunting license issued in accordance with section 1533.321 of the Revised Code to a person who has not obtained a certificate of completion issued upon completion of a hunter education and conservation course approved by the chief or has not submitted evidence of equivalent training in content and manner approved by the chief, shall bear an "apprentice" hunter designation and shall be subject to the provisions of section 1533.102 of the Revised Code and division (G) of section 1533.10 of the Revised Code and rules adopted thereunder, as applicable.	1531.06, 1531.08, 1531.10, 1533.102, 1533.11, 1533.321	Yes, state law	Yes, state law
1501:31-27-03	Shall	A multi-year hunting license issued in accordance with this rule shall begin on the date of issuance and expire three years, five years, or ten years from the date of issuance, as applicable.	1531.06, 1531.08, 1531.10, 1533.102, 1533.11, 1533.321	No, general rulemaking authority	No, general rulemaking authority
1501:31-27-03	Shall	A multi-year hunting license issued in accordance with this rule to a person who subsequently obtains a certificate of completion issued upon completion of a hunter education and conservation course approved by the chief or submits evidence of equivalent training in content and manner approved by the chief, shall be reissued in accordance with section 1533.10 of the Revised Code and section 1533.321 of the Revised Code without the "apprentice" hunter status designation.	1531.06, 1531.08, 1531.10, 1533.102, 1533.11, 1533.321	No, general rulemaking authority	No, general rulemaking authority
1501:31-27-03	Shall	A multi-year hunting license issued in accordance with this rule to a person who subsequently becomes a nonresident after issuance of the license shall remain valid in this state during its term, regardless of residency status.	1531.06, 1531.08, 1531.10, 1533.102, 1533.11, 1533.321	No, general rulemaking authority	No, general rulemaking authority
1501:31-27-03	Shall	It shall be unlawful for a person issued a hunting license in accordance with paragraph(A) of this rule to hunt if they are not accompanied by another person who is twenty-one years of age or older and who possesses a valid hunting license issued in accordance with sections 1533.10 of the Revised Code or section 1533.321 of the Revised Code.	1531.06, 1531.08, 1531.10, 1533.102, 1533.11, 1533.321	No, general rulemaking authority	No, general rulemaking authority
1501:31-27-03	Shall	It shall be unlawful for the holder of a valid hunting license issued in accordance with sections 1533.10 of the Revised Code or section 1533.321 of the Revised Code to accompany more than two holders of a hunting license in accordance with paragraph (A) of this rule at one time.	1531.06, 1531.08, 1531.10, 1533.102, 1533.11, 1533.321	No, general rulemaking authority	No, general rulemaking authority
1501:31-27-03	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08, 1531.10, 1533.102, 1533.11, 1533.321	No, general rulemaking authority	No, general rulemaking authority
1501:31-27-05	Shall	A lifetime hunting license issued in accordance with section 1533.321 of the Revised Code to a person who has not obtained a certificate of completion issued upon completion of a hunter education and conservation course approved by the chief or has not submitted evidence of equivalent training in content and manner approved by the chief, shall bear an "apprentice" hunter designation and shall be subject to the provisions of section 1533.102 of the Revised Code and division (G) of section 1533.10 of the Revised Code and rules adopted thereunder, as applicable.	1531.06, 1531.08, 1531.10, 1533.102, 1533.11, 1533.321	Yes, state law	Yes, state law
1501:31-27-05	Shall	A lifetime hunting license issued in accordance with section 1533.321 of the Revised Code to a person who has not obtained a certificate of completion issued upon completion of a hunter education and conservation course approved by the chief or has not submitted evidence of equivalent training in content and manner approved by the chief, shall bear an "apprentice" hunter designation and shall be subject to the provisions of section 1533.102 of the Revised Code and division (G) of section 1533.10 of the Revised Code and rules adopted thereunder, as applicable.	1531.06, 1531.08, 1531.10, 1533.102, 1533.11, 1533.321	No, general rulemaking authority	No, general rulemaking authority
1501:31-27-05	Shall	A lifetime hunting license issued in accordance with this rule shall begin on the date of issuance and shall remain in force as provided for in Chapter 1531. or 1533. of the Revised Cod	1531.06, 1531.08, 1531.10, 1533.102, 1533.11, 1533.321	No, general rulemaking authority	No, general rulemaking authority

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1501:31-27-05	Shall	A lifetime hunting license issued in accordance with this rule shall begin on the date of issuance and shall remain in force as provided for in Chapter 1531. or 1533. of the Revised Cod	1531.06, 1531.08, 1531.10, 1533.102, 1533.11, 1533.321	No, general rulemaking authority	No, general rulemaking authority
1501:31-27-05	Shall	A lifetime hunting license issued in accordance with this rule to a person who subsequently obtains a certificate of completion issued upon completion of a hunter education and conservation course approved by the chief or submits evidence of equivalent training in content and manner approved by the chief, shall be reissued in accordance with section 1533.10 of the Revised Code and section 1533.321 of the Revised Code without the "apprentice" hunter designation.	1531.06, 1531.08, 1531.10, 1533.102, 1533.11, 1533.321	No, general rulemaking authority	No, general rulemaking authority
1501:31-27-05	Shall	A lifetime hunting license issued in accordance with this rule to a person who subsequently becomes a nonresident after issuance of the license shall remain valid in this state during its term, regardless of residency status.	1531.06, 1531.08, 1531.10, 1533.102, 1533.11, 1533.321	No, general rulemaking authority	No, general rulemaking authority
1501:31-27-05	Shall	It shall be unlawful for a person issued a hunting license in accordance with paragraph(A) of this rule to hunt if they are not accompanied by another person who is twenty-one years of age or older and who possesses a valid hunting license issued in accordance with section 1533.10 of the Revised Code or section 1533.321 of the Revised Code.	1531.06, 1531.08, 1531.10, 1533.102, 1533.11, 1533.321	Yes, state law	Yes, state law
1501:31-27-05	Shall	It shall be unlawful for the holder of a valid hunting license issued in accordance with section 1533.10 of the Revised Code or section 1533.321 of the Revised Code to accompany more than two holders of a hunting license in accordance with paragraph (A) of this rule at one time.	1531.06, 1531.08, 1531.10, 1533.102, 1533.11, 1533.321	No, general rulemaking authority	No, general rulemaking authority
1501:31-27-05	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08, 1531.10, 1533.102, 1533.11, 1533.321	No, general rulemaking authority	No, general rulemaking authority
1501:31-29-01	Must	Volunteer instructors must possess a valid ohio hunter education instructor certification card at the time they conduct a course.	1533.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-29-01	Must	A volunteer hunter education instructor must be twenty-one years of age or older and shall have successfully completed the Ohio hunter education course and the Ohio hunter education instructor course as prescribed by the division of wildlife.	1533.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-29-01	Shall	Courses shall be conducted statewide.	1533.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-29-01	Shall	Courses shall be free of charge with the exception that volunteers may charge nominal fees, in accordance with policies established by the chief, to cover training costs such as facility fees.	1533.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-29-01	Shall	First-time hunting license buyers or first-time hunters who apply for a free hunting license shall complete a hunter education course prior to obtaining a hunting license.	1533.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-29-01	Shall	The course shall include, but not be limited to, the requirements in section 1533.10 of the Revised Code. Completion of the course shall include passing of an examination and receiving a certificate prescribed by the chief of the division of wildlife.	1533.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-29-01	Shall	A volunteer hunter education instructor must be twenty-one years of age or older and shall have successfully completed the Ohio hunter education course and the Ohio hunter education instructor course as prescribed by the division of wildlife.	1533.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-29-01	Shall	In addition to the course requirements in paragraph (A) of this rule, an instructor shall complete instruction on teaching techniques, teaching fundamentals, and other methods of instruction.	1533.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-29-01	Shall	Completion of the hunter education instructor course shall include the passing of an examination and receiving a hunter education instructor certification card prescribed by the chief of the division of wildlife.	1533.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-29-01	Shall	The chief of the division of wildlife shall establish minimum requirements and procedures for the purpose of renewing instructor certification cards.	1533.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-29-01	Shall	No person shall issue or give a hunter education certificate of completion to another person that has not passed the division's hunter education course, or otherwise met the requirements for certification as established by this rule and division policy.	1533.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-29-01	Shall	No person shall obtain, use, or attempt to use a division of wildlife hunter education certificate without first completing an authorized division of wildlife hunter education course, or otherwise meeting the requirements for certification as established by this rule and division policy.	1533.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-29-01	Shall	The chief shall issue a hunter education permit setting forth such limitations, restrictions, or provisions as he deems appropriate in his sole discretion.	1533.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-29-01	Shall	The president of the conservation or sportsmen's club shall submit in writing a request at least thirty days prior to the event which shall: (1) Fully describe the land on which the course shall be taught; (2) State the number of participants; (3) State the species of animals to be killed; (4) Describe in detail the conservation or sportsmen educational benefits from the course; (5) State any further information the chief may request.	1533.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-29-01	Shall	The president of the conservation or sportsmen's club shall submit in writing a request at least thirty days prior to the event which shall: (1) Fully describe the land on which the course shall be taught; (2) State the number of participants; (3) State the species of animals to be killed; (4) Describe in detail the conservation or sportsmen educational benefits from the course; (5) State any further information the chief may request.	1533.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-29-01	Shall	Fully describe the land on which the course shall be taught;	1533.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-29-01	Shall	It shall be unlawful for any person to fail to fully comply with provisions set forth in the hunter education permit as issued pursuant to paragraph (F) of this rule.	1533.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-29-01	Shall	Failure to comply with any provision of said permit shall result in immediate revocation of the hunter education permit without further act of the chief or his authorized representative and the person violating the provision will be subject to prosecution under existing law.	1533.10	No, general rulemaking authority	No, general rulemaking authority
1501:31-29-01	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1533.10	No, general rulemaking authority	No, general rulemaking authority

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1501:31-29-02	Must	Said volunteer instructors must be eighteen years of age or older with at least three years of experience trapping furbearing animals and shall have successfully completed a Ohio trapping education course prescribed by the chief of the division of wildlife.	1533.111	No, general rulemaking authority	No, general rulemaking authority
1501:31-29-02	Require	The approved courses of instruction, shall include, but not be limited to, the subject matter required in section 1533.111 of the Revised Code.	1533.111	No, general rulemaking authority	No, general rulemaking authority
1501:31-29-02	Shall	First-time fur taker permit buyers wanting to trap furbearing animals shall complete a trapper education course or other course of instruction as prescribed by the division of wildlife.	1533.111	No, general rulemaking authority	No, general rulemaking authority
1501:31-29-02	Shall	The approved courses of instruction, shall include, but not be limited to, the subject matter required in section 1533.111 of the Revised Code.	1533.111	No, general rulemaking authority	No, general rulemaking authority
1501:31-29-02	Shall	he official course, or courses of instruction, shall be approved by the chief of the division of wildlife.	1533.111	No, general rulemaking authority	No, general rulemaking authority
1501:31-29-02	Shall	Completion of an approved course of instruction shall include passing of an examination and receiving a certificate of completion prescribed by the chief of the division of wildlife.	1533.111	No, general rulemaking authority	No, general rulemaking authority
1501:31-29-02	Shall	Said volunteer instructors must be eighteen years of age or older with at least three years of experience trapping furbearing animals and shall have successfully completed a Ohio trapping education course prescribed by the chief of the division of wildlife.	1533.111	No, general rulemaking authority	No, general rulemaking authority
1501:31-29-02	Shall	In addition to the course requirements in paragraph (A) of this rule, an instructor shall complete courses on teaching techniques, fundamentals, and methods of instruction.	1533.111	No, general rulemaking authority	No, general rulemaking authority
1501:31-29-02	Shall	Completion of the Ohio trapper education instructor course shall include the passing of an examination and receiving a trapper education instructor certification card prescribed by the chief of the division of wildlife.	1533.111	No, general rulemaking authority	No, general rulemaking authority
1501:31-29-02	Shall	The chief of the division of wildlife shall establish minimum requirements and procedures for the purpose of renewing instructor certification cards. Instructor certification may be withheld or withdrawn at the discretion of the chief.	1533.111	No, general rulemaking authority	No, general rulemaking authority
1501:31-29-02	Shall	No person shall issue or give a trapper certificate of competency to any person who has not passed a division trapper education course.	1533.111	No, general rulemaking authority	No, general rulemaking authority
1501:31-29-02	Shall	No person shall obtain, use or attempt to use a division of wildlife trapper certificate without first completing an authorized division of wildlife trapper education course.	1533.111	No, general rulemaking authority	No, general rulemaking authority
1501:31-29-02	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1533.111	No, general rulemaking authority	No, general rulemaking authority
1501:31-29-03	Shall	The hours of operation for shooting ranges shall be from seven a.m. to ten p.m. daily, except for indoor or archery ranges.	1533.84	No, general rulemaking authority	No, general rulemaking authority
1501:31-29-03	Shall	For the purpose of the chief of the division of wildlife's standards for shooting ranges, private and public shooting ranges shall have an implemented safety plan that substantially includes, but is not limited to, the following items: (1) A description of the range that stipulates how, when, why, and by whom the facility will be used. (2) The safety plan should divide rules and regulations into the categories of gun handling rules, general range rules, specific range rules, and administrative rules and regulations. Each category should substantially contain	1533.84	No, general rulemaking authority	No, general rulemaking authority
1501:31-29-03	Shall	This safety plan shall be posted in a prominent location on the range and range members or users shall be made aware of the safety plan before firing on the range.	1533.84	No, general rulemaking authority	No, general rulemaking authority
1501:31-29-03	Shall	This safety plan shall be posted in a prominent location on the range and range members or users shall be made aware of the safety plan before firing on the range.	1533.84	No, general rulemaking authority	No, general rulemaking authority

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1501:31-31-01	Must	When making application for the initial establishment of dog training grounds, a check in the amount of seventy-five dollars payable to the division of wildlife must accompany the application as payment for the essential materials to be provided by the division of wildlife in the management of these grounds.	1533.191	No, general rulemaking authority	No, general rulemaking authority
1501:31-31-01	Must	Each individual or designated responsible club operator must maintain daily operation information on the forms provided by the division of wildlife.	1533.191	No, general rulemaking authority	No, general rulemaking authority
1501:31-31-01	Must	The names of individuals, band numbers of each bird released, number and species of dogs in the party must be entered prior to the party taking to the field.	1533.191	No, general rulemaking authority	No, general rulemaking authority
1501:31-31-01	Must	All kill information must be recorded upon completion of the training period and prior to leaving the grounds.	1533.191	No, general rulemaking authority	No, general rulemaking authority
1501:31-31-01	Must	This record must be available for inspection at any time by any authorized representative of the division of wildlife and must always be on the grounds at the time the grounds are being used.	1533.191	No, general rulemaking authority	No, general rulemaking authority
1501:31-31-01	Must	This record must be available for inspection at any time by any authorized representative of the division of wildlife and must always be on the grounds at the time the grounds are being used.	1533.191	No, general rulemaking authority	No, general rulemaking authority
1501:31-31-01	Must	The daily use record summary must be mailed to the division of wildlife by the fifteenth day of May each year.	1533.191	No, general rulemaking authority	No, general rulemaking authority
1501:31-31-01	Must	A person who possesses a dog training ground permit must also have the proper license as provided in section 1533.71 of the Revised Code when such person has game birds in possession.	1533.191	No, general rulemaking authority	No, general rulemaking authority
1501:31-31-01	Shall	A dog training grounds permit shall be issued to a new applicant at any time, but an application for renewal shall be submitted to the division prior to the expiration date of midnight each thirtieth day of April.	1533.191	No, general rulemaking authority	No, general rulemaking authority
1501:31-31-01	Shall	A dog training grounds permit shall be issued to a new applicant at any time, but an application for renewal shall be submitted to the division prior to the expiration date of midnight each thirtieth day of April.	1533.191	No, general rulemaking authority	No, general rulemaking authority
1501:31-31-01	Shall	Persons having a permit revoked for non-compliance with this rule or for a violation of section 1533.191 of the Revised Code shall cease all dog training on the area described on the application during the period of such revocation or suspension.	1533.191	No, general rulemaking authority	No, general rulemaking authority
1501:31-31-01	Shall	If the permit is revoked, all signs shall be removed.	1533.191	No, general rulemaking authority	No, general rulemaking authority
1501:31-31-01	Shall	If for any reason the permittee desires to discontinue his dog training grounds, he shall notify the division and immediately remove all signs from his grounds.	1533.191	No, general rulemaking authority	No, general rulemaking authority
1501:31-31-01	Shall	All dog training grounds shall be personally inspected by a division of wildlife representative prior to the application being signed for final approval.	1533.191	No, general rulemaking authority	No, general rulemaking authority
1501:31-31-01	Shall	It shall be unlawful for any person possessing a permit under this rule to fail to record on the daily operation form provided by the division each unbanded bird accidentally shot on the grounds.	1533.191	No, general rulemaking authority	No, general rulemaking authority
1501:31-31-01	Shall	The permittee shall band and release an equal number of live birds after the thirtieth day of April and no later than the tenth day of May each year.	1533.191	No, general rulemaking authority	No, general rulemaking authority
1501:31-31-01	Shall	The band number of each replacement bird shall be recorded on the daily operation form provided by the division.	1533.191	No, general rulemaking authority	No, general rulemaking authority
1501:31-31-01	Shall	It shall be unlawful for any person to conduct shooting field trials on dog training grounds without first applying for and receiving a daily permit for such activity from the division in accordance with section 1533.19 of the Revised Code.	1533.191	No, general rulemaking authority	No, general rulemaking authority
1501:31-31-01	Shall	It shall be unlawful for any person to possess a game bird killed on a dog training ground that does not have transportation band attached.	1533.191	No, general rulemaking authority	No, general rulemaking authority
1501:31-31-01	Shall	It shall be lawful to use a quail recall or recapture pen within the boundaries of a division of wildlife approved private dog training ground.	1533.191	No, general rulemaking authority	No, general rulemaking authority

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1501:31-31-01	Shall	Provided further, it shall be unlawful to use a quail recall or recapture pen on any lands outside of a licensed private dog training ground.	1533.191	No, general rulemaking authority	No, general rulemaking authority
1501:31-31-01	Shall	It shall be unlawful for more than three firearms with live ammunition to be used at the same time, for the purpose of dog training, on an approved dog training ground area located on private property.	1533.191	No, general rulemaking authority	No, general rulemaking authority
1501:31-31-01	Shall	All definitions set forth in section 1531.01 of the Revised Code shall apply to this rule.	1533.191	No, general rulemaking authority	No, general rulemaking authority
1501:31-31-02	Must	The signs must: (1) Be constructed of a durable, weather resistant material; (2) Be at least ten by fourteen inches in size; (3) Read "Licensed Shooting Preserve" in the English language; (4) Be placed at a height above the ground of no less than four feet; (5) Be posted along all boundaries of the land described in the license at intervals that do not exceed two hundred feet.	1531.08, 1533.73	No, general rulemaking authority	No, general rulemaking authority
1501:31-31-02	Shall	It shall be lawful to release game birds on a commercial bird shooting preserve without banding each bird prior to hunting.	1531.08, 1533.73	Yes, state law	Yes, state law
1501:31-31-02	Shall	Provided further, it shall be unlawful to possess any bird taken from a commercial bird shooting preserve that does not have attached to it a tag or seal provided by the division of wildlife.	1531.08, 1533.73	Yes, state law	Yes, state law
1501:31-31-02	Shall	It shall be unlawful to fail to clearly define the boundaries of each commercial bird shooting preserve with signs.	1531.08, 1533.73	Yes, state law	Yes, state law
1501:31-31-02	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.08, 1533.73	No, general rulemaking authority	No, general rulemaking authority
1501:31-33-01	Shall	The chief of the division of wildlife shall annually establish an Ohio wetlands habitat stamp design contest procedure for the purpose of conducting a contest to select a design to appear as the wetlands habitat stamp issued by the division of wildlife beginning in August of the following year.	1533.112	No, general rulemaking authority	No, general rulemaking authority

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1501:31-33-01	Shall	The contest procedure shall include but not be limited to: (1) Participant eligibility; (2) Participant entry fee; (3) Entry procedure; (4) Design specifications, to include subject matter, size, cover and mat; (5) Submission procedure including submission deadline; (6) Selection of judges; (7) Judging procedure.	1533.112	No, general rulemaking authority	No, general rulemaking authority
1501:31-33-01	Shall	The chief of the division of wildlife shall annually enter into an agreement with the artist who submits the design determined to be the winning entry in the Ohio wetlands habitat stamp design contest for that year.	1533.112	No, general rulemaking authority	No, general rulemaking authority
1501:31-33-01	Shall	The agreement shall include but not be limited to provisions that define and determine the following: (1) Production of the wetlands habitat stamp; (2) Reproduction of the original design as art prints; (3) Distribution of any copies or prints of the original design; (4) Purchase of stamps to be distributed with prints of the original art; (5) Artist income from print sales; (6) Accounting of funds; and (7) Performance bond by the winning artist.	1533.112	No, general rulemaking authority	No, general rulemaking authority
1501:31-35-01	Shall	Lease agreements for the operation of concessions at facilities situated on state-owned or leased lands or waters, or other lands under control of the division of wildlife shall be made in writing by the chief of the division of wildlife, as approved by the director of the department of natural resources, with the person, whose bid, in consideration of the public interest, is determined by the chief to be the best bid received, after advertisement for bids has been published for a minimum of four consecutive weeks in a newspaper having a general circulation in each county in which the facility is situated, and on the Ohio department of administrative service's website when required by the Administrative Code or Revised Code, or on an electronic media outlet.	1531.06	Yes, state law	Yes, state law
1501:31-35-01	Shall	Such notice for bids shall set forth the pertinent facts concerning the facility, the periods of required operation during the year, and shall refer to the conditions of operation and the terms of the lease agreement which shall be on file in the office of the chief and open to public inspection.	1531.06	No, general rulemaking authority	No, general rulemaking authority

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1501:31-35-01	Shall	Such notice for bids shall set forth the pertinent facts concerning the facility, the periods of required operation during the year, and shall refer to the conditions of operation and the terms of the lease agreement which shall be on file in the office of the chief and open to public inspection.	1531.06	No, general rulemaking authority	No, general rulemaking authority
1501:31-35-01	Shall	Such notice for bids shall set forth the pertinent facts concerning the facility, the periods of required operation during the year, and shall refer to the conditions of operation and the terms of the lease agreement which shall be on file in the office of the chief and open to public inspection.	1531.06	No, general rulemaking authority	No, general rulemaking authority
1501:31-35-01	Shall	Lease agreements for the operation of division of wildlife facilities shall contain provisions assuring that the facilities will be open to the public at reasonable rates and without discrimination as to race, creed, or color, and such other provisions as the chief deems necessary to satisfy the needs of the people of the state.	1531.06	Yes, state law	Yes, state law
1501:31-35-01	Shall	If any provision in the lease agreement is violated, the chief may terminate the lease immediately at which time any fees owed the state shall be paid in full.	1531.06	No, general rulemaking authority	No, general rulemaking authority
1501:31-35-01	Shall	ees paid in advance shall be forfeited and no refund will be made on such fees.	1531.06	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Prohibit	The intentional release of hybrid raptors is prohibited.	1531.08, 1533.05		
1501:31-37-01	Require	A sponsor who is a holder of a general or master falconry permit is required for the first two years in which an apprentice permit is held, regardless of the age of the permittee. A sponsor may not have more than three apprentices at any one time.	1531.08, 1533.05		
1501:31-37-01	May not	A sponsor may not have more than three apprentices at any one time.	1531.08, 1533.05		
1501:31-37-01	May not	Permittee shall not possess more than one raptor and may not obtain more than two raptors for replacement during any twelve-month period.	1531.08, 1533.05		
1501:31-37-01	May not	Permittee may not possess more than three raptors of which no more than two may be from the wild.	1531.08, 1533.05		
1501:31-37-01	May not	Permittee may not obtain more than two raptors from the wild as replacement birds during any twelve-month period.	1531.08, 1533.05		
1501:31-37-01	May not	Permittee may not take, transport, or possess any golden eagle or any species listed as threatened or endangered in state or federal regulations published pursuant to the Endangered Species Act of 1973.	1531.08, 1533.05	Yes, both state and federal law	Yes, both state and federal law
1501:31-37-01	May not	Permittee may not possess more than six raptors, of which only three raptors may be taken from the wild.	1531.08, 1533.05		
1501:31-37-01	May not	Permittee may not obtain more than two raptors from the wild as replacement birds during any twelve-month period.	1531.08, 1533.05		
1501:31-37-01	May not	Permittee may not take, transport, or possess any golden eagle for falconry purposes unless authorized in writing by the division of wildlife and the U.S. fish and wildlife service, and may not take, transport or possess any species listed as endangered in state or federal regulations published pursuant to the Endangered Species Act of 1973 or unless similarly authorized in writing to do so.	1531.08, 1533.05	Yes, both state and federal law	Yes, both state and federal law
1501:31-37-01	May not	Permittee may not take, transport, or possess any golden eagle for falconry purposes unless authorized in writing by the division of wildlife and the U.S. fish and wildlife service, and may not take, transport or possess any species listed as endangered in state or federal regulations published pursuant to the Endangered Species Act of 1973 or unless similarly authorized in writing to do so.	1531.08, 1533.05	Yes, both state and federal law	Yes, both state and federal law
1501:31-37-01	May not	Permittee may not take, transport, or possess more than one raptor listed as threatened in federal regulations published pursuant to the Endangered Species Act of 1973, and then only with written approval by the division of wildlife and the U.S. fish and wildlife service.	1531.08, 1533.05	Yes, both state and federal law	Yes, both state and federal law
1501:31-37-01	May not	Permit holders may not participate in for profit activities utilizing falconry birds unless otherwise authorized by the chief of the division of wildlife.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Must	A facilities inspection must take place prior to renewing the permit and possessing any raptors.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority

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1501:31-37-01	Must	The application must contain the name, address and federal falconry permit number of a formally designated sponsor who holds a general or master class falconry permit.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Must	Sponsors must be an Ohio resident or a resident of an adjacent state.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Must	Any person who fails to pass the exam must wait a minimum of six months from the date of the exam before making another application for a permit.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Must	Equipment of the following nature must be in the possession of the applicant before a falconry permit will be issued: (1) Jesses - for each bird, at least one pair of jesses constructed of pliable, high-quality leather or suitable synthetic material to be used when any raptor is flown free. Traditional one-piece jesses may be used on raptors when not being flown; (2) Leashes and swivels - for each bird, at least one flexible weather-resistant leash and one strong swivel of acceptable falconry design; (3) Bath container - at least one suitable container, two to six inches deep and with one dimension at least as great as the length of the raptor, for drinking and bathing for each raptor; (4) Outdoor perches - at least one weathering area perch of an acceptable design shall be provided for each raptor; and (5) Weighing device - a reliable scale or balance graduated in increments of not more than one half ounce, or the metric equivalent, suitable for weighing the raptor shall be provided.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Must	This marker must be attached to the raptor immediately upon acquisition. Unused markers are not transferable.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Must	The report must be on a form 3-186A or form provided by the division of wildlife and include the federal band number and proof the raptor has been legally acquired.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Must	All completed forms must be forwarded to the United States fish and wildlife service and the division of wildlife	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Must	The marker must be replaced by a permanent, non-reusable marker supplied by the United States. fish and wildlife service or the division of wildlife.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Must	Once received, the replacement marker must be attached to the raptor immediately, and a form 3-186A must be provided to the United States fish and wildlife service and the division of wildlife within five days.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Must	Once received, the replacement marker must be attached to the raptor immediately, and a form 3-186A must be provided to the United States fish and wildlife service and the division of wildlife within five days.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Must	Any species of prey for which the season is not currently open that is accidentally taken must be released if alive.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Must	Any hybrid raptor flown for the purposes of falconry must have attached thereto two separate , functioning radio transmitters for the purpose of locating the raptor.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	It shall be unlawful for a person to engage in falconry without an Ohio falconry permit except as provided in paragraph (C) of this rule.	1531.08, 1533.05	Yes, state law	Yes, state law

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1501:31-37-01	Shall	The falconry permit fee shall be seventy-five dollars for a new applicant and twenty-five dollars for each year the permit is issued.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	The falconry permit shall expire on the date specified on the permit.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	Current holders of a valid falconry permit shall renew each permit prior to the expiration date specified on said permit.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	Permits may be issued for a three-year period, the fee for which shall be twenty-five dollars per year.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	All the fees for revoked permits shall be forfeited to the division of wildlife.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	All permit fees shall be forfeited if the applicant fails to meet the permit qualifications in one year.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	It shall be unlawful for any person to obtain, possess or maintain a raptor for falconry purposes without first having obtained an Ohio falconry permit, except as otherwise provided in this chapter.	1531.08, 1533.05	Yes, state law	Yes, state law
1501:31-37-01	Shall	It shall be unlawful for any person who is a nonresident to engage in falconry in Ohio unless said person possesses a valid Ohio nonresident hunting license, has proof that they legally possess the raptor and are legally authorized to engage in falconry in their state of residence.	1531.08, 1533.05	Yes, state law	Yes, state law
1501:31-37-01	Shall	Each first time applicant for an Ohio falconry permit shall provide to the division of wildlife a completed application.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	A falconry permit shall not be issued before the applicant has answered correctly at least eighty percent of the questions on a supervised examination provided by the division of wildlife and approved by the U.S. fish and wildlife service.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	Each applicant for a permit to practice falconry shall submit to the division of wildlife a completed application form provided by the division, which shall include, but is not limited to, the number of raptors the applicant possesses at the time the application is submitted, the species, age (if known), sex (if known), date of acquisition, source of each, and federal marker number.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	Each applicant for a permit to practice falconry shall submit to the division of wildlife a completed application form provided by the division, which shall include, but is not limited to, the number of raptors the applicant possesses at the time the application is submitted, the species, age (if known), sex (if known), date of acquisition, source of each, and federal marker number.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	A permit shall not be issued unless the applicant has adequate facilities and equipment, inspected and approved by a representative of the division of wildlife which meet federal and state regulations.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	The applicant shall have available either a mews and/or a weathering area which provides protection from the environment, predators and undue disturbance.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	A mews shall be large enough to allow easy access for caring for the raptors housed in the facility.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	If more than one raptor is to be kept in the mews, the raptors shall be tethered or separated by partitions and the area for each bird shall be large enough to allow the bird to fully extend its wings.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	If more than one raptor is to be kept in the mews, the raptors shall be tethered or separated by partitions and the area for each bird shall be large enough to allow the bird to fully extend its wings.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	There shall be at least one window, all of which are protected on the inside by vertical bars, spaced narrower than the width of the bird's body, and a secure door that can be easily closed.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority

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1501:31-37-01	Shall	The floor of the mews shall permit easy cleaning and shall be well drained.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	The floor of the mews shall permit easy cleaning and shall be well drained.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	Adequate perches shall be provided.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	A weathering area shall be entirely enclosed and covered by heavy-gauge wire, heavy-duty plastic mesh, slats, pipe, wood or other suitable material, with portions of solid walls and roofing or solid enclosures so as to protect the birds from disturbance, escape, adverse weather conditions and attack by predators.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	The enclosed area shall be large enough to ensure the birds cannot strike any fencing when tethered from a perch within the weathering area.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	Protection from excessive sun, wind, and inclement weather shall be provided for each bird.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	Adequate perches shall be provided	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	Equipment of the following nature must be in the possession of the applicant before a falconry permit will be issued: (1) Jesses - for each bird, at least one pair of jesses constructed of pliable, high-quality leather or suitable synthetic material to be used when any raptor is flown free. Traditional one-piece jesses may be used on raptors when not being flown; (2) Leashes and swivels - for each bird, at least one flexible weather-resistant leash and one strong swivel of acceptable falconry design; (3) Bath container - at least one suitable container, two to six inches deep and with one dimension at least as great as the length of the raptor, for drinking and bathing for each raptor; (4) Outdoor perches - at least one weathering area perch of an acceptable design shall be provided for each raptor; and (5) Weighing device - a reliable scale or balance graduated in increments of not more than one half ounce, or the metric equivalent, suitable for weighing the raptor shall be provided.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority

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1501:31-37-01	Shall	Equipment of the following nature must be in the possession of the applicant before a falconry permit will be issued: (1) Jesses - for each bird, at least one pair of jesses constructed of pliable, high-quality leather or suitable synthetic material to be used when any raptor is flown free. Traditional one-piece jesses may be used on raptors when not being flown; (2) Leashes and swivels - for each bird, at least one flexible weather-resistant leash and one strong swivel of acceptable falconry design; (3) Bath container - at least one suitable container, two to six inches deep and with one dimension at least as great as the length of the raptor, for drinking and bathing for each raptor; (4) Outdoor perches - at least one weathering area perch of an acceptable design shall be provided for each raptor; and (5) Weighing device - a reliable scale or balance graduated in increments of not more than one half ounce, or the metric equivalent, suitable for weighing the raptor shall be provided.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	All housing, equipment and facilities shall be maintained at or above the preceding standards. Failure to correct any deficiencies within forty-eight hours of written notification or two written notifications within a twelve-month period shall result in revocation of the falconry permit for the period of one year.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	All housing, equipment and facilities shall be maintained at or above the preceding standards. Failure to correct any deficiencies within forty-eight hours of written notification or two written notifications within a twelve-month period shall result in revocation of the falconry permit for the period of one year.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	A person receiving an apprentice class permit shall devote a minimum of one-half hour per day to the care and training of each raptor, except when the bird is placed in the mew or weathering area during its molt.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	A daily log shall be maintained by the apprentice class permittee, recording the times devoted to the care and training of each raptor, and their daily weights, except while the bird is being kept in the mew or weathering area during the molt.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	The log shall be open for inspection by authorized personnel of the division of wildlife during reasonable hours.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	All permittee shall submit a falconry report to the division of wildlife by July thirty-first of each year.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority

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1501:31-37-01	Shall	The report shall contain the following and any other information required on forms prescribed by the chief: (1) A listing of all raptors in possession on June thirtieth of the year in which the report is filed, by species, marker number, sex, age, and date and where or from whom acquired. (2) A listing by species of all raptors possessed or acquired since the previous annual report, but no longer possessed, including marker number, sex, age, date and where or from whom acquired, whether escaped, died or released, and when the event occurred. (3) A record of each wild animal taken by species. (4) Any other information requested by the division of wildlife. (M) Falconry permits shall be of three classes, as follows:	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	Falconry permits shall be of three classes, as follows: (1) Apprentice class (a) Permittee shall be at least sixteen years old. (b) A sponsor who is a holder of a general or master falconry permit is required for the first two years in which an apprentice permit is held, regardless of the age of the permittee. A sponsor may not have more than three apprentices at any one time. (c) Permittee shall not possess more than one raptor and may not obtain more than two raptors for replacement during any twelve-month period. (d) Permittee shall possess only an American kestrel, Falco sparverius, or a red-tailed hawk, Buteo jamaicensis.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	Permittee shall be at least sixteen years old.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	Permittee shall not possess more than one raptor and may not obtain more than two raptors for replacement during any twelve-month period.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	Permittee shall possess only an American kestrel, Falco sparverius, or a red-tailed hawk, Buteo jamaicensis.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	Permittee shall be at least twenty years old.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	Permittee shall have at least two years experience in the practice of falconry in the apprentice class and upon request shall present evidence that a generally accepted standard of proficiency in falconry has been achieved.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	Permittee shall have at least two years experience in the practice of falconry in the apprentice class and upon request shall present evidence that a generally accepted standard of proficiency in falconry has been achieved.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	Permittee shall have at least five years experience in the practice of falconry at the general class level or its equivalent.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority

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1501:31-37-01	Shall	Provided further current holders of a falconry permit shall report any new raptor acquired or transferred within five days of the transaction.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	Any marker, mutilated, stolen, or lost shall be reported in writing within seventy-two hours to the division of wildlife.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	Markers no longer legible shall be reported in the same manner.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	It shall be unlawful for any person to alter or deface a marker except that a permittee may remove the rear tab on the marker and may smooth any imperfect surface provided the integrity of the marker and the numbering are not affected.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	It shall be unlawful to use or possess a counterfeit marker.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	Markers shall be removed from raptors which die or are intentionally released into the wild and shall be forwarded to the division of wildlife within five days along with a form 3-186A or a similar form provided by the division of wildlife and include the probable cause of death or the area of the release.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	Markers shall be removed from raptors which die or are intentionally released into the wild and shall be forwarded to the division of wildlife within five days along with a form 3-186A or a similar form provided by the division of wildlife and include the probable cause of death or the area of the release.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	Raptors of a species not indigenous to Ohio shall not be released without written authorization from the chief.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	A standard federal bird band shall be attached to all raptors prior to release, whenever possible.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	A person possessing a raptor under a falconry permit shall use the raptor for falconry purposes only, except that general and master class falconry permit holders may promote the sport of falconry, including the use of falconry birds held under their permit for not-for-profit educational presentations. Permit holders may not participate in for profit activities utilizing falconry birds unless otherwise authorized by the chief of the division of wildlife.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	No person shall transfer, buy, sell, or barter, or offer for transfer, sale or barter, or transport for transfer, sale or barter a raptor unless otherwise authorized by the chief of the division of wildlife.	1531.08, 1533.05	Yes, state law	Yes, state law
1501:31-37-01	Shall	A raptor held under authority of a falconry permit may be held in temporary facilities or held temporarily by a person other than the permittee, if that person is authorized to possess raptors. The following shall apply: (1) The period of care shall not exceed thirty days. (2) The division of wildlife shall be notified in writing prior to the transfer. Notice shall include the location the raptor will be held, who will be caring for the raptor and the approximate duration the raptor will be held at the temporary facility. (3) All raptors held in temporary facilities shall be provided with an adequate perch and protected from extreme temperature and excessive disturbance.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	The period of care shall not exceed thirty days.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	The division of wildlife shall be notified in writing prior to the transfer.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority

RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1501:31-37-01	Shall	Notice shall include the location the raptor will be held, who will be caring for the raptor and the approximate duration the raptor will be held at the temporary facility.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	All raptors held in temporary facilities shall be provided with an adequate perch and protected from extreme temperature and excessive disturbance.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	The dead prey shall not be taken from the field, but the raptor can feed upon it.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	Starlings, English sparrows, and pigeons shall not be sold, traded, or bartered.	1531.08, 1533.05	Yes, state law	Yes, state law
1501:31-37-01	Shall	The division of wildlife shall not be liable for damages caused by raptors possessed or used in falconry.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	All raptors possessed by a permittee who becomes physically incapable of performing the requirements in this rule or by a permittee who dies shall be given to the division of wildlife for disposal, except that a falconer may provide in writing any preferred legal disposition of raptors held in possession.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	Family members shall have priority to receive the permittee's raptors.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	No person who is permitted under authority of this section shall band any raptor with any band issued by the U.S. fish and wildlife service or the division of wildlife unless that raptor was lawfully captured, transferred or possessed by the permittee.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-01	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-02	Must	All raptors removed from the capture site must be banded with the seamless band issued with the capture permit within twenty-four hours of capture, except that raptors captured with life threatening health condition or injuries may be immediately transported unbanded to a licensed rehabilitator for treatment.	1531.06, 1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-02	Must	All traps must be operated in such a manner as to minimize any danger of injury to a raptor.	1531.06, 1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-02	Must	Raptors held under a propagation permit must be held in an approved facility with a total of at least one hundred twenty square feet of floor space and a minimum height of six feet.	1531.06, 1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-02	Must	Propagation facilities must meet or exceed federal guidelines, unless otherwise approved by the chief of the division of wildlife in writing.	1531.06, 1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-02	Must	Each permit holder must notify the division of wildlife in writing within five days from the date the first egg of each clutch is laid by any raptor held under authority of a raptor propagation permit.	1531.06, 1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-02	Shall	No person shall capture or attempt to capture a raptor without having first obtained a raptor capture permit.	1531.06, 1531.08, 1533.05	Yes, state law	Yes, state law
1501:31-37-02	Shall	The capture permit fee shall be fifteen dollars, and shall expire on the date listed on the permit.	1531.06, 1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-02	Shall	The capture permit fee shall be fifteen dollars, and shall expire on the date listed on the permit.	1531.06, 1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-02	Shall	The permit shall authorize the applicant to take the species of raptor mentioned on the permit and within the time allotted on the permit.	1531.06, 1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-02	Shall	If a raptor is captured by the permittee, the permittee shall file a report with the division of wildlife on the capture permit within the time limit indicated in the permit.	1531.06, 1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-02	Shall	If no raptor is captured within the time allotted on the permit, the permit and marker issued with the permit shall be returned to the division of wildlife within the time limit indicated on the permit by certified mail or in person.	1531.06, 1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority

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1501:31-37-02	Shall	A capture permit shall be valid for one bird.	1531.06, 1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-02	Shall	Each person that captures a raptor under authority of a raptor capture permit shall immediately record the date and time of capture in the space provided on the permit prior to removing the raptor from the capture site.	1531.06, 1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-02	Shall	The permittee shall submit the completed capture permit and a copy of United States fish and wildlife service form 3-186A to the division of wildlife within five days of capture.	1531.06, 1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-02	Shall	It shall be unlawful to capture a raptor for another person.	1531.06, 1531.08, 1533.05	Yes, state law	Yes, state law
1501:31-37-02	Shall	It shall be unlawful for an apprentice class permittee to capture a raptor except under the direct supervision of their sponsor.	1531.06, 1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-02	Shall	It shall be unlawful for any person to take a haggard bird at any time, except for the American kestrel (Falco sparverius).	1531.06, 1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-02	Shall	Raptors shall be captured only with a Bal-chatri type trap, a bow net type trap, a Swedish goshawk type trap, dho gazza type trap, pigeon harness or any other device approved by the division of wildlife.	1531.06, 1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-02	Shall	All traps while being used to capture raptors shall have a tag in the English language bearing the name, address, and permit number of the user attached.	1531.06, 1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-02	Shall	It shall be unlawful for any person to trap a raptor except from August first through March first of the following year.	1531.06, 1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-02	Shall	It shall be unlawful to engage in raptor capture activities without first having in possession the capture permit and a valid hunting license.	1531.06, 1531.08, 1533.05	Yes, state law	Yes, state law
1501:31-37-02	Shall	Said license and permits shall be exhibited to any law enforcement officer upon request.	1531.06, 1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-02	Shall	It shall be unlawful to falsify the information placed on the capture permit.	1531.06, 1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-02	Shall	All fees from revoked permits shall be forfeited to the division of wildlife.	1531.06, 1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-02	Shall	The chief shall determine the species of raptors and the numbers of each which may be removed from the wild, based upon the best available biological information derived from professionally accepted practices in wildlife management.	1531.06, 1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-02	Shall	The fee shall be fifty dollars for each year the permit is issued.	1531.06, 1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-02	Shall	The fee shall be twenty-five dollars for each year the permit is issued.	1531.06, 1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-02	Shall	No person shall transfer or receive a raptor unless legally entitled or permitted to hold said raptor.	1531.06, 1531.08, 1533.05	Yes, state law	Yes, state law
1501:31-37-02	Shall	Persons holding a commercial raptor propagation permit or a non-commercial raptor propagation permit shall maintain accurate diurnal records and submit an annual report to the United States fish and wildlife service and the division of wildlife as required by 50 C.F.R.21.30 and any additional information as the chief of the division of wildlife may require prior to January thirty-first of each year.	1531.06, 1531.08, 1533.05	Yes, federal law	Yes, federal law
1501:31-37-02	Shall	A commercial and non-commercial raptor propagation permit shall expire on the date specified on the permit.	1531.06, 1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-02	Shall	Each raptor possessed for the purpose of propagation shall be banded with a seamless, numbered band or marker issued by the United States fish and wildlife service and/or the division of wildlife.	1531.06, 1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority

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1501:31-37-02	Shall	All progeny produced under authority of a raptor propagation permit, shall be banded within fourteen days of hatching with a seamless, numbered band or marker issued by the United States fish and wildlife service and/or the division of wildlife.	1531.06, 1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-02	Shall	It shall be unlawful to transfer any wild captured raptor to a propagation permit unless it has been utilized in falconry for a minimum of two years.	1531.06, 1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-02	Shall	It shall be unlawful to place a band or marker on any raptor that was captured or produced unlawfully.	1531.06, 1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-02	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.06, 1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-37-02	Require	In addition to any other penalties, no permit will be issued to any person who previously failed to file the report required by this rule or failed to return the permit and marker as required by this rule.	1531.06, 1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-39-01	Require	It shall be unlawful to fail to keep the records required by this rule for a period of less than two years.	1531.06, 1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-39-01	Require	The records required by this rule shall be open for inspection by any division of wildlife employee at all reasonable hours.	1531.06, 1531.08, 1533.05	No, general rulemaking authority	No, general rulemaking authority
1501:31-39-01	Shall	It shall be unlawful for a person to engage in aquaculture without first making application for and receiving an aquaculture permit issued by the chief of the division of wildlife or their designee.	1531.08, 1533.632	Yes, state law	Yes, state law
1501:31-39-01	Shall	The application shall include the name of the applicant, name of the aquaculture production facility, class of aquaculture permit requested, the common and scientific names of the aquatic species to be produced, and the location by state, county, and street address of the aquaculture production facility.	1531.08, 1533.632	No, general rulemaking authority	No, general rulemaking authority
1501:31-39-01	Shall	Aquaculture permits shall expire December thirty-first of each year, except a permit issued after November thirtieth shall be valid until December thirty-one of the following year.	1531.08, 1533.632	No, general rulemaking authority	No, general rulemaking authority
1501:31-39-01	Shall	Aquaculture permits shall expire December thirty-first of each year, except a permit issued after November thirtieth shall be valid until December thirty-one of the following year.	1531.08, 1533.632	No, general rulemaking authority	No, general rulemaking authority
1501:31-39-01	Shall	It shall be unlawful to transfer an aquaculture permit issued pursuant to section 1533.632 of the Revised Code.	1531.08, 1533.632	No, general rulemaking authority	No, general rulemaking authority
1501:31-39-01	Shall	A class B aquaculture permit shall not be issued unless the applicant's facility has been inspected by a representative of the division of wildlife and the facility has been found to be in compliance with rules contained in this section.	1531.08, 1533.632	No, general rulemaking authority	No, general rulemaking authority
1501:31-39-01	Shall	It shall be unlawful to operate a class B aquaculture permit facility that does not have a minimum of two levels of escapement prevention.	1531.08, 1533.632	No, general rulemaking authority	No, general rulemaking authority
1501:31-39-01	Shall	It shall be unlawful for any person possessing a class A aquaculture permit to possess, buy, or sell any aquatic species, except for class A aquaculture species.	1531.08, 1533.632	No, general rulemaking authority	No, general rulemaking authority
1501:31-39-01	Shall	It shall be unlawful for any person to possess or buy for the purpose of aquaculture, or sell class B aquaculture species without first obtaining a class B aquaculture permit.	1531.08, 1533.632	No, general rulemaking authority	No, general rulemaking authority
1501:31-39-01	Shall	It shall be lawful to possess, buy, or sell class A aquaculture species with a class B aquaculture permit.	1531.08, 1533.632	No, general rulemaking authority	No, general rulemaking authority
1501:31-39-01	Shall	It shall be unlawful to possess, buy, or sell for the purpose of aquaculture, any aquatic species other than a class A aquaculture species or class B aquaculture species without first obtaining written permission from the chief of the division of wildlife or his designee.	1531.08, 1533.632	No, general rulemaking authority	No, general rulemaking authority
1501:31-39-01	Shall	It shall be unlawful for any individual licensed under section 1533.632 of the Revised Code to fail to keep accurate daily records of all transactions from within or without the state.	1531.08, 1533.632	No, general rulemaking authority	No, general rulemaking authority

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1501:31-39-01	Shall	Such records shall be for all sales or purchases of aquaculture species and shall include: (a) The type of species bought or sold; (b) The amount of species in gallons, numbers, or pounds; (c) The date of sale or purchase; (d) The name and address of the buyer and seller.	1531.08, 1533.632	No, general rulemaking authority	No, general rulemaking authority
1501:31-39-01	Shall	It shall be unlawful to fail to keep the records required by this rule for a period of less than two years.	1531.08, 1533.632	No, general rulemaking authority	No, general rulemaking authority
1501:31-39-01	Shall	The records required by this rule shall be open for inspection by any division of wildlife employee at all reasonable hours.	1531.08, 1533.632	No, general rulemaking authority	No, general rulemaking authority
1501:31-39-01	Shall	It shall be unlawful to possess, buy, or sell for aquaculture purposes species state list designated as threatened or endangered in Chapter 1501:31-23 of the Administrative Code without first obtaining a threatened and endangered species culture endorsement from the chief of the division of wildlife.	1531.08, 1533.632	No, general rulemaking authority	No, general rulemaking authority
1501:31-39-01	Shall	An aquaculture facility shall consist of one or more rearing units.	1531.08, 1533.632	No, general rulemaking authority	No, general rulemaking authority
1501:31-39-01	Shall	It shall be unlawful to possess or buy for the purpose of aquaculture, or sell northern pike X muskellunge hybrid (Esox lucius X Esox masquinongy), or white catfish (Ictalurus catus) without prior written authorization from the chief of the division of wildlife.	1531.08, 1533.632	No, general rulemaking authority	No, general rulemaking authority
1501:31-39-01	Shall	It shall be unlawful for any person to engage in aquaculture in any body of water, except those under private control, without first obtaining written permission from the chief of the division of wildlife or their designee.	1531.08, 1533.632	No, general rulemaking authority	No, general rulemaking authority
1501:31-39-01	Shall	It shall be unlawful for any person to violate any provision of this rule.	1531.08, 1533.632	No, general rulemaking authority	No, general rulemaking authority
1501:31-39-01	Shall	All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1531.08, 1533.632	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-01	Must	Wild ginseng collected from one's own property from April first through August thirty-first of each year must be for personal use only and must not be entered into commerce, or sold, transported, or given to another person.	1531.10, 1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-01	Must	Wild ginseng collected from one's own property from April first through August thirty-first of each year must be for personal use only and must not be entered into commerce, or sold, transported, or given to another person.	1531.10, 1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-01	Require	In addition to other penalties provided by the law, the chief of the division of wildlife may refuse to issue a state registration permit to any person who fails to comply with the requirements listed in rules 1501:31-40-01 and 1501:31-40-03 of the Administrative Code. A person denied a permit is entitled to a hearing pursuant to Chapter 119. of the Revised Code.	1531.10, 1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-01	Require	In addition to other penalties provided by law, the chief of the division of wildlife may suspend the registration permit issued to any person who fails to comply with the requirements listed in rules 1501:31-40-01 and 1501:31-40-03 of the Administrative Code.	1531.10, 1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-01	Shall	It shall be unlawful to dig, harvest, cut, root up, gather, or otherwise collect wild ginseng from its natural habitat except during the season of September first through December thirty-first of each year without written authorization from the chief of the division of wildlife.	1531.10, 1533.88	No, general rulemaking authority	No, general rulemaking authority

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1501:31-40-01	Shall	It shall be unlawful to harvest wild ginseng plants that have not reached maturity, or that have unripened berries, or that have less than three-leaf stems (prongs).	1531.10, 1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-01	Shall	It shall be unlawful for any person harvesting wild ginseng to fail to immediately replant the seeds at the place where the plants were collected, provided such seeds are present.	1531.10, 1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-01	Shall	It shall be unlawful to harvest wild or cultivated ginseng from private or public property without first obtaining written permission from the landowner or his agent.	1531.10, 1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-01	Shall	A person who obtains the written permission required under this rule shall carry it with the person at all times during which the person is engaged in harvesting wild or cultivated ginseng and shall present it upon the request of a wildlife officer, natural resources officer, constable, sheriff, deputy sheriff, police officer, other law enforcement officer, or the owner of the lands on which the person is harvesting wild or cultivated ginseng, or the owner's authorized agent.	1531.10, 1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-01	Shall	A person who obtains the written permission required under this rule shall carry it with the person at all times during which the person is engaged in harvesting wild or cultivated ginseng and shall present it upon the request of a wildlife officer, natural resources officer, constable, sheriff, deputy sheriff, police officer, other law enforcement officer, or the owner of the lands on which the person is harvesting wild or cultivated ginseng, or the owner's authorized agent.	1531.10, 1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-01	Shall	It shall be unlawful for any person collectingginseng to fail to keep accurate daily records showing the number of pounds and ounces of ginseng, both green and/or dry weight, or the number of roots, collected in each Ohio county by date of collection.	1531.10, 1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-01	Shall	It shall be unlawful to fail to record the information required in paragraph (E) of this rule before midnight on the date of harvest of ginseng.	1531.10, 1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-01	Shall	It shall be unlawful to fail to keep the records required by paragraph (E) of this rule in the same physical location where the harvested ginseng is kept, stored or transported until such time that the harvested ginseng is sold or consumed.	1531.10, 1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-01	Shall	It shall be unlawful to fail to maintain the records required by paragraph (E) of this rule for a period of two years after the ginseng is sold or consumed.	1531.10, 1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-01	Shall	It shall be unlawful to fail to make all records required under paragraph (E) of this rule available for inspection at all reasonable times upon the request of a wildlife officer, constable, sheriff, deputy sheriff, police officer, or other law enforcement officer.	1531.10, 1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-01	Shall	It shall be unlawful for any person selling wild ginseng to fail to provide the information required by paragraph (E) of this rule and rule 1501:31-40-02 of the Administrative Code to buyers or dealers with whom the collector does business .	1531.10, 1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-01	Shall	It shall be unlawful for all collectors or sellers under whose direction the root was collected to fail to sign a statement certifying that the ginseng roots being sold by him or her, have been collected or cultivated in Ohio by him or her or at his or her direction in accordance and in compliance with all state and federal laws governing such collection or cultivation.	1531.10, 1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-01	Shall	It shall be unlawful for any person to buy, or otherwise acquire, sell, transport, or possess green wild ginseng collected from property other than their own from April first through August thirty-first of each year without written authorization from the chief of the division of wildlife.	1531.10, 1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-02	Must	These records as well as the accompanying ginseng shall be open to inspection by any authorized employee of the division of wildlife and/or any law enforcement officer having jurisdiction at all reasonable hours and must be available to support the origin of ginseng being certified for sale and shipment.	1533.88	No, general rulemaking authority	No, general rulemaking authority

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1501:31-40-02	Shall	Dealers and buyers shall acquire a state dealer's registration permit each year prior to purchasing or otherwise acquiring Ohio ginseng legally harvested in that year.	1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-02	Shall	The dealer state registration permit is nontransferable and shall expire annually on August thirty-first of each calendar year.	1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-02	Shall	No person shall buy or otherwise acquire or possess Ohio dry uncertified wild or dry uncertified cultivated ginseng from April first through September fifteenth of each year, or green uncertified wild or green uncertified cultivated ginseng from April first through August thirty-first without written authorization from the chief of the division of wildlife.	1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-02	Shall	No person within Ohio shall acquire ginseng from any collector, buyer, dealer, or grower without making and retaining an accurate legible record of the seller's name and address; dealer's state registration permit number and ginseng lot state certification of legal taking number when applicable; number of pounds and ounces green and/or dry weight of ginseng collected or cultivated in each Ohio county, compiled separately for wild and cultivated lots; year of harvest; and the date of the transaction.	1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-02	Shall	These records as well as the accompanying ginseng shall be open to inspection to any authorized employee of the division of wildlife and/or any law enforcement officer having jurisdiction at all reasonable hours.	1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-02	Shall	No person shall sell ginseng without providing to the purchaser an accurate record of his name and address; dealer's state registration permit number and ginseng lot state certification of legal taking number when applicable; number of pounds and ounces green and/or dry weight of ginseng collected or cultivated in each Ohio county, and compiled separately for wild and cultivated lots; and year of harvest.	1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-02	Shall	Dealers and buyers of ginseng shall display and distribute educational materials about ginseng, ginseng regulations, and the Ohio ginseng management program as provided by the chief of the division of wildlife.	1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-02	Shall	Dealers and buyers shall keep accurate legible records on all ginseng sold and purchased.	1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-02	Shall	These records shall be submitted to the chief of the division or his agent on a monthly or quarterly basis or as otherwise required; shall include purchases of ginseng to be sold on separate sheets from actual sales; and shall include: (1) The purchaser's and/or seller's name and address; (2) The other dealer's permit number and lot certification when applicable; (3) The number of pounds and ounces dry and/or green weight of ginseng collected or cultivated in an Ohio county, compiled separately for wild and cultivated lots; (4) The year of harvest; and (5) The date of the transaction of all Ohio ginseng sold.	1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-02	Shall	shall include purchases of ginseng to be sold on separate sheets from actual sales	1533.88	No, general rulemaking authority	No, general rulemaking authority

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1501:31-40-02	Shall	and shall include: (1) The purchaser's and/or seller's name and address; (2) The other dealer's permit number and lot certification when applicable; (3) The number of pounds and ounces dry and/or green weight of ginseng collected or cultivated in an Ohio county, compiled separately for wild and cultivated lots; (4) The year of harvest; and (5) The date of the transaction of all Ohio ginseng sold.	1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-02	Shall	These records as well as the accompanying ginseng shall be open to inspection by any authorized employee of the division of wildlife and/or any law enforcement officer having jurisdiction at all reasonable hours and must be available to support the origin of ginseng being certified for sale and shipment.	1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-02	Shall	The opportunity for a hearing pursuant to Chapter 119. of the Revised Code shall be afforded to the person prior to the decision to suspend the permit.	1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-03	Require	The chief of the division of wildlife or his agent shall weigh and receipt the number of pounds and ounces of uncertified ginseng on hand. Such uncertified stock is to be documented as to the source, the date harvested, the weight and date of transaction, as is required in the regular certification process.	1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-03	Require	Any uncertified stock acquired from April first through August thirty-first of each year requires prior written approval of the chief of the division of wildlife.	1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-03	Require	No person shall knowingly provide incorrect or false information on any dealer application, reports, export certification or other document required by paragraphs (A) to (C) of this rule.	1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-03	Must	Dealers and buyers shall obtain certification from a state inspector of the division of wildlife certifying that any Ohio ginseng collected or grown in Ohio and being exported from the state has been legally acquired, collected, or cultivated, provided that Ohio ginseng taken out of the state prior to being certified must be returned by the dealer or buyer to Ohio for certification within fourteen calendar days of it's receipt by the dealer or buyer.	1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-03	Must	Provided that ginseng taken out of the state prior to being certified must be returned by the dealer or buyer to Ohio for certification within fourteen calendar days of its receipt by the dealer or buyer.	1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-03	Must	Ginseng collected or grown in Ohio must be kept separate from out-of-state ginseng until the ginseng collected or grown in Ohio has been certified by a state inspector.	1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-03	Shall	Dealers and buyers shall obtain certification from a state inspector of the division of wildlife certifying that any Ohio ginseng collected or grown in Ohio and being exported from the state has been legally acquired, collected, or cultivated, provided that Ohio ginseng taken out of the state prior to being certified must be returned by the dealer or buyer to Ohio for certification within fourteen calendar days of it's receipt by the dealer or buyer.	1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-03	Shall	Only Ohio ginseng legally acquired, collected, cultivated or possessed shall be certified.	1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-03	Shall	Ohio ginseng acquired by any dealer not in possession of a current state dealer registration permit shall not be conveyed to another person or certified at any time.	1533.88	No, general rulemaking authority	No, general rulemaking authority

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1501:31-40-03	Shall	Dealers and buyers shall provide proof of state certification of legal taking to any out-of-state purchaser for Ohio ginseng collected or grown in Ohio which is then sold out-of-state.	1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-03	Shall	A fee of three dollars per pound or any fraction of a pound dry and/or green weight, payable to the "division of wildlife" shall be charged for certifying Ohio ginseng.	1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-03	Shall	No person shall export ginseng collected or grown in Ohio from the state until it has first been certified by a state inspector for the division of wildlife.	1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-03	Shall	No person shall possess ginseng from states other than Ohio unless those states have a ginseng management program approved by the federal wildlife permit office of the U.S fish and wildlife service and the seller meets the legal requirements established by the state for selling ginseng originating there and said out-of-state ginseng is legally certified in accordance with rules established by the state's ginseng management program or is returned to the state of origin within fourteen calendar days for certification.	1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-03	Shall	Evidence of certification shall accompany the ginseng lot in successive sales within or out-of-state and be reported as to the dealer's number, the lot certification number, the weight of dry or green, wild or cultivated roots, and the date of transaction in reporting sales to the chief of the division or his agent.	1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-03	Shall	No person shall export ginseng collected or grown in Ohio using an out-of-state issued state certification of legal taking for which the weight in ginseng roots certified exceeds the weight of out-of-state ginseng actually purchased or otherwise acquired with that state certification of legal taking.	1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-03	Shall	Dealers, buyers or any other person shall submit for weighting all uncertified wild and/or cultivated ginseng on hand as of March thirty-first of each year.	1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-03	Shall	The chief of the division of wildlife or his agent shall weigh and receipt the number of pounds and ounces of uncertified ginseng on hand.	1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-03	Shall	These records as well as the accompanying ginseng shall be open to inspection by any authorized agent of the division of wildlife at all reasonable hours.	1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-03	Shall	No person shall have cause to have all or any part of the same lot of ginseng to be certified by the state of Ohio or any other state more than one time without written authorization from the chief or his designated agent.	1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-03	Shall	No person shall convey or otherwise provide any dealer, exporter or other person an Ohio-issued state certification of legal taking for which the weight in ginseng roots state to be legally certified exceeds the weight of ginseng actually being sold or otherwise exchanged.	1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-03	Shall	No person shall convey or accept a state certificate of legal taking from any person without the weight in ginseng roots so specified in that document accompanying the state certification of legal taking.	1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:31-40-03	Shall	No person shall knowingly provide incorrect or false information on any dealer application, reports, export certification or other document required by paragraphs (A) to (C) of this rule.	1533.88	No, general rulemaking authority	No, general rulemaking authority
1501:46-1-01	Shall	Public notice of hearing to be conducted by the division of parks and watercraft shall be advertised in the register of Ohio at least thirty days, but not more than forty days, prior to the hearing.	1546.04	Yes, state law	Yes, state law
1501:46-1-01	Shall	The notice shall include: a statement of the division’s intention to consider adopting, amending, or rescinding a rule; a synopsis of the proposed rule, amendment, or rule to be rescinded, or a general statement of the subject matter to which the proposed rule, amendment, or rescission relates; a statement of the reason or purpose for adopting, amending, or rescinding the rule; and the date, time, and place of a hearing on said proposed action.	1546.04	Yes, state law	Yes, state law
1501:46-1-01	Shall	The notice shall also state the place from which copies of the proposed rule, amendment, or rule to be rescinded may be obtained.	1546.04	Yes, state law	Yes, state law

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1501:46-1-02	Shall	In the interpretation of these rules, their provisions shall be construed as follows: (A) “Rules” shall mean “rules and regulations”; (B) Any terms in the singular shall include the plural; (C) Any term in the masculine shall include the feminine and the neuter; (D) No provision hereof shall make unlawful any act necessarily performed by any officer or employee of the Department of Natural Resources in line of duty or work as such, or by any person, his agents or employees, in the proper and necessary execution of the terms of any agreement with the Division or Department of Natural Resources; (E) If any part, section, subdivision, paragraph or provision of these Rules shall be determined to be invalid, such determination shall apply to the particular part, section, subdivision, paragraph or provision, and all other provisions of these Rules shall remain valid and in effect.	1546.01	no, general rulemaking authority	Yes, state law
1501:46-1-02	Shall	(A) “Rules” shall mean “rules and regulations”;	1546.01	No, general rulemaking authority	Yes, state law
1501:46-1-02	Shall	(B) Any terms in the singular shall include the plural;	1546.01	No, general rulemaking authority	Yes, state law
1501:46-1-02	Shall	(C) Any term in the masculine shall include the feminine and the neuter;	1546.01	No, general rulemaking authority	Yes, state law
1501:46-1-02	Shall	(D) No provision hereof shall make unlawful any act necessarily performed by any officer or employee of the Department of Natural Resources in line of duty or work as such, or by any person, his agents or employees, in the proper and necessary execution of the terms of any agreement with the Division or Department of Natural Resources;	1546.01	No, general rulemaking authority	Yes, state law
1501:46-1-02	Shall	(E) If any part, section, subdivision, paragraph or provision of these Rules shall be determined to be invalid, such determination shall apply to the particular part, section, subdivision, paragraph or provision, and all other provisions of these Rules shall remain valid and in effect.	1546.01	No, general rulemaking authority	Yes, state law
1501:46-1-03	Shall	(A) The rules of the division of parks and watercraft, Ohio department of natural resources, shall be effective under, upon, and in the airspace above all lands and waters that are presently under the jurisdiction, supervision, custody or control and which are administered as state parks by the division of parks and watercraft.	1546.04	Yes, state law	Yes, state law

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1501:46-1-04	Shall	Whenever used in any division of parks and watercraft rules the following terms, unless otherwise therein expressly defined, shall mean and include the following: (A) “Air propelled powercraft” means any powercraft propelled by machinery which produces a current of air for the purpose of locomotion and direction control on water or marsh areas. (B) “Airfoil” means a device designed to provide lift. For the purposes of this division, an airfoil includes any device designed to be towed behind a vessel or vehicle that allows a person or persons to be lifted into the air. (C) “All purpose vehicle” as used in these rules shall have the same meaning as set forth in section 4519.01 of the Revised Code. (D) “Area manager” means a person designated by the chief of the division to be responsible for the supervision, operation, protection and maintenance of an area of land or water under the administration of the division. (E) “Beach,” “bathing beach,” or “bathing area” means any area designated by the division as such, including the actual sand beach, if any, and the adjoining land area as well as the adjacent waters used for bathing, swimming and wading. (F) “Bridle path” or “bridle trail” means any path or trail designated for persons riding on horseback. (G) “Camping” means utilization of any piece of equipment for sleeping in or upon, including, but not limited to, a sleeping bag, hammock, station wagon, car, van, motor home, bus, trailer, tent, tarp, truck, house vehicle, pickup camper, or watercraft, for the purpose of occupying a portion of state land or water for transient and temporary outdoor living. (H) “Chief” or “chief of the division” means the chief of the division of parks and watercraft, department of natural resources, State of Ohio. (I) “Closed zone” means any water area wherein the presence or operation of any recreational vessel is prohibited, and is marked as provided in section 1547.08 of the Revised Code. (J) “Danger zone” means that water area wherein are located navigation hazards requiring reduced operating speeds. (K) “Department” means the State of Ohio, department of natural resources. (L) “Designated areas” means any location, place, site, region, facility, zone, or space identified by the chief. Information about these areas is on record and available to the public at the “Office of the Chief, 2045 Morse Road, Building C, Columbus, Ohio 43229-6693,” Monday through Friday, between the hours of eight a.m. and five p.m. (M) “Director” means the director of the department of natural resources, State of Ohio. (N) “Division” means the State of Ohio, department of natural resources, division of parks and watercraft.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:46-1-04	Shall	(C) “All purpose vehicle” as used in these rules shall have the same meaning as set forth in section 4519.01 of the Revised Code.	1546.04	Yes, state law	Yes, state law
1501:46-1-04	Prohibit	(I) “Closed zone” means any water area wherein the presence or operation of any recreational vessel is prohibited, and is	1546.04	Yes, state law	Yes, state law
1501:46-1-04	Prohibit	(W) “No motor zone” means any water area wherein the operation of powercraft is prohibited. No motor zone buoys shall be lettered “No Motors.”	1546.04	Yes, state law	Yes, state law
1501:46-1-04	Shall	(W) “No motor zone” means any water area wherein the operation of powercraft is prohibited. No motor zone buoys shall be lettered “No Motors.”	1546.04	Yes, state law	Yes, state law
1501:46-1-04	Shall	(FF) “Shore zone” means that water area of a uniform width of three hundred feet lying parallel with and contiguous to the shoreline, except that as it pertains to and describes lake White, Salt Fork lake, lake Loramie, Dillon lake, and Delaware lake, “shore zone” shall mean that water of a uniform width of one hundred feet lying parallel with and contiguous to the shoreline.	1546.04	Yes, state law	Yes, state law
1501:46-1-04	Shall	(GG) “Ski zone” means any water area whereon engaging in towed watersports is permitted within the buoys so placed to designate the zone. Ski zone buoys shall be lettered “Ski Zone.”	1546.04	Yes, state law	Yes, state law
1501:46-1-04	Shall	(HH) “Snowmobile” as used in these rules shall have the same meaning as set forth in section 4519.01 of the Revised Code.	1546.04	Yes, state law	Yes, state law

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1501:46-1-04	Shall	(JJ) “Speed zone” means any water area wherein powercraft may be operated at such speed as is reasonable, having due regard to traffic, surface and any hazardous conditions then existing. Speed zone buoys shall be lettered “Speed Zone.”	1546.04	Yes, state law	Yes, state law
1501:46-2-01	Shall	The chief of the division or his authorized agent shall collect fees or rent from every person prior to allowing use of any facility operated or maintained on the lands or waters under the administration of the division when such rent or fee is provided for by these rules. The provisions of this rule requiring payment prior to use of the facility may be waived by the chief of the division.	1546.03	Yes, state law	Yes, state law
1501:46-2-02	Shall	No person shall, on any of the lands or waters under the administration of the division, use or occupy facilities or equipment privileges for the use or occupation of which a fee or other charge has been established unless he has first paid such fee or charge. At the discretion of the chief this rule may be waived for state officers and employees or persons on official business of the division, for state promotional purposes or for division programs.	1546.03	Yes, state law	Yes, state law
1501:46-2-03	Shall	(A) Upon a finding that it will be for the best interests of the division, the chief may make available for dredging programs on state waters, or along the Muskingum river certain heavy equipment owned by the State of Ohio and utilized by the division in maintenance of the rivers, lakes, and lake channels, and qualified operators of such equipment who are employed by or are agents of the division. The fees charged for this service shall be as follows: Equipment Fee Suction dredge \$5.00 per cubic yard (1,000 yards minimum) 3/4 yd. bucket dredge and smaller \$100.00 per hour (4 hour minimum) All bucket dredges larger than 3/4 yd \$125.00 per hour (4 hour minimum) Barge 19 ft x 48 ft and smaller \$50.00 per hour (2 hour minimum) All barges larger than 19 ft x 48 ft up to 26 x 48 ft. \$75.00 per hour (2 hour minimum) Barges larger than 26 ft x 48 ft. \$100.00 per hour (2 hour minimum)	1546.03	Yes, state law	Yes, state law
1501:46-2-03	Shall	(B) These fees do not include cost of fuel and operator. Costs incurred in fuel and operator are to be paid by the lessee. No person shall operate equipment listed in this rule unless that person is a qualified operator and an employee or agent of the division.	1546.03	Yes, state law	Yes, state law
1501:46-2-04	Shall	The fee for the utilization of the waters of the state administered by the division and for authorization to cut through containments on state lands for the purpose of filling channels provided for in rule 1501:41-3-29 of the Administrative Code shall be thirty cents per square foot of surface water.	1546.03	Yes, state law	Yes, state law
1501:46-2-07	Shall	(A) At those public service facilities operated by the division or operated under authority of section 1501.09 of the Revised Code by a concessionaire, the rental rates, fees and all other charges made by the operator to the public for goods or services shall be priced similar to and in conformance to the common rates charged by other similar outlets for such goods or services or as approved by the director or chief of the division pursuant to the terms and conditions of the concessionaire’s lease or contract.	1546.04	Yes, state law	Yes, state law

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1501:46-2-07	Shall	(B) In the event the division is required to take over and operate any public service facility which has been operated by a concessionaire, the division shall collect the same rental rate, fee or other charges as the concessionaire.	1546.04	Yes, state law	Yes, state law
1501:46-2-08	Shall	No person shall place, construct, assemble, or develop any dock, moorage, or other private structure without first complying with the provisions of rule 1501:46-12-12 of the Administrative Code.	1546.04	Yes, state law	Yes, state law
1501:46-2-08	Shall	(B) Any person who places, utilizes, or maintains a private dock, or private moorage shall first apply for an annual permit on a form prescribed by the chief.	1546.04	Yes, state law	Yes, state law
1501:46-2-08	Shall	(B) Any person who places, utilizes, or maintains a private dock, or private moorage shall first apply for an annual permit on a form prescribed by the chief. The chief may approve or deny any annual use permit and shall determine the annual fee based upon any of the following factors; the location, the park, the number of moorage devices or structures, the total number of vessels to be moored, and the size of the moorage or other structure, provided that the annual fee does not exceed the following rates: Annual rates for private moorages, private docks, slips, vessels, and other private structures: Any private moorage situated or anchored to private lands \$110.00 per year for each private dock, slip, or other private moorage accommodating a single vessel; and \$90.00 per year for each additional slip or vessel Any private moorage situated or anchored to state lands \$140.00 per year for each private dock, slip, or other private moorage accommodating a single vessel; and \$110.00 per year for each additional slip or vessel Annual rates for private moorages at Pymatuning state park: Each private dock other private moorage, accommodating a single vessel \$225.00 per year; and \$130.00 per year for each additional slip or vessel Each private offshore moorage or single vessel \$130.00 per year	1546.04	Yes, state law	Yes, state law
1501:46-2-08	Shall	(C) At lake Milton state park, the annual fee for any other private structure shall be one dollar per square foot.	1546.04	Yes, state law	Yes, state law
1501:46-2-08	Shall	(D) Any person who subleases a private dock, slip, or other private mooring at lake Milton state park or Guilford lake state park shall first apply to the park manager for a permit on a form prescribed by the chief.	1546.04	Yes, state law	Yes, state law
1501:46-2-08	Shall	(D) Any person who subleases a private dock, slip, or other private mooring at lake Milton state park or Guilford lake state park shall first apply to the park manager for a permit on a form prescribed by the chief. The fee for a sublease permit shall not exceed two hundred eighty dollars per moorage per year.	1546.04	Yes, state law	Yes, state law
1501:46-2-08	Shall	(E) A late fee of up to twenty-five dollars shall be charged in addition to the annual moorage fees listed in paragraphs (B), (C), and (D) of this rule if such fees are not remitted by the first day of May.	1546.04	Yes, state law	Yes, state law
1501:46-2-08	Shall	(F) To moor a privately owned vessel at a state dock, state tie-up, or state offshore moorage, an application for an annual permit shall be submitted to the division on a form prescribed by the chief.	1546.04	Yes, state law	Yes, state law

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1501:46-2-08	Shall	(F) To moor a privately owned vessel at a state dock, state tie-up, or state offshore moorage, an application for an annual permit shall be submitted to the division on a form prescribed by the chief. The chief may determine the permit fee based upon any of the following factors; the location, the park, the season, associated facilities, available amenities, and the size or type of vessel to be moored, provided that the fees shall not exceed the following rates: Annual rates for state provided moorage: State dock \$66.00 per linear foot of dock space State tie-up \$140.00 per vessel State offshore moorage \$480.00 per moorage	1546.04	Yes, state law	Yes, state law
1501:46-2-08	Shall	(G) The chief or the chief’s authorized agent may issue a permit for the use of a guest dock. The chief may determine the fee for a guest dock permit based upon the time of day, duration of rental period, location, the park, the season, associated facilities, available amenities, and the size or type of vessel to be moored, provided that the fees shall not exceed the following rates: Annual rates for state provided moorage: Single day rate for any period of time between 9:00 a.m. and 6:00 p.m. \$45.00 per vessel Single night rate for any period of time between 6:00 p.m. and 9:00 a.m. \$50.00 per vessel Full day rate for a 24 hour period \$90.00 per vessel	1546.04	Yes, state law	Yes, state law
1501:46-2-08	Shall	(H) The chief or the chief’s authorized agent may issue a permit for the use of an available state dock during duck hunting season as prescribed in rule 1501:31-7-06 of the Administrative Code. The fee for a duck hunting season permit shall not exceed sixty-five dollars per vessel for the duration of the duck hunting season.	1546.04	Yes, state law	Yes, state law
1501:46-2-11	Shall	(B) The chief may determine the fees to be charged for overnight camping on any state-operated camp site based upon any of the following factors; park, season, location, on-site amenities, or level of occupancy. Such fees for the use of any site within a designated campground shall be available upon request from the chief of the division of parks and recreation or	1546.04	Yes, state law	Yes, state law
1501:46-2-11	Shall	may be viewed at any time on the Ohio department of natural resources website and shall not exceed the following maximum rates: Camping area site rates: Primitive site no charge Family camping area site \$40.00 per night Horse camping area site \$28.00 per night	1546.04	Yes, state law	Yes, state law

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1501:46-2-11	Shall	Any person entering and camping on a site prior to six a.m. shall pay the appropriate fee, as established pursuant to the provisions set forth in this rule, for the prior night in addition to any additional fees for continued occupation of the site for subsequent nights.	1546.04	Yes, state law	Yes, state law
1501:46-2-11	Shall	At the family camping areas within South Bass island state park and Middle Bass island state park, the fees specified in this rule shall permit up to two adults plus children. Additional adults may camp on the site for a fee of five dollars per adult per night provided that the additional individuals do not exceed the total maximum occupancy of not more than six individuals per site.	1546.04	Yes, state law	Yes, state law
1501:46-2-14	Shall	(A) Fees for the use of any facility rental or group camping area shall be available upon request from the chief of the division of parks and watercraft or may be viewed at any time on the Ohio department of natural resources website and shall not exceed the following maximum rates: Day use facility rental rates: Meeting room \$150.00 per day Day use - group lodge \$170.00 per day Shelter house or gazebo \$300.00 per day Amphitheater \$50.00 per day Canopy or tent \$75.00 per day Horse arena \$50.00 per day Malabar Farm Big House \$400.00 per hour Other facility not specified above \$400.00 per day Overnight group facility rates: Residence camp \$425.00 per night Seasonal site \$33.00 per night	1546.04	Yes, state law	Yes, state law

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1501:46-2-14	Shall	(A) Fees for the use of any facility rental or group camping area shall be available upon request from the chief of the division of parks and watercraft or may be viewed at any time on the Ohio department of natural resources website and shall not exceed the following maximum rates: Day use facility rental rates: Meeting room \$150.00 per day Day use - group lodge \$170.00 per day Shelter house or gazebo \$300.00 per day Amphitheater \$50.00 per day Canopy or tent \$75.00 per day Horse arena \$50.00 per day Malabar Farm Big House \$400.00 per hour Other facility not specified above \$400.00 per day Overnight group facility rates: Residence camp \$425.00 per night Seasonal site \$33.00 per night Shelter camp	1546.04	Yes, state law	Yes, state law
1501:46-2-14	Shall	(B) Reservation fees: A non-refundable ten dollar deposit shall be required at the time of reservation for group camping areas and facilities at Kelleys island state park and South Bass island state park.	1546.04	Yes, state law	Yes, state law
1501:46-2-14	Shall	The deposit shall be applied to the required fees at the time of occupancy.	1546.04	Yes, state law	Yes, state law
1501:46-2-16	Shall	(A) Fees for the rental of any state operated cabin shall be available upon request from the chief of the division of parks and recreation or may be viewed at any time on the Ohio department of natural resources website and shall not exceed the following maximum rates: Cabin rental rates: Cabin \$150.00 per night Group cabin \$350.00 per night	1546.04	Yes, state law	Yes, state law

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1501:46-2-16	Shall	(A) Fees for the rental of any state operated cabin shall be available upon request from the chief of the division of parks and recreation or may be viewed at any time on the Ohio department of natural resources website and shall not exceed the following maximum rates: Cabin rental rates: Cabin \$150.00 per night Group cabin \$350.00 per night	1546.04	Yes, state law	Yes, state law
1501:46-2-18	Shall	(A) Swimming pool fee. — The fee for swimming at the Hocking Hills dining lodge swimming pool is: Adults daily passes \$3.50 per day Youths daily passes \$3.00 per day Adult season pass \$75.00 per season Youth season pass \$50.00 per season Group season pass \$225.00 per season For the purposes of this rule, “Youths” are defined as persons ages four through fifteen. No fee will be charged for children ages three or younger nor to registered cabin guests during normal pool hours. A season pass is valid Memorial Day through Labor Day. For the purposes of this rule, “group” is defined as up to six persons. Lost or stolen cards can be replaced for a fee of five dollars. The half season pass fees shall be fifty per cent of the season fees listed in this rule. For the purposes of this rule, “half season” is defined as the period from July fifteen through Labor Day.	1546.04	Yes, state law	Yes, state law
1501:46-2-19	Shall	(G) For youth groups requesting a special program from the staff of Malabar farm a fee of two dollars per person shall be paid. One adult will be permitted to participate free of charge for each twenty persons paying the fee.	1546.04	Yes, state law	Yes, state law
1501:41-2-20	Shall	Persons who are Ohio residents and holders of a “Golden Buckeye Card,” issued by the Ohio department of aging on or after September 1, 2003, shall have reduced rates and fees on certain recreation facilities and related activities. The discounts for qualifying persons are as follows: (A) Fifty per cent off of the camping fees listed in rule 1501:41-2-11 of the Administrative Code. This discount does not apply to weekend camping. For the purposes of this rule, a “weekend” is defined as Friday night and Saturday night. (B) At least ten per cent off of the regular charges for other state recreational facilities, equipment and services, and food service operations. As used in this paragraph, “food service operations” means restaurants which are owned by the department at Hocking Hills, lake Hope, Malabar Farm, and Rocky Fork state park, or are part of a state park lodge. It does not include automatic vending machines, concession stands or snack bars.	1546.03	Yes, state law	Yes, state law

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1501:46-2-25	Shall	A refund of a camping, cabin or vessel moorage fees as set forth in rule 1501:41-2-08, 1501:41-2-11, 1501:41-2-14, 1501:41-2-16, 1501:41-2-20, 1501:41-2-24, or 1501:41-2-34 of the Administrative Code shall be issued in the event of an emergency, or in those situations where the chief, or the chief’s authorized agent deems a refund appropriate. For the purpose of this rule, an “emergency” is defined as any situation in which the necessity for vacancy of a facility is beyond control of the occupant. “Emergencies” include, but are not limited to: (A) Death or illness of family member; (B) Natural disaster or impending natural disaster at the park area or home of the occupant or lessee; (C) Termination of necessary services at the park; (D) Forced evacuation of the park due to epidemic, contamination, or any threat to the visitor’s health or well being; (E) Any other customer service issue of a severe nature that has been determined to be significantly detrimental to the visitor.	1546.03	Yes, state law	Yes, state law
1501:46-2-27	Shall	(A) A fee of fifty dollars shall be paid for each permanent duck blind permit issued in accordance with rule 1501:41-15-13 of the Administrative Code	1546.03	Yes, state law	Yes, state law
1501:46-2-27	Shall	(B) For duck blinds built and maintained by the division. A fee of twenty dollars shall be paid for use of the blind for a period of three consecutive days.	1546.03	Yes, state law	Yes, state law
1501:46-2-28	Shall	The chief may designate areas within any state park where watercraft, trailers, or campers may be stored and establish the fees to be charged for such storage areas based upon park, season, facilities provided, or level of occupancy. Such fees for the rental of a site within a designated storage area shall not exceed the following maximum rates: Storage rates: Watercraft with or without trailer \$3.00 per day per watercraft Trailer only \$3.00 per day per trailer Camper or travel trailer \$3.00 per day per camper or travel trailer Dry rack storage for watercraft \$90.00 per watercraft per season	1546.04	Yes, state law	Yes, state law
1501:46-2-29	Shall	(A) For any special activities permit issued under the authority of rule 1501:46-3-28 of the Administrative Code the person requesting the permit shall pay a non-refundable application fee of up to fifty dollars to the division to pay administrative costs for the processing of the permit. Exempt from this fee are special activities where the division is the sponsor or a cosponsor.	1546.04	Yes, state law	Yes, state law
1501:46-2-29	Shall	(B) A special activities permit fee of up to five thousand dollars per day, as determined by the chief, shall be paid by the person requesting the permit. This permit fee is based on the event size, location, type of use, and impact on the use of the park by the general public.	1546.04	Yes, state law	Yes, state law
1501:46-2-29	Shall	(E) At division sponsored events where the chief has approved the sale of food or beverages by a special activities permit, a permit fee not to exceed fifteen per cent of the gross receipts from the sale of food and beverages may be charged to each vendor selling food or beverages. The permit fee shall be paid to the division within thirty days after the event and be accompanied by an accurate financial statement in a format specified by the chief.	1546.04	Yes, state law	Yes, state law

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1501:46-2-31	Shall	Persons applying for a dock, building or sea wall construction permit or requesting a reissue of the dock mylar sticker or replacement dock plate or persons requesting to transfer docks to another person at Lake Milton state park or Buckeye lake state park shall pay a fee of twenty-five dollars per permit application per dock plate reissue request, per transfer request or per mylar reissue request.	1546.03	Yes, state law	Yes, state law
1501:46-2-32	Shall	(2) “Short term pass” means a campground pass that is issued to a specific vehicle to allow the occupants of that vehicle to enter the campground for the purpose of visiting registered campers or utilizing campground facilities. A short term pass shall not be valid for more than one hour.	1546.04	Yes, state law	Yes, state law
1501:46-2-32	Shall	(B) Fees for campground visitor and vehicle passes shall not exceed the following maximum rates: Campground pass rates: Vehicle pass \$5.00 per day Visitor pass \$3.00 per day Launch ramp pass \$25.00 per season	1546.04	Yes, state law	Yes, state law
1501:46-2-32	Shall	No fee shall be required for a short term pass. A short term pass may be used to access a trailer waste station, provided that the fee specified in rule 1501:41-2-23 of the Administrative Code for use of the waste station is remitted.	1546.04	Yes, state law	Yes, state law
1501:46-2-33	Shall	At Guilford lake state park persons transferring ownership of a private dock shall pay fifty dollars per dock per transfer. This fee is in addition to the annual dock fees specified in rule 1501:41-2-08 of the Administrative Code.	1546.03	Yes, state law	Yes, state law
1501:46-2-34	Shall	The chief may determine the fees to be charged for any state operated getaway rental facility based upon park, season, location, amenities, or level of occupancy. Such fees for the use of any getaway rental facility shall be available upon request from the chief of the division of parks and watercraft or	1546.04	Yes, state law	Yes, state law

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1501:46-2-34	Shall	may be viewed at any time on the Ohio department of natural resources website and shall not exceed the following maximum rates: Getaway rental rates: Rent a recreational vehicle (RV) \$110.00 per night Rent a yurt \$120.00 per night Rent a camper cabin \$70.00 per night Rent a cedar cabin \$120.00 per night Rent a rustic cottage \$145.00 per night Rent a cabent \$120.00 per night Rent a camp \$60.00 per night Other getaway rental facility not otherwise specified \$70.00 per night At the chief's discretion, all or any portion of the fees prescribed for any getaway rental may be waived for promotional purposes or for program participants during division sponsored programs or events.	1546.04	Yes, state law	Yes, state law
1501:46-2-37	Must	(A) The chief of the division may designate certain areas of parks as open vendor areas. The designation will stipulate the dates, times, and types of items or services that may be sold or provided by persons obtaining a permit. In open vendor areas persons may sell merchandise and food items or provide rentals or services in accordance with the designation if they first obtain a vendor's permit specified in paragraph (B) of this rule. Persons requesting a vendor's permit must have all other licenses and permits required by state law or local ordinances for the sale of their products or services.	1546.04	Yes, state law	Yes, state law
1501:46-2-39	Shall	At parks designated by the chief, groups requesting special interpretive or educational programs from park staff shall pay two dollars per person. For youth groups, one adult will be permitted to participate free of charge for each twenty persons paying the fee.	1546.03	Yes, state law	Yes, state law
1501:46-2-40	Shall	(C) Ohio residents who at the time of registration present an Ohio license plate issued to them by the registrar of motor vehicles under the authority of section 4503.41 or 4503.46 of the Revised Code shall be exempt from the camping fees listed in rule 1501:41-2-11 of the Revised Code.	1546.03	Yes, state law	Yes, state law
1501:46-2-41	Shall	No person shall construct a breakwater in any lake administered by the division without first obtaining a license from the chief. The license shall be valid for up to twenty-five years at which time a new license must be obtained. The fee for the license shall be six dollars per square foot of breakwater. The square footage shall be calculated on the base dimensions of the breakwater. This fee is in addition to fees charged by other agencies or other divisions in the department of natural resources. The breakwater license does not authorize the construction of private docking structures or the mooring of watercraft.	1546.03	Yes, state law	Yes, state law
1501:46-2-41	Shall	The license shall be valid for up to twenty-five years at which time a new license must be obtained.	1546.03	Yes, state law	Yes, state law
1501:46-2-41	Must	The license shall be valid for up to twenty-five years at which time a new license must be obtained.	1546.03	Yes, state law	Yes, state law
1501:46-2-41	Shall	The fee for the license shall be six dollars per square foot of breakwater.	1546.03	Yes, state law	Yes, state law

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1501:46-2-41	Shall	he square footage shall be calculated on the base dimensions of the breakwater.	1546.03	Yes, state law	Yes, state law
1501:46-3-01	Shall	“Posted” means and requires that the division shall set aside, at the area headquarters, a bulletin board or similar device upon which shall be displayed all special instructions, orders, and notices pertaining to locations in an area including but not limited to: special hours of operation, swimming and boating restrictions, hunting and trapping restrictions, and special instructions pertaining to locations where activities are curtailed or restricted. Except in emergency situations, said instructions, orders, notices, shall be displayed or signed in a location convenient to the general public. Declaration of posting shall originate with the chief of the division.	1546.03	Yes, state law	Yes, state law
1501:46-3-01	Shall	“Posted” means and requires that the division shall set aside, at the area headquarters, a bulletin board or similar device upon which shall be displayed all special instructions, orders, and notices pertaining to locations in an area including but not limited to: special hours of operation, swimming and boating restrictions, hunting and trapping restrictions, and special instructions pertaining to locations where activities are curtailed or restricted.	1546.03	Yes, state law	Yes, state law
1501:46-3-01	Shall	Except in emergency situations, said instructions, orders, notices, shall be displayed or signed in a location convenient to the general public.	1546.03	Yes, state law	Yes, state law
1501:46-3-01	Shall	Declaration of posting shall originate with the chief of the division.	1546.03	Yes, state law	Yes, state law
1501:46-3-02	Shall	(A) The chief of the division or his authorized agents may temporarily close to public use and evacuate a facility or area that is determined to be hazardous for public use due to weather, water, fire, construction, or other situations involving public health, safety, or welfare. (B) No person shall enter, use or occupy and such closed area.	1546.03	Yes, state law	Yes, state law
1501:46-3-03	Shall	Authorized lock personnel shall be charged with the immediate control and management of a navigation lock, and of the area set aside as the lock area, including the lock approach channels. Such authorized personnel shall see that all laws, rules, regulations, and signs for the use of the lock and lock area are duly complied with, to which end any and all orders and directions necessary to compel compliance may be given by authorized personnel both to employees of the state and to any and every person within the limits of the lock or lock area, whether navigating the lock or not. No one shall cause any movement of any vessel, watercraft, or other artificial contrivance used as a means of transportation on the water in the lock or lock approaches except by or under the direction of the lock personnel.	1546.03		
1501:46-3-03	Shall	Such authorized personnel shall see that all laws, rules, regulations, and signs for the use of the lock and lock area are duly complied with, to which end any and all orders and directions necessary to compel compliance may be given by authorized personnel both to employees of the state and to any and every person within the limits of the lock or lock area, whether navigating the lock or not.	1546.03	Yes, state law	Yes, state law
1501:46-3-03	Shall	No one shall cause any movement of any vessel, watercraft, or other artificial contrivance used as a means of transportation on the water in the lock or lock approaches except by or under the direction of the lock personnel.	1546.03	Yes, state law	Yes, state law
1501:46-3-05	Shall	No person shall enter upon or trespass upon any lock on the Muskingum river except under the direction of lock personnel.	1546.03	Yes, state law	Yes, state law
1501:46-3-06	Shall	(A) It shall be unlawful for any person who is the owner or handler of any animal to refuse or fail to keep such animal on a leash in hand and under control at all times while such animal is within any area administered by the division except as allowed in rule 1501:41-9-10 of the Administrative Code or except as authorized in paragraphs (C), (D), and (E) of this rule. Said leash shall not exceed six feet in length from hand to animal.	1546.03		
1501:46-3-06	Shall	Said leash shall not exceed six feet in length from hand to animal.	1546.03	Yes, state law	Yes, state law

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1501:46-3-06	Shall	(D) Trained hunting dogs under the control of a hunter in a designated public hunting area provided for in chapter 1501:41-15 of the Administrative Code shall not require leashes while hunting during lawful hours and seasons established by statute, rule or order.	1546.03	Yes, state law	Yes, state law
1501:46-3-06	Shall	(E) The chief may designate “dog exercise” areas at state parks. Dogs under the control of their owner or handler in the designated dog exercise area shall not be required to be on a leash.	1546.03	Yes, state law	Yes, state law
1501:46-3-07	Shall	No person shall bring or keep any animal in any cabin, cabin area, lodge, lodge area, camping area, wildlife display area, or in the water or land area of any beach, swimming pool, or golf course administered by the division not designated for that purpose, except that blind, deaf, or mobility-impaired persons may bring or keep guide or other dogs, especially trained for the purpose of aiding any such person, in any area administered by the division. Horsemen may bring or keep horses in areas designated as horseman’s campgrounds. Persons may bring domestic cats and dogs to those sections of the camping areas that have been designated by the chief as a camping area zone permitting pets as provided in rule 1501:41-9-10 of the Administrative Code.	1546.03	Yes, state law	Yes, state law
1501:46-3-09	Shall	(A) No person shall release any wild or domestic animal and abandon such animal, or plant or culture any seed or vegetation of any type in any area administered by the Division without the written permission of the Chief of the Division.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-3-10	Shall	Except by permit issued for scientific or educational purpose by the chief of the division, no person shall willfully or negligently pick, dig up, cut, mutilate, destroy, injure, disturb, move, molest, alter, treat, burn, or carry away any tree or plant or portion thereof, including but not limited to leaf mold, flowers, foliage, berries, fruit, grass, turf, humus, shrubs, cones, and dead wood, except in a specific area where the chief has authorized and has posted at the headquarters of such area notification of such authorization to take berries, gather mushrooms, pine cones or wood or except in an area that the chief has designated as a nature study area. Such taking may be done for personal use only and not for commercial purposes.	1546.03	Yes, state law	Yes, state law
1501:46-3-11	Shall	No person shall destroy, disturb, deface, mutilate, or remove earth, sand, gravel, shoreline of a lake, oil, minerals, stone, rocks, ice, or features of caves in any area administered by the division, except in specific areas when authorization by the chief to collect fossils or other geological materials is posted at the headquarters of the area to which the authorization applies or except where the chief has designated a nature study area.	1546.03	Yes, state law	Yes, state law
1501:46-3-12	Shall	No person shall remove from, injure, disfigure, deface, or destroy any object of paleontological, archaeological, or historical interest or value in any area administered by the Division without a permit issued by the Chief of the Division.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-3-13	Shall	No person shall leave, place, or dispose of in any manner garbage, peelings of vegetables or fruit, waste, refuse, rubbish, ashes, can(s), bottle(s), wire, paper, carton(s), box(es), motor vehicle or bicycle or wagon parts, furniture, glass, oil, sewage, anything of an unsightly nature or anything of an unsanitary nature under or upon the lands and waters of the division except in a receptacle designated for that purpose.	1546.03	Yes, state law	Yes, state law
1501:46-3-13	Shall	No person shall import into any area administered by the division from another place any of the above substances or import into any area administered by the division from another place and deposit any of the above substances in any receptacle designated for or ordinarily used by the division for the containment of such substances.	1546.03	Yes, state law	Yes, state law
1501:46-3-13	Shall	No person shall import into any area administered by the division from another place any leaves, grass clippings, tree limbs, or other type of yard waste without the written permission of the chief or his designee.	1546.03	Yes, state law	Yes, state law
1501:46-3-14	Prohibit	Possession of glass containers on any beach area by any person is prohibited, except that thermos bottles or thermos jugs, which if broken or damaged will contain all glass particles within the outershell of such bottles or jugs, are permitted.	1546.03	Yes, state law	Yes, state law

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1501:46-3-15	Shall	No person shall utilize any structure, facility, or area administered by the Division and upon vacating said structure, facility or area, cause it to be left in an unreasonably unsanitary or unclean manner or condition.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-3-16	Shall	No person shall in any manner willfully mark, deface, or injure in any way, or displace, remove, or tamper with any Division buildings, bridges, tables, benches, fireplaces, railings, paving or paving material, water lines, or other public utilities or parts or appurtenances thereof, signs, notices or placards whether temporary or permanent, monuments, stakes, posts, or other boundary markers, other structures or equipment, facilities, or Division property or appurtenances whatsoever, either real or personal.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-3-17	Shall	Except with the approval of the chief or his designee, no person shall leave any personal property in any area administered by the division in such a manner that the conditions surrounding its placement, when found, give indication that the owner has left the area administered by the division. Such property may be removed from the location at which it is found and stored by the division. The owner of such property, if known or can be found with reasonable effort, shall be notified and the owner shall be permitted to redeem such property by payment of a storage fee not to exceed one dollar per day plus the actual cost incurred in the recovery of such property. Any property unclaimed by the owner shall be disposed of in accordance with section 1546.10 of the Revised Code. This rule shall not apply to abandoned motor vehicles and trailers that are subject to licensing by the bureau of motor vehicles, or watercraft that are subject to the provisions of section 1501:41-3-13 of the Revised Code, or substances covered by rule 1501:46-3-13 of the Administrative Code, or to items placed at a geocaching site for which the area manager has given prior approval subject to the conditions thereof.	1546.04	Yes, state law	Yes, state law
1501:46-3-17	Shall	The owner of such property, if known or can be found with reasonable effort, shall be notified and the owner shall be permitted to redeem such property by payment of a storage fee not to exceed one dollar per day plus the actual cost incurred in the recovery of such property.	1546.04	Yes, state law	Yes, state law
1501:46-3-17	Shall	Any property unclaimed by the owner shall be disposed of in accordance with section 1546.10 of the Revised Code.	1546.04	Yes, state law	Yes, state law
1501:46-3-17	Shall	This rule shall not apply to abandoned motor vehicles and trailers that are subject to licensing by the bureau of motor vehicles, or watercraft that are subject to the provisions of section 1501:41-3-13 of the Revised Code, or substances covered by rule 1501:46-3-13 of the Administrative Code, or to items placed at a geocaching site for which the area manager has given prior approval subject to the conditions thereof.	1546.04	Yes, state law	Yes, state law
1501:46-3-18	Shall	(A) No person shall gather firewood nor use a chain saw in any area administered by the Division, except as noted in paragraphs (B) and (C) of this rule. (B) Firewood supplied by the division for cooking or campfires may be gathered and used only on the areas administered by the division.	1546.03	Yes, state law	Yes, state law
1501:46-3-18	Shall	(C) With written permission of the chief persons may cut and gather standing timber that as a result of wind, storm, or any other natural occurrence may present a hazard to life or property, or cut and gather timber that has fallen on lands under the control and management of the division.	1546.03	Yes, state law	Yes, state law
1501:46-3-19	Shall	No person shall kindle, build, maintain, or use a fire other than in places provided or designated for such purposes except by written permission issued by the Area Manager. Any fire embers or burning briquettes shall be continuously under the care and direction of a competent person over fourteen years of age from the time it is kindled until it is extinguished. No person within the confines of any area administered by the Division shall throw away or discard any match, cigarette, cigar, embers or briquettes or other burning object which has not been entirely extinguished before being thrown away or discarded in receptacles or areas provided therefore. The Area Manager or his authorized representative may limit the size of all campfires and prescribe safety precautions to be taken. Upon a determination of extreme fire hazard no person shall smoke or build fires in areas posted as areas of extreme fire hazard.	1546.01, 1546.03	Yes, state law	Yes, state law

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1501:46-3-19	Shall	Any fire embers or burning briquettes shall be continuously under the care and direction of a competent person over fourteen years of age from the time it is kindled until it is extinguished.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-3-19	Shall	No person within the confines of any area administered by the Division shall throw away or discard any match, cigarette, cigar, embers or briquettes or other burning object which has not been entirely extinguished before being thrown away or discarded in receptacles or areas provided therefore.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-3-19	Shall	The Area Manager or his authorized representative may limit the size of all campfires and prescribe safety precautions to be taken. Upon a determination of extreme fire hazard no person shall smoke or build fires in areas posted as areas of extreme fire hazard.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-3-20	Shall	No person shall smoke in any structure or location in any area administered by the Division where smoking is prohibited.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-3-21	Shall	No person shall attempt to remove or shall remove any personal property from the bottom of the waters of any area administered by the Division without first obtaining the permission of the Area Manager. This rule shall not apply to fishermen engaged in fishing nor persons within the submerged portion of a beach of the Division, but fishermen engaged in the act of fishing with the aid of snorkel SCUBA apparatus shall be governed by this prohibition insofar as their actions are not directly connected with the act of underwater fishing.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-3-21	Shall	This rule shall not apply to fishermen engaged in fishing nor persons within the submerged portion of a beach of the Division, but fishermen engaged in the act of fishing with the aid of snorkel SCUBA apparatus shall be governed by this prohibition insofar as their actions are not directly connected with the act of underwater fishing.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-3-22	Shall	(A) No person shall publicly consume or display the presence of any beer or intoxicating liquor in any area administered by the division, except within the confines and privacy afforded in a cabin, cabin site, lodge room, rented campsite, or in those areas designated by authority of the chief pursuant to paragraph (B) of this rule. For the purposes of this rule, beer or intoxicating liquor are defined as in section 4301.01 of the Revised Code.	1546.04	Yes, state law	Yes, state law
1501:46-3-23	Shall	No person shall throw, toss, drop, or propel, or cause directly or indirectly the throwing, tossing, dropping or propelling of any object over or off any precipice, dam, bridge, observation tower, or other similar structure or natural formation. Activities carried on as a necessary part of rock-climbing or rappelling when done in compliance with rules 1501:41-7-09 and 1501:41-7-10 of the Administrative Code are exempt from this rule.	1546.03	Yes, state law	Yes, state law
1501:46-3-24	Shall	No person shall solicit alms or contributions for any purpose, whether public or private, in any area administered by the Division.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-3-26	Shall	(A) No person shall rent, sell, solicit, offer for sale or have in his possession with the intent to rent or expose for rent or sale any item or service in any area administered by the division except by authority of an approved concession contract or permit issued by the chief. Exempt from this paragraph are the collection of registration fees from participants in fishing tournament events which have been approved by the park manager; the sale of newspapers from vending machines located in areas designated for this purpose by the park manager; the sale of food items by a vendor who has been called to deliver the items into the park by a park visitor; and the sale of towing or repair services by a vendor who has been called to deliver these services to the park by a park visitor.	1546.04	Yes, state law	Yes, state law
1501:46-3-26	Shall	(B) Except by contract or permit issued as provided by paragraph (A) of this rule, no person shall display, erect, fix, or attach any commercial sign, notice billboard, poster or similar facsimile to any artificial structure or natural object in any area administered by the division.	1546.04	Yes, state law	Yes, state law
1501:46-3-26	Shall	Owners of such signs shall be responsible for their removal at the expiration of the permit or a responsible time thereafter.	1546.04	Yes, state law	Yes, state law

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1501:46-3-27	Shall	(A) No person shall collect plants or animals from any area administered by the division without first having obtained a collector’s permit from the chief of the division in addition to any other required permits. Nothing contained in this paragraph shall restrict a licensed hunter or fisherman who is legally hunting or fishing in the taking of game or fish or prohibit the collecting of plants and animals in an area designated by the chief as a nature study area, and so posted in accordance with rule 1501:41-3-01 of the Administrative Code. The special instructions posted for use of the nature study area shall prevail where inconsistent with the rules herein.	1546.03	Yes, state law	Yes, state law
1501:46-3-27	Shall	(B) All persons requesting a collector’s permit shall, at the time of application for such permit, provide the following information on forms provided by the division: (1) A program or project outline with the objective indicated; (2) Dates when the permit shall be needed; (3) Name of division administered area and specific locations of collecting therein; (4) Species with number to be collected; (5) Equipment and method to be used for the collecting; (6) Name of all persons participating in collection project; (7) Planned disposition of species collected; (8) Qualifications of applicant.	1546.03	Yes, state law	Yes, state law
1501:46-3-27	Shall	(C) Upon request, the permit holder shall submit a project report within sixty days after expiration of permit, that report having thereon a data sheet for each area surveyed, species and number collected, date of collection, and all other data collected, including temperature, water chemistry, weather conditions, and habitat in general.	1546.03	Yes, state law	Yes, state law
1501:46-3-27	Shall	In addition, a copy of all reports or publications derived from the data collected shall be provided to the division.	1546.03	Yes, state law	Yes, state law
1501:46-3-27	Must	(D) The collecting project must be conducted under the guidance of one person in charge of carrying on the project that possesses a collector’s permit. Persons assisting with this project will not be required to obtain a collector’s permit.	1546.03	Yes, state law	Yes, state law
1501:46-3-27	Shall	However, in lieu of such, persons assisting shall carry a copy of the original collector’s permit which	1546.03	Yes, state law	Yes, state law
1501:46-3-27	Shall	shall be carried at all times during collecting. Persons not possessing a copy of the original permit may not participate in collecting. Any misuse or illegal collecting participated in by possessors of these copies will authorize the chief or his representative to revoke said collecting permit and to deny future collecting authorization to the violators.	1546.03	Yes, state law	Yes, state law
1501:46-3-27	Shall	(E) Persons failing to provide full information required in this rule to the satisfaction of the chief of the division shall be denied a permit.	1546.03	Yes, state law	Yes, state law
1501:46-3-27	Shall	Further failure to fulfill the requirements of the permit shall be reason for the chief to not issue future permits to the person failing to comply.	1546.03	Yes, state law	Yes, state law
1501:46-3-28	Shall	(A) No person shall conduct any special activity upon the lands or waters of the division without first obtaining a permit from the chief of the division upon application made not less than thirty days prior to the day of the proposed special activity. “Special activities” are supervised activities or events involving a number of participants or spectators, which significantly affect the public use, preservation and protection of lands or waters of the division.	1546.03	Yes, state law	Yes, state law
1501:46-3-29	Shall	(B) Persons desiring to dredge or otherwise construct a channel on private land and to utilize the waters of the state to fill such channel shall submit a written request therefor to the chief of the division setting forth detailed information, including but not limited to a drawing showing exact length, width, and depth of the proposed channel.	1546.01, 1546.03	Yes, state law	Yes, state law

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1501:46-3-29	Shall	Such information shall also offer proof of low permeable qualities of the soil in the proposed channel.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-3-29	Shall	The sequence of construction shall also be shown to minimize any siltation of the lake from said construction.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-3-29	Shall	(D) Such authorization shall be in contract form granting the applicant permission to cut through the existing containment on state lands for the purpose of utilizing the waters of the state to fill the proposed channel.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-3-29	Shall	Such authorization shall contain the provisions hereinafter set forth: (1) The applicant shall not alter, modify, or extend the channel or construct additional channels from the original construction without having requested and received additional written permission from the chief of the division and having paid an additional fee as provided for in the rules of the division; (2) The applicant thereafter shall permit the public to use the waters in the channel for fishing and boating purposes; (3) The applicant shall grant to the division a perpetual easement for flowage and access and shall file such easement in the office of the county recorder of the county in which the channel is located; (4) The applicant shall provide for channel maintenance including but not limited to maintaining the originally specified width and depth and for weed cutting without expense to the division now or in the future; (5) The state retains the right to regulate water levels of the source supplying the channel without liability for damages to the property of the applicant or responsibility for maintaining channel water levels. The division shall not be liable for damage effects to the channel or its surrounding area from natural disasters and floods.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-3-29	Shall	(1) The applicant shall not alter, modify, or extend the channel or construct additional channels from the original construction without having requested and received additional written permission from the chief of the division and having paid an additional fee as provided for in the rules of the division;	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-3-29	Shall	(2) The applicant thereafter shall permit the public to use the waters in the channel for fishing and boating purposes;	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-3-29	Shall	(3) The applicant shall grant to the division a perpetual easement for flowage and access and	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-3-29	Shall	shall file such easement in the office of the county recorder of the county in which the channel is located;	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-3-29	Shall	(4) The applicant shall provide for channel maintenance including but not limited to maintaining the originally specified width and depth and for weed cutting without expense to the division now or in the future;	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-3-29	Shall	(5) The state retains the right to regulate water levels of the source supplying the channel without liability for damages to the property of the applicant or responsibility for maintaining channel water levels. The division shall not be liable for damage effects to the channel or its surrounding area from natural disasters and floods.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-3-29	Shall	(E) The chief of the division shall charge a one-time fee as compensation to the state of Ohio for this utilization of the waters of the state and for authorization to cut through containments on state lands. The fee is established in rule 1501:41-2-04 of the Administrative Code.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-3-30	Shall	No person shall be permitted off the posted trails within Hocking Hills, Mohican, John Bryan, or Nelson Kennedy Ledges state parks, or designated areas, without written permission of the chief, except in those areas specifically designated for public use (campgrounds, picnic areas, hunting areas, rock-climbing areas).	1546.03	Yes, state law	Yes, state law
1501:46-3-31	Shall	No person shall bring onto the trails of Nelson-Kennedy ledges any glass container, disposable can, or disposable plastic container unless such person has the written approval of the area manager.	1546.03	Yes, state law	
1501:46-3-33	Shall	Without the written approval of the area manager no person shall intentionally feed a wild animal or domestic geese or ducks in any area where signs are posted indicating that wildlife is not to be fed.	1546.03		
1501:46-3-34	Shall	(A) The chief may designate “dog exercise” areas at state parks. Dogs in designated dog exercise areas shall not be required to be on a leash if they are under the control and supervision of a person eighteen years old or older. Up to two dogs per adult are permitted in the dog exercise area.	1546.03	Yes, state law	Yes, state law

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1501:46-3-34	May not	(B) No person may bring a dog into a dog exercise area if the dog is under four months old; is in heat; or has fresh wounds.	1546.03	Yes, state law	Yes, state law
1501:46-3-34	May not	No person may bring a dog into a dog exercise area unless the dog is current with vaccinations and displays the current license and rabies tags.	1546.03	Yes, state law	Yes, state law
1501:46-3-34	Shall	(C) No person who brings a dog in a dog exercise area shall fail to remove their dog’s waste and place it in the designated receptacles.	1546.03	Yes, state law	Yes, state law
1501:46-3-34	Shall	(D) No person shall be in a dog exercise area between sunset to sunrise.	1546.03	Yes, state law	Yes, state law
1501:46-3-34	Must	(E) Children under the age of sixteen must be under the supervision of a responsible adult when in the dog exercise area.	1546.03	Yes, state law	Yes, state law
1501:46-3-34	Prohibit	(F) Dogs that exhibit threatening or vicious behavior are prohibited from dog exercise areas.	1546.03	Yes, state law	Yes, state law
1501:46-5-01	Shall	Upon a finding by the chief that a permit request is consistent with state park use and management objectives, he shall issue an appropriate permit including any necessary terms and conditions. The terms and conditions of such permit shall prevail where inconsistent with the rules herein.	1546.04	Yes, state law	Yes, state law
1501:46-5-01	Shall	The permit shall not be granted when it is determined by the chief that the specified activity has a reasonable probability of having any of the following effects: (A) Interfering with normal park usage, or (B) Endangering the environment unduly, or (C) Creating great risk of physical harm to the public present in the park.	1546.04	Yes, state law	Yes, state law
1501:46-5-01	Shall	(C) Creating great risk of physical harm to the public present in the park. A written permit to do any act shall authorize the same only insofar as it may be performed in strict accordance with the terms and conditions thereof.	1546.04	Yes, state law	Yes, state law
1501:46-5-01	May not	Any act authorized pursuant to a permit may be performed only by the person named therein,	1546.04	Yes, state law	Yes, state law
1501:46-5-01	May not	and any such authorization may not be assigned or delegated, unless and except as provided in such permit.	1546.04	Yes, state law	Yes, state law
1501:46-5-01	Shall	Any violation by its holder, its agents, employees, or guests of any term or condition thereof shall constitute grounds for its revocation of the chief	1546.04	Yes, state law	Yes, state law
1501:46-5-01	Shall	whose action therein shall be final.	1546.04	Yes, state law	Yes, state law
1501:46-5-01	Shall	In case of revocation of any permit, all moneys paid for or on account thereof shall, at the option of the division be retained by it;	1546.04	Yes, state law	Yes, state law
1501:46-5-01	Shall	and the holder of such permit, together with his agents, employees, and guests who violated such terms and conditions shall be jointly and severally liable to the division for all damages and loss suffered by it in excess of such money retained;	1546.04	Yes, state law	Yes, state law
1501:46-5-01	Shall	but neither such retention by the division of the whole or any part of such moneys nor the recovery or collection thereby of such damages, or both, shall in any manner relieve such person or persons from criminal liability for violation of any provision of any of these rules or any other state or local law, ordinance, rule or order.	1546.04	Yes, state law	Yes, state law

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1501:46-7-01	Shall	(B) No person shall be present, unless exempted in writing by the area manager one-half hour after sunset to one-half hour before sunrise throughout the year at any of the following state park areas: (1) John Bryan state park; (2) Headlands Beach state park; (3) Nelson Kennedy Ledges state park; (4) Hocking Hills state park; (5) The Hosak Cave area at Salt Fork state park; (6) The Gorge Overlook area and Lyons Falls trail at Mohican state park; (7) The boardwalk at Maumee Bay state park; (8) The Lusk Lock and Sprucevale day use areas at Beaver Creek state park; (9) The Mount Jeez area and the Butternut trail at Malabar Farm state park;	1546.03	Yes, state law	Yes, state law
1501:46-7-01	Shall	(C) Persons actually engaged in fishing, hunting, boating, ice skating, hiking, cross-country skiing, snowshoeing, or any other legitimate recreational pursuit as determined by the chief, or going to or from areas where these activities may take place, or persons sleeping on watercraft as authorized in rule 1501:41-11-15 of the Administrative Code, authorized campers, and occupants of cabins or lodge rooms located within an area administered by the division or persons engaged in an authorized division sponsored program, may be present in such areas at any time during the day or night, except that such persons shall not be in any of the following areas one-half hour after sunset to one-half hour before sunrise without written permission from the chief of the division or his/her designee: (1) The day use area trails at John Bryan; (2) The day use area trails at Nelson Kennedy Ledges; (3) The Gorge Overlook area and Lyons Falls trail at Mohican state park; (4) The day use hiking trails and picnic areas at Hocking Hills; (5) The boardwalk at Maumee bay state park; (6) The Lusk Lock and Sprucevale day use areas at Beaver creek state park; (7) The Mount Jeez area and the Butternut trail at Malabar farm state park;	1546.03	Yes, state law	Yes, state law
1501:46-7-02	Shall	No person shall swim, dive, bathe, or wade in the waters of any beach area or swimming pool maintained and operated by the Division unless such beach area or swimming pool is posted by the Division indicating a beach area or pool is open to swimming, diving, or wading.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-7-03	Shall	(A) No person shall swim, bathe, dive, or wade from any watercraft, dock, raft facility, or any other structure, or from a shoreline of any state property other than that officially designated as a swimming area in any waters under the supervision and control of the division.	1546.03	Yes, state law	Yes, state law
1501:46-7-03	Shall	(B) Notwithstanding paragraph (A) of this rule, no person shall swim, dive, wade or bathe more than sixty feet from a private dock authorized under rule 1501:41-2-08 of the Administrative Code and constructed along the shoreline of Grand lake St. Marys, Indian lake, lake Loramie, Buckeye lake, the Portage lakes, Guilford lake, lake Milton or lake White or from privately owned shore adjacent to state waters.	1546.03	Yes, state law	Yes, state law
1501:46-7-03	Shall	It shall be unlawful for any person to swim, dive, wade, or bathe from the shoreline of any private or public lands contiguous to any channel carrying heavy boat traffic on the lakes named in this paragraph.	1546.03	Yes, state law	Yes, state law
1501:46-7-04	Shall	(A) No person shall use or offer for use by any person any inner tube ring, buoy, air mattress, beach ball or similar novelty device of inflatable air cell construction, nor any plastic foam flotation device in the waters of the division where swimming is prohibited, in division swimming pools, at division-operated beaches, or at boat swimming areas adjacent to division-operated beaches except as provided in paragraphs (B) and (C) of this rule and except at pools operated by concessionaires.	1546.03	Yes, state law	Yes, state law

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1501:46-7-05	Shall	Except for persons snorkeling at designated beaches, no person shall engage in underwater diving while using a snorkel or while diving with self-contained underwater breathing apparatus (S.C.U.B.A.) without being fully equipped with a face mask, foot fins, buoyancy compensation vest, and snorkel; nor dive while alone; nor dive or operate a submersible watercraft without first marking the diving area by displaying an official diving flag at the water’s surface.	1546.04	Yes, state law	Yes, state law
1501:46-7-05	Shall	No person shall engage in underwater diving with S.C.U.B.A. equipment without having a submersible pressure gauge and nationally recognized S.C.U.B.A. certification unless they are under the direct supervision of a certified S.C.U.B.A. instructor.	1546.04	Yes, state law	Yes, state law
1501:46-7-06	Shall	No person shall skindive or scuba dive in any waters administered by the division without the written permission of the chief of the division, except in the lakes hereinafter named. Harrison Lake Pike Lake Lake Logan Barkcamp Guilford Lake Findlay Lake Madison Lake Mt. Gilead Lake Stonelick Lake Forked Run Lake Lake White Wolf Run Lake Adams Lake Jefferson Lake Kiser Lake Punderson Lake Lake Hope Burr Oak Lake Cutler Lake (Blue Rock state park) Acton Lake (Hueston Woods state park) Caldwell Lake & Stewart Lake (Scioto Trail state park) Pine Lake (Tar Hollow state park) Turkey Creek Lake (Shawnee state park) Dow Lake (Strouds Run state park) Dillon Lake (north of no wake buoys only) Buck Creek Lake (designated area - no wake zone) Alum Creek Lake (designated area - no wake zone) Caesers Creek Lake - (designated area - no wake zone)	1546.03	Yes, state law	Yes, state law
1501:46-7-07	Shall	No person shall engage in skin diving while using a snorkel or while diving with self-contained underwater breathing apparatus (S.C.U.B.A.) within 1,000 feet of any dam or outlet structures at Burr Oak and Acton Lake.	1546.03	Yes, state law	Yes, state law
1501:46-7-08	Shall	No person shall use or offer for use any device for the purpose of locating or removing any metallic objects or any other objects of value from any lands or waters of the division without first having obtained written permission from the area manager, except that sand beaches shall be exempt from the prohibition.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-7-08	Shall	(A) No person shall use or offer for use any device for the purpose of locating or removing any metallic objects or any other objects of value from any lands or waters of the division without first having obtained written permission from the area manager.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-7-08	Shall	(B) Notwithstanding paragraph (A) of this rule, metal detecting is permitted without written permission on sand beach area and mowed areas, except mowed areas associated with a golf course, rental facility, or campground. Any area disturbed by the activity shall immediately be returned to a condition as close to undisturbed as possible.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-7-09	Shall	No person shall participate in rappelling in any area administered by the Division except at designated areas and only after registering to so rappel, with the area manager or his authorized representative.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-7-10	Shall	No person shall engage in rockclimbing off designated trails in any area administered by the Division except at designated areas and only after registering to so rockclimb, with the area manager or his authorized representative.	1546.01, 1546.03	Yes, state law	Yes, state law

Rule Number	Regulatory Restriction	Description of Regulatory Restriction	Statute Under Which the Regulatory Restriction Was Adopted	Is the Regulatory Restriction Expressly or Specifically Required by State or Federal Law?	Is a Law Change Required in Order to Remove the Restriction?
1501:46-7-11	Shall	No person shall play golf or drive or hit golf balls in any area administered by the Division that is not designated for such use.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-7-12	Shall	No person shall enter or be present upon the premises of the following state park areas for any reason without first having obtained a permit from the chief of the division: Kennedy Ledges of Nelson Kennedy Ledges state park.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-9-01	Shall	No person shall camp in an area administered by the Division except where designated areas have been set aside for the purpose of camping, and unless such person possesses a current and valid camping permit.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-9-02	Shall	No person shall walk into or drive any vehicle into or through any controlled camp area of the division for the purpose of utilizing ramps, beaches, or other camp facilities, except such persons who are holders of a valid camping permit or a visitor’s pass;	1546.03	Yes, state law	Yes, state law
1501:46-9-02	Shall	nor shall any person use any facilities in a campground that are specifically provided for the use of the holders of the appropriate camping permit or a visitor’s pass.	1546.03	Yes, state law	Yes, state law
1501:46-9-03	Shall	(A) Any person camping in any designated camp area shall have that person’s campsite registered with the division.	1546.04	Yes, state law	Yes, state law
1501:46-9-03	Shall	Any person entering and camping on a campsite prior to six a.m. shall pay the fee listed in rule 1501:46-2-11 of the Administrative Code for the preceding day in addition to paying fees required for the date of entering and subsequent days of stay.	1546.04	Yes, state law	Yes, state law
1501:46-9-03	Shall	(B) Display of the issued camping permit shall be made in a conspicuous location upon the tent or trailer or other location on the site designated by the area manager and so posted in the camp check station office,	1546.04	Yes, state law	Yes, state law
1501:46-9-03	Shall	except when numbered site posts are provided, in which case, the permit shall be affixed thereto.	1546.04	Yes, state law	Yes, state law
1501:46-9-03	Shall	(C) Except as noted in paragraph (D) of this rule, no person shall camp in any designated camping area for a period of time longer than fourteen days in a thirty day period. In the designated camp areas that historically do not have one hundred percent occupancy, the area manager may extend the maximum length of stay for all campers up to thirty days within a forty-five day period. Such extension is to be posted in accordance with rule 1501:46-3-01 of the Administrative Code by the manager.	1546.04	Yes, state law	Yes, state law
1501:46-9-03	Shall	No person shall camp in a “get away rental” site for a period of time longer than fourteen days within a thirty day period.	1546.04	Yes, state law	Yes, state law
1501:46-9-03	Shall	No person shall camp in any designated camping area during the winter season for a period of time longer than thirty days in a forty-five day period.	1546.04	Yes, state law	Yes, state law
1501:46-9-03	Must	(E) Request for camping permit renewals, or for change of campsite locations, must be made prior to a time determined by the area manager and so posted.	1546.04	Yes, state law	Yes, state law
1501:46-9-03	Shall not	Such time shall not be before nine a.m. nor later than five p.m. daily.	1546.04	Yes, state law	Yes, state law
1501:46-9-03	Shall	(F) No person shall hook up a water supply line to any plumbing outlet in a campground unless the outlet has an approved anti siphon valve except with the area manager’s approval.	1546.04	Yes, state law	Yes, state law
1501:46-9-03	Shall not	(G) A campsite shall not be occupied by more than six persons. In the case of a family with several children, the area manager may make exceptions to this limit.	1546.04	Yes, state law	Yes, state law
1501:46-9-03	Shall not	(H) A campsite shall not contain more than: (1) Three tents; or (2) One bus, travel trailer, horse trailer, house vehicle, motor home, station wagon, motorcycle, car, truck, van, or pickup camper, in combination with one or two tents.	1546.04	Yes, state law	Yes, state law

RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1501:46-9-03	May not	A campsite shall not contain more than: (1) Three tents; or (2) One bus, travel trailer, horse trailer, house vehicle, motor home, station wagon, motorcycle, car, truck, van, or pickup camper, in combination with one or two tents. Subject to space availability, two vehicles which includes a tow vehicle for a trailer are allowed per campsite, except that no more than three motorcycles may be parked on the site parking pad in lieu of other vehicles. In those campsites that can accommodate additional vehicles as determined by the area manager, additional vehicles may be parked at the site. The number of additional vehicles shall be determined by the area manager and posted in accordance with rule 1501:46-3-01 of the Administrative Code. This paragraph shall not apply to a group camp site.	1546.04	Yes, state law	Yes, state law
1501:46-9-03	Shall	(I) Each camping unit in a campground shall be placed upon the site so as to provide the following proper distances: (1) Camping units located on the same site shall maintain a distance of at least five feet between all the units. (2) Camping units located on adjacent sites shall maintain a distance of at least ten feet between all units.	1546.04	Yes, state law	Yes, state law
1501:46-9-03	Shall	(1) Camping units located on the same site shall maintain a distance of at least five feet between all the units.	1546.04	Yes, state law	Yes, state law
1501:46-9-03	Shall	(2) Camping units located on adjacent sites shall maintain a distance of at least ten feet between all units.	1546.04	Yes, state law	Yes, state law
1501:46-9-03	Must	(J) Camp area visiting hours are from six a.m. to ten p.m. daily. The visiting hours may be extended by the area manager up to eleven p.m. daily. Such extension is to be posted in accordance with rule 1501:46-3-01 of the Administrative Code by the area manager. Visitors to controlled camp area must obtain a visitor permit.	1546.04	Yes, state law	Yes, state law
1501:46-9-03	Must	Visitors desiring to investigate the area prior to camping must obtain this same permit.	1546.04	Yes, state law	Yes, state law
1501:46-9-03	Must	Upon departure the visitor must return said pass permit.	1546.04	Yes, state law	Yes, state law
1501:46-9-03	Shall	(K) Maximum number of persons camping at a “rent-a-camp” site shall be four adults or two adults and four juveniles.	1546.04	Yes, state law	Yes, state law
1501:46-9-03	Shall	(L) Every person who camps in a horseman’s camping area shall register his camping unit and every horse brought into such area.	1546.04	Yes, state law	Yes, state law
1501:46-9-03	Shall	(N) No person shall violate any of the provisions in this rule.	1546.04	Yes, state law	Yes, state law
1501:46-9-04	Shall	(A) A person renting a campsite, getaway rental, cottage, or overnight group facility shall remove his personal property from the campsite, getaway rental, cottage, or overnight group facility prior to a time as determined by the park manager and so posted at the park office on the date his rental period expires. Persons failing to comply with this rule may be charged the prevailing fee for that facility for one additional night. Nothing contained herein shall nullify any penalty which may attach to a violation of this rule.	1546.03	Yes, state law	Yes, state law
1501:46-9-04	Shall	(B) Personal property remaining on a campsite, getaway rental, cottage, or overnight group facility after the expiration of the rental period may be removed and stored by the division. The owner may reclaim said property upon payment of a storage fee not to exceed one dollar per day plus the actual cost incurred in the removal of such property. At the end of fourteen days, said property shall be disposed of in accordance with rule 1501:41-3-17 of the Administrative Code.	1546.03	Yes, state law	Yes, state law

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1501:46-9-05	Shall	No person who is a juvenile shall camp in, or stay in a cabin or lodge facility in any area under the administration of the Division except: (A) When accompanying a parent or guardian; or (B) When juvenile furnishes to the Area Manager the written consent of and full name and residence of parent or guardian. The telephone number at which the parent or guardian may be reached at all times shall be supplied for purposes of emergency medical information. Such written consent shall contain the inclusive dates and park location applicable; or (C) When a juvenile is part of a youth group occupying an area administered by the Division overnight and which group is supervised by at least one adult for each ten juveniles.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-9-05	Shall	(B) When juvenile furnishes to the Area Manager the written consent of and full name and residence of parent or guardian. The telephone number at which the parent or guardian may be reached at all times shall be supplied for purposes of emergency medical information. Such written consent shall contain the inclusive dates and park location applicable; or	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-9-06	Shall	(A) No person shall cause, create, or contribute in any way to noise, including but not limited to, playing a radio or other electronically amplified device, or a musical instrument, or operating a motorized generator in any way that disturbs the peace and quiet of other persons, in any manner in any area administered by the division.	1546.04, 1546.15	Yes, state law	Yes, state law
1501:46-9-06	Shall	(B) No person shall, between the quiet hours of ten p.m. and seven a.m., within a campground area, cabin area, lodge area, or other division approved sleeping area, cause, create, or contribute in any way to noise that disturbs the peace and quiet of other persons.	1546.04, 1546.15	Yes, state law	Yes, state law
1501:46-9-07	Shall	No person shall operate or bring into any camping area, any vehicle used for camping, and having plumbing fixtures with provision for outside drainage, which does not include suitable, non-spilling holding tank which will not overflow and being connected with leak-proof couplings to a drain(s) that is controllable and will not allow any contents to be drained except into suitable park drainage facilities. It shall be permissible for drain(s) from the sink, wash basin, and shower to be drained into a suitable external holding device of a capacity of at least five gallons provided such device is not spilled, overflowed, or drained onto a campsite.	1546.03	Yes, state law	Yes, state law
1501:46-9-07	Shall	Any waste water disposed of at a state park shall be disposed of in an approved and marked park facility.	1546.03	Yes, state law	Yes, state law
1501:46-9-08	Shall	No person shall sublease, transfer, or assign his campsite, cabin, or lodge room to another person.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-9-09	Shall	The following rules and regulations shall apply to all backpack trails located on lands administered by the division in addition to all other rules specified herein: (1) All campers must register with the area manager. In the event the area manager or his agent cannot be located, self-registration is required at the trailhead. (2) All litter and trash must be packed out. (3) No person shall utilize any backpack trail administered by the division when said trail is not designated as being open for use.			
1501:46-9-09	Must	(1) All campers must register with the area manager. In the event the area manager or his agent cannot be located, self-registration is required at the trailhead.	1546.03	Yes, state law	Yes, state law
1501:46-9-09	Must	(2) All litter and trash must be packed out.	1546.03	Yes, state law	Yes, state law
1501:46-9-09	Shall	(3) No person shall utilize any backpack trail administered by the division when said trail is not designated as being open for use.	1546.03	Yes, state law	Yes, state law

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1501:46-9-10	Shall	In accordance with rule 1501:41-3-07 of the Administrative Code, domestic dogs and cats are only permitted in camping areas designated by the chief of the division as a camping area zone permitting pets and then only in accordance with this rule. Service Animals are not considered domestic pets for the purposes of this rule: (A) No person who is the handler or owner of a domestic dog or cat shall fail to clean up and place in a rubbish receptacle any excrement left by their pet in the camping area. (B) No person shall wash any domestic dog or cat at a water fountain, water pump, lake, or pool. (C) No person shall bring any domestic dog or cat into any enclosed camping area structure or onto any camp beach. (D) No person shall bring a domestic dog or cat into the camping area unless she/he has proof of current rabies inoculation for the animal and a collar or tag bearing owner’s name and address is attached to the animal. (E) A domestic dog or cat may be staked on the owner’s or handler’s rented campsite. The animal must be staked in such a manner that it does not infringe on a neighboring campsite or interfere with or menace passersby. (F) No person shall leave a domestic dog or cat unattended. (G) The number of pets permitted at each camping site is limited to two.	1546.03	Yes, state law	Yes, state law
1501:46-9-10	Shall	(B) No person shall wash any domestic dog or cat at a water fountain, water pump, lake, or pool.	1546.03	Yes, state law	Yes, state law
1501:46-9-10	Shall	(C) No person shall bring any domestic dog or cat into any enclosed camping area structure or onto any camp beach.	1546.03	Yes, state law	Yes, state law
1501:46-9-10	Shall	(D) No person shall bring a domestic dog or cat into the camping area unless she/he has proof of current rabies inoculation for the animal and a collar or tag bearing owner’s name and address is attached to the animal.	1546.03	Yes, state law	Yes, state law
1501:46-9-10	Must	(E) A domestic dog or cat may be staked on the owner’s or handler’s rented campsite. The animal must be staked in such a manner that it does not infringe on a neighboring campsite or interfere with or menace passersby.	1546.03	Yes, state law	Yes, state law
1501:46-9-10	Shall	(F) No person shall leave a domestic dog or cat unattended.	1546.03	Yes, state law	Yes, state law
1501:46-11-20	Shall	No person shall operate a watercraft, inflatable boat, sailboard or any other device capable of being used for navigation within or through any designated swimming beach area, or any area which has been buoyed off designating it as an area in which watercraft are prohibited.	1546.04	Yes, state law	Yes, state law
1501:46-12-01	Shall not	Owners or operators of watercraft shall not anchor, dock, or tie-up at any dock designated by the division to be a general use dock in such a manner as to hinder or obstruct navigation or adjacent waterways, or for a period of time in excess of one hour except that the time restriction shall not apply when emergency or storm conditions exist to constitute a hazard to the safety of the person or property involved.	1546.04	Yes, state law	Yes, state law
1501:46-12-02	Shall	No person shall anchor, moor, store, beach, tie-up, or leave unattended by any person upon any land or water area administered by the division for a period of time in excess of four hours within a twenty-four-hour period, any watercraft, except that the time restriction shall not apply when emergency or storm conditions exist to constitute a hazard to the safety of the person or property involved, or by permission of the chief or the chief’s authorized agent.	1546.04	Yes, state law	Yes, state law
1501:46-12-03	Shall	No person shall sublease, transfer or assign his dock permit or rights thereunder to any other person, or permit any other person or watercraft not owned or leased by him to occupy or use his dock, tie-up, or storage space, except by written permission of the chief or his authorized agent. In addition to any penalty which may attach to a violation of this rule, such violation shall be cause for revocation of the offender’s dock permit and all rights and privileges attached thereto.	1546.03	Yes, state law	Yes, state law

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1501:46-12-04	Shall	(A) No person shall anchor, moor, dock, or tie-up to any licensed dock or to any licensed tie-up space unless that person has a license issued by the chief of the division or his authorized agent to use said dock or space.	1546.04	Yes, state law	Yes, state law
1501:46-12-04	Shall	(B) No person shall loiter on or use in any way not cited above any state dock without obtaining permission from the person having control of such dock or tie-up space, except when an actual emergency exists to prevent obtaining such permission.	1546.04	Yes, state law	Yes, state law
1501:46-12-06	Must	Every person must pay the fee required by rule 1501:41-2-08 of the Administrative Code for use of a private structure located on private property extending over the waters of the division, or on the waters of the division or located on state property	1546.04, 1546.15	Yes, state law	Yes, state law
1501:46-12-06	Shall	and shall properly display a dock tag no later than June first of the current tag year For the purposes of this rule, structure is defined as a private dock, platform, covered dock, boathouse, tie up space or other structure privately built and maintained by the applicant.	1546.04, 1546.15	Yes, state law	Yes, state law
1501:46-12-07	Shall	No person who is a holder of a current and valid dock permit for a state constructed dock or a private dock constructed from state owned land shall fail to remove any watercraft occupying the licensed facility on or before the expiration date of the dock permit.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-12-07	Shall	Any watercraft found still occupying said licensed facility after fifteen (15) days from the expiration date of the dock permit shall be disposed of in accordance with 1501:41-3-17.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-12-08	Shall	No person shall leave a watercraft in any dock space or tie-up space on any waters of the Division without first properly fastening and securing said watercraft in such a manner as to avoid fouling or collision with any adjacent watercraft.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-12-09	Shall	No person shall leave a watercraft or trailer in a dry moorage lot or dry rack storage facility when said watercraft or trailer is in an unlocked or unsecured condition.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-12-10	Shall	No person shall anchor, moor, or tie-up any watercraft to any dock facility, or structure on the waters of the Division in such a way that said watercraft threatens to or does block, impede, or restrict other watercraft in their normal and reasonable use of the waters of the Division.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-12-12	Shall	No person shall construct or maintain a dock, moorage, tie-up, or other structure for the purpose of mooring vessels on, over, or adjacent to the lands or waters of the division without first having applied for and received a written permit from the chief of the division or the chief’s authorized agent.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-12-12	Must	(A) Persons desiring to construct and maintain a dock, moorage, tie-up, or other structure for the purpose of mooring vessels on, over, or adjacent to the lands or waters of the division must submit a written request to the chief of the division, indicating the exact location, size, and type of the proposed dock, moorage, tie-up, or other mooring structure.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-12-12	May not	(B) The chief may issue a construction permit to the applicant if the following conditions are met: (1) The design of the proposed dock, moorage, tie-up space, or other mooring structure is in compliance with the standard plans and specifications of the division for vessel moorages, and; (2) The proposed location of the desired dock, tie-up space, or other structure for the mooring of vessels will not interfere with navigation or facility management or development of the lands and waters under the management authority of the division.	1546.01, 1546.03	Yes, state law	Yes, state law

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1501:46-12-13	Shall	Where any dock, tie-up space or superaqueous structure has been constructed or is in any stage of construction over any waters of the division without a dock construction permit having been issued, or where a current year dock tag is not displayed or where a current or past dock fee has not been paid, the chief or his designee may request the builder or owner to remove such unauthorized dock, tie-up space or superaqueous structure from the waters of the division. (A) The chief or his designee shall issue written notice to the builder or owner of the unauthorized dock or superaqueous structure requesting removal thereof within a reasonable period of time designated by the chief.(B) In the event compliance is not made by the builder or owner to the written notice requesting removal of the unauthorized dock, tie-up space or superaqueous structure, or when a reasonable attempt has been made to contact the builder or owner, the division is empowered to remove such unauthorized dock, tie-up space or superaqueous structure from state waters at the expiration of the reasonable period of time designated by the chief for such removal by the builder or owner.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-12-13	Shall	(C) The division shall use ordinary care in removing such unauthorized docks, tie-up spaces or superaqueous structures and any or all materials used in the construction of such docks, tie-up spaces or superaqueous structures, except nails and/or bolts, may be redeemed by the builder or owner within thirty days from date of removal, upon payment of a fee not to exceed the actual cost of removal by the division.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-12-13	Shall	Otherwise, all materials shall be retained by the division as reimbursement for costs incurred in such removal.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-12-14	Shall	The owner of a dock, tie-up space or superaqueous structure shall maintain the structure in a condition of good repair according to the standard plans and specifications of the Division for docks and tie-up spaces. In the event of failure to make necessary repairs and after written notification to the owner of record concerning the deteriorating or hazardous condition of the structure or if the owner of such dock, tie-up space or superaqueous structure cannot be determined after reasonable effort to locate him has been made, then twenty (20) days after attaching a copy of this rule and notification to repair hazardous condition of the structure on said hazardous dock, tie-up space or superaqueous structure by the Division and during which period of time the structure has not been repaired to the proper standard then and in either of the above circumstances the Division is empowered to remove such dock, tie-up space or superaqueous structure from its waters and destroy or salvage any or all materials used in the construction of such dock, tie-up space or superaqueous structure.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-12-15	Must	In the event a situation develops wherein docks administered by the division must be closed due to flood or other natural conditions in accordance with rule 1501:41-3-02 of the Administrative Code, the division reserves the right to remove and secure watercraft if the owner cannot be contacted or if the owner is unable to remove said watercraft in a reasonable time.	1546.03	Yes, state law	Yes, state law
1501:46-12-15	Shall	Neither the division nor its agents shall be held liable for damage to any property provided reasonable care and caution is exercised.	1546.03	Yes, state law	Yes, state law
1501:46-12-17	Shall	No person shall construct a seawall or other shoreline revetment on the shoreline of any lake or other body of water administered by the division without first having applied for and received a written permit therefor from the chief of the division or his designee,	1546.03	Yes, state law	Yes, state law
1501:46-12-17	Shall	and said construction shall be performed in accordance with the specifications of the permit.	1546.03	Yes, state law	Yes, state law
1501:46-12-18	Shall	No person shall carry or transport gasoline or gas mixtures on or across state docks except on those docks or in those areas designated for such purpose by the area manager.	1546.03	Yes, state law	Yes, state law

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1501:46-12-19	Shall	Upon any lands or waters under the management of the division of parks and watercraft, it shall be unlawful to impede or obstruct access to a watercraft launching facility or other designated recreational vessel access site in any of the following ways: (A) Intentionally moor or otherwise secure a vessel to any dock or other structure in a manner that limits or impedes the ability of other vessels to utilize the launching facility or access site; (B) Leave a tow vehicle, trailer, or combination vehicle stopped, standing, parked, or unattended for an unreasonable period of time on a ramp or a designated watercraft launch lane, other than while actively engaged in or assisting with the launching or retrieval of a vessel; (C) Engage in any other activity or behavior that impairs the ability of other vessel operators to utilize the facility in a safe and appropriate manner; (D) Willfully or negligently engage in any other activity or behavior that threatens the safety of any persons or property in, on, or near the launching facility. No person shall operate or permit the operation of any vessel, vehicle, trailer , or combination vehicle in violation of this provision.	1546.04	Yes, state law	Yes, state law
1501:46-12-19	Shall	(D) Willfully or negligently engage in any other activity or behavior that threatens the safety of any persons or property in, on, or near the launching facility. No person shall operate or permit the operation of any vessel, vehicle, trailer , or combination vehicle in violation of this provision.	1546.04	Yes, state law	Yes, state law
1501:46-13-02	Shall	No person shall operate a motor vehicle upon roadways under supervision of the Division within any area administered by the Division at a speed in excess of twenty (20) miles per hour, or at a speed in excess as marked with a traffic control device on the roadways by the Division.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-13-03	Shall	(A) No person shall leave any motor vehicle in any place not designated for stopping or parking of motor vehicles, in any place marked with a traffic control device as a “No Parking” zone, alongside any other motor vehicle stopped or standing at the edge or curb of any roadway, or in a manner which will obstruct any barrier, gate, or pedestrian walkway.	1546.03	Yes, state law	Yes, state law
1501:46-13-03	Shall	(B) No person shall leave any motor vehicle in any place marked with a traffic control device as “Car with Trailer Only” unless the vehicle has a trailer attached.	1546.03	Yes, state law	Yes, state law
1501:46-13-03	Prohibit	(C) Parking any vehicle in any designated parking lot or parking area for a period of time in excess of twenty-four hours without obtaining prior written permission of the chief of the division or his authorized agent is prohibited, except that registered campers, cabin or lodge patrons may park vehicles in designated parking areas for the period of time covered by such camping or rental registration.	1546.03	Yes, state law	Yes, state law
1501:46-13-03	Shall	(D) A motor vehicle which is found parked in a campground area and is not registered to a camp site with a valid and current camping permit or visitor’s permit plainly displayed on the motor vehicle shall be considered unlawfully parked.	1546.03	Yes, state law	Yes, state law
1501:46-13-03	May not	(F) A summons in appropriate form may be attached to an unattended vehicle found in violation of any of the provisions of these rules and regulations by any commissioned officer in lieu of arrest of the operator of such vehicle. If any vehicle found by such officer to be in violation of the provisions of these rules and regulations is unattended at the time the violation is discovered and the identity of the operator is not otherwise apparent, the person in whose name such vehicle is registered shall be held prima facie responsible for such violation.	1546.03	Yes, state law	Yes, state law
1501:46-13-03	Shall	If any vehicle found by such officer to be in violation of the provisions of these rules and regulations is unattended at the time the violation is discovered and the identity of the operator is not otherwise apparent, the person in whose name such vehicle is registered shall be held prima facie responsible for such violation.	1546.03	Yes, state law	Yes, state law

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1501:46-13-04	Shall	Whenever any park officer finds any vehicle stopped, parked or standing in an area prohibited by rule 1501:41-13-03 of the Administrative Code or unattended upon or within the right of way of any road or where such vehicle clearly obstructs pedestrian or vehicular traffic, such officer may arrange for the removal of such vehicle to the nearest parking lot or to a place for holding such vehicles. Costs and risks of such removal shall be borne by the operator of such vehicle. Any vehicle which may be hazardous to property or people may be removed at the owner’s risk and expense.	1546.03	Yes, state law	Yes, state law
1501:46-13-05	Shall	Except as authorized in writing by the area manager, no person shall operate any motorized vehicle or ride any bicycle or motorized bicycle within any area administered by the division except on such roads, driveways, trails, paths, alleys and other such thoroughfares which are designated or posted for such purposes.	1546.03	Yes, state law	Yes, state law
1501:46-13-05	Shall	No person shall drive around any barrier or gate which is across a road or trail	1546.03	Yes, state law	Yes, state law
1501:46-13-05	Shall	nor shall he drive a motorized vehicle or bicycle or motorized bicycle upon such barricaded or closed thoroughfare except as authorized in writing by the area manager.	1546.03	Yes, state law	Yes, state law
1501:46-13-05	Shall not	This rule shall not restrict the use of a motorized wheelchair or scooter by a person who is non-ambulatory in any area open to the public except at golf courses where the area manager may restrict their use for safety purposes or to prevent damage to sensitive turf areas.	1546.03	Yes, state law	Yes, state law
1501:46-13-06	Shall	The operator of a motor vehicle, bicycle, or horse shall grant the right-of-way to all pedestrians crossing streets, lanes, or highways within any area administered by the Division.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-13-07	May not	Through trucks may not be operated on park roads within any area administered by the Division. For the purpose of this rule, a “through truck” shall mean any truck having established points of departure and destination neither of which are within the said area.	1546.01, 1546.03		Yes, state law
1501:46-13-08	Shall	No person shall operate any motor vehicle, in any area administered by the Division, which is producing an unusual amount of noise or smoke or in such a way as to create unnecessary noise or smoke from the motor vehicle.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-13-09	Shall	No person shall operate any motor vehicle within any Division camping area or controlled access cabin area except for necessary, direct transportation to or from his campsite or cabin or to and from a campsite or cabin for which he has been granted a visitor pass.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-13-10	Shall	(A) No person shall ride, usher, lead, or keep a saddle horse or other animal used as a means of transport in any area administered by the division except on roads, streets or driveways and such trails, paths, or areas so designated or so marked as bridle trails,	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-13-10	Shall	nor shall any person ride, usher or lead such animal around any barrier or gate which is across a road, street, driveway or bridle trail,	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-13-10	Shall	nor shall such person ride, usher or lead such animal upon such barricaded or closed thoroughfare.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-13-10	Shall	(B) No person shall drive or lead an individual or team of horses or other animals pulling a cart, wagon, sled or other contrivance to achieve transportation by conveyance upon any trail or path except in areas specifically designated for such use by the chief of the division.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-13-10	Shall	(C) No horse or other animal shall be hitched to any tree, shrub, or structure in any manner that might cause damage thereto.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-13-10	Shall	(D) No person shall ride or lead a saddle animal, or drive an individual or team of animals pulling a cart, wagon, sled or other contrivance at speeds greater than those designated or in a careless, negligent or reckless manner so as to endanger the life, property or persons of others and	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-13-10	Shall	no person shall allow his saddle animal to stand unattended or insecurely tied on the lands or waters administered by the division.	1546.01, 1546.03	Yes, state law	Yes, state law

Rule Number	Regulatory Restriction	Description of Regulatory Restriction	Statute Under Which the Regulatory Restriction Was Adopted	Is the Regulatory Restriction Expressly or Specifically Required by State or Federal Law?	Is a Law Change Required in Order to Remove the Restriction?
1501:46-13-11	Shall	(B) Upon any waters administered by the division it shall be permissible to take off, ascend, land, alight, or otherwise come to rest, utilizing a sea class aircraft, such as any sea plane, glider, parachute, or any other flying machine or aerial apparatus, on any body of water meeting all of the following criteria: (1) Designated as unlimited horsepower; (2) Having no speed or wake restrictions that apply to the waterway as a whole, and; (3) Having an established sea plane landing zone. Any person landing or taking off from the waters of the division as permitted by this rule may use the waters of the division as necessary to taxi between such landing area and a service or docking area.	1546.03	Yes, state law	Yes, state law
1501:46-13-12	Shall	While actually engaged in loading or unloading a watercraft from a trailer attached to a motor vehicle upon a boat ramp of a lake or river administered by the division, no person except the operator of such motor vehicle shall occupy any space within the passenger compartment of the motor vehicle involved in the loading or unloading.	1546.03	Yes, state law	Yes, state law
1501:46-13-13	Shall	No person shall occupy any boat or boat trailer while it is being used as a conveyance on any land area within a state park including any campground, division road, highway or parking lot except during the actual launching or loading of a watercraft.	1546.03	Yes, state law	Yes, state law
1501:46-13-13	Shall	No person shall move or transport any boat or boat trailer while any person occupies the boat or boat trailer if it is being used as a conveyance on any land area within a state park including any campground, division road, highway or parking lot except during he actual launching or loading of a watercraft.	1546.03	Yes, state law	Yes, state law
1501:46-14-01	Shall	No person shall operate a snowmobile, ice boat, or all purpose vehicle upon or over any area administered by the Division, except upon those lands or waters where the Chief has established special areas, roads, or trails designated for such operation and so directed by posting. Such special areas may be designated for limited use of only snowmobiles, only ice boats, or only all purpose vehicles or may be designated for any combination of uses.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-14-02	Shall	No person shall operate a snowmobile or cross country ski on any division designated area, road, or trail unless the subsurface soil of said area, road, or trail has been determined by the division to be solidly frozen and completely covered with snow or ice. Said areas, roads, or trails shall thereafter be posted by the division as open or closed in accordance with existing weather conditions.	1546.03	Yes, state law	Yes, state law
1501:46-14-03	Shall	(A) No person shall operate a snowmobile, ice boat, or all purpose vehicle upon the frozen surface of waters of the division when such waters have not been specifically posted, indicating said vehicles may be operated thereon.	1546.03	Yes, state law	Yes, state law
1501:46-14-03	Shall	(D) No motor vehicles other than snowmobiles, ice boats, or all purpose vehicles shall be permitted on the frozen surface of waters of the division at any time.	1546.03	Yes, state law	Yes, state law
1501:46-14-03	Shall	(E) No person shall operate a snowmobile, ice boat, or all purpose vehicle upon the frozen surface of the waters of Portage lakes state park in excess of twenty miles per hour when within one hundred feet of any shoreline.	1546.03	Yes, state law	Yes, state law
1501:46-14-04	Shall	No person shall operate a snowmobile, ice boat, or all purpose vehicle on lands and waters designated for such operation as provided in 1501:41-14-01 at any time between the hours of 11 p.m. E.S.T. and 6 a.m. E.S.T.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-14-05	Shall	No person shall operate a snowmobile, ice boat, or all purpose vehicle upon any area, road, or trail administered by the division without due regard for the safety and rights of other persons so as to endanger the life, limb or property of any person.	1546.03	Yes, state law	Yes, state law
1501:46-14-07	Shall	No person shall operate a snowmobile, ice boat, or all purpose vehicle in such a manner as to willfully damage or destroy living vegetation and trails on lands and waters administered by the division.	1546.03	Yes, state law	Yes, state law

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1501:46-14-08	Shall	When operating a snowmobile on lands or waters administered by the division, the operator of said vehicle shall slow his vehicle to a reasonable and prudent speed and	1546.03	Yes, state law	Yes, state law
1501:46-14-08	Shall	shall yield the right-of-way when overtaking or travelling near any person who is not upon a snowmobile.	1546.03	Yes, state law	Yes, state law
1501:46-14-09	Shall	No person between the ages of twelve and fifteen, inclusive, shall operate a snowmobile or all purpose vehicle, as defined in section 4519.01 of the Revised Code, on any lands or waters administered by the division unless such person is under direct visual and audible supervision of a parent, guardian, or person over the age of eighteen.	1546.03	Yes, state law	Yes, state law
1501:46-14-09	Shall	No person under twelve years of age shall operate a snowmobile or all purpose vehicle, as defined in section 4519.01 of the Revised Code, on any lands or waters administered by the division.	1546.03	Yes, state law	Yes, state law
1501:46-15-02	Shall	(A) No person shall cut or cut and fish through a hole in ice which has a diameter that exceeds twelve inches in any of the waters of the Division.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-15-02	Shall	(B) No person shall use an ice fishing shelter which does not have exhibited on the outside of the structure, the name and address of the owner or user shown in legible letters. An ice fishing shelter is a temporary shelter taken to or used on a frozen body of water as a protection or cover from the weather.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-15-04	Shall	No person shall at any time engage in fishing in any beach waters, bathing, or swimming area of the division, or any area where boundaries are posted with “No Fishing” or “Fishing Prohibited” signs.	1546.03	Yes, state law	Yes, state law
1501:46-15-05	Shall	(B) No person shall hunt or trap within any area on a public hunting area posted or marked with signs showing “No Hunting,” “Safety Zone-No Hunting,” “No Trapping,” or “No Hunting and No Trapping.”	1546.03, 1546.19	Yes, state law	Yes, state law
1501:46-15-05	Shall	(C) No person shall hunt within any area on a public hunting area posted or marked with a sign stating “No Hunting, Trapping Only” or “No Hunting, Trapping Permitted.”	1456.03, 1546.19	Yes, state law	Yes, state law
1501:46-15-06	Shall	No person shall hunt or trap game birds, game quadrupeds, or fur bearing animals on any lands or waters administered by the division, except as permitted in rules 1501:46-15-07 and 1501:46-15-08 of the Administrative Code; provided that any such hunting or trapping is done in accordance with the provisions of Chapter 1501:31-15 of the Administrative Code.	1546.04, 1546.19	Yes, state law	Yes, state law
1501:46-15-07	Shall	(A) Notwithstanding any provisions of rule 1501:46-15-08 of the Administrative Code, no person shall at any time take, hunt, kill, pursue, or shoot at any wildlife or wild animals by any means within four hundred feet of any camping area, overnight facility or area, picnic area, shelter house, latrine, parking lot, or other structure;	1546.04, 1546.19	Yes, state law	Yes, state law
1501:46-15-07	Shall	nor shall any person at any time shoot on, from, or across any road driveway, or trail within any area administered by the division.	1546.04, 1546.19	Yes, state law	Yes, state law
1501:46-15-13	Shall	No person shall place, construct, maintain, or use a permanent duck blind in any area administered by the division without first obtaining a permanent duck blind permit therefore from the chief of the division or his authorized agent.	1546.03, 1546.19	Yes, state law	Yes, state law
1501:46-15-13	Shall	(B) No person shall draw for a blind until that person exhibits that person’s Ohio hunting license, proof of purchase of an Ohio wetlands habitat stamp for the current year and a federal migratory bird stamp from the previous year or current year. Persons under sixteen years of age are not required to possess an Ohio wetlands habitat stamp or federal migratory bird stamp to participate,	1546.03, 1546.19	Yes, state law	Yes, state law
1501:46-15-13	Must	however they must possess a valid youth hunting license.	1546.03, 1546.19	Yes, state law	Yes, state law
1501:46-15-13	Shall	(C) Prior to the issuance of a permanent duck blind permit every applicant for such permit shall pay the fee specified in rule 1501:41-2-27 of the Administrative Code.	1546.03, 1546.19	Yes, state law	Yes, state law
1501:46-15-13	Shall	(D) Persons shall remove their permanent duck blind by March fifteenth of each year.	1546.03, 1546.19	Yes, state law	Yes, state law

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1501:46-15-13	Shall not	(E) Persons who fail to comply with paragraph (D) of this rule by not removing their permanent duck blind by March fifteenth shall not be eligible for a permanent duck blind permit at any area administered by the division for the following year’s season.	1546.03, 1546.19	Yes, state law	Yes, state law
1501:46-15-13	Shall	(F) Persons receiving a division permanent duck blind permit shall construct a blind on the designated location within forty-five days after the issuance of said permit.	1546.03, 1546.19	Yes, state law	Yes, state law
1501:46-15-13	Shall	Failure to comply shall be cause for the forfeiture of both the permit and the fee.	1546.03, 1546.19	Yes, state law	Yes, state law
1501:46-15-13	Shall	(G) No person shall apply for more than one permanent duck blind permit.	1546.03, 1546.19	Yes, state law	Yes, state law
1501:46-15-13	Shall	(H) No person shall apply or draw for a permanent duck blind permit for another person.	1546.03, 1546.19	Yes, state law	Yes, state law
1501:46-15-13	Shall	(I) No person shall construct a permanent duck blind except within a reasonable distance of the site location designated by the permanent duck blind permit.	1546.03, 1546.19	Yes, state law	Yes, state law
1501:46-15-13	Shall	(J) No person shall install or place a stake in any water area for the purpose of anchoring or securing a permanent duck blind.	1546.03, 1546.19	Yes, state law	Yes, state law
1501:46-15-13	Shall	(K) This rule shall not apply to those areas where the duck blind permits are issued by authority of rule 1501:31-21-02 of the Administrative Code. For the purpose of this rule “permanent duck blind” is a structure that is taken to, placed, or built for the purpose of concealment by waterfowl hunters and is left at the same place of concealment for more than one calendar day. No person shall use a permanent duck blind unless they are the permit holder of the blind or have the written permission of the permit holder.	1546.03, 1546.19	Yes, state law	Yes, state law
1501:46-15-14	Shall	No person shall use any area administered by the division for field trial purposes without first making application for and receiving a permits to do so from the chief of the division of parks and watercraft and the chief of the division of wildlife.	1546.04	Yes, state law	Yes, state law
1501:46-15-15	Shall not	The waist floatation device commonly known as a float tube or “belly boat” shall be permitted for use when fishing on lakes administered by the division. Such devices shall not be utilized in designated swimming areas, ski or speed zones. A float tube or “belly boat” shall be defined as an inflatable device constructed of rubber, canvas or other material that is designed to be inflated with any gaseous substance, constructed with two or more air cells. Such device shall be designed for a single occupant, with the seat at or below the waterline and with the majority of the operator’s body immersed in the water.	1546.01, 1546.03	Yes, state law	Yes, state law
1501:46-15-17	Shall	(A) The chief, with concurrence of the chief of the division of wildlife and the approval of the director, may offer drawings for special management hunts in areas where hunting would not ordinarily be permitted. The fee for entering drawings for these special management hunting opportunities is five dollars. The chief may determine whether part or all of the drawing entry fees are refundable. (B) No person shall enter a drawing for a special hunt until they exhibit a valid Ohio hunting license.	1546.19	Yes, state law	Yes, state law
1501:47-1-02	Require	The owner of any watercraft required to be registered under the provisions of section 1547.54 of the Revised Code	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-02	Shall	shall, prior to the operation of such watercraft, apply to the chief of the division of parks and watercraft or an authorized agent designated under the provisions of section 1546.03 of the Revised Code for a registration certificate for such watercraft.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-02	Shall	Whenever the information contained on a registration certificate no longer accurately describes the owner or the watercraft, the registration certificate is void and the owner shall surrender the existing registration certificate to the chief or an authorized agent of the division,	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-02	Shall	upon payment of a three dollar writing fee, shall be issued a new registration certificate bearing the original registration number and expiration date	1546.04	Yes, state law	Yes, state law

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1501:47-1-02	Require	with the correct information required by the provisions of this section.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-02	Shall	Anytime the propulsion of a watercraft is changed in such a way that the registration certificate no longer accurately describes the watercraft shall also be subject to the provisions of section 1501:47-1-06 of the Administrative Code.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-02	Require	The owner of a watercraft required to apply for a new registration certificate under the provisions of this section	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-02	Shall not	shall not be charged more than one three dollar writing fee for each registration certificate issued.	1546.04	Yes, state law	Yes, state law
1501:47-1-02	Shall	The registration certificate shall include the following information: (A) Number assigned to watercraft by the division of parks and watercraft or the United States coast guard.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-02	Require	(J) Manufacturer's hull identification number, if the vessel is required to have a hull identification number as prescribed by the regulations adopted by the United States coast guard.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-03	Shall	The same Ohio registration number shall be issued upon renewal.	1546.04	Yes, state law	Yes, state law
1501:47-1-03	Shall	Such application for mail renewal shall contain all of the information	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-03	Require	required in rule 1501:47-1-02 of the Administrative Code except paragraph (M) of that rule.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-04	Shall	When a watercraft registered by the chief of the division of parks and watercraft is transferred by the owner to another person, the registration numbers and registration decal assigned to the watercraft shall not be removed	1546.04	Yes, state law	Yes, state law
1501:47-1-04	Shall	and shall pass to the possession of the new owner.	1546.04	Yes, state law	Yes, state law
1501:47-1-04	Shall	Any remaining time on the registration shall be transferred.	1546.04	Yes, state law	Yes, state law
1501:47-1-05	Shall	The application for a registration certificate of a watercraft already numbered shall, for the purpose of the fees set forth in section 1547.54 of the Revised Code, be regarded as an original application for registration,	1546.04	Yes, state law	Yes, state law
1501:47-1-05	Shall	but where the watercraft will continue in use in the state of Ohio the number shall be identical with the previously issued number,	1546.04	Yes, state law	Yes, state law
1501:47-1-05	Shall	where a lienholder acquired title and lawful possession by virtue of his lien (repossession), in which case a new number shall be issued.	1546.04	Yes, state law	Yes, state law
1501:47-1-06	Require	When a watercraft registered under the provisions of section 1547.54 of the Revised Code is changed as to type of propulsion, which would require a higher registration fee,	1546.04	Yes, state law	Yes, state law
1501:47-1-06	Shall	the owner of the watercraft shall surrender the existing registration certificate to a duly appointed registration agent of the division of parks and watercraft	1546.04	Yes, state law	Yes, state law
1501:47-1-06	Require	upon payment of the additional fee required plus a writing fee of three dollars to the agent,	1546.04	Yes, state law	Yes, state law
1501:47-1-06	Shall	shall be issued a new registration certificate bearing the original registration number	1546.04	Yes, state law	Yes, state law
1501:47-1-06	Require	and listing the required data of the new watercraft.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-07	Shall	(A) The numbers issued pursuant to section 1547.53 of the Revised Code shall be in accordance with the pattern hereafter prescribed.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-07	Shall	(1) All numbers issued by the chief of the division of parks and watercraft shall be divided into three parts.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-07	Shall	The first part shall consist of symbols identifying the state of Ohio, that is, the letters "OH".	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-07	Shall	(2) The second part of the boat number issued by the chief of the division of parks and watercraft shall consist of not more than four Arabic numerals.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-07	Shall	(3) The third part of the boat number issued by the chief of the division of parks and watercraft shall consist of not more than two capital letters in sequence.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-07	Shall	(a) The third part of any boat number issued to a livery as described in section 1547.542 of the Revised Code shall be the capital letters "LL."	1546.04	Yes, state law	Yes, state law

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1501:47-1-07	Shall	(b) The third part of any boat number issued to a bona fide watercraft dealer or manufacturer operating watercraft in accordance with section 1547.543 of the Revised Code shall be the capital letters "ZZ."	1546.04	Yes, state law	Yes, state law
1501:47-1-07	Shall	(4) The letters and numerals issued by the chief of the division of parks and watercraft comprising the boat number shall be separated by hyphens or equivalent spaces in accordance with the serials numerically and alphabetically, i.e., OH-0000-AA or OH 0000 AA.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-07	Shall	(B) Since the letters (I) and (O) and (Q) may be mistaken for Arabic numerals, all terminal letter sequences using capital (I), (O), and (Q) shall be omitted from the use in the numbering system.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-07	Shall	The number assigned to a watercraft by the issuance of a certificate of number by the chief of the division of parks and watercraft shall be placed on each side of the forward half of the watercraft in such position as to provide clear legibility for identification.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-07	Shall	The number shall read from left to right	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-07	Shall	and shall be in block characters of good proportion and not less than three inches in height.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-07	Shall	The numerals and letters comprising the whole number shall be of a color contrasting to the color of the background and so maintained as to be clearly visible and legible	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-07.1	Shall	(A) The chief shall prescribe a form for the application for a contingent registration which may be issued under the following circumstances:	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-1-07.1	Require	(1) The owner of a vessel that requires a hull identification number under the provisions of section 1547.65 of the Revised Code may apply to the chief for a contingent registration in the event that a hull identification number cannot be issued at the time of application.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-1-07.1	Shall	A contingent registration issued under this division shall be valid for a period not to exceed thirty days from the date of application.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-1-07.1	Must	The owner or operator of the vessel must provide dated proof of application upon the request of a peace officer as defined in section 2935.01 of the Revised Code.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-1-07.1	Shall	A contingent registration issued under this division shall be valid for a period not to exceed thirty days from the date of purchase or possession.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-1-07.1	Must	The owner or operator of the vessel must provide a dealer's dated bill of sale or notarized bill of sale as proof of the term at the time the contingent registration is issued and upon the request of a peace officer as defined in section 2935.01 of the Revised Code.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-1-07.1	Shall	A contingent registration issued under this division shall be valid for a period not to exceed forty-five days from the date of transfer.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-1-07.1	Must	The owner or operator of the vessel must provide a dealer's dated bill of sale as proof of the term at the time the contingent registration is issued and upon the request of a peace officer as defined in section 2935.01 of the Revised Code.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-1-07.1	Shall	(B) Any vessel marker provided by the division of parks and watercraft as proof of contingent registration shall be displayed in the following manner:	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-1-07.1	Shall	(1) The contingent registration marker shall be affixed to the port side of the bow in a location which does not obscure existing vessel numbers and is clearly visible under normal operating conditions, or;	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-1-07.1	Shall	(2) For a hand powered vessel eligible to be numbered under the provisions of division (H) of section 1547.53 of the Revised Code or a personal watercraft, the contingent registration marker shall be placed in a manner consistent	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-1-07.1	Require	placed in a manner consistent with the requirements described in rule 1501:47-1-21 of the Administrative Code.	1546.04	No, general rulemaking authority	No, general rulemaking authority

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1501:47-1-07.1	Must	(C) The owner of a vessel displaying a contingent registration marker must immediately remove the marker when it is no longer valid or upon the issuance of a registration under the provisions of section 1547.531 of the Revised Code.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-1-07.1	Shall	(D) No person shall knowingly alter or deface or otherwise falsely display a contingent registration marker.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-1-07.1	Shall	Violation of this division shall be equivalent to a violation of section 1547.54 of the Revised Code.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-1-07.1	Shall	(E) No person shall operate or permit the operation of a vessel in violation of this rule.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-1-08.1	Require	(A) Only owners of vessels used solely for recreational purposes are eligible for fee waiver for registration certificate, contingent on proof of eligibility as required by paragraph (B) of this rule.	1546.04	Yes, state law	Yes, state law
1501:47-1-08.1	Must	(B) Persons applying for fee waiver for a registration certificate must show proof of ownership of the watercraft pursuant to Chapters 1547. and 1548. of the Revised Code and rules adopted thereunder and	1546.04	Yes, state law	Yes, state law
1501:47-1-08.1	Shall	in addition, shall submit as appropriate one of the following as proof of eligibility: (1) Written verification from the veterans' administration of current one hundred per cent service-related disability. (2) Written verification from the veterans' administration that the veteran has been or is awarded funds for the purchase of a motor vehicle under the Disabled Veterans' and Servicemens' Automobile Assistance Act of 1970, 84 Stat. 1998, 38 U.S.C. 1901, and amendments thereto. (3) Written verification from the veterans' administration of prisoner of war status from the U.S. armed services. (4) A certified copy of the U.S. armed services separation paper showing prisoner of war status. (5) Written verification from the armed service of a country allied with the United States during world war II that the veteran, as a U.S. citizen at the time of the appointment, enrollment, or enlistment, was made a prisoner of war during world war II. (6) Written verification from any agency or branch of the U.S. government of receipt of the congressional medal of honor. (1) Written verification from the veterans' administration of current one hundred per cent service-related disability. (2) Written verification from the veterans' administration that the veteran has been or is awarded funds for the purchase of a motor vehicle under the Disabled Veterans' and Servicemens' Automobile Assistance Act of 1970, 84 Stat. 1998, 38 U.S.C. 1901, and amendments thereto. (3) Written verification from the veterans' administration of prisoner of war status from the U.S. armed services. (4) A certified copy of the U.S. armed services separation paper showing prisoner of war status. (5) Written verification from the armed service of a country allied with the United States during world war II that the veteran, as a U.S. citizen at the time of the appointment, enrollment, or enlistment, was made a prisoner of war during world war II. (6) Written verification from any agency or branch of the U.S. government of receipt of the congressional medal of honor.	1546.04	Yes, state law	Yes, state law
1501:47-1-08.1	Shall	(C) Applicants shall verify eligibility for fee waiver	1546.04	Yes, state law	Yes, state law
1501:47-1-08.1	Require	each time a watercraft registration certificate is required.	1546.04	Yes, state law	Yes, state law
1501:47-1-08.1	Shall	(D) All documents sent to the division of parks and watercraft shall be retained and become the property of the division of parks and watercraft.	1546.04	Yes, state law	Yes, state law
1501:47-1-08.1	Shall	(E) Application for watercraft registration certificate, proof of ownership, and verification of fee waiver eligibility shall be submitted to:	1546.04	Yes, state law	Yes, state law

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1501:47-1-08.1	Shall	(F) Annually, by the fifteenth day of January, the director of natural resources shall determine the amount of fees that would have been collected in the prior calendar year for each registration certificate issued or renewed pursuant to paragraphs (A), (B), and (C) of this rule and certify the total amount of foregone revenue to the director of budget and management for reimbursement from the general revenue fund to the waterways safety fund created pursuant to section 1547.75 of the Revised Code.	1546.04	Yes, state law	Yes, state law
1501:47-1-09	Require	(B) A report is required whenever a vessel subject to this rule is involved in a boating accident which results in any one or more of the following: (1) Loss of life. (2) Personal injury requiring medical treatment beyond first aid. (3) Actual physical damage to property, including watercraft, in excess of five hundred dollars. (4) Physical damage or other incident resulting in the total loss of a vessel. (5) Whenever death results from a boating accident,	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-09	Shall	a written report shall be submitted to the chief of the division within twenty four hours.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-09	Shall	For every other reportable boating accident a written report shall be submitted within five days after such accident.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-09	Shall	All such reports shall be submitted upon forms prescribed by and available from the chief of the division.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-09	Shall	The operator or operators of each vessel involved shall prepare and submit a written report to the: "Chief of the Division of Parks and Watercraft, 2045 Morse Road, building C, Columbus, Ohio 43229."	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-09	Shall	Every written report shall contain the complete information	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-09	Require	complete information required by the report form as described by the chief of the division.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-09	Shall	(C) The chief of the division shall furnish all boating accident report statistics, information, or forms	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-09	Shall	as shall from time to time be requested by the United States coast guard.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-10	Shall	No person shall without lawful authority climb on, swim and hang on, dive off, tie a watercraft to or attempt to tie a watercraft to, injure, sink, disconnect from its anchor, damage, deface or interfere with any buoy or other aid to navigation which is placed, anchored or erected by the United States coast guard, state of Ohio or political subdivision of this state.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-12	Shall	In accordance with section 1547.08 of the Revised Code the following buoys or signs shall be used to mark recreational water areas of the state of Ohio.	1546.04	Yes, state law	Yes, state law
1501:47-1-12	Shall	(A) Buoys marking control zones, hazards and no boat areas shall show all around the horizon.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-12	Shall	The body of such buoys shall show white in color	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-12	Shall	and shall have a solid orange cap at the top.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-12	Shall	On the white background, as an integral part of the buoy or on a suitable decal, shall be the outline of a circular or diamond shaped insignia of the same orange color.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-12	Shall	Above, below or enclosed in the insignia shall be black block letters with an indication of the restriction.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-12	Shall	The size of the insignia and the letters shall be determined by the chief of the division of parks and watercraft commensurate with the size of the buoy.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-12	Shall	(B) Control zones shall be marked by buoys displaying a circular-shaped insignia of the above mentioned orange color.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-12	Shall	(C) Danger areas shall be marked by buoys displaying a diamond-shaped insignia of the above mentioned orange color.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-12	Prohibit	(D) Dams, rapids, swimming areas and all other areas in which recreational vessels are prohibited	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-12	Shall	shall be marked by buoys displaying a diamond-shaped insignia containing intersecting horizontal and vertical lines of the above mentioned orange color.	1546.04	Yes, both state and federal law	Yes, both state and federal law

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1501:47-1-13	Shall	(A) No person shall anchor, moor, tie-up, or raft off to any other vessel, dock, launch ramp, or structure on the waters in this state in such a manner that the vessel blocks, impedes, or restricts other vessels in their normal and reasonable use or navigation.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-13	Shall	(B) No person shall leave any vessel anchored, or in any dock space, or tie-up space, on the waters in this state without first properly fastening and securing the vessel in such a manner as to avoid fouling or collision with any other vessel, or from drifting free.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-15	Shall	In accordance with section 1547.052 of the Revised Code, the division of parks and watercraft approved abbreviated examination shall be completed	1546.04	Yes, state law	Yes, state law
1501:47-1-15	Require	with the following requirements:	1546.04	Yes, state law	Yes, state law
1501:47-1-15	Shall	(A) The examination shall be administered by and in the presence of the rental business employee issuing the rental agreement;	1546.04	Yes, state law	Yes, state law
1501:47-1-15	Shall	(B) A person taking the examination shall only have two attempts at achieving a passing score within one calendar day;	1546.04	Yes, state law	Yes, state law
1501:47-1-15	Shall	(C) No reference material shall be utilized by a person while completing the examination;	1546.04	Yes, state law	Yes, state law
1501:47-1-15	Shall	(D) Neither the rental business employee, nor any other person shall provide information to another person while attempting to complete the examination in order to attain a passing score.	1546.04	Yes, state law	Yes, state law
1501:47-1-16	Shall	The division of parks and watercraft shall provide and issue certificates pursuant to section 1547.05 of the Revised Code for proctored and nonproctored proficiency examinations.	1546.04	Yes, state law	Yes, state law
1501:47-1-16	Shall	Each certificate and examination shall comply	1546.04	Yes, state law	Yes, state law
1501:47-1-16	Require	with the following requirements:	1546.04	Yes, state law	Yes, state law
1501:47-1-16	Shall	(A) All proficiency examinations shall be supplied by the division of parks and watercraft;	1546.04	Yes, state law	Yes, state law
1501:47-1-16	Shall	(B) All completed proficiency examinations shall be submitted to the division of parks and watercraft	1546.04	Yes, state law	Yes, state law
1501:47-1-16	Must	A minimum of seventy percent must be achieved on the examination to obtain a certificate;	1546.04	Yes, state law	Yes, state law
1501:47-1-16	Must	(C) In addition to paragraphs (A) and (B) of this rule, persons applying for a proctored proficiency examination certificate must complete	1546.04	Yes, state law	Yes, state law
1501:47-1-16	Require	complete the examination under the following requirements:	1546.04	Yes, state law	Yes, state law
1501:47-1-16	Shall	(1) The examination shall be administered by and in the presence of a division of parks and watercraft employee, a certified Ohio boating education course instructor, or a division of parks and watercraft designee;	1546.04	Yes, state law	Yes, state law
1501:47-1-16	Shall	(2) No reference material shall be used by a person while completing the examination;	1546.04	Yes, state law	Yes, state law
1501:47-1-16	Shall	(3) No person, division of parks and watercraft employee, or certified Ohio boating education course instructor shall provide information to another person while attempting to complete the examination in order to attain a passing score.	1546.04	Yes, state law	Yes, state law
1501:47-1-16	Shall	(4) A person taking the examination shall only have two attempts at achieving a passing score within one calendar day	1546.04	Yes, state law	Yes, state law
1501:47-1-17	Shall	In accordance with section 1547.05 of the Revised Code, the certificate as evidence of successful completion of the course or examination shall be valid only if the following information is on the certificate: (A) Name; (B) Date of birth; (C) Completion date of course or examination; (D) Issuing agency logo; and	1546.04	Yes, state law	Yes, state law
1501:47-1-17	Shall	(E) National association of state boating law administrators (NASBLA) approved course certificates shall also display the NASBLA logo and the words "course approved by the national association of state boating law administrators."	1546.04	Yes, state law	Yes, state law

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1501:47-1-18	Shall	(B) Persons participating in division of parks and watercraft sponsored courses and programs approved by the chief of the division of parks and watercraft other than as prescribed in paragraph (A) of this rule, may be assessed a fee no greater than the costs of the educational materials, room rentals, and equipment rental fees incurred by the division of parks and watercraft. Course fees shall be determined in accordance with policies established by the chief.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-1-18	Shall	(C) The division of parks and watercraft shall deposit all course fees collected into the waterways safety fund established in section 1547.75 of the Revised Code.	1546.04	Yes, state law	Yes, state law
1501:47-1-19	Shall	(A) A refund of a watercraft registration fee set forth in section 1547.54 of the Revised Code shall be issued in the event the watercraft owner is able to provide proof that the registration fee had been paid multiple times for the current triennial registration time period.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-1-19	Shall	(B) A refund of a boating skill development course or other educational course as set forth in rule 1501:47-1-18 of the Administrative Code shall be issued in the event of an emergency, or in those situations where the chief deems a refund is appropriate.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-1-20	Shall	In accordance with division (I)(2) of section 1547.31 of the Revised Code, the following shall	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-1-20	Require	be required when conducting a powercraft noise level test:	1546.04	Yes, state law	No, general rulemaking authority
1501:47-1-20	Shall	(A) A sound meter which meets type 1 or type 2 specifications and SAE J 1970 and SAEJ 2005 standards shall be used;	1546.04	Yes, state law	Yes, state law
1501:47-1-20	Shall	(B) A sound level calibrator shall be used to calibrate the sound level meter.	1546.04	Yes, state law	Yes, state law
1501:47-1-20	Shall	The sound level calibrator shall meet all SAE J 1970 and SAE J 2005 standards; and	1546.04	Yes, state law	Yes, state law
1501:47-1-20	Shall	(C) A sound level test shall be conducted in accordance with all manufacturer specifications pertaining to the specific sound level meter used.	1546.04	Yes, state law	Yes, state law
1501:47-1-20	Shall	(D) The operator of a powercraft that requests a letter of exemption for the purpose of testing, development, or both shall identify the powercraft concerning which the letter is issued by providing the following information in a letter addressed to the "Chief of the Division of Parks and Watercraft; 2045 Morse Road; Columbus, Ohio 43229."	1546.04	Yes, state law	Yes, state law
1501:47-1-20	Require	(E) Requirements for the training of law enforcement officers	1546.04	Yes, state law	Yes, state law
1501:47-1-20	Shall	who conduct powercraft noise level tests shall include the following: (1) Site selection where noise level is measured;	1546.04	Yes, state law	Yes, state law
1501:47-1-20	Require	(2) Calibration requirements; and (3) Use of specific sound meter devices.	1546.04	Yes, state law	Yes, state law
1501:47-1-21	Shall	(A) The owner of a hand powered canoe, rowboat (including racing shells and rowing sculls), or inflatable watercraft for which a registration certificate is issued under section 1547.54 of the Revised Code and which is exempted from numbering under division (H) of section 1547.53 of the Revised Code shall securely affix the assigned tag to the vessel in a location that is visible under normal operating conditions in one of the following manners: (1) On the transom, the tag should be affixed in the upper right corner of the transom and placed so that the tag does not interfere with the legibility of the hull identification number; (2) On a deck on the rear half of the vessel; (3) On the outside below the port side gunnel; or (4) On the inside of the vessel on the upper portion of the starboard side gunnel so that it is visible from the port side of the vessel.	1546.04	No, general rulemaking authority	No, general rulemaking authority

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1501:47-1-21	Shall	(B) The tag shall be securely affixed to the vessel prior to its operation, but shall be removed when it becomes invalid.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-1-21	Shall	(C) No person shall operate or permit to be operated any vessel on the waters in this state in violation of this rule.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-1-23	Must	Any vessel that has been issued a hull identification number under the authority of section 1547.65 of the Revised Code must permanently affix and display the hull identification number in accordance with federal law as described in 33 CFR section 181.29.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-27	Shall	(A) Any vessel, except a vessel of less than twenty-six feet in length, operating upon the waters of this state shall display pollution placards as described within 33 CFR 155.450.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-27	Shall	Such placards shall be at least five inches by eight inches, made of durable material fixed in a conspicuous place in each machinery space or at the bilge and ballast pump control station, and state the following:	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-27	Prohibit	Discharge of oil prohibited	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-27	Prohibit	The Federal Water Pollution Control Act prohibits the discharge of oil or oily waste into or upon the navigable waters of the United States, or the waters of the contiguous zone, or which may affect the natural resources belonging to, appertaining to, or under the exclusive management authority of the United States, if such discharge causes a film or discoloration of the surface of the water or causes a sludge or emulsion beneath the surface of the water	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-27	Shall	(B) No person shall operate a vessel or permit a vessel to be operated in violation of this rule.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-28	Must	(A) Any vessel, except a vessel of less than twenty-six feet in length operating upon the waters of this state, must have a garbage placard of at least nine inches wide by four inches high, made of durable material, lettered with letters at least one-eighth inch high as described within 33 CFR 151.59.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-28	Must	(B) The placard must be displayed in a conspicuous place on the vessel at all times and notify the reader of the following:	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-28	Prohibit	(1) The discharge of plastic, or garbage, or any other waste mixed with plastic into the water is prohibited.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-28	Prohibit	(2) The discharge of dunnage, lining and packing materials that float into the water is prohibited.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-28	Shall	(C) No person shall operate a vessel or permit the operation of a vessel in violation of this rule.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-29	Shall	(A) Upon the waters of this state, the operator of each self-propelled vessel twelve meters or more in length shall carry on board and maintain for ready reference a copy of the inland navigation rules	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-29	Require	required by 33 CFR 88.05.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-1-29	Shall	(B) No person shall operate a vessel or permit a vessel to be operated in violation of this rule.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-01	Require	(B) All vessels complying with the construction and equipment requirements of the "Code of Federal Regulations" and the "International Navigational Rules Act of 1977" and any amendments thereto are considered in compliance with rules 1501:47-2-01 to 1501:47-2-36 of the Administrative Code.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-01	Shall	(C) Nothing in rules 1501:47-2-01 to 1501:47-2-36 of the Administrative Code shall interfere with the operation of any special rules made by the secretary of the navy with respect to additional station or signal lights and shapes or whistle signals for ships of war and vessels proceeding under convoy, or by the secretary with respect to additional station or signal lights and shapes for fishing vessels engaged in fishing as a fleet.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-01	Shall	These additional station lights and shapes or whistle signals shall, so far as possible, be such that they cannot be mistaken for any light, shape, or signal authorized elsewhere under these rules.	1546.04	Yes, both state and federal law	Yes, both state and federal law

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1501:47-2-01	Shall	(E) Whenever the secretary determines that a vessel or class of vessels of special construction or purpose cannot comply fully with the provisions of any of these rules with respect to the number, position, range, or arc of visibility of lights or shapes, as well as to the disposition and characteristics of sound-signaling appliances, without interfering with the special function of the vessel, the vessel shall comply with such other provisions in regard to the number, position, range, or arc of visibility of lights or shapes, as well as to the disposition and characteristics of sound-signaling appliances,	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-01	Shall	as the secretary shall have determined to be the closest possible compliance with these rules.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-01	Shall	The secretary of the navy shall make these determinations and issue certificates of alternative compliance for vessels of the navy.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-02	Shall	(A) Nothing in rules 1501:47-2-01 to 1501:47-2-36 of the Administrative Code shall exonerate any vessel, or the operator, owner, master, or crew thereof, from the consequences of any neglect to comply with rules 1501:47-2-01 to 1501:47-2-36 of the Administrative Code	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-02	Require	or of the neglect of any precaution which may be required by the ordinary practice of operator, owner, master or crew thereof, or by the special circumstances of the case.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-02	Shall	(B) In construing and complying with this chapter due regard shall be had to all dangers of navigation and collision and to any special circumstances, including the limitations of the vessels involved, which may make a departure from these rules necessary to avoid immediate danger.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-02	Shall	No person shall operate or permit to be operated, any vessel on the waters in this state, in violation of this rule.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-03	Require	For the purpose of rules 1501:47-2-01 to 1501:47-2-36 of the Administrative Code, except where the context otherwise requires, the definitions are as follows: (A) "Vessel" includes every description of watercraft, including nondisplacement craft and seaplanes, including wing-in-ground craft, used or capable of being used as a means of transportation on the water. (B) "Power-driven vessel" means any vessel propelled by machinery, fuel, rockets, or similar device. (C) "Sailing vessel" means any vessel under sail provided that all propelling machinery, if fitted, is not being used. (D) "Vessel engaged in fishing" means any vessel fishing with nets, lines, trawls, or other fishing apparatus which restricts maneuverability, but does not include a vessel fishing with trolling lines or other fishing apparatus which do not restrict maneuverability or fishing vessels engaged in recreational fishing. (E) "Seaplanes" includes any aircraft designed to maneuver on the water. (F) "Wing-in-Ground craft" (WIG) means a multimodal craft which, in its main operational mode, flies in close proximity to the surface by utilizing surface-effect action.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-03	Require	(G) "Vessel not under command" means a vessel which through some exceptional circumstance is unable to maneuver as required by these rules and is therefore unable to keep out of the way of another vessel.	1546.04	Yes, both state and federal law	Yes, both state and federal law

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1501:47-2-03	Require	(H) "Vessel restricted in its ability to maneuver" means a vessel which from the nature of its work is restricted in its ability to maneuver as required by these rules and is therefore unable to keep out of the way of another vessel; vessels restricted in their ability to maneuver include, but are not limited to; (1) A vessel engaged in laying, servicing, or picking up a navigation mark, submarine cable, or pipeline. (2) A vessel engaged in dredging, surveying, or underwater operations. (3) A vessel engaged in replenishment or transferring of persons, provisions, or cargo while underway. (4) A vessel engaged in the launching or recovery of aircraft. (5) A vessel engaged in minesweeping operations. (6) A vessel engaged in a towing operation such as severely restricts the towing vessel and its tow in their ability to deviate from their course. (I) "Underway" means that a vessel is not at anchor, or made fast to the shore or aground. (J) "Length" and "breadth" of a vessel means its length overall and greatest breadth.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-03		(K) "In sight of one another," vessels shall be deemed to be in sight of one another only when one can be observed visually from the other.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-03	Shall	No person shall operate or permit to be operated, any vessel on the waters in this state, in violation of this rule.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-05	Shall	Every vessel shall at all times maintain a proper look-out by sight and hearing as well as by all available means appropriate in the prevailing circumstances and conditions so as to make a full appraisal of the situation and of the risk of collision.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-05	Shall	No person shall operate or permit to be operated, any vessel on the waters in this state, in violation of this rule.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-06	Shall	Every vessel shall at all times proceed at a safe speed so that it can take proper and effective action to avoid collision and be stopped within a distance appropriate to the prevailing circumstances and conditions.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-06	Shall	In determining a safe speed the following factors shall be among those taken into account: (A) By all vessels: (1) The state of visibility. (2) The traffic density including concentration of fishing vessels or any other vessels. (3) The maneuverability of the vessel with special reference to stopping distance and turning ability in the prevailing conditions. (4) At night the presence of background light such as from shore lights or from back scatter of its own lights. (5) The state of wind, sea, and current, and the proximity of navigational hazards. (6) The draft in relation to the available depth of water.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-06	May not	(B) Additionally, by vessels with operational radar: (1) The characteristics, efficiency and limitations of the radar equipment. (2) Any constraints imposed by the radar range scale in use. (3) The effect on radar detection of the sea state, weather, and other sources of interference. (4) The possibility that small vessels, ice and other floating objects may not be detected by radar at an adequate range. (5) The number, location, and movement of vessels detected by radar. (6) The more exact assessment of the visibility that may be possible when radar is used to determine the range of vessels or other objects in the vicinity.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-06	Shall	No person shall operate or permit to be operated, any vessel on the waters in this state, in violation of this rule.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-07	Shall	(A) Every vessel shall use all available means appropriate to the prevailing circumstances and conditions to determine if risk of collision exists.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-07	Shall	If there is any doubt such risk shall be deemed to exist.	1546.04	Yes, both state and federal law	Yes, both state and federal law

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1501:47-2-07	Shall	(B) Proper use shall be made of radar equipment if fitted and operational, including long-range scanning to obtain early warning of risk of collision and radar plotting or equivalent systematic observation of detected objects.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-07	Shall not	(C) Assumptions shall not be made on the basis of scanty information, especially scanty radar information.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-07	Shall	(D) In determining if risk of collision exists the following considerations shall be among those taken into account:	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-07	Shall	(1) Such risk shall be deemed to exist if the compass bearing of an approaching vessel does not appreciably change. (2) Such risk may sometimes exist even when an appreciable bearing change is evident, particularly when approaching a very large vessel or a tow or when approaching a vessel at close range.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-07	Shall	No person shall operate or permit to be operated, any vessel on the waters in this state, in violation of this rule.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-08	Shall	(A) Any action taken to avoid collision shall, if the circumstances of the case admit, be positive, made in ample time and with due regard to the observance of good seamanship.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-08	Shall	(B) Any alteration of course or speed to avoid collision shall, if the circumstances of the case admit, be large enough to be readily apparent to another vessel observing visually or by radar; a succession of small alterations of course or speed should be avoided.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-08	Shall	(D) Action taken to avoid collision with another vessel shall be such as to result in passing at a safe distance.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-08	Shall	The effectiveness of the action shall be carefully checked until the other vessel is finally past and clear.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-08	Shall	(E) If necessary to avoid collision or allow more time to assess the situation, a vessel shall slacken its speed or take all way off by stopping or reversing its means of propulsion.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-08	Shall	No person shall operate or permit to be operated, any vessel on the waters in this state, in violation of this rule.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-09	Shall	(A)(1) A vessel proceeding along the course of a narrow channel or fairway shall keep as near to the outer limit of the channel or fairway which lies on its starboard side as is safe and practicable.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-09	Shall	(2) Notwithstanding paragraph (A)(1) of this rule and paragraph (A) of rule 1501:47-2-14 of the Administrative Code, a power-driven vessel operating in narrow channels or fairways on lake Erie and its tributaries and the Ohio river and its tributaries and proceeding downbound with a following current shall have the right-of-way over an upbound vessel,	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-09	Shall	shall propose the manner and place of passage,	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-09	Shall	and shall initiate the maneuvering signals prescribed by paragraph (A)(1) of rule 1501:47-2-34 of the Administrative Code, as appropriate.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-09	Shall	The vessel proceeding upbound against the current shall hold as necessary to permit safe passing.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-09	Shall not	(B) A vessel of less than twenty meters in length or a sailing vessel shall not impede the passage of a vessel that can safely navigate only within a narrow channel or fairway.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-09	Shall not	(C) A vessel engaged in fishing shall not impede the passage of any other vessel navigating within a narrow channel or fairway.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-09	Shall not	(D) A vessel shall not cross a narrow channel or fairway if such crossing impedes the passage of a vessel which can safely navigate only within that channel or fairway.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-09	Shall	The latter vessel shall use the danger signal prescribed in paragraph (D) of rule 1501:47-2-34 of the Administrative Code if in doubt as to the intention of the crossing vessel.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-09	Shall	(E)(1) In a narrow channel or fairway when overtaking, the vessel intending to overtake shall indicate its intention by sounding the appropriate signal prescribed in paragraph (C) of rule 1501:47-2-34 of the Administrative Code and take steps to permit safe passing.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-09	Shall	The overtaken vessel, if in agreement, shall sound the same signal.	1546.04	Yes, both state and federal law	Yes, both state and federal law

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1501:47-2-09	Shall	If in doubt it shall sound the danger signal prescribed in paragraph (D) of rule 1501:47-2-34 of the Administrative Code.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-09	Shall	(F) A vessel nearing a bend or an area of a narrow channel or fairway where other vessels may be obscured by an intervening obstruction shall navigate with particular alertness and caution	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-09	Shall	and shall sound the appropriate signal prescribed in paragraph (E) of rule 1501:47-2-34 of the Administrative Code.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-09	Shall	(G) Every vessel shall, if the circumstances of the case admit, avoid anchoring in a narrow channel.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-09	Shall	(H) Vessels leaving a dock, boat slip, tie-up space, or mooring shall yield the right-of-way to all vessels approaching such dock, boat slip, tie-up space, or mooring.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-09	Shall	No person shall operate or permit to be operated, any vessel on the waters in this state, in violation of this rule.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-10	Require	Each vessel required by the "Code of Federal Regulations" to participate in a vessel traffic service	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-10	Shall	shall comply with the applicable regulations.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-12	Shall	(A) When two sailing vessels are approaching one another, so as to involve risk of collision, one of them shall keep out of the way of the other as follows:	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-12	Shall	(1) When each has the wind on a different side, the vessel which has the wind on the port side shall keep out of the way of the other.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-12	Shall	(2) When both have the wind on the same side, the vessel which is to windward shall keep out of the way of the vessel which is to leeward.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-12	Shall	(3) If a vessel with the wind on the port side sees a vessel to windward and cannot determine with certainty whether the other vessel has the wind on the port or on the starboard side, it shall keep out of the way of the other.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-12	Shall	(B) For the purpose of this rule the windward side shall be deemed to be the side opposite to that on which the mainsail is carried or, in the case of a square-rigged vessel, the side opposite to that on which the largest fore-and-aft sail is carried.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-12	Shall	No person shall operate or permit to be operated, any vessel on the waters in this state, in violation of this rule.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-13	Shall	(A) Notwithstanding anything contained in rules 1501:47-2-04 to 1501:47-2-18 of the Administrative Code, any vessel overtaking any other shall keep out of the way of the vessel being overtaken.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-13	Shall	(B) A vessel shall be deemed to be overtaking when coming up with another vessel from a direction more than twenty-two and one half degrees abaft its beam; that is, in such a position with reference to the vessel it is overtaking, that at night it would be able to only see the sternlight of that vessel but neither of its sidelights.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-13	Shall	(C) When a vessel is in any doubt as to whether it is overtaking another, it shall assume that this is the case and act accordingly.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-13	Shall not	(D) Any subsequent alteration of the bearing between the two vessels shall not make the overtaking vessel a crossing vessel within the meaning of these rules or relieve it of the duty of keeping clear of the overtaken vessel until it is finally past and clear.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-13	Shall	No person shall operate or permit to be operated, any vessel on the waters in this state, in violation of this rule.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-14	Shall	(A) Unless otherwise agreed, when two power-driven vessels are meeting on reciprocal or nearly reciprocal courses so as to involve risk of collision each shall alter its course to starboard	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-14	Shall	so that each shall pass on the port side of the other.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-14	Shall	(B) Such a situation shall be deemed to exist when a vessel sees the other ahead or nearly ahead and by night it could see the masthead lights of the other in a line or nearly in a line or both sidelights and by day it observes the corresponding aspect of the other vessel.	1546.04	Yes, both state and federal law	Yes, both state and federal law

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1501:47-2-14	Shall	(C) When a vessel is in any doubt as to whether such a situation exists it shall assume that it does exist and act accordingly.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-14	Shall	(D) Notwithstanding paragraph (A) of this rule, a power-driven vessel operating on lake Erie and its tributaries , the Ohio river and its tributaries (or waters specified by the secretary) and proceeding downbound with a following current shall have the right-of-way over an upbound vessel,	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-14	Shall	shall propose the manner of passage, and shall initiate the maneuvering signals prescribed by paragraph (A)(1) of rule 1501:47-2-34 of the Administrative Code, as appropriate.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-14	Shall	No person shall operate or permit to be operated, any vessel on the waters in this state, in violation of this rule.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-15	Shall	(A) When two power-driven vessels are crossing so as to involve risk of collision, the vessel which has the other on its starboard side shall keep out of the way and	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-15	Shall	shall, if the circumstances of the case admit, avoid crossing ahead of the other vessel.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-15	Shall	(B) Notwithstanding paragraph (A) of this rule, on lake Erie and its tributaries, the Ohio river and its tributaries (or water specified by the secretary) a vessel crossing a river shall keep out of the way of a power-driven vessel ascending or descending the river.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-15	Shall	No person shall operate or permit to be operated, any vessel on the waters in this state, in violation of this rule.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-16	Shall	Every vessel which is directed to keep out of the way of another vessel shall, so far as possible, take early and substantial action to keep well clear.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-16	Shall	No person shall operate or permit to be operated, any vessel on the waters in this state, in violation of this rule.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-17	Shall	(A)(1) Where one of two vessels is to keep out of the way, the other shall keep its course and speed.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-17	Require	(2) The latter vessel may, however, take action to avoid collision by its maneuver alone, as soon as it becomes apparent to it that the vessel required to keep out of the way is not taking appropriate action in compliance with this chapter.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-17	Require	(B) When, from any cause, the vessel required to keep its course and speed finds itself so close that collision cannot be avoided by the action of the give-way vessel alone,	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-17	Shall	it shall take such action as will best aid to avoid collision.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-17	Shall	(C) A power-driven vessel which takes action in a crossing situation in accordance with paragraph (A)(2) of this rule to avoid collision with another power-driven vessel shall, if the circumstances of the case admit, not alter course to port for a vessel on its own port side.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-17	Shall	No person shall operate or permit to be operated, any vessel on the waters in this state, in violation of this rule.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-18	Require	Except where rules 1501:47-2-09, 1501:47-2-10, and 1501:47-2-13 of the Administrative Code otherwise require:	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-18	Shall	(A) A power-driven vessel underway shall keep out of the way of: (1) A vessel not under command. (2) A vessel restricted in its ability to maneuver. (3) A vessel engaged in fishing. (4) A sailing vessel.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-18	Shall	(B) A sailing vessel underway shall keep out of the way of: (1) A vessel not under command. (2) A vessel restricted in its ability to maneuver. (3) A vessel engaged in fishing.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-18	Shall	(C) A vessel engaged in fishing when underway shall, so far as possible, keep out of the way of: (1) A vessel not under command. (2) A vessel restricted in its ability to maneuver.	1546.04	Yes, both state and federal law	Yes, both state and federal law

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1501:47-2-18	Shall	(D) A seaplane on the water shall, in general, keep well clear of all vessels and avoid impeding their navigation.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-18	Shall	In circumstances, however, where risk of collision exists, it shall comply with the rules of this part.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-18	Shall	No person shall operate or permit to be operated, any vessel on the waters in this state, in violation of this rule.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-19	Shall	(B) Every vessel shall proceed at a safe speed adapted to the prevailing circumstances and conditions of restricted visibility.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-19	Shall	A power-driven vessel shall have its engines ready for immediate maneuver.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-19	Shall	(C) Every vessel shall have due regard to the prevailing circumstances and conditions of restricted visibility when complying with rules 1501:47-2-04 to 1501:47-2-10 of the Administrative Code.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-19	Shall	(D) A vessel which detects by radar alone the presence of another vessel shall determine if a close-quarters situation is developing or risk of collision exists.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-19	Shall	If so, it shall take avoiding action in ample time, provided that when such action consists of an alteration of course,	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-19	Shall	so far as possible the following shall be avoided: an alteration of course to port for a vessel forward of the beam, other than for a vessel being overtaken and an alteration of course toward a vessel abeam or abaft the beam.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-19	Shall	(E) Except where it has been determined that a risk of collision does not exist, every vessel which hears apparently forward of its beam the fog signal of another vessel, or which cannot avoid a close-quarters situation with another vessel forward of its beam, shall reduce its speed to the minimum at which it can be kept on course	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-19	Shall	It shall if necessary take all its way off and, in any event, navigate with extreme caution until danger of collision is over.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-19	Shall	No person shall operate or permit to be operated, any vessel on the waters in this state, in violation of this rule.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-20	Shall	(A) Rules 1501:47-2-20 to 1501:47-2-31 of the Administrative Code shall be complied with in all weather.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-20	Shall	(B) The rules concerning lights shall be complied with from sunset to sunrise local time,	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-20	Shall	and during such times no other lights shall be exhibited, except such lights as cannot be mistaken for the lights specified in these rules or do not impair their visibility or distinctive character, or interfere with the keeping of a proper look-out.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-20	Shall	(C) The lights prescribed by this chapter shall, if carried, also be exhibited from sunrise to sunset local time in restricted visibility and may be exhibited in all other circumstances when it is deemed necessary.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-20	Shall	(D) Rules concerning shapes shall be complied with from sunrise to sunset local time.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-20	Shall	(E) The lights and shapes specified in these rules shall comply with the provisions of annex I of the "I.N.R.A."	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-21	Require	For the purpose of rules 1501:47-2-21 to 1501:47-2-31 of the Administrative Code, except where the context otherwise requires, the definitions are as follows:	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-21	Shall	(A) "Masthead light" means a white light placed over the fore and aft centerline of the vessel showing an unbroken light over an arc of the horizon of two hundred twenty-five degrees and so fixed as to show the light from right ahead to twenty-two and one-half degrees abaft the beam on either side of the vessel, except that on a vessel of less than twelve meters in length the masthead light shall be placed as nearly as practicable to the fore and aft centerline of the vessel.	1546.04	Yes, both state and federal law	Yes, both state and federal law

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1501:47-2-21	Shall	(B) "Sidelights" mean a green light on the starboard side and a red light on the port side each showing an unbroken light over an arc of the horizon of one hundred twelve and one-half degrees and so fixed as to show the light from right ahead to twenty-two and one-half degrees abaft the beam on its respective side. On a vessel of less than twenty meters in length the side lights may be in combination in one lantern carried on the fore and aft centerline of the vessel, except on a vessel of less than twelve meters in length the sidelights when combined in one lantern shall be placed as nearly as practicable to the fore and aft centerline of the vessel. (C) "Sternlight" means a white light placed as nearly as practicable at the stern showing an unbroken light over an arc of the horizon of one hundred thirty-five degrees and so fixed as to show the light sixty-seven and one-half degrees from right aft on each side of the vessel. (D) "Towing light" means a yellow light having the same characteristics as the sternlight defined in paragraph (C) of this rule. (E) "All-round light" means a light showing an unbroken light over an arc of the horizon of three hundred sixty degrees. (F) "Flashing light" means a light flashing at regular intervals at a frequency of one hundred twenty flashes or more per minute. (G) "Special flashing light" means a yellow light flashing at regular intervals at a frequency of fifty to seventy flashes per minute, placed as far forward and as nearly as practicable on the fore and aft centerline of the tow and showing an unbroken light over an arc of the horizon of not less than one hundred eighty degrees nor more than two hundred twenty-five degrees and so fixed as to show the light from right ahead to abeam and no more than twenty-two and one-half degrees abaft the beam on either side of the vessel.	1546.04	Yes, both state and federal law	Yes, both state and federal law

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1501:47-2-22	Shall	The lights prescribed in these rules shall have an intensity as specified in annex I of the "I.N.R.A.", so as to be visible at the following minimum ranges: (A) In a vessel of fifty meters or more in length: (1) A masthead light, six miles. (2) A sidelight, three miles. (3) A sternlight, three miles. (4) A towing light, three miles. (5) A white, red, green or yellow all-around light, three miles. (6) A special flashing light, two miles. (B) In a vessel of twelve meters or more in length but less than fifty meters in length: (1) A masthead light, five miles; except that where the length of the vessel is less than twenty meters, three miles. (2) A sidelight, two miles. (3) A sternlight, two miles. (4) A towing light, two miles. (5) A white, red, green or yellow all-around light, two miles. (6) A special flashing light, two miles. (C) In a vessel of less than twelve meters in length: (1) A masthead light, two miles. (2) A sidelight, one mile. (3) A sternlight, two miles. (4) A towing light, two miles. (5) A white, red, green or yellow all-around light, two miles. (6) A special flashing light, two miles. (D) In an inconspicuous, partly submerged vessel or object being towed: a white all-round light, three miles.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-22	Shall	No person shall operate or permit to be operated, any vessel on the waters in this state, in violation of this rule.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-23	Shall	(A) A power-driven vessel underway shall exhibit:	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-23	Shall	(1) A masthead light forward; except that a vessel of less than twenty meters in length need not exhibit this light forward of amidships but shall exhibit it as far forward as is practicable. (2) A second masthead light abaft of and higher than the forward one; except that a vessel of less than fifty meters in length shall not be obliged to exhibit such light but may do so. (3) Sidelights. (4) A sternlight.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-23	Shall	(B) An air-cushion vessel when operating in the nondisplacement mode shall, in addition to the lights prescribed in paragraph (A) of this rule, exhibit an all-round flashing yellow light where it can best be seen.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-23	Shall	(D) A power-driven vessel when operating on the great lakes may carry an all-round white light in lieu of the second masthead light and sternlight prescribed in paragraph (A) of this rule. The light shall be carried in the position of the second masthead light and be visible at the same minimum range.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-23	Shall	No person shall operate or permit to be operated, any vessel on the waters in this state, in violation of this rule.	1546.04	Yes, both state and federal law	Yes, both state and federal law

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1501:47-2-24	Shall	(A) A power-driven vessel when towing astern shall exhibit: (1) Instead of the light prescribed either in paragraph (A)(1) or (A)(2) of rule 1501:47-2-23 of the Administrative Code, two masthead lights in a vertical line. When the length of the tow, measuring from the stern of the towing vessel to the after end of the tow exceeds two hundred meters, three such lights in a vertical line. (2) Sidelights. (3) A sternlight. (4) A towing light in a vertical line above the sternlight. (5) When the length of the tow exceeds two hundred meters, a diamond shape where it can best be seen.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-24	Shall	(B) When a pushing vessel and a vessel being pushed ahead are rigidly connected in a composite unit they shall be regarded as a power-driven vessel and exhibit the lights prescribed in rule 1501:47-2-23 of the Administrative Code.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-24	Require	(C) A power-driven vessel when pushing ahead or towing alongside, except as required by paragraphs (B) and (C)(1) of this rule,	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-24	Shall	shall exhibit: (1) Instead of the light prescribed either in paragraph (A)(1) or (A)(2) of rule 1501:47-2-23 of the Administrative Code, two masthead lights in a vertical line. (2) Sidelights. (3) Two towing lights in a vertical line. (D) A power-driven vessel to which paragraph (A) or (C) of this rule apply shall also comply with paragraphs (A)(1) and (A)(2) of rule 1501:47-2-23 of the Administrative Code.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-24	Shall	(E) A vessel or object other than those referred to in paragraph (G) of this rule being towed shall exhibit: (1) Sidelights. (2) A sternlight. (3) When the length of the tow exceeds two hundred meters, a diamond shape where it can best be seen.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-24	Shall	(F) Provided that any number of vessels being towed alongside or pushed in a group shall be lighted as one vessel:	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-24	Shall	(1) A vessel being pushed ahead, not being part of a composite unit, shall exhibit at the forward end sidelights, and a special flashing light.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-24	Shall	(2) A vessel being towed alongside shall exhibit a sternlight and at the forward end sidelights.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-24	Shall	(G) An inconspicuous, partly submerged vessel or object being towed shall exhibit: (1) If it is less than twenty-five meters in breadth, one all-round white light at or near each end. (2) If it is twenty-five meters or more in breadth, four all-round white lights to mark its length and breadth.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-24	Shall not	(3) If it exceeds one hundred meters in length, additional all-round white lights between the lights prescribed in paragraphs (G)(1) and (G)(2) of this rule so that the distance between the lights shall not exceed one hundred meters:	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-24	Shall	provided, that any vessels or objects being towed alongside each other shall be lighted as one vessel or object. (4) A diamond shape at or near the aftermost extremity of the last vessel or object being towed. (5) The towing vessel may direct a searchlight in the direction of the tow to indicate its presence to an approaching vessel.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-24	Shall	(H) Where from any sufficient cause it is impracticable for a vessel or object being towed to exhibit the lights prescribed in paragraph (E) or (G) of this rule, all possible measures shall be taken to light the vessel or object towed or at least to indicate the presence of the unlighted vessel or object.	1546.04	Yes, both state and federal law	Yes, both state and federal law

RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1501:47-2-24	Shall not	(I) Where from any sufficient cause it is impracticable for a vessel not normally engaged in towing operations to display the lights prescribed by paragraph (A), (C) or (I) of this rule, such vessel shall not be required to exhibit those lights when engaged in towing another vessel in distress or otherwise in need of assistance.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-24	Require	(I) Where from any sufficient cause it is impracticable for a vessel not normally engaged in towing operations to display the lights prescribed by paragraph (A), (C) or (I) of this rule, such vessel shall not be required to exhibit those lights when engaged in towing another vessel in distress or otherwise in need of assistance.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-24	Shall	All possible measures shall be taken to indicate the nature of the relationship between the towing vessel and the vessel being assisted. The searchlight authorized by rule 1501:47-2-36 of the Administrative Code may be used to illuminate the tow.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-24	Shall	No person shall operate or permit to be operated, any vessel on the waters in this state, in violation of this rule.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-25	Shall	(A) A sailing vessel underway shall exhibit: (1) Sidelights. (2) A sternlight.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-25	Shall not	(C) A sailing vessel underway may, in addition to the lights prescribed in paragraph (A) of this rule, exhibit at or near the top of the mast, where they can best be seen, two all-round lights in a vertical line, the upper being red and the lower green, but these lights shall not be exhibited in conjunction with the combined lantern permitted by paragraph (B) of this rule.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-25	Shall	(D)(1) A sailing vessel of less than seven meters in length shall, if practicable, exhibit the lights prescribed in paragraph (A) or (B) of this rule, but if it does not,	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-25	Shall	it shall have ready at hand an electric torch or lighted lantern showing a white light	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-25	Shall	which shall be exhibited in sufficient time to prevent collision.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-25	Shall	(2) A vessel under oars may exhibit the lights prescribed in this rule for sailing vessels, but if it does not, it shall have ready at hand an electric torch or lighted lantern showing a white light	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-25	Shall	which shall be exhibited in sufficient time to prevent collision.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-25	Shall	(E) A vessel proceeding under sail when also being propelled by machinery shall exhibit forward where it can best be seen a conical shape, apex downward.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-25	Shall	No person shall operate or permit to be operated, any vessel on the waters in this state, in violation of this rule.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-26	Shall	(A) A vessel engaged in fishing, whether underway or at anchor, shall exhibit only the lights and shapes prescribed in this rule.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-26	Shall	(B) A vessel when engaged in trawling, by which is meant the dragging through the water of a dredge net or other apparatus used as a fishing appliance, shall exhibit: (1) Two all-round lights in a vertical line, the upper being green and the lower white, or a shape consisting of two cones with their apexes together in a vertical line one above the other; a vessel of less than twenty meters in length may instead of this shape exhibit a basket. (2) A masthead light abaft of and higher than the all-round green light; a vessel of less than fifty meters in length shall not be obliged to exhibit such a light but may do so. (3) When making way through the water, in addition to the lights prescribed in this paragraph, sidelights and a sternlight.	1546.04	Yes, both state and federal law	Yes, both state and federal law

RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1501:47-2-26	Shall	(C) A vessel engaged in fishing, other than trawling, shall exhibit: (1) Two all-round lights in a vertical line, the upper being red and the lower white, or a shape consisting of two cones with apexes together in a vertical line one above the other; a vessel of less than twenty meters in length may instead of this shape exhibit a basket. (2) When there is outlying gear extending more than one hundred fifty meters horizontally from the vessel, an all-round white light or a cone apex upward in the direction of the gear. (3) When making way through the water, in addition to the lights prescribed in this paragraph, sidelights and a sternlight.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-26	Shall not	(E) A vessel when not engaged in fishing shall not exhibit the lights or shapes prescribed in this rule, but only those prescribed for a vessel of its length.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-26	Shall	No person shall operate or permit to be operated, any vessel on the waters in this state, in violation of this rule.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-27	Shall	(A) A vessel not under command shall exhibit: (1) Two all-round red lights in a vertical line where they can best be seen. (2) Two balls or similar shapes in a vertical line where they can best be seen. (3) When making way through the water, in addition to the lights prescribed in this paragraph, sidelights and a sternlight.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-27	Shall	(B) A vessel restricted in its ability to maneuver, except a vessel engaged in minesweeping operations, shall exhibit:	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-27	Shall	(1) Three all-round lights in a vertical line where they can best be seen. The highest and lowest of these lights shall be red	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-27	Shall	and the middle light shall be white	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-27	Shall	(2) Three shapes in a vertical line where they can best be seen. The highest and lowest of these shapes shall be balls and the middle one a diamond. (3) When making way through the water, masthead lights, sidelights and a sternlight, in addition to the lights prescribed in paragraph (B)(1) of this rule. (4) When at anchor, in addition to the lights or shapes prescribed in paragraphs (B)(1) and (B)(2) of this rule, the light, lights or shapes prescribed in rule 1501:47-2-30 of the Administrative Code.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-27	Shall	(C) A vessel engaged in a towing operation which severely restricts the towing vessel and its tow in their ability to deviate from their course shall, in addition to the lights or shapes prescribed in paragraphs (B)(1) and (B)(2) of this rule, exhibit the lights or shape prescribed in rule 1501:47-2-24 of the Administrative Code.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-27	Shall	(D) A vessel engaged in dredging or underwater operations, when restricted in its ability to maneuver, shall exhibit the lights and shapes prescribed in paragraphs (B)(1), (B)(2), and (B)(3) of this rule and	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-27	Shall	shall in addition, when an obstruction exists, exhibit: (1) Two all-round red lights or two balls in a vertical line to indicate the side on which the obstruction exists. (2) Two all-round green lights or two diamonds in a vertical line to indicate the side on which another vessel may pass. (3) When at anchor, the lights or shape prescribed by this rule, instead of the lights or shapes prescribed in rule 1501:47-2-30 of the Administrative Code for anchored vessels.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-27	Shall	(E) Whenever the size of a vessel engaged in diving operations makes it impracticable to exhibit all lights and shapes prescribed in paragraph (D) of this rule, the following shall instead be exhibited:	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-27	Shall	(1) Three all-round lights in a vertical line where they can best be seen; the highest and lowest of these lights shall be red and	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-27	Shall	the middle light shall be white.	1546.04	Yes, both state and federal law	Yes, both state and federal law

Rule Number	Regulatory Restriction	Description of Regulatory Restriction	Statute Under Which the Regulatory Restriction Was Adopted	Is the Regulatory Restriction Expressly or Specifically Required by State or Federal Law?	Is a Law Change Required in Order to Remove the Restriction?
1501:47-2-27	Shall	(2) A rigid replica of the International Code flag "A" not less than one meter in height; measures shall be taken to insure its all-round visibility.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-27	Shall	(F) A vessel engaged in minesweeping operations shall, in addition to the lights prescribed for a power-driven in rule 1501:47-2-23 of the Administrative Code, exhibit three all-round green lights or three balls.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-27	Shall	One of these lights or shapes shall be exhibited near the foremast head and one at each end of the fore yard. These lights or shapes indicate that it is dangerous for another vessel to approach closer than one thousand meters astern or five hundred meters on either side of the minesweeper.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-27	Require	(G) A vessel of less than twelve meters in length, except when engaged in diving operations, is not required to exhibit the lights or shapes prescribed in this rule.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-27	Shall	No person shall operate or permit to be operated, any vessel on the waters in this state, in violation of this rule.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-29	Shall	(A) A vessel engaged on pilotage duty shall exhibit: (1) At or near the masthead, two all-round lights in a vertical line, the upper being white and the lower red. (2) When underway, in addition, sidelights and a sternlight. (3) When at anchor, in addition to the lights prescribed in paragraph (A)(1) of this rule, the anchor light, lights, or shape prescribed in rule 1501:47-2-30 of the Administrative Code for anchored vessels.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-29	Shall	(B) A pilot vessel when not engaged on pilotage duty shall exhibit the lights or shapes prescribed for a vessel of its length.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-29	Shall	No person shall operate or permit to be operated, any vessel on the waters in this state, in violation of this rule.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-30	Shall	(A) A vessel at anchor shall exhibit where it can best be seen: (1) In the fore part, an all-round white light or one ball. (2) At or near the stern and at a lower level than the light prescribed in paragraph (A)(1) of this rule, an all-round white light.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-30	Shall	(C) A vessel at anchor may, and a vessel of one hundred meters or more in length shall, also use the available working or equivalent lights to illuminate its decks.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-30	Shall	(D) A vessel aground shall exhibit the lights prescribed in paragraph (A) or (B) of this rule and in addition, if practicable, where they can best be seen: (1) Two all-round red lights in a vertical line. (2) Three balls in a vertical line.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-30	Shall not	(E) A vessel of less than seven meters in length, when at anchor, not in or near a narrow channel, fairway, anchorage, or where other vessels normally navigate, shall not be required to exhibit the lights or shape prescribed in paragraphs (A) and (B) of this rule.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-30	Require	(E) A vessel of less than seven meters in length, when at anchor, not in or near a narrow channel, fairway, anchorage, or where other vessels normally navigate, shall not be required to exhibit the lights or shape prescribed in paragraphs (A) and (B) of this rule.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-30	Shall not	(F) A vessel of less than twelve meters in length when aground shall not be required to exhibit the lights or shapes prescribed in paragraphs (D)(1) and (D)(2) of this rule.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-30	Require	(F) A vessel of less than twelve meters in length when aground shall not be required to exhibit the lights or shapes prescribed in paragraphs (D)(1) and (D)(2) of this rule.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-30	Shall not	(G) A vessel of less than twenty meters in length, when at anchor in a special anchorage area designated by the secretary or by this state or any of its political subdivisions, shall not be required to exhibit the anchor lights and shapes required by this rule.	1546.04	Yes, both state and federal law	Yes, both state and federal law

RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1501:47-2-30	Require	(G) A vessel of less than twenty meters in length, when at anchor in a special anchorage area designated by the secretary or by this state or any of its political subdivisions, shall not be required to exhibit the anchor lights and shapes required by this rule.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-30	Shall	No person shall operate or permit to be operated, any vessel on the waters in this state, in violation of this rule.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-31	Shall	Where it is impracticable for a seaplane or wing-in-ground craft to exhibit lights and shapes of the characteristics or in the positions prescribed in the rules of this chapter it shall exhibit lights and shapes as closely similar in characteristics and position as is possible.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-31	Shall	No person shall operate or permit to be operated, any vessel on the waters in this state, in violation of this rule.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-32	Require	For the purpose of rules 1501:47-2-32 to 1501:47-2-36 of the Administrative Code, except where the context otherwise requires, the definitions are as follows: (A) "Whistle" means any sound signaling appliance capable of producing the prescribed blasts and which complies with specifications in annex III of the "I.N.R.A." (B) "Short blast" means a blast of about one second duration. (C) "Prolonged blast" means a blast of from four to six second's duration.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-33	Shall	(A) Any vessel operating on the waters of this state shall be equipped with sound signaling devices as follows:	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-33	Shall	(1) A vessel of twelve meters or more in length shall be provided with a whistle.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-33	Shall	(2) A vessel of twenty meters or more in length shall be provided with a bell in addition to	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-33	Require	the required whistle.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-33	Require	(3) A vessel of one hundred meters or more, in addition to the required whistle and bell,	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-33	Shall	shall be provided with a gong, the tone and sound of which cannot be confused with that of the bell.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-33	Shall	(B) Any whistle, bell, or gong shall comply with the specifications in annex III of the "I.N.R.A."	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-33	Shall	The bell or gong or both may be replaced by other equipment having the same respective sound characteristics, provided that manual sounding of the prescribed signals shall always be possible.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-33	Shall	(C) A vessel of less than twelve meters in length shall not be obliged to carry the sound signaling appliances prescribed in paragraph (A) of this rule but if it does not, it shall be provided with some other means of making an efficient sound signal.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-33	Shall	No person shall operate or permit to be operated, any vessel on the waters in this state, in violation of this rule.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-34	Require	(A) When power-driven vessels are in sight of one another and meeting or crossing at a distance within half a mile of each other, each vessel underway, when maneuvering as authorized or required by this rule.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-34	Shall	(1) Shall indicate that maneuver by the following signals on its whistle one short blast to mean "I intend to leave you on my port side", two short blasts to mean "I intend to leave you on my starboard side", and three short blasts to mean "I am operating astern propulsion."	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-34	Shall	(2) Upon hearing the one or two blast signal of the other shall, if in agreement, sound the same whistle signal and take the steps necessary to effect a safe passing.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-34	Shall	If, however, from any cause, the vessel doubts the safety of the proposed maneuver, it shall sound the danger signal specified in paragraph (D) of this rule and	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-34	Shall	each vessel shall take appropriate precautionary action until a safe passing agreement is made.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-34	Shall	(1) These signals shall have the following significance: one flash to mean "I intend to leave you on my port side"; two flashes to mean "I intend to leave you on my starboard side"; three flashes to mean "I am operating astern propulsion."	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-34	Shall	(2) The duration of each flash shall be about one second.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-34	Shall	(3) The light used for this signal shall, if fitted, be one all-round white or yellow light, visible at a minimum range of two miles, synchronized with the whistle, and	1546.04	Yes, both state and federal law	Yes, both state and federal law

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1501:47-2-34	Shall	shall comply with the provisions of annex I of the "I.N.R.A."	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-34	Shall	(1) A power-driven vessel intending to overtake another power-driven vessel shall indicate its intention by the following signals on its whistle: one short blast to mean "I intend to overtake you on your starboard side"; two short blasts to mean "I intend to overtake you on your port side."	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-34	Shall	(2) The power-driven vessel about to be overtaken shall, if in agreement, sound a similar sound signal.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-34	Shall	If in doubt it shall sound the danger signal prescribed in paragraph (D) of this rule.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-34	Shall	D) When vessels in sight of one another are approaching each other and from any cause either vessel fails to understand the intentions or actions of the other, or is in doubt whether sufficient action is being taken by the other to avoid collision, the vessel in doubt shall immediately indicate such doubt by giving at least five short and rapid blasts on the whistle.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-34	Shall	(E) A vessel nearing a bend or an area of a channel or fairway where other vessels may be obscured by an intervening obstruction shall sound one prolonged blast.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-34	Shall	This signal shall be answered with a prolonged blast by any approaching vessel that may be within hearing around the bend or behind the intervening obstruction.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-34	Shall	(F) If whistles are fitted on a vessel at a distance apart of more than one hundred meters, one whistle only shall be used for giving maneuvering and warning signals.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-34	Shall	(G) When a power-driven vessel is leaving a dock or berth, it shall sound one prolonged blast.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-34	Shall	If agreement is not reached, then whistle signals shall be exchanged in a timely manner and	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-34	Shall	shall prevail.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-34	Shall	No person shall operate or permit to be operated, any vessel on the waters in this state, in violation of this rule.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-35	Shall	In or near an area of restricted visibility, whether by day or night, the signals prescribed in this rule shall be used as follows:	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-35	Shall	(A) A power-driven vessel making way through the water shall sound at intervals of not more than two minutes, one prolonged blast.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-35	Shall	(B) A power-driven vessel underway but stopped and making no way through the water shall sound at intervals of not more than two minutes, two prolonged blasts in succession with an interval of about two seconds between them.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-35	Shall	(C) A vessel not under command; a vessel restricted in its ability to maneuver, whether underway or at anchor; a sailing vessel; a vessel engaged in fishing, whether underway or at anchor; and a vessel engaged in towing or pushing another vessel shall, instead of the signals prescribed in paragraph (A) or (B) of this rule, sound at intervals of not more than two minutes, three blasts in succession; namely, one prolonged blast followed by two short blasts.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-35	Shall	(D) A vessel towed or if more than one vessel is towed the last vessel of the tow, if manned, shall at intervals of not more than two minutes sound four blasts in succession; namely, one prolonged blast followed by three short blasts.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-35	Shall	When practicable, this signal shall be made immediately after the signal made by the towing vessel.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-35	Shall	(E) When a pushing vessel and a vessel being pushed ahead are rigidly connected in a composite unit they shall be regarded as a power-driven vessel and	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-35	Shall	shall give the signals prescribed in paragraph (A) or (B) of this rule.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-35	Shall	(F) A vessel at anchor shall at intervals of not more than one minute ring the bell rapidly for about five seconds.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-35	Shall	In a vessel of one hundred meters or more in length the bell shall be sounded in the forepart of the vessel and	1546.04	Yes, both state and federal law	Yes, both state and federal law

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1501:47-2-35	Shall	immediately after the ringing of the bell the gong shall be sounded rapidly for about five seconds in the after part of the vessel.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-35	Shall	(G) A vessel aground shall give the bell signal and	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-35	Require	if required the gong signal prescribed in paragraph (F) of this rule and	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-35	Shall	shall, in addition, give three separate and distinct strokes on the bell immediately before and after the rapid ringing of the bell.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-35	Shall	(H) A vessel of less than twelve meters in length shall not be obliged to give the above-mentioned signals but, if it does not, shall make some other efficient sound signal at intervals of not more than two minutes.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-35	Shall not	(J) The following vessels shall not be required to sound signals as prescribed in paragraph (F) of this rule when anchored in a special anchorage area designated by the secretary: (1) A vessel of less than twenty meters in length. (2) A barge, canal boat, scow, or other nondescript craft.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-35	Shall	No person shall operate or permit to be operated, any vessel on the waters in this state, in violation of this rule.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-2-36	Shall	No person shall operate or permit to be operated, any vessel on the waters in this state, in violation of this rule.	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-3-01	Shall	However, nothing herein shall be interpreted or construed in such a manner as to prevent or delay authorized personnel of the department of natural resources in the completion of necessary duties or while on patrol or emergency service.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-3-02	Shall	Whenever used in any division of parks and watercraft rules, the following respective terms, unless otherwise therein expressly defined, shall mean and include each of the meanings herein respectively set forth. (A) "Air propelled powercraft" means any powercraft propelled by machinery which produces a current of air for the purpose of locomotion and direction control on water or marsh areas.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-3-02	Shall	(B) "All purpose vehicle" as used in these rules shall have the same meaning as set forth in section 4519.01 of the Revised Code.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-3-02	Prohibit	(C) "Closed Zone" means any water area wherein the presence or operation of any recreational vessel is prohibited, and is marked as provided in section 1547.08 of the Revised Code.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-3-02	Require	(D) "Danger zone" means that water area wherein are located navigational hazards requiring reduced operating speeds.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-3-02	Prohibit	(K) "No motor zone" means any water area wherein the operation of powercraft is prohibited.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-3-02	Shall	No motor zone buoys shall be lettered "No Motors."	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-3-02	Shall	(O) "Shore zone" means that water area of a uniform width of three hundred feet lying parallel with and contiguous to the shoreline, except that as it pertains to lake White, Salt Fork lake, lake Loramie, Dillon lake, and Delaware lake, "shore zone" shall mean that water area of a uniform width of one hundred feet lying parallel and contiguous to the shoreline.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-3-02	Shall	(P) "Ski zone" means any water area whereon towed watersports activities are permitted within the buoys so placed to designate the zone. Ski zone buoys shall be lettered "Ski Zone."	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-3-02	Shall	(R) "Speed zone" means any water area wherein powercraft may be operated at such a speed as is reasonable, having due regard to traffic, surface and any hazardous conditions then existing. Speed zone buoys shall be lettered "Speed Zone."	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-3-03	Shall	The lock personnel shall be charged with the immediate control and management of a navigation lock, and of the area set aside as the lock area, including the lock approach channels.	1546.04	No, general rulemaking authority	No, general rulemaking authority

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1501:47-3-03	Shall	He shall see that all laws, rules, regulations, and signs for the use of the lock and lock area are duly complied with, to which end he is authorized to give all necessary orders and directions in accordance therewith, both to employees of the state and to any and every person within the limits of the lock or lock area, whether navigating the lock or not.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-3-03	Shall	No one shall cause any movement of any vessel, boat or other floating thing in the lock or lock approaches except by or under the direction of the lock personnel.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-3-08	Shall	No person shall operate a powercraft within or on any water of the division of parks and watercraft at any time at a speed greater than ten miles per hour, except from sunrise to sunset in the designated speed zones, ski zones, open zones, or unzoned water areas.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-3-09	Shall	No person shall operate a powercraft within or through a designated speed zone, ski zone or unzoned area designated for combined speed boating and water skiing as provided in rule 1501:47-3-08 of the Administrative Code, between the hours of sunrise E.S.T. to sunset E.S.T. at a greater speed than is reasonable, having due regard to traffic, surface and any other hazardous conditions then existing within such zones,	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-3-09	Shall not	but from sunset E.S.T. to sunrise E.S.T. watercraft speed shall not exceed ten miles per hour within or through said zones.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-3-10	Shall	While being towed by a watercraft, no person shall have any airfoil or balloon device in hand or affixed to the person for the purpose of becoming airborne over the waters of the division of parks and watercraft.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-3-11	Shall	Except as provided in rule 1501:46-13-11 of the Administrative Code, no person shall use or operate any air propelled powercraft or hovercraft on any water area of the division of parks and watercraft except	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-3-11	Shall	that it shall be lawful to use these craft in the speed or ski zone only on the waters of the division of parks and watercraft named in this paragraph, and also in the waters that directly lead from a launch ramp or dock facility to these speed or ski zones. Indian lake Grand Lake St. Marys Buckeye lake Mosquito lake Rocky Fork lake Lake Milton	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-3-12	Shall	No person shall operate any canoe propelled by a motor having more than a four horsepower rating on any of the waters of the division.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-3-13	Shall	No person shall operate any powercraft under its own power within or through a "No Motor Zone."	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-3-14	Shall	No person shall operate a powercraft within or through a shore zone or danger zone or through any area marked as a no wake zone at any time at a speed that produces a wake.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-3-15	Shall	No person shall launch or operate any watercraft on any water areas located at Tinkers creek state park.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-3-16	Shall	No person shall operate any powercraft on the following waters of the division of parks and watercraft Kiser lake Green Pine lake (Punderson state park) Stump lake (Punderson state park)	1546.04	No, general rulemaking authority	Yes, state law

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1501:47-3-17	Shall	No person shall operate a powercraft, except by an electric motor operating at no-wake speed, on the waters of the division of parks and watercraft in the following areas: A.W. Marion state park Adams lake state park Barkcamp state park Blue Rock state park Findley state park Jefferson lake state park Lake Alma state park Lake Hope state park Mt. Gilead state park Inland lakes and ponds at Maumee Bay state park Pike lake state park Punderson state park Lake Roosevelt at Shawnee state park Scioto Trail state park Stonelick state park Tar Hollow state park Van Buren state park Nimisila reservoir at Portage lakes state park Middle Harbor (East Harbor state park) Rose lake (Hocking Hills state park)	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-3-18	Shall	(A) On the waters within the boundaries of Harrison lake state park: (1) No person shall operate or permit the operation of a powercraft at a speed greater than idle speed or a speed that creates a wake, and	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-3-18	Shall	(2) No person shall operate or permit the operation of any vessel utilizing a motor designated by the manufacturer as a jet drive motor.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-3-19	Shall	No person shall operate or permit the operation of a powercraft propelled by a motor or combination of motors with a horsepower rating in excess of ten horsepower through the waters of the division of parks and watercraft in the following state park areas: Cowan lake state park Guilford lake state park Lake Logan state park Wolf Run state park Strouds Run state park	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-3-21	Shall	No operator shall drift, anchor, dock, moor, tie up, or beach a watercraft on waters of the division of parks and watercraft and sleep thereon at night except at locations that have been designated for such purpose by the chief of the division of parks and watercraft.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-3-23	Shall	At those areas where water ski zones are designated, the direction ski boat traffic shall move on that specific lake may be posted.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-3-23	Shall	No person shall operate or cause a watercraft to move in a direction in violation of that posted except when a person has fallen overboard or when a skier has fallen, and then only for the purpose of retrieving the fallen person.	1546.04	No, general rulemaking authority	No, general rulemaking authority

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1501:47-3-32	Shall	At Portage lakes state park and Buckeye lake state park, no person shall operate a watercraft in either of the two activity zones for purposes other than the activity that is designated for that period of time.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-3-32	Shall	This rule shall apply from Memorial day to Labor day between the hours of nine a.m. and eight p.m., and from Labor day to Memorial day between the hours of nine a.m. and sunset.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-3-33	Shall	(A) No person shall swim, bathe, dive, or wade from any watercraft in any waters under the supervision and control of the division of parks and watercraft except in those areas officially designed as boat swim areas.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-3-33	Shall	(B) At Grand lake St. Marys, lake Loramie, Indian lake, Buckeye lake, Portage lakes, Guilford lake and lake White, no person shall swim, dive, wade or bathe from any watercraft other than that area designated by the division of parks and watercraft as a public beach, swim, dive, or wading area.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-3-35	Shall	No person shall overtly and publicly consume or display the presence of any beer or intoxicating liquor on any watercraft on any waters administered by the division of parks and watercraft.	1546.04	Yes, state law	Yes, state law
1501:47-3-37	Shall	It shall be unlawful for any vessel powered by a motor or combination of motors with a horsepower rating of more than ten horsepower to be operated at a speed greater than idle speed or at a speed that creates a wake on the waters of the following areas: (A) Water areas within the boundaries of Burr Oak state park; (B) Acton lake at Hueston Woods state park; (C) Water areas within the boundaries of Jackson lake state park. (D) Water areas within the boundaries of Forked run state park.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-3-37	Shall	No person shall operate or permit the operation of a vessel in violation of this rule.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-3-38		(A) No person shall operate or permit the operation of any watercraft propelled by a single motor or combination of motors that produces a horsepower rating in excess of twenty horsepower on the waters of Pymatuning lake.	1546.04	Yes, state law	Yes, state law
1501:47-3-38		(B) On the waters of Pymatuning lake, no person shall ride or attempt to ride upon one or more water skis, surfboards, towed inflatable devices, or similar devices, or use any watercraft to tow a person thereon.	1546.04	Yes, state law	Yes, state law
1501:47-3-97	Shall	The provisions of this rule shall remain in effect until October 31, 2020.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-3-97	Shall	No person shall operate or permit the operation of a powercraft at a speed greater than idle speed or at a speed that creates a wake on the following water areas: (A) Madison lake at Madison lake state park (B) Turkey Creek lake at Shawnee state park	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-3-97	Shall	As of November 1, 2020, no person shall operate or permit the operation of a powercraft with a motor other than an electric motor on the water areas listed in this rule.	1546.04	No, general rulemaking authority	No, general rulemaking authority

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1501:47-4-01	Shall	(B) For the purpose of rules contained in this chapter of the Administrative Code the following terms, unless otherwise therein expressly defined, shall be defined as follows: (1) "State scenic river area" means any lands and waters designated as a wild river area, scenic river area, or recreational river area as defined in section 1546.01 of the Revised Code. (2) "Scenic river" means any waters in this state within a designated wild river area, scenic river area, or recreational river area. (3) "Scenic river land" means any land area adjacent to, or otherwise beneficial to the conservation of a designated watercourse that is owned or leased by the department of natural resources and administered by the division of watercraft as part of a state wild river area, scenic river area, or recreational river area. (4) "Areas and facilities" includes but is not limited to all trails, parking lots, restrooms, well shelters, observation blinds, towers or vistas, boardwalks, piers, docks, bridges, benches, picnic areas, roadways, and any scenic river lands the chief designates for public use. (5) "Appointed agent" means a person designated by the chief of the division of parks and watercraft to be responsible for the supervision, operation, protection, maintenance or other management activities on publicly managed, owned, or leased scenic river lands. (6) "Camping" means utilization of any piece of equipment for sleeping in or upon, including but not limited to, a sleeping bag, hammock, station wagon, car, van, motor home, bus, trailer, tent, tarp, truck, house vehicle, pickup camper, or watercraft. (7) "Person" means any individual, firm, partnership, corporation, company, association, political subdivision, or any other combination of individuals, or any employee, agent, or officer thereof.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1547:47-4-01	Shall	(8) "Vehicle" shall have the same meaning as defined in section 4501.01 of the Revised Code.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1547:47-4-01	Shall	(9) "Motor vehicle" shall have the same meaning as defined in section 4501.01 of the Revised Code.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1547:47-4-01	Shall	(10) "Alcohol" shall have the same meaning as defined in section 4301.01 of the Revised Code.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1547:47-4-01	Shall	(11) "Fireworks" shall have the same meaning as defined in section 3743.01 of the Revised Code.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1547:47-4-01	Shall	(12) "Litter" shall have the same meaning as defined in section 1502.01 of the Revised Code.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-4-02	Prohibit	(A) Scenic river lands are generally available to the public for the purpose of engaging in fishing, boating, hiking, wildlife observation, or any other legitimate recreational activities not otherwise prohibited by the laws of this state.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-4-02	Shall	(B) The division of parks and watercraft shall post in a conspicuous location any special instructions, orders, and notices pertaining to the use of state scenic river lands by the public.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-4-02	Shall	Such instructions, orders or notices shall pertain to, but are not limited to, special hours of operation, area closure, temporary access restrictions, emergency situations, or other situations not otherwise covered in the rules.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-4-02	Shall	Declaration of such postings shall originate with the chief of the division.	1546.04	No, general rulemaking authority	No, general rulemaking authority

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1501:47-4-02	Shall	(C) No person shall enter upon scenic river lands or utilize any facilities therein that have been temporarily closed or evacuated by the chief of the division or the chief's appointed agent if it has been determined to be hazardous for public use as the result of inclement weather, water, fire, construction, or any other situation with the potential to impact public health, safety, or welfare.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-4-02	Shall	(D) No person shall be present on scenic river lands in violation of any special instructions, orders or notices issued under paragraph (B) or (C) of this rule unless exempted in writing by the chief or an appointed agent.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-4-02	Must	(E) On scenic river lands that are open to the general public by access permit only, persons must receive written permission from the chief of the division of watercraft or appointed agent prior to entry into such areas,	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-4-02	Must	must carry proof of written permission while within the area, and present it upon request.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-4-02	Shall	(F) When a designated trail or trail system is present, no person shall leave the designated trail or trail system, except to gain access to the waters of the wild, scenic, or recreational river for the purposes of engaging in legitimate recreational activities or with written permission from the chief of the division or the chief's appointed agent	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-4-02	Must	Any person who leaves a designated trail to access the waters for legitimate recreational purposes must attempt to take the shortest, most direct path possible to avoid injury or damage to the plants, animals, or geologic features of the area.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-4-02	Shall	(G) It shall be unlawful to throw, toss, drop, propel or cause, directly or indirectly, the throwing, tossing, dropping or propelling of any object over or off any precipice, bridge, observation tower or other similar structure or natural formation within the boundaries of any scenic river lands.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-4-02	Shall	No person shall collect, remove, injure, deface, destroy or otherwise disturb ice, soil, sand, gravel, rocks, fossils, minerals, plants, plant materials, animals or any other substance within the boundaries of any scenic river lands.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-4-02	Shall	It shall be unlawful to hunt, pursue, trap or attempt to hunt, pursue, trap or catch wild animals on scenic river lands except in areas designated for such activities or with prior approval from the chief, and such is done in accordance with the provisions of the Revised Code and wildlife orders then in effect.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-4-02	Shall	(a) Collecting of materials for conservation efforts or research purposes may be conducted with written permission from the chief of the division. Such permit shall be valid for a period not to exceed one year, but may be renewed at the discretion of the chief.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-4-02	Must	Proof of written permission must be provided to any appointed agent, department of natural resources official or law enforcement officer upon request.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-4-02	Shall	(c) It shall be lawful to take or catch fish, unless otherwise posted provided such is done in accordance with the provisions of the Revised Code and wildlife orders then in effect.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-4-02	Prohibit	(H) The introduction of any plant or animal or their reproductive bodies to any scenic river or scenic river lands is prohibited without first receiving written permission from the chief of the division.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-4-02	Shall	(I) It shall be unlawful to engage in any rappelling or climbing activity either with or without specialized gear for such activity upon scenic river lands without first obtaining written permission from the chief of the division .	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-4-02	Prohibit	(J) Camping or otherwise staying overnight is prohibited upon scenic river lands except in areas designated for such use or with prior approval from the chief of the division or the chief's appointed agent.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-4-02	Shall	(K) It shall be unlawful to kindle or ignite a fire without express permission of the chief of the division or the chief's appointed agent upon scenic river lands.	1546.04	No, general rulemaking authority	No, general rulemaking authority

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1501:47-4-02	Prohibit	The possession or use of fireworks or other explosive devices is prohibited.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-4-02	Shall	(L) No person, regardless of intent, shall deposit litter or cause litter to be deposited within the boundaries of any scenic river land or into the waters of a scenic river.	1546.04	Yes, state law	Yes, state law
1501:47-4-02	Prohibit	(M) Alcoholic beverages are prohibited:	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-4-02	Shall	No person shall bring into, possess, carry, serve or consume any alcoholic beverages upon scenic river lands.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-4-02	Shall	(N) No person shall conduct any meeting or event upon scenic river lands without first obtaining written permission from the chief of the division or the chief's appointed agent.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-4-02	Must	(1) Application for any organized meeting or event to be conducted upon scenic river lands must be made to the chief not less than thirty days prior to the date of the proposed event.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-4-02	Require	(3) The chief may require a performance bond from the applicant as a condition of the issuance of the permit.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-4-02	Shall	(O) No person shall erect or post any placard, sign, notice, poster, or billboard within the boundaries of any scenic river lands without written permission from the chief of the division or the chief's appointed agent.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-4-02	Shall	(P) It shall be unlawful to solicit alms or contributions for any purpose, whether public or private upon state scenic river lands.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-4-02	Shall	No person shall rent, sell, solicit, or offer for sale, have in his possession with the intent to rent or sell, or expose for rent or sale any item or service within the boundaries of a state scenic river land without the express permission of the chief.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-4-02	Prohibit	(Q) Open dumping of waste material on scenic river lands or into the waters of a scenic river is prohibited.	1546.04	Yes, state law	Yes, state law
1501:47-4-03	Must	(A) While on scenic river lands, any person who is the owner or handler of a companion animal or pet must keep the animal in hand or otherwise under direct control and ensure that the animal is within an area where companion animals and pets are permitted.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-4-03	Shall	(2) In the event that a companion animal or pet defecates upon scenic river land, the owner or handler shall collect the animal's excrement and remove it from the area.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-4-03	Shall	(C) No person shall ride, drive, lead, or keep a saddle horse or other animal used for locomotion on any scenic river lands except on roadways or driveways provided for motor vehicles.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-4-03	Shall	No horse or other animal shall be hitched to any tree, shrub, or structure in any manner other than an approved hitching post provided in or adjacent to a parking area.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-4-03	Shall	(D) No person shall herd, graze, drive or permit to run at large upon any scenic river land, any animal including but not limited to cattle, horses, mules, donkeys, goats, swine, sheep, or fowl except as provided in paragraphs (A), (B), and (C) of this rule.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-4-04	Shall	(A) No person shall operate a motor vehicle, bicycle, or other vehicle upon a scenic river land except upon roads, driveways, trails, or parking lots designated for such purposes.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-4-04	Shall	(B) No person shall operate a motor vehicle, bicycle or other vehicle on any road or driveway within the boundaries of a scenic river land in excess of ten miles per hour, except when otherwise posted.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-4-04	Shall	(C) It shall be unlawful for any person to operate or permit the operation of a vehicle, bicycle or motor vehicle on any scenic river land in a manner that, if operated in the same manner on a public highway or street, would be a violation of state law.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-4-04	Shall	(D) No person shall park any vehicle on any scenic river land in any area not specifically designated for that purpose.	1546.04	No, general rulemaking authority	No, general rulemaking authority

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1501:47-4-04	Prohibit	(E) Whenever a law enforcement officer finds any vehicle stopped, parked or standing in an area prohibited by this rule, unattended upon or within the right of way of any road, trail, or driveway, is positioned where said vehicle clearly obstructs pedestrian or vehicular traffic, or may be hazardous to property or people, the officer may arrange for the removal of said vehicle.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-4-04	Shall	Costs and risks of such removal shall be borne by the operator or owner of said vehicle.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-4-04	Prohibit	(F) The following are prohibited for use upon state scenic river lands: (1) In-line skates, (2) Roller skates, (3) Skateboards (4) Street luges, and (5) Other similar, non-traditional vehicles designed for recreational use.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-5-01	Shall	The rules contained within Chapter 1501:47-5 of the Administrative Code are applicable to all waters owned or controlled by the division of wildlife. However, nothing herein shall be interpreted or construed in such a manner as to prevent or delay authorized personnel of the department of natural resources in the completion of necessary duties or while on patrol or emergency service.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-5-02	Shall	(B) It shall be unlawful for any person to use a watercraft mooring or tie-up stake on any property administered or controlled by the division of wildlife without first having complied	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-5-02	Require	with the requirements of rule 1501:31-9-06 of the Administrative Code ("User fee schedule").	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-5-02	Shall	(C) It shall be unlawful for any person to anchor, dock, moor, beach, or tie up any watercraft or leave any watercraft unattended for a period in excess of eight consecutive hours on the Resthaven wildlife area, Margaretta township, Erie county, Ohio.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-5-02	Shall not	(D) Watercraft, except watercraft occupied continuously by persons fishing or hunting rails, gallinules, or waterfowl shall not be anchored, docked, moored, beached, tied up, or left unattended by any person on any land or water area of the division of wildlife for a period of time in excess of four hours unless such watercraft is anchored, docked, moored, beached, or tied up at a division-designated public docking area.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-5-02	Shall	(1) It shall be unlawful for any person to anchor, dock, moor, beach, tie up or leave unattended for a period in excess of forty-eight hours, more than one watercraft on any lake administered or controlled by the wildlife division except as herein provided.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-5-02	Shall	(2) It shall be unlawful for any person to dock, moor, tie up, leave unattended, or control more than one watercraft at a wildlife division public docking area.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-5-02	Shall not	(3) The provisions of this rule and provisions in rule 1501:31-5-02 of the Administrative Code shall not apply to concessionaires properly licensed by the department of natural resources to rent watercraft to the public, or watercraft owned by any division within the department of natural resources, or watercraft owned by any agency of the federal government or any political subdivision.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-5-02	Shall	(4) It shall be unlawful for any person to anchor, dock, moor, beach, or tie up any watercraft at a division-designated public docking area from December first to March first of the following year except therefrom, waterfowl hunters having a tie-up permit may use such areas during the waterfowl season.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-5-02	Shall	(5) It shall be unlawful for any person to anchor, dock, moor, beach, or tie up any watercraft, to any designated division public docking area when such watercraft is not properly licensed or	1546.04	Yes, both state and federal law	Yes, both state and federal law
1501:47-5-02	Require	marked as required in Chapter 1547. of the Revised Code.	1546.04	Yes, both state and federal law	Yes, both state and federal law

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1501:47-5-02	Shall	(F) It shall be unlawful for any person to dock, moor, or tie up any watercraft at the division of wildlife dock at the state fish hatchery on South Bass island, Put-In-Bay township, Ottawa county, Ohio unless such person has official business at the state fish hatchery.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-5-02	Shall	(G) It shall be unlawful for any person to anchor, beach, tie up, or leave any watercraft unattended in the Metzger marsh boat launching channel, for a period in excess of four consecutive hours.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-5-03	Shall	(A) No person shall operate (start/run) or permit the operation of a powercraft, other than a powercraft propelled by an electric motor, on the following water areas under the management authority of the division of wildlife.	1546.04	No, general rulemaking authority	No, general rulemaking authority
			1546.04		
1501:47-5-03	Prohibit	(B) On the following water areas, the presence of any portable or external liquid fuel container or any outboard motor, other than an electric motor, is prohibited.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-5-03	Shall	No person shall operate (start/run) or permit the operation of any watercraft propelled by an inboard or outboard motor other than an electric motor: East Branch reservoir - Geauga county LaDue reservoir - Geauga county Mogadore reservoir - Portage county	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-5-03	Shall	(C) No person shall operate (start/run) or permit to be operated a powercraft propelled by a motor, or combination of motors, with a horsepower rating in excess of ten horsepower on the waters of the following areas: Clark lake - Clark county Clouse lake - Perry county Fox lake - Athens county Grant lake - Brown county Greenfield lake wildlife area - Fairfield county Highlandtown lake wildlife area - Columbiana county Kokosing lake - Knox county Jockey Hollow wildlife area - Harrison county Monroe lake - Monroe county Rockmill wildlife area - Fairfield county Rush creek reservoir - Fairfield and Perry counties Rush Run lake - Preble county Veto lake - Washington county Zepernick lake wildlife area - Columbiana county	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-5-03	Shall	(D) No person shall operate (start/run) or permit to be operated a powercraft propelled by a motor, or combination of motors, exceeding a horsepower rating of ten horsepower, unless any such powercraft equipped with motors in excess of ten horsepower are operated at idle speed or at a speed that does not create a wake on the following water areas: Jackson lake - Jackson county Knox lake - Knox county Rupert lake - Vinton county	1546.04	No, general rulemaking authority	No, general rulemaking authority

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1501:47-5-03	Shall	(E) No person shall operate (start/run) or permit to be operated any powercraft on the waters of the following areas, unless the powercraft is operated at idle speed and does not create a wake: Aldrich pond wildlife area - Sandusky county Aquilla lake wildlife area - Geauga county Fallsville wildlife area - Highland county Fulton ponds wildlife area - Fulton county Killdeer Plains wildlife area - Wyandot county La Su An wildlife area - Williams county New Lyme lake - Ashtabula county Oxbow lake wildlife area - Defiance county Resthaven wildlife area - Erie county Ross lake wildlife area - Ross county St. Joseph river wildlife area - Williams county Shreve lake - Wayne county Spencer lake - Medina county Tycoon lake wildlife area - Gallia county Wayne R. Carr lake - Paulding county Wingfoot lake - Portage county	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-5-03	Shall	(F) No person shall operate (start/run) or permit to be operated an electric motor exceeding four horsepower to propel a vessel on or within any water area under the management authority of the division of wildlife.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-5-03	Shall	(G) No person shall operate (start/run) or permit to be operated a motor, or combination of motors, exceeding a horsepower rating in excess of ten horsepower on any body of water on the American electric power recreation area.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-5-03	Prohibit	(H) Nothing in this rule shall prohibit vessels with higher horsepower motors from being present on these waters provided they comply with paragraphs (A), (B), (C), (D), (F), and (G) of this rule.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-5-03	Shall	(I) No person shall operate (start/run), use, or permit to be operated or used, any watercraft on Barnesville reservoir no. 1.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-5-04	Shall	(A) The water of Berlin reservoir shall have five designated areas:	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-5-04	Shall	(1) All of the waters lying between U.S. route 224 and the dam shall be designated as area one.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-5-04	Shall	(2) All the waters lying between U.S. route 224 and the "N.Y.C. railroad" bridge shall be designated as area two.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-5-04	Shall	(3) All the waters lying between the "N.Y.C. railroad" bridge and state route 14 shall be designated as area three.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-5-04	Shall	(4) All the waters lying between state route 14 and state route 225 shall be designated as area four.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-5-04	Shall	(5) All the remaining waters not included in paragraphs (A)(1), (A)(2), (A)(3), and (A)(4) of this rule lying westward of state route 225 shall be designated as area five.	1546.04	No, general rulemaking authority	No, general rulemaking authority

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1501:47-5-04	Shall	(B) In area one, no person shall: (1) Operate or use a boat within five hundred feet of the intake tower and crest gate in the dam at Berlin reservoir. (2) Operate (start/run) or permit to be operated a motor, other than an electric motor, to propel a boat within two thousand feet of the dam at Berlin reservoir. (3) Engage in water skiing or aquaplaning within two thousand feet of the dam at Berlin reservoir. (4) Operate a watercraft within one hundred fifty feet of any undeveloped shoreline in such a manner as to cause a wake of sufficient size or force to cause discomfort, injury or damage to any person, watercraft or property.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-5-04	Shall	(5) No person shall operate a vessel at greater than idle speed or at a speed that creates a wake within three hundred feet of any marina, boat docking facility, boat gasoline dock, launch ramp, recreational boat harbor, or harbor entrance.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-5-04	Shall	(C) In area two, it shall be unlawful: For any person to operate a watercraft within one hundred fifty feet of any undeveloped shoreline in such a manner as to cause a wake of sufficient size and force to cause discomfort, injury or damage to any person, watercraft, or property.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-5-04	Shall	(D) In area three, it shall be unlawful: For any person to operate a watercraft within one hundred fifty feet of any undeveloped shoreline in such a manner as to cause a wake of sufficient size and force to cause discomfort, injury or damage to any person, watercraft, or property.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-5-04	Shall	(E) In area four, it shall be unlawful: (1) For any person to operate a watercraft within one hundred feet of any undeveloped shoreline in such a manner as to cause a wake of sufficient size or force to cause discomfort, injury or damage to any person, watercraft or property. (2) For any person to operate a watercraft within the area from state route 14 to a line of buoys located at the area known as Treasure Cove in such a manner as to cause a wake of sufficient size or force to cause discomfort, injury to damage to any person, watercraft or property.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-5-04	Shall	(F) In area five, it shall be unlawful: (1) For any person to operate, be in physical control, or manipulate any water-skis, or aquaplane, or for any person to operate a watercraft towing any person using waterskis, aquaplane or similar device at any time. (2) For any person to operate a watercraft within one hundred fifty feet of any undeveloped shoreline in such a manner as to cause a wake of sufficient size to cause discomfort, injury or damage to any person, watercraft or property.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-5-04	Shall	(G) It shall be unlawful for any person to operate a watercraft within one hundred feet of any bridge in such a manner as to cause a wake of sufficient size and force to cause discomfort, injury, or damage to any person, watercraft or property.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-5-04	Shall	(H) A "wake" as used in this rule shall be defined as a track left by a watercraft in the water causing waves or swells.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-5-04	Shall	(I) All definitions set forth in rule 1501:31-1-02 of the Administrative Code shall apply to this rule.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-5-04	Shall	(J) It shall be unlawful for any person to operate a watercraft at a speed greater than ten miles per hour from sunset to sunrise local time.	1546.04	No, general rulemaking authority	No, general rulemaking authority

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1501:47-6-01	Shall	nothing herein shall be interpreted or construed in such a manner as to prevent or delay authorized personnel of the department of natural resources, emergency responders, or any law enforcement personnel within their jurisdiction in the completion of necessary duties or while on patrol or emergency service.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-6-03	Shall	No person shall operate or permit the operation of any powered vessel at a speed greater than idle speed upon the waters of the Licking river within the confines of Blackhand gorge state nature preserve from the Toboso road bridge (county road 273) upstream to the confluence of Brushy Fork creek and the Licking river.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-01	Shall	nothing herein shall be interpreted or construed in such a manner as to prevent or delay authorized personnel of the department of natural resources, a local fire department, emergency medical service, or law enforcement agency acting within its jurisdiction in the completion of necessary duties or while on patrol or emergency service.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-02	Shall	(B) A "wake" as used in the rule shall be defined as a track left by a watercraft in the water causing waves or swells.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-03	Shall	(A) For the purpose of this section, "waterways of the city" shall be defined as all waters within the territorial limits of the city of Columbus or bounded by city owned lands.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-03	Shall	(B) No person shall operate any vessel of more than ten horsepower on the waterways of the city.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-03	Shall	(C) No person shall operate any motorized vessel on any waterways of the city at a speed exceeding idle speed within a distance of one hundred feet of the shorelines.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-03	Prohibit	(D) Personal watercraft, which are classified by the United States coast guard as small class A-1 or A-2 vessels and which use as the primary source of mechanical power an inboard or outboard motor powering a jet pump, and which are designed to be operated by a person in a sitting on, standing on, or in a kneeling position on the craft rather than that of the conventional manner of either sitting or standing inside the vessel, are prohibited on all city controlled waterways.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-03	Shall	(E) No person shall operate any motorized vessel on waterways of the city at a speed exceeding ten miles per hour between sunset and sunrise.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-03	Shall	(F) No person shall take off or ascend within or from the waterways of the city or voluntarily bring, land or alight upon the waterways of the city in any airplane, flying machine, balloon, glider, or other aerial apparatus.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-03	Shall	(G) No person shall operate an iceboat on any waterways of the city except on Hoover reservoir,	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-03	Require	where such iceboats shall meet the following requirements:	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-03	May not	(1) Iceboats may not be propelled by any means other than sails;	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-03	May not	(2) Gross vessel weight may not exceed three hundred pounds, to include mast, sails, and all other equipment;	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-03	Require	(3) All iceboats are required to carry fifty feet of line readily accessible for use.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-03	Shall not	(H) The operator of any vessel on any waterways of the city shall not intentionally use a water spray device or cause a water spray so as to impede the safe operation of any vessel.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-03	Shall	(I) Any vessel operated by any law enforcement officer or emergency services personnel while in the course of duty shall be exempted from this rule in the exercise of their regular duty.	1546.04	No, general rulemaking authority	No, general rulemaking authority

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1501:47-7-04	Shall	(A) With the exception of special events approved by the five rivers metroparks, on eastwood metropark lake, on odd dates of the month, no watercraft shall be operated at greater than idle speed, or at a speed that creates a wake	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-04	Shall	(C) A "wake", as used in this rule, shall be defined as a track left by a watercraft in the water causing waves or swells.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-05	Shall	(1) No person shall willingly swim, bathe, or leave a vessel to enter the water in a manner contrary to posted regulations.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-05	Prohibit	(2) Recreational floats, novelties, water toys, or any other floating apparatus not specifically designed to be used as a means of transportation on the water are prohibited.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-05	Shall	(3) No person shall knowingly operate or permit the operation of any vessel at any time except during established public park visitation hours.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-05	Shall	(B) No person shall operate or permit the operation of a class of vessel not specifically permitted as follows: (1) Campbell lakes preserve: Manually propelled vessels only. (2) Winton Woods lake: (a) Manually propelled vessels. (b) Sailboats. (c) Motorized vessels powered by not more than six horsepower. (3) Miami Whitewater Forest lake: (a) Manually propelled vessels. (b) Sailboats. (c) Motorized vessels powered by not more than four horsepower. (4) Sharon Woods lake: (a) Manually propelled vessels. (b) Sailboats. (c) Motorized vessels powered by not more than four horsepower.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-05	Require	(C) Permission to access any waterway under the management authority of the Great parks of Hamilton county may be revoked and all vessels required to vacate the waters when conditions are determined to be hazardous.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-06	Shall	(A) No person shall operate (start/run) or permit to be operated a motor, or combination of motors, exceeding a horsepower rating in excess of ten horsepower to propel a vessel on or within Odell lake.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-06	Prohibit	(B) Nothing in this rule shall prohibit vessels with higher horsepower motors from being present on these waters provided they comply with paragraph (A) of this rule.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-08	Shall	On the waters of Clearfork reservoir, no person shall operate or permit the operation of any powercraft at a speed that creates a wake.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-08	Shall	A "wake" as used in this rule shall be defined as a track left in the water causing waves or swells.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-09	Shall	(A) It shall be unlawful to engage or attempt to engage in water skiing or utilize any other towable device between the hours of six p.m. and ten a.m. local time.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-09	Shall	(B) It shall be unlawful to operate a watercraft at a speed that creates a wake between the hours of six p.m. and ten a.m. local time.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-09	Shall	(C) All powercraft shall proceed in a counter-clockwise direction except while beaching or going into shore.	1546.04	No, general rulemaking authority	No, general rulemaking authority

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1501:47-7-09	Shall	(D) It shall be unlawful to engage or attempt to engage in water skiing or utilize any other towable device in the bay at the north end of the lake at any time.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-09	Shall	(E) It shall be unlawful to operate a powercraft at a speed that creates a wake in the slip between the middle bay and the north bay.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-09	Shall	(F) It shall be unlawful to anchor a watercraft in the slip between the middle bay and the north bay.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-09	Shall	(G) No person shall operate a powercraft at a speed greater than idle speed, or at a speed that creates a wake at any time when the lake warning flags are displayed as notice of hazardous conditions or flood stage.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-09	Shall	(H) No person shall operate or permit to be operated any vessel in violation of this rule.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-10	Shall	(A) Upon the waters of Springfield lake, no person shall operate or permit to be operated any watercraft powered by a motor or combination of motors with a total horsepower rating of more than two hundred fifty horsepower.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-10	Shall	(B) No person shall operate a watercraft at a speed greater than idle or no-wake speed between the hours of seven p.m. and ten a.m.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-10	Shall	(C) Between the hours of ten a.m. and seven p.m., no watercraft shall anchor, idle, or stop in the designated speed and ski zone except to retrieve a fallen skier.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-10	Shall	(D) Watercraft operating in the designated speed and ski zone shall travel in a counter-clockwise direction with the shoreline on the starboard side of the vessel.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-10	Shall	(E) Swimming from watercraft shall be permitted only in designated no-wake zones.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-10	Prohibit	(F) Hydroplanes, airboats, airfoils, tunnel hulls, drag hulls, wing-in-ground craft, hovercraft, and submersible watercraft are prohibited.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-11	Shall	The designated swim area shall exclusively include the water along and contiguous to the shore area designated by the lake Seneca property owners association as the community beach area.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-11	Shall	(1) No person shall place, anchor, or otherwise affix any type of buoy, sign, mooring apparatus, swim platform, or other floating structure in the open zone or in an area that obstructs access to a navigable channel or boat launch.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-11	Shall	(2) All power craft shall proceed in a counter-clockwise direction with the shore to the starboard side, except to retrieve a fallen skier or while beaching or going in to shore.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-11	Shall	(3) No person shall operate a power craft at a speed that creates a wake in the following areas: (a) The shore zone, or (b) Within fifty feet of the designated swim area.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-11	Shall	(4) No person shall operate a power craft at a speed that creates a wake between the hours of eight p.m. and ten a.m. local time.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-11	Shall	(5) No person shall operate a power craft at a speed greater than idle speed, or at a speed that creates a wake at any time when the lake warning flags are displayed as a notice of hazardous conditions or flood stage.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-11	Shall	(C) No person shall operate or permit the operation of any vessel in violation of this rule.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-12	Shall	(A) No person shall operate or permit to be operated a motor, or combination of motors, exceeding a horsepower rating in excess of ten horsepower to propel a vessel on or within Walborn reservoir and Sippo lake.	1546.04	No, general rulemaking authority	No, general rulemaking authority

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1501:47-7-12	Shall	(B) No person shall operate (start/run) or permit to be operated a motor, other than an electric motor, to propel a vessel on or within Deer Creek reservoir in Stark county.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-12	Shall	(C) Nothing in this rule shall prohibit vessels with higher horsepower motors from being present on the waters specified in paragraphs (A) and (B) of this rule provided they comply with paragraphs (A) and (B) of this rule.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-12	Shall	(D) No person shall operate or permit to be operated a powercraft on or within Petros lake or the Ohio and Erie canal within Stark county.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-13	Shall	(A) No person shall operate or permit to be operated a motor, or combination of motors, exceeding a horsepower rating in excess of ten horsepower to propel a vessel on the Cuyahoga river between the state route 91 bridge in Munroe falls to the Broad street dam in Cuyahoga Falls.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-13	Shall	(C) Nothing in this rule shall prohibit vessels with higher horsepower motors from being present on these waters provided they comply with paragraph (A) of this rule.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-14	Shall	(A) Upon the waters of lake Snowden, no powercraft shall be operated at a greater than idle speed, or at a speed that creates a wake, unless specifically permitted in writing by the park manager.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-14	Shall	(B) A "wake" as used in the rule shall be defined as a track left by a watercraft in the water causing waves or swells.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-15	Shall	(A) Upon the waters of Apple Valley lake, no powercraft shall be operated at greater than idle speed, or at a speed that creates a wake between sunset and sunrise.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-15	Shall	(B) A "wake" as used in the rule shall be defined as a track left by a watercraft in the water causing waves or swells.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-16	Shall	(A) Upon the waters of Lake Lorelei, no person shall operate or permit to be operated a powercraft at a speed greater than thirty-five miles per hour from sunrise to sunset within the water-ski or open zone.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-16	Shall	(B) No person shall operate or permit to be operated a powercraft at a speed greater than six miles per hour from sunset to sunrise within the water-ski or open zone.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-16	Shall	(C) No person shall operate or permit to be operated a powercraft at greater than idle speed, or at a speed that creates a wake within one hundred fifty feet of the marina, gasoline dock, and launch ramp.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-16	Shall	(D) No person shall operate or permit to be operated a powercraft at greater than idle speed or at a speed that creates a wake within the coves and the mouth of Gladly Run.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-16	Shall	(E) Powercraft shall be operated in a counter-clockwise traffic pattern with the shoreline on the starboard (right) side of the powercraft.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-16	Shall	(F) No person shall operate or permit to be operated a powercraft in a clockwise direction, unless the operator is picking up a fallen water-skier.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-16	Shall	(G) A "wake," as used in this rule, shall be defined as a track left by a watercraft in the water causing waves or swells.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-17	Shall	(1) No person shall operate a powercraft at a speed greater than idle speed, or at a speed that creates a wake from sunset to sunrise.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-17	Shall	(2) No person shall operate a powercraft at a speed greater than idle speed, or at a speed that creates a wake at any time when the lake warning flags are displayed.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-17	Shall	(3) Powercraft operating in the designated speed and ski zones shall travel in a counter-clockwise direction with the shoreline on the starboard (right) side of the powercraft.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-17	Shall	(4) All powercraft operating at a speed greater than idle speed shall maintain a distance of one hundred feet from the shore or any designated no-wake zone.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-17	Shall	(5) Swimming from watercraft shall be permitted only in designated no-wake zones.	1546.04	No, general rulemaking authority	No, general rulemaking authority

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1501:47-7-17	Shall	(6) A "wake" as used in this rule shall be defined as a track left by a watercraft in the water causing waves or swells.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-17	Prohibit	(1) The operation of seaplanes, hovercraft, mechanically propelled airboats, airfoils, and ski-free mechanisms is prohibited.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-17	Shall	(2) No powercraft shall tow more than two skiers, ski tubes, or other approved towable devices.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-17	Shall	(3) It shall be unlawful for any watercraft to tow a parasail, kite, or any other device intended to achieve and maintain a distance of more than ten feet above the surface of the water.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-17	Shall	(4) No person shall anchor, moor, dock or tie up any watercraft to any private dock facility without the express permission of the owner or other authorized agent.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-17	Shall	(5) No person shall operate a powercraft, except by electric motor on the waters of the following areas: (a) Thor lake (b) Valhalla lake (c) Hammer lake (d) Kastrup lake (e) Hatchet lake (f) Bear lake	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-18	Shall	(1) No person shall operate a powercraft at a speed greater than idle speed or at a speed that creates a wake from sunset to sunrise.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-18	Shall	(2) Powercraft operating in the designated speed and ski zones shall travel in a counter-clockwise direction with the shoreline on the starboard (right) side of the powercraft.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-18	Shall	(3) All powercraft operating at a speed greater than idle speed shall maintain a distance of forty (40) feet from the shore.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-18	Shall	(4) Swimming from watercraft shall be permitted only in designated no-wake zones.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-18	Shall	(5) A "wake" as used in this rule shall be defined as a track left by a watercraft in the water causing waves or swells.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-18	Shall	(1) No powercraft shall tow more than two skiers, ski tubes, or other approved towable devices.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-18	Shall	(2) No person shall anchor, moor, dock or tie up any watercraft to any private dock facility without express permission of the owner or other authorized agent.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-18	Shall	(3) While being towed by a watercraft, no person shall have any type of airfoil or other device in hand or affixed to the person for the purpose of becoming airborne over the waters of Lake Buckhorn.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-18	Shall	(4) It shall be unlawful for any watercraft to tow a parasail, kite, or any other airborne device on the waters of Lake Buckhorn.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-18	Prohibit	(5) The operation of seaplanes, hovercraft, mechanically propelled airboats, airfoils, and ski-free mechanisms is prohibited.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-19	Require	(1) "No-wake speed" means to operate a powered vessel at a speed determined by the minimum amount of power required to maintain steerage of the craft.	1546.04	Yes, state law	Yes, state law
1501:47-7-19	Shall	(1) No vessel shall operate at a speed greater than no-wake speed within the shore zone.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-19	Shall	(2) Powercraft operating in the open zone shall travel in a counter-clockwise direction with the shoreline on the starboard (right) side of the powercraft.	1546.04	No, general rulemaking authority	No, general rulemaking authority

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1501:47-7-19	Shall	(1) No person shall use or operate any air propelled powercraft, hovercraft, wing-in-ground craft, or submersible watercraft on the waters of Lake Roaming Rock.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-19	Shall not	(4) A watercraft shall not tow more than two skiers or other towable devices simultaneously.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-20	Shall	(B) A "wake" as used in this rule shall be defined as a track left by a watercraft in the water causing waves or swells.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-20	Shall	(C) Vessels being operated in the course of official government business or in the course of emergency operations shall be exempt from this rule.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-21	Shall	(A) Except upon the waters of Chippewa lake, it shall be unlawful to operate or permit the operation of any powercraft other than a powercraft propelled by an electric motor.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-21	Shall	(1) No powercraft propelled by an electric motor or combination of electric motors shall exceed a total combined horsepower rating of ten horsepower except upon the waters of Chippewa lake.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-21	Shall	(2) Upon the waters of Chippewa lake, no vessel shall be propelled by a motor or combination of motors with a total combined horsepower rating in excess of three hundred, ninety-nine horsepower.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-21	Shall	(B) No person shall operate, or permit to be operated, a powercraft at a speed in excess of idle speed on any waters of the district from sunset to sunrise local time.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-21	Shall	(C) No person shall voluntarily leave any vessel to swim in district waters except in a designated boater swim area.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-21	Prohibit	(D) The operation of submersibles, seaplanes, hovercraft, mechanically propelled airboats, wing-in-ground craft, and ski-free mechanisms is prohibited on all waters of the district.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-21	Shall	(E) It shall be unlawful for any person to operate or allow the operation of any mechanically powered apparatus, device, contrivance, or combination of a mechanically powered recreational vessel and any towable apparatus, device, or contrivance to become airborne over the waters of the district.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-21	Shall	(1) No person, while operating a powercraft, shall tow or allow the towing of any person using an apparatus, device, or other contrivance for the purpose of becoming airborne over the waters of the district.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-21	Shall	(2) No person shall utilize any device, or allow the utilization of any apparatus, device, or contrivance designed or used for the purpose of becoming airborne over the waters of the district while being towed by a powercraft.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-21	Shall	(3) No person shall use any hydro jet device while operating upon waters of the district.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-21	Shall	Use of any sailboard or kite board, as defined in section 1547.532 of the Revised Code, shall be permitted on waters of the district, provided that any such vessel is operated in a safe manner and does not interfere with the navigation of other vessels.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-21	Shall	(F) No person shall possess or overtly and publicly consume or display the presence of any beer or intoxicating liquor, as defined in section 4301.01 of the Revised Code, while occupying any vessel on the waters of the district.	1546.04	Yes, state law	Yes, state law
1501:47-7-21	Shall	(G) No person shall use, access, moor, tie-up or otherwise secure a vessel to a privately held dock or park district dock designated for seasonal contractual use without permission of the owner or contracted lessee except in emergency situations or in storm conditions which constitute a hazard to the safety of any persons or property involved.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-7-21	Shall	(H) No person shall operate or permit the operation of a powercraft at a speed greater than idle speed on waters of the district or at a speed that creates at wake at any time when warning flags are posted.	1546.04	No, general rulemaking authority	No, general rulemaking authority

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1501:47-9-01	Shall	The following horsepower limitations shall apply to below named waters of the Muskingum watershed conservancy district.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-9-01	May not	(A) "Horsepower" means the horsepower rating published by the manufacturer for the power unit involved and any power unit modified to reduce or increase the manufacturers rating may not be operated on the waters of the district.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-9-01	Shall	(B) It shall be unlawful for any person to operate a watercraft having a motor capacity in excess of ten horsepower on Beach City, Charles Mill, Clendening, Leesville, Piedmont and Wills Creek lakes.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-9-01	Shall	(C) It shall be unlawful for any person to operate a watercraft with a motor in excess of twenty-five horsepower on Atwood lake.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-9-01	Shall	(D) It shall be unlawful for any person to operate a watercraft with a motor in excess of three hundred ninety-nine horsepower on Tappan lake.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-9-01	Shall	(E) It shall be unlawful for any person to operate a watercraft with a motor in excess of three hundred ninety-nine horsepower on Seneca lake.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-9-02	Shall	It shall be unlawful for any person to operate or permit the operation of a watercraft at any time at a speed greater than idle speed or at a speed that creates a wake within an area zoned by the Muskingum watershed conservancy district and marked by buoys as a no-wake zone or designated as a shore zone.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-9-03	Shall	It shall be unlawful for any person to use any watercraft on the waters of the district for the purpose of sleeping on board unless such person has obtained a docking permit and the watercraft is anchored, tied, or otherwise secured in a designated area.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-9-04	Shall	(A) No person shall overtly and publicly consume or display the presence of any beer or intoxicating liquor, as defined in section 4301.01 of the Revised Code while occupying any watercraft upon the waters of Atwood lake, Beach City lake, Charles Mill lake, Clendening lake, Leesville lake, Pleasant Hill lake, Piedmont lake, Seneca lake, Tappan lake, or Wills Creek lake.	1546.04	Yes, state law	Yes, state law
1501:47-9-05	Shall	Ingress and egress for watercraft to the reservoirs of the district shall be only at sites authorized by the district and	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-9-05	Shall not	boats shall not be anchored, tied, or stored overnight at any points along the shores of the reservoirs unless under the terms of special contracts.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-9-05	Shall	Boats found unattended in violation of this regulation shall be deemed "abandoned" and handled as provided in section 1547.30 of the Revised Code providing for the disposition of "abandoned" watercraft.	1546.04	No, general rulemaking authority	Yes, state law
1501:47-9-06	Prohibit	The operation of seaplanes, hovercraft, and submersibles is prohibited on any waters of the district.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-9-08	Shall	It shall be unlawful for any person to operate or permit to be operated a watercraft at a speed in excess of six miles per hour, or to engage in water skiing, surfboarding, or other like towing activities on any waters of the Muskingum watershed conservancy district from sunset to sunrise local time.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-9-10	Shall	No person, while being towed by a watercraft, shall use any device for the purpose of becoming airborne over Muskingum watershed conservancy district waters.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501:47-9-10	Shall	No person while operating a watercraft shall tow any person using a device for the purpose of becoming airborne over the muskingum watershed conservancy district waters.	1546.04	No, general rulemaking authority	No, general rulemaking authority
1501-1-01	Shall	Public notice of hearing to be conducted by DNR shall be advertised in register of Ohio for at least 30 days but not more than 40 days prior to hearing.	R.C. 1501.02	No, general rulemaking authority	No, general rulemaking authority
1501-1-01	Shall	The notice shall include a statement of DNR's intention to consider adopting, amending, or rescinding a rule, a synopiss of the proposed rule or amendment, a statement of reason, and the date, time and place of hearing.	R.C. 1501.02	No, general rulemaking authority	No, general rulemaking authority

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1501-1-01	Shall	The notice shall state the place where copies of the proposed rule or amendment can be obtained.	R.C. 1501.02	No, general rulemaking authority	No, general rulemaking authority
1501-3-03	Shall	A pre-design phase for all professional design services shall be conducted.	R.C. 153.71	No, general rulemaking authority	No, general rulemaking authority
1501-3-03	Shall	After completion of pre-design phase, the project shall be announced.	R.C. 153.71	No, general rulemaking authority	No, general rulemaking authority
1501-3-03	Shall	The announcement of the professional design project shall be made in a uniform and consistant manner, prior to the time the proposals are to be submitted to allow time for professional design firms to submit statements of qualifications for the projects.	R.C. 153.71	No, general rulemaking authority	No, general rulemaking authority
1501-3-03	Shall	The annoucement shall include a description of the project, statement of services required, and description of the qualifications required	R.C. 153.71	No, general rulemaking authority	No, general rulemaking authority
1501-3-03	Shall	The announcement shall indicate how to submit statements of qualifications.	R.C. 153.71	No, general rulemaking authority	No, general rulemaking authority
1501-3-03	Shall	The announcement shall be made in the Ohio Register.	R.C. 153.71	No, general rulemaking authority	No, general rulemaking authority
1501-3-04	Shall	Each professional design firm to be considered for a project shall submit a statement of qualifications on a standard form.	R.C. 153.71	Yes, state law	Yes, state law
1501-3-05	Shall	For every contract a committee convened by the director shall review and evaluate using pre-established criteria.	R.C. 153.71	Yes, state law	Yes, state law
1501-3-05	Shall	The committee shall issue a list of no fewer than three firms, rated fully qualified to perform the services.	R.C. 153.71	Yes, state law	Yes, state law
1501-3-05	Shall	Upon written notification to the direct that fewer than three qualified firms are available, those firms shall be listed.	R.C. 153.71	Yes, state law	Yes, state law
1501-3-05	Shall	If deemed necessary by the committee, a scope of clarification meeting shall be conducted with all listed firms	R.C. 153.71	No, general rulemaking authority	No, general rulemaking authority
1501-3-05	Shall	The meeting shall be designed to explore further the scope and nuature of the services required, project schedule, budget, any unique requirements, design, and various technical approaches that the firms may take toward the project.	R.C. 153.71	No, general rulemaking authority	No, general rulemaking authority
1501-3-05	Must	Any questions must be addressed at this meeting and shared with all participants	R.C. 153.71	No, general rulemaking authority	No, general rulemaking authority
1501-3-05	Shall	Each firm listed shall be asked to supplement its statement of qualifications with a technical proposal as may have been presetned at a scope cliarification meeting	R.C. 153.71	No, general rulemaking authority	No, general rulemaking authority
1501-3-05	Shall	Each firm requested to submit a technical proposal shall be informed of the date, time, and location for such submittal.	R.C. 153.71	No, general rulemaking authority	No, general rulemaking authority
1501-3-05	Shall not	A firm that elects not to submit a technical proposal when requested to do so shall no longer be considered in the selection process.	R.C. 153.71	No, general rulemaking authority	No, general rulemaking authority
1501-3-05	Shall	The committee shall review the technical proposals.	R.C. 153.71	No, general rulemaking authority	No, general rulemaking authority
1501-3-05	Shall	The committee shall then evaluate, elected and rank all firms that submitted technical proposals.	R.C. 153.71	No, general rulemaking authority	No, general rulemaking authority
1501-3-05	Shall	The committee shall identify the firm or firms determined to be the most qualified to provide the required professional design services based on their qualifications.	R.C. 153.71	No, general rulemaking authority	No, general rulemaking authority
1501-3-05	Shall	The committee shall notify the director of their ranking.	R.C. 153.71	No, general rulemaking authority	No, general rulemaking authority

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1501-3-05	Shall	If only one firm is qualified, the chief engineer shall ask the firm to submit a lump sum fee proposal.	R.C. 153.71	No, general rulemaking authority	No, general rulemaking authority
1501-3-05	Shall	If more than one firm is qualified, then each firm shall be asked to submit a lump sum fee proposal	R.C. 153.71	No, general rulemaking authority	No, general rulemaking authority
1501-3-05	Shall	When more than one firm is equally most qualified, the firm submitting the lowest fee proposal shall be determined to be the most qualified.	R.C. 153.71	No, general rulemaking authority	No, general rulemaking authority
1501-3-05	Shall	A contract shall be negotiated with the firm ranked most qualified	R.C. 153.71	Yes, state law	Yes, state law
1501-3-05	Shall	Contract negotiations shall be directed toward: a mutual understanding of the essential requirements of the project, determing that the firm will make available necessary personnel, equipment, and facilities, agreeing upon fair and reasonable compensation.	R.C. 153.71	No, general rulemaking authority	No, general rulemaking authority
1501-3-05	Shall	Upon failure to negotiate a contract, the firm shall be informed in writing of the termination of negotiations.	R.C. 153.71	No, general rulemaking authority	No, general rulemaking authority
1501-3-05	Shall	Negotiations shall then proceed with the firm ranked next most qualified.	R.C. 153.71	No, general rulemaking authority	No, general rulemaking authority
1501-3-05	Shall	If negotiations fail again, the same procedure shall be follwed with each next most qualfied firm until a contract is negotiated or the list is exhausted.	R.C. 153.71	No, general rulemaking authority	No, general rulemaking authority
1501-3-05	Shall	Should there be failure to negotiate a contract additional firms shall be selected and ranked.	R.C. 153.71	No, general rulemaking authority	No, general rulemaking authority
1501-4-01	Shall not	No acknowledgment shall convey an endorsement of a particular donor or product.	R.C. 1501.02	No, general rulemaking authority	No, general rulemaking authority
1501-4-02	Must	Money, material, and equipment must be accounted for in accordance with state policies and procedures.	R.C. 1501.02	Yes, state law	Yes, state law
1501-4-02	Shall not	No acknowledgment shall convey an endorsement of a particular sponsor or product.	R.C. 1501.02	No, general rulemaking authority	No, general rulemaking authority
1501-4-03	Must	Money, material, and equipment must be accounted for in accordance with state policies and procedures.	R.C. 1501.02	Yes, state law	Yes, state law
1501-4-04	Must	Money, material, and equipment must be accounted for in accordance with state policies and procedures.	R.C. 1501.02	Yes, state law	Yes, state law
1501-8-02	Shall	For personal information systems that contain confidential personal information, DNR shall do the following: meet criteria for accessing confidential personal information, respond to individuals request for a list of confidential personal information, provide notice of invalid access, appoint a data privacy point of contact, and complete a privacy impact assessment.	R.C. 1347.15	Yes, state law	Yes, state law
1501-8-02	Shall	The determination for access to confidential personal information shall be approved by the employee's supervisor and information owner.	R.C. 1347.15	Yes, state law	Yes, state law
1501-8-02	Shall	DNR shall establish procedures for determining a revision to an employee's access to confidential perosnal information upon a change to that employee's job duties.	R.C. 1347.15	Yes, state law	Yes, state law
1501-8-02	Shall	Whenever an employee's job duties no longer reuire access to confidential perosnl information in a personal information system, the employee's access to confidential peronal information shall be removed.	R.C. 1347.15	Yes, state law	Yes, state law
1501-8-02	Shall	Upon signed written request of any individual for a list of confidential personal information about the individual maintained by DNR, DNR shall do all of the following: Verify the identity of the individual by a method that provides safeguards; provide the idividual the list of confidential personal information that does not relate to an inviestiong or inform the individual that DNR has no confidential personal information that is responsive to a request.	R.C. 1347.15	Yes, state law	Yes, state law
1501-8-02	Shall	Upon discovery that confidential perosnl information has been accessed by an employee for an invalid reason, DNR shall notify the person whose information was invalidly accessed.	R.C. 1347.15	Yes, state law	Yes, state law
1501-8-02		DNR shall delay notification for a period of time necessary to ensure that the notification would not delay or impede an investigation or jeopardize national security.	R.C. 1347.15	Yes, both state and federal law	Yes, both state and federal law

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1501-8-02	Shall	Once DNR determines that notification would not delat or impede an investigation , DNR shall disclose the access to confidential personal information made for an invalid reason to the person.	R.C. 1347.15	Yes, state law	Yes, state law
1501-8-02	Shall	Notification provided by DNR shall inform the person of the type of information accessed.	R.C. 1347.15	Yes, state law	Yes, state law
1501-8-02	Shall	The director shall designate an employee of DNR to serve as the data privacy point of contract.	R.C. 1347.15	Yes, state law	Yes, state law
1501-8-02	Shall	The data privacy point of contact shall work with the chief privacy officer within the office of information technology to assist DNR with both the implementation of privacy protections and compliance with R.C. 1347.15.	R.C. 1347.15	Yes, state law	Yes, state law
1501-8-02	Shall	The director shall designate an employee to serve as the date privacy point of contact.	R.C. 1347.15	Yes, state law	Yes, state law
1501-8-02	Shall	The data privacy point of contact shall timely complete the privacy impact assessment form developed by the office of information technology.	R.C. 1347.15	Yes, state law	Yes, state law
1501-2-01	Shall	Limits the amount of water that may be diverted out of Lake Erie drainage basin or the Ohio River drainage basin without a permit issued by the Director of the Ohio Department of Natural Resources.	1501.31	Yes, state law	Yes, state law
1501-2-02	Require	Defines various terms used throughout Chapter 1501-2 of the Ohio Administrative Code.	1501.31	Yes, state law	Yes, state law
1501-2-03	Shall not	Protects from invalidation all other rules or portions of rules adopted or amended by the Director of the Ohio Department of Natural Resources when and if a court invalidates a rule adopted or amended pursuant to R.C. 1501.30 to 1501.35.	1501.31	No, general rulemaking authority	Yes, state law
1501-2-04	Shall	Requires the Chief of the Division of Water Resources to establish and maintain a map file of the boundaries of the Lake Erie and Ohio River drainage basins in this state.	1501.30	Yes, state law	Yes, state law
1501-2-04	Shall	Requires the Chief of the Division of Water Resources to make available for public inspection the map file of the boundaries of the Lake Erie and Ohio River drainage basins in this state.	1501.30	Yes, state law	Yes, state law
1501-2-04	Shall	Requires the Chief of the Division of Water Resources to develop a generalized map illustrating the drainage basins for Lake Erie and the Ohio River in this state.	1501.30	Yes, state law	Yes, state law
1501-2-04	Shall	Requires the Chief of the Division of Water Resources to make copies of the generalized map illustrating the drainage basins for Lake Erie and the Ohio River in this state available upon request.	1501.30	Yes, state law	Yes, state law
1501-2-05	Shall	Considers defective any water diversion permit application that fails to provide the Director with prescribed information needed for ascertaining compliance with the applicable provisions of R.C. 1501.32 or rules promulgated thereunder.	1501.31	Yes, state law	Yes, state law
1501-2-05	Shall	Requires the Director to notify an applicant upon determining that the applicant's application is defective and to either request additional information or return the application to the applicant without further processing.	1501.31	Yes, state law	Yes, state law
1501-2-05	Shall	An indication of the deficiency shall accompany a returned application	1501.31	Yes, state law	Yes, state law
1501-2-05	Shall	and the applicant shall have ninety days from the receipt thereof in which to cure the defect.	1501.31	Yes, state law	Yes, state law
1501-2-05	Shall	Upon determining that an application is not defective, the director shall notify the applicant that the application has been accepted as complete and is being considered.	1501.31	Yes, state law	Yes, state law

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1501-2-05	Shall	An application shall contain the following information and shall be filed on forms provided by the director: (1)The name, address, and telephone number of applicant. (2)The location of the proposed withdrawal; a description of all proposed and existing systems for the storage, treatment, transportation, and distribution of water; and the location to which the waters of the state are proposed to be diverted; the location of any discharge of water or wastewater effluent within the area to which the applicant intends to supply water from the diversion; and the geographic area to which the applicant intends to supply water and the population within that area. (3)The average quantity of water in gallons to be diverted daily and a description of the uses to which the water is to be put, including the proportion allocated to each use. (4)A description of all present sources of water supply available to the applicant in the basin to which the water would be diverted; an analysis of applicant's present and future needs; and a description of efforts to develop and conserve water resources in the importing basin. (5)The expected life of the diversion project. (6)Maps showing the items listed in paragraph (B)(2) of this rule; the county and township roads; the location of utilities; the topography; and any structures of facilities affected by or part of the proposed diversion. Maps published by the state, county, and the United States geological survey, and aerial photographs, may be used for these purposes. (7)Diversion design specifications and site plans accurately drawn and in sufficient detail to clearly indicate the extent and complexity of the proposed diversion. (8)An analysis of anticipated effects on uses of lands and waters within the lake Erie or Ohio river drainage basin resulting from the diversion. The analysis shall include an assessment of short-term and long-term impacts on natural, historic, community, economic and scenic resources, in-stream uses, and economic and ecologic aspects of water levels that will be affected by the proposed diversion project. The assessment shall include the identification of all known or anticipated competing uses for the diverted water. (9)An analysis of needs and requirements of land acquisition, land use requirements, relocation or resiting of existing facilities, rights of way, structures, and all equipment, including energy needs of the equipment, and total costs, direct and indirect, to effect the diversion. (10)An analysis of whether the diversion is consistent with plans and requirements of the state for the use, management, and protection of the water resources of this state.	1501.31	Yes, state law	Yes, state law
1501-2-05	Shall	An application shall contain the following information and shall be filed on forms provided by the director:	1501.31	Yes, state law	Yes, state law
1501-2-05	Shall	The analysis shall include an assessment of short-term and long-term impacts on natural, historic, community, economic and scenic resources, in-stream uses, and economic and ecologic aspects of water levels that will be affected by the proposed diversion project.	1501.31	Yes, state law	Yes, state law
1501-2-05	Shall	The assessment shall include the identification of all known or anticipated competing uses for the diverted water.	1501.31	Yes, state law	Yes, state law
1501-2-05	Require	An analysis of needs and requirements of land acquisition, land use requirements, relocation or resiting of existing facilities, rights of way, structures, and all equipment, including energy needs of the equipment, and total costs, direct and indirect, to effect the diversion.	1501.31	Yes, state law	Yes, state law
1501-2-05	Require	An analysis of needs and requirements of land acquisition, land use requirements, relocation or resiting of existing facilities, rights of way, structures, and all equipment, including energy needs of the equipment, and total costs, direct and indirect, to effect the diversion.	1501.31	Yes, state law	Yes, state law
1501-2-05	Require	An analysis of whether the diversion is consistent with plans and requirements of the state for the use, management, and protection of the water resources of this state.	1501.31	Yes, state law	Yes, state law
1501-2-05	Require	Such additional information as the director may require.	1501.31	Yes, state law	Yes, state law

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1501-2-05	Shall	An application for a diversion which lawfully diverted more than one hundred thousand gallons per day of any waters of this state within one year before October 12, 1984 shall contain the following information and shall be filed on forms provided by the director: (1)The name, address, and telephone number of applicant. (2)The location of the withdrawal; a description of all proposed and existing systems for the storage, treatment, transportation, and distribution of water; and the location to which the waters of the state are proposed to be diverted; the location of any discharge of water or wastewater effluent within the area to which the applicant intends to supply water from the diversion; and the geographic area to which the applicant intends to supply water and the population within that area. (3)The average quantity of water, in gallons, diverted daily and a description of the uses to which the water is put, including the proportion of the diversion which goes to each use. (4)Maps in sufficient detail to show the items listed in paragraph (C)(2) of this rule; the county, township, and section lines; the locations of state, county, and township roads; the locations of utilities; the topography; and any other structures or facilities affected by or part of the proposed water diversion. Maps published by the state, the county, or the United States geological survey, the aerial photographs, may be used for these purposes. (5)The expected life of the diversion project. (6)Such additional information as the director may require.	1501.31	Yes, state law	Yes, state law
1501-2-05	Shall	An application for a diversion which lawfully diverted more than one hundred thousand gallons per day of any waters of this state within one year before October 12, 1984 shall contain the following information and shall be filed on forms provided by the director:	1501.31	Yes, state law	Yes, state law
1501-2-05	Require	Such additional information as the director may require.	1501.31	Yes, state law	Yes, state law
1501-2-05	Shall	The application required under paragraph (B) of this rule shall be accompanied by a nonrefundable fee of one thousand dollars.	1501.31	Yes, state law	Yes, state law
1501-2-06	Shall	No application for a water diversion permit shall be granted if the director determines any of the following to be true: (1)During the expected life of the diversion, some or all of the water to be diverted will be needed for use within the basin. (2)The proposed diversion will endanger the public health, safety and welfare. (3)The applicant has not demonstrated that the proposed diversion is a reasonable and beneficial use and is necessary to serve the applicant's present and future needs; (4)The applicant has not demonstrated that reasonable efforts have been made to develop and conserve water resources in the importing basin and that further development of those resources would engender overriding, adverse economic, social, or environmental impacts; (5)The proposed diversion is inconsistent with regional or state water resources plans; (6)The proposed diversion, alone or in combination with other diversions and water losses, will have a significant adverse impact on in-stream uses or on economic or ecologic aspects of water levels.	1501-31	Yes, state law	Yes, state law
1501-2-07	Shall	If the application is for a diversion which is not subject to the provisions of section 1109 of the "Water Resources Development Act of 1986," 100 Stat. 4230 42 U.S.C.A. 1962D-20, the director shall issue or deny the water diversion permit within ninety days of accepting the completed application in accordance with the provisions set forth in rule 1501-2-06 of the Administrative Code, unless the director determines that the complexity of the issues requires further consideration.	1501.31	Yes, both state and federal law	Yes, both state and federal law

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1501-2-07	Require	If the application is for a diversion which is not subject to the provisions of section 1109 of the "Water Resources Development Act of 1986," 100 Stat. 4230 42 U.S.C.A. 1962D-20, the director shall issue or deny the water diversion permit within ninety days of accepting the completed application in accordance with the provisions set forth in rule 1501-2-06 of the Administrative Code, unless the director determines that the complexity of the issues requires further consideration.	1501.31	Yes, both state and federal law	Yes, both state and federal law
1501-2-07	Shall	In that event, the director shall notify the applicant in writing of the need for an extension and of the reason therefor.	1501.31	Yes, both state and federal law	Yes, both state and federal law
1501-2-07	Shall	If the application is for a diversion which is subject to the provisions of section 1109 of the "Water Resources Development Act of 1986," 100 Stat. 4230 42 U.S.C.A. 1962D-20, the director shall do one of the following: (1)Deny the water diversion permit within ninety days of accepting the completed application in accordance with the provisions set forth in rule 1501-2-06 of the Administrative Code, without sending the application to the Great Lakes states' governors for their consideration pursuant to section 1109 of the "Water Resources Development Act of 1986," 100 Stat. 4230, 42 U.S.C.A. 1962D-20, unless the director determines that the complexity of the issues requires further consideration. In that event, the director shall notify the applicant in writing of the need for an extension and of the reason therefor. (2)Deny the water diversion permit within ninety days of receiving notification of denial of the diversion proposal from any of the Great Lakes states' governors pursuant to section 1109 of the "Water Resources Development Act of 1986," 100 Stat. 4230, 42 U.S.C.A. 1962D-20. (3)Approve the water diversion permit within ninety days of receiving notification of approval of the completed application from all the Great Lakes' states governors pursuant to section 1109 of the "Water Resources Development Act of 1986," 100 Stat. 4230, 42 U.S.C.A. 1962D-20, and in accordance with the provisions set forth in rule 1501-2-06 of the Administrative Code.	1501.31	Yes, both state and federal law	Yes, both state and federal law
1501-2-07	Shall	In that event, the director shall notify the applicant in writing of the need for an extension and of the reason therefor.	1501.31	Yes, both state and federal law	Yes, both state and federal law
1501-2-07	Shall	No construction on the water diversion project shall be performed until the permit is issued by the director.	1501.31	Yes, both state and federal law	Yes, both state and federal law
1501-2-08	Shall	Any person intending to transfer a water diversion permit shall notify the director, in writing, at least sixty days prior to transfer.	1501.31	Yes, state law	Yes, state law
1501-2-08	Shall	No water diversion permits shall be transferred unless the transfer is approved by the director in writing.	1501.31	Yes, state law	Yes, state law
1501-2-08	Shall	The director shall not approve the transfer of a water diversion permit unless he determines that: (1)The transferor is presently in compliance with section 1501.32 of the Revised Code, rules promulgated thereunder, and the terms and conditions of its permit. (2)The transferee assumes all responsibilities and obligations of the transferor regarding the diversion permit. (3)In the case of a transferee who has previously held or currently holds a permit, that such transferee has previously operated or presently operates the diversion in compliance with section 1501.32 of the Revised Code, rules promulgated thereunder, and the terms and conditions of its permit. (4)The transfer does not allow for any increase in the quantity or any change in the location or purpose of the diversion. (5)The transfer does not alter or jeopardize compliance with any terms or condition of the permit or with any obligations assumed thereunder. (6)The transferred permit expires on the date of the original permit.	1501.31	Yes, state law	Yes, state law

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1501-2-09	Shall	Within sixty days after the end of each calendar year, all permittees shall furnish the director with the following information, and such other information as the director may require, on forms provided by him: (A)The total amount of water diverted during that calendar year. (B)The average daily and monthly volume of water diverted during that calendar year. (C)The percentage of diverted water distributed through metered and unmetered services. (D)The amount and percentage of diverted water used during the calendar year for each purpose listed on the application for the permit. (E)The amount of water transferred, sold or otherwise provided from the diversion to any other named distribution system during the calendar year. (F)Failure to comply with the reporting requirements shall be considered a violation of section 1501.32 of the Revised Code, and the permit may be subject to suspension.	1501.31	Yes, state law	Yes, state law
1501-2-09	Require	Within sixty days after the end of each calendar year, all permittees shall furnish the director with the following information, and such other information as the director may require, on forms provided by him:	1501.31	Yes, state law	Yes, state law
1501-2-09	Shall	Failure to comply with the reporting requirements shall be considered a violation of section 1501.32 of the Revised Code, and the permit may be subject to suspension.	1501.31	Yes, state law	Yes, state law
1501-2-10	Shall	No denial of an application for permit or a revocation of permit, shall be valid unless the applicant is afforded the opportunity for a hearing pursuant to sections 119.01 to 119.13 of the Revised Code.	1501.31	Yes, state law	Yes, state law
1501-2-10	Shall	The date set for such a hearing shall be within fifteen days but no earlier than seven days after the party has requested a hearing, unless otherwise agreed to by both the director or his authorized representative and the party.	1501.31	Yes, state law	Yes, state law
1501-2-10	Shall	Upon the denial of his application, the applicant shall be notified of his right to a hearing.	1501.31	Yes, state law	Yes, state law
1501-2-10	Shall	Such notice shall be given by registered mail, return receipt requested, and shall include the charges or other reasons for such proposed action, the law or rule directly involved, and a statement informing the party that he is entitled to a hearing if he requests it within thirty days of the time of mailing the notice.	1501.31	Yes, state law	Yes, state law
1501-2-10	Shall	Such notice shall be given by registered mail, return receipt requested, and shall include the charges or other reasons for such proposed action, the law or rule directly involved, and a statement informing the party that he is entitled to a hearing if he requests it within thirty days of the time of mailing the notice.	1501.31	Yes, state law	Yes, state law
1501-2-10	Shall	The notice shall also inform the party that at the hearing he may appear in person, may be represented by his attorney, or by such other representative as is permitted to practice before the agency, or may present his position, arguments or contentions in writing and that at the hearing he may present evidence and examine witnesses appearing for and against him.	1501.31	Yes, state law	Yes, state law
1501-2-10	Shall	A copy of this notice shall be mailed to attorneys or other representatives of record representing the party.	1501.31	Yes, state law	Yes, state law
1501-2-10	Shall	Any such notice of appeal shall be filed within fifteen days after the mailing of notice of the director's order.	1501.31	Yes, state law	Yes, state law
1501-2-10	Shall	The filing of the appeal does not automatically stay the effectiveness of the orders of the director, and until such time as the orders are reversed or otherwise declared unlawful, or a stay of the orders is granted by the court, the orders shall remain in full force and effect.	1501.31	Yes, state law	Yes, state law
1501-2-11	Shall	Upon accepting a completed application for a diversion permit required by section 1501.32 of the Revised Code, the director shall notify local officials in the counties from which the water is proposed to be exported and to which the water is proposed to be imported, including but not limited to county commissioners, township trustees, and mayors or managers of municipalities, that the application has been received and accepted as complete.	1501.31	Yes, state law	Yes, state law
1501-2-11	Shall	Upon determining that other counties will also be impacted by the proposed diversion, the director shall notify local officials in these counties as well.	1501.31	Yes, state law	Yes, state law

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1501-2-11	Shall	The director shall provide additional information regarding the proposed diversion to local officials upon request.	1501.31	Yes, state law	Yes, state law
1501-2-11	Shall	Upon accepting a completed application for a diversion permit required by section 1501.32 of the Revised Code, the director shall make a reasonable effort, through the issuance of news releases or other appropriate means determined by the director, to notify the general public throughout the State of Ohio that the application has been received and accepted as complete.	1501.31	Yes, state law	Yes, state law
1501-2-11	Shall	The director shall provide additional information regarding the proposed diversion to members of the general public upon request.	1501.31	Yes, state law	Yes, state law
1501-2-11	Shall	Upon determining that adequate interest exists among local officials and members of the general public, the director shall conduct a public meeting within sixty days from the time notification is made pursuant to paragraph (A) of this rule, in order to further explain the proposal and to solicit comments.	1501.31	Yes, state law	Yes, state law
1501-2-11	Shall	The director shall accept written comments regarding the proposed diversion from local officials and the general public for sixty days from the time notification is made pursuant to paragraph (A) of this rule.	1501.31	Yes, state law	Yes, state law
1501-2-12	Shall	Within ninety days of accepting a completed application for a diversion which is subject to the provisions of section 1109 of the "Water Resources Development Act of 1986," 100 Stat. 4230 42 U.S.C.A. 1962d-20, the director shall either: (1)Deny the permit in accordance with the provisions set forth in rule 1501-2-06 of the Administrative Code; or (2)Formulate a recommendation to approve the diversion proposal and transmit it, along with the completed application and other relevant materials, to the governor of Ohio for consideration pursuant to section 1109 of the "Water Resource Development Act of 1986," 100 Stat. 4230, 42 U.S.C.A. 1962d-20.	1501.31	Yes, both state and federal law	Yes, both state and federal law
1501-2-12	Shall	Upon being notified that the governor of Ohio has denied permission for the diversion proposal pursuant to section 1109 of the "Water Resources Development Act of 1986," 100 Stat. 4230, 42 U.S.C.A. 1962d-20, the director shall deny the permit consistent with the provisions of rule 1501-2-07 of the Administrative Code.	1501.31	Yes, both state and federal law	Yes, both state and federal law
1501-2-12	Shall	Upon being notified that the governor of Ohio has indicated that the diversion proposal is approvable pursuant to section 1109 of the "Water Resources Development Act of 1986," 100 Stat. 4230, 42 U.S.C.A. 1962d-20, the director shall: (1)Notify the governors and appropriate water management agencies of the other great lakes states and request the approval of the governors for the diversion proposal pursuant to section 1109 of the "Water Resources Development Act of 1986," 100 Stat. 4230, 42 U.S.C.A. 1962d-20. (2)Notify the premiers and appropriate water management agencies of the Canadian provinces of Quebec and Ontario and request their comments on the diversion proposal pursuant to the prior notice and consultation provisions of the great lakes charter. (3)If the diversion proposal directly involves the waters of lake Erie, consult the international joint commission to determine whether the proposed diversion is subject to the Boundary Waters Treaty of 1909. (4)The notification shall include a copy of the completed diversion application and any other relevant information not contained in the application. (5)The director shall make a reasonable effort to provide any additional information requested by the parties listed in paragraphs (C)(1), (C)(2), and (C)(3) of this rule. If necessary, the director shall request the applicant to provide the information requested. (6)If requested by any of the parties listed in paragraphs (C)(1), (C)(2), and (C)(3) of this rule, the director shall convene a consultation meeting with the other great lakes states and provinces, providing at least a thirty day notice of the meeting.	1501.31	Yes, both state and federal law	Yes, both state and federal law

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1501-2-12	Shall	The notification shall include a copy of the completed diversion application and any other relevant information not contained in the application.	1501.31	Yes, both state and federal law	Yes, both state and federal law
1501-2-12	Shall	The director shall make a reasonable effort to provide any additional information requested by the parties listed in paragraphs (C)(1), (C)(2), and (C)(3) of this rule.	1501.31	Yes, both state and federal law	Yes, both state and federal law
1501-2-12	Shall	If necessary, the director shall request the applicant to provide the information requested.	1501.31	Yes, both state and federal law	Yes, both state and federal law
1501-2-12	Shall	If requested by any of the parties listed in paragraphs (C)(1), (C)(2), and (C)(3) of this rule, the director shall convene a consultation meeting with the other great lakes states and provinces, providing at least a thirty day notice of the meeting.	1501.31	Yes, both state and federal law	Yes, both state and federal law
1501-2-12	Shall	If one or more of the great lakes states' governors indicate that they are unwilling to approve the diversion proposal without modifications, the director shall provide the applicant the opportunity to amend the diversion application.	1501.31	Yes, both state and federal law	Yes, both state and federal law
1501-2-12	Shall	Upon being notified that any of the great lakes states' governors has denied permission for the diversion proposal pursuant to section 1109 of the "Water Resources Development Act of 1986," 100 Stat. 4230, 42 U.S.C.A. 1962d-20, the director shall deny the permit application consistent with the provisions of rule 1501-2-07 of the Administrative Code.	1501.31	Yes, both state and federal law	Yes, both state and federal law
1501-2-12	Shall	Upon being notified that all the great lakes states' governors have approved the diversion proposal pursuant to section 1109 of the "Water Resources Development Act of 1986," 100 Stat. 4230, 42 U.S.C.A. 1962d-20, the director shall approve the permit application consistent with the provisions of rule 1501-2-07 of the Administrative Code.	1501.31	Yes, both state and federal law	Yes, both state and federal law
1501-2-12	Shall	Within ninety days of accepting a completed application for a diversion which is not subject to the provisions of section 1109 of the "Water Resources Development Act of 1986," 100 Stat. 4230 42 U.S.C.A. 1962d-20 but is subject to the provisions of the great lakes charter, the director shall either: (1)Deny the permit in accordance with the provisions set forth in rule 1501-2-06 of the Administrative Code; or (2)Notify the governors and appropriate water management agencies of the great lakes states and the premiers and appropriate water management agencies of the Canadian provinces of Quebec and Ontario and request their comments on the diversion proposal pursuant to the prior notice and consultation provisions of the great lakes charter.	1501.31	Yes, both state and federal law	Yes, both state and federal law
1501-6-01	Shall Not	"Development" or "improvement" means, but shall not be limited to, wharfs, breakwaters, piers, docks, bulkheads, marinas, groins, jetties, revetments, fill for the purpose of creating new lands or any structure of any kind which encroaches upon the territory.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-01	Shall	Said governmental agency shall include, but not be limited to, a county, township, village, municipality, port authority, park district or conservancy district.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-01	Shall	Said governmental agency shall include, but not be limited to, a county, township, village, municipality, port authority, park district, sewer district or conservancy district.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-01	Shall	"Large facility" means any semi-private or commercial facility built in the territory which exceeds four acres in total area and shall include, but not be limited to, an industrial facility such as a loading and off loading facility, an industrial water intake and an industrial water outfall, or fill to expand an upland or support facility for such use.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-01	Shall Not	Said structure or dock shall not be used for any monetary gain such as, but not limited to, dock space for rent, lease or sale.	1506.02	Yes, both state and federal law	Yes, both state and federal law

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1501-6-01	Shall	A small commercial facility shall include, but not be limited to, a commercial marina, private club, yacht club, sailing club, transit ferry boat facility, or breakwalls constructed to protect inland marina channels and/or boat basin for access to lake Erie.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-01	Shall	"Territory" as used in these rules shall be as it is described in section 1506.10 and as it is defined in division (A) of section 1506.11 of the Revised Code.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-01	Shall	Where the territory has been artificially filled, the director shall determine the natural shoreline as accurately as possible, using the best practicable measures including, but not limited to, an analysis of the earliest known charts, maps or photographs.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-01	Shall	"Utility" shall mean any utility company regulated by; within the jurisdiction of; registered with, or licensed to do business in the State of Ohio by the public utilities commission of Ohio, that is engaged in an activity in the territory including, but not limited to, the placement of submerged cables, water intake pipes, water outfall pipes, sewer outfall pipes, storm sewer outfall pipes, and the related structures necessary for protection.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-01	Shall Not	This definition shall not include any existing fill or any proposed new fill used or proposed to be used for existing buildings, expansion of existing buildings, or any facilities related to the operation of the utility, including, but not limited to, electric power plants, coal storage facilities, coal loading and off loading facilities, or disposal sites for fly ash, bottom ash, dredged materials or other products.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-02	Shall	An application shall be deemed unacceptable by the director if it is found to have incomplete or insufficient information for proper evaluation of the development, improvement or activity upon lake Erie submerged lands.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-02	Shall	The applicant shall be notified by the director if the application is unacceptable within sixty days of its receipt by the director.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-02	Must	The director must, within a reasonable period of time, process the application.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-02	Shall	When the director finds that the effort to supplement the information on the application will be unavailing and that the application is not in accordance with the requirements of section 1506.10 and 1506.11 of the Revised Code and applicable rules, or that the applicant failed to respond to request for information within sixty days of notice, the director shall issue an order denying the application for a submerged lands lease, and shall notify the applicant of the opportunity for a hearing pursuant to section 119.06 to 119.13 of the Revised Code.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-02	Shall	When the director finds that the effort to supplement the information on the application will be unavailing and that the application is not in accordance with the requirements of section 1506.10 and 1506.11 of the Revised Code and applicable rules, or that the applicant failed to respond to request for information within sixty days of notice, the director shall issue an order denying the application for a submerged lands lease, and shall notify the applicant of the opportunity for a hearing pursuant to section 119.06 to 119.13 of the Revised Code.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-03	Shall	The director's recommendation to the governor as to whether to approve an application for a lease of submerged land shall be based upon an evaluation of whether the development, improvement or activity is consistent with the policies of the Ohio coastal management program document, in accordance with section 1506.03 of the Revised Code and does not otherwise contravene the general public's interest in lake Erie submerged lands, waters of the state, fish and wildlife, or cultural or other public trust resources.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-03	Shall	Notwithstanding the policies of the Ohio coastal management program document, the director, in said evaluation, shall give due consideration to any artificially filled area or filled portion of any area of the territory or any development, improvement or activity thereon existing on March 15, 1989, as set forth in this rule.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-03	Shall	Under this exception, there shall be no practicable alternative to the improvement including an alternative upland site, and all reasonable measures shall be undertaken by the applicant to minimize any adverse impacts upon the waters and underlying lands of lake Erie and the beneficial functions these resources perform.	1506.02	Yes, both state and federal law	Yes, both state and federal law

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1501-6-03	Shall	Under this exception, there shall be no practicable alternative to the improvement including an alternative upland site, and all reasonable measures shall be undertaken by the applicant to minimize any adverse impacts upon the waters and underlying lands of lake Erie and the beneficial functions these resources perform.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-03	Shall Not	This criterion shall not apply to a lease application for development of the territory where the territory has been artificially filled prior to March 15, 1989.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-03	Require	The director may require an environmental impact assessment or other information in order to determine the probable direct, secondary and cumulative impacts of the development, improvement or activity upon the natural and human environment.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-03	Shall	With regard to any artificially filled area or filled portion of any area of the territory existing on March 15, 1989, the requirement for an environmental impact assessment shall be limited to any new development, improvement or activity or any change in an existing development, improvement or activity on said area of the territory.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-03	Shall	The environment impact assessment shall include, but not be limited to, the following issues: (a)Potential impact upon air and water quality; (b)The likelihood that the development, improvement or activity may affect historic, cultural and aesthetic resources; (c)Open space or recreational uses of the shoreline where increased access to the shorefront is a particularly important concern; (d)Floral and faunal communities where loss of biological resources or threats to endangered or threatened species are of particularly important concern. (e)Potential impact upon wetlands, or other state resource waters. (f)Potential impact upon the littoral zone including sand transport. (g)The potential individual and cumulative impacts of the lease activity in conjunction with other similar activities in the project area or geographic region will be considered. To the maximum extent practicable the department's review of a lease application will utilize information and findings which may be developed in the public review process conducted by the U.S. department of the army, corps of engineers for authorization of activities in navigable waters, the section 401 water quality certification by the director of the Ohio environmental protection agency, and the consistency reviews of the state under the Ohio coastal management and nonpoint source management programs.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-03	Require	Provision for public access may be required as a condition of a lease or permit depending upon historic use patterns and suitability of the lease site for existing or prospective recreational uses.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-03	Shall	To the maximum extent practicable, consideration shall be given to such uses on any artificially filled area or filled portion of any area of the territory existing on March 15, 1989.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-04	Shall	If a public hearing is scheduled, said hearing shall be held at a time and place designated by the director.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-04	Shall	The hearing shall be of a formal nature.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-04	Shall	A court reporter shall be present and all parties shall have an opportunity to present evidence and/or provide testimony.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-04	Shall	A court reporter shall be present and all parties shall have an opportunity to present evidence and/or provide testimony.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-04	Shall	Notice of said hearing shall be advertised in accordance with division (C) of section 1506.11 of the Revised Code.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-04	Shall	All costs pertaining to the hearing, including but not limited to the court reporter and advertisement, shall be paid by the applicant.	1506.02	Yes, both state and federal law	Yes, both state and federal law

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1501-6-04	Shall	If the director determines that a public meeting would serve to provide sufficient information to supplement the administrative record and support a decision whether or not a lease may properly be entered into, the director shall order a public meeting to be held in the geographic locality of the applicant's lease request.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-04	Shall	Notice of said public meeting shall be advertised in a manner to be determined by the director.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-04	Shall	All costs of the meeting shall be paid by the applicant.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-04	Shall	The public hearing or public meeting shall be limited to the gathering of information which directly pertains to the application in question and to the evaluation of the development, improvement or activity in accordance with section 1506.11 of the Revised Code and rules contained herein.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-05	Shall	A lease for lake Erie submerged land shall be prepared by the department of natural resources	1506.02		
1501-6-05	Shall	and shall contain, but not be limited to, language which reflects the following: (A)A metes and bounds description of the submerged land to be occupied or an alternate description referenced to the applicant's upland property description that is considered adequate by the director as provided by the applicant. (B)The director shall set the period of time (term) of the lease. The term of the lease shall be fifty years unless the director recommends a longer or shorter term. Should the director recommend a lease term less than or greater than fifty years, the director shall state in writing the specific findings, rationale and justification for the differential in setting the term. Applicant shall have the right of appeal in accordance with sections 119.06 to 119.13 of the Revised Code. (C)A complete description of the development, improvement or activity upon the submerged lands. Said clause shall contain the following "any change in use approved by the director, Ohio department of natural resources, may also result in a re-evaluation of the rent. Said lease shall be amended to reflect the proper rent as assigned by the director, based upon the new use," or words of similar import. (D)There shall be no assignment, sublease or mortgage of the leasehold without the expressed written consent of the director, which consent shall not be unreasonably withheld or unreasonably conditioned. (1)A written request to assign, sublet, or mortgage shall be delivered by the lessee to the director not less than ninety days prior to the proposed effective date thereof, and the director shall respond within thirty days of the director's receipt of such request. Any assignment shall be held in escrow by the closing officer of the title company, bank, or attorney until the sale of the uplands has been completed. Should the sale not be consummated then the assignment shall automatically be null and void. If the director fails to act in any manner within ninety days of the receipt of the written request, then the request shall be deemed approved by the director. (2)Rent and other lease terms shall be subject to revision at time of assignment. (3)Applicants for the director's consent to sublease, assign or mortgage shall be entitled to an administrative review of and appeal from any decision of the director pursuant to section 119.06 of the Revised Code. (E)Each lease area shall be subject to the public's right to navigation in and around any structures covered in the lease. However, the public's right of navigation is limited to the extent that it does not interfere with lessee's safe use of lessee's structure. (F)No lessee shall refuse, during storms or other adverse conditions, safe harbor refuge to any vessel seeking such refuge, provided that the harbor can safely accommodate such vessel. (G)Each lease shall require adequate liability insurance or self insurance documentation for lessee, municipal	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-05	Shall	The director shall set the period of time (term) of the lease.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-05	Shall	The term of the lease shall be fifty years unless the director recommends a longer or shorter term.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-05	Shall	Should the director recommend a lease term less than or greater than fifty years, the director shall state in writing the specific findings, rationale and justification for the differential in setting the term.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-05	Shall	Applicant shall have the right of appeal in accordance with sections 119.06 to 119.13 of the Revised Code.	1506.02	Yes, both state and federal law	Yes, both state and federal law

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1501-6-05	Shall	Said clause shall contain the following "any change in use approved by the director, Ohio department of natural resources, may also result in a re-evaluation of the rent. Said lease shall be amended to reflect the proper rent as assigned by the director, based upon the new use," or words of similar import.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-05	Shall	Said clause shall contain the following "any change in use approved by the director, Ohio department of natural resources, may also result in a re-evaluation of the rent. Said lease shall be amended to reflect the proper rent as assigned by the director, based upon the new use," or words of similar import.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-05	Shall	There shall be no assignment, sublease or mortgage of the leasehold without the expressed written consent of the director, which consent shall not be unreasonably withheld or unreasonably conditioned.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-05	Shall Not	There shall be no assignment, sublease or mortgage of the leasehold without the expressed written consent of the director, which consent shall not be unreasonably withheld or unreasonably conditioned.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-05	Shall	A written request to assign, sublet, or mortgage shall be delivered by the lessee to the director not less than ninety days prior to the proposed effective date thereof, and the director shall respond within thirty days of the director's receipt of such request.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-05	Shall	A written request to assign, sublet, or mortgage shall be delivered by the lessee to the director not less than ninety days prior to the proposed effective date thereof, and the director shall respond within thirty days of the director's receipt of such request.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-05	Shall	Any assignment shall be held in escrow by the closing officer of the title company, bank, or attorney until the sale of the uplands has been completed.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-05	Shall	Should the sale not be consummated then the assignment shall automatically be null and void.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-05	Shall	If the director fails to act in any manner within ninety days of the receipt of the written request, then the request shall be deemed approved by the director.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-05	Shall	Rent and other lease terms shall be subject to revision at time of assignment.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-05	Shall	Applicants for the director's consent to sublease, assign or mortgage shall be entitled to an administrative review of and appeal from any decision of the director pursuant to section 119.06 of the Revised Code.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-05	Shall	Each lease area shall be subject to the public's right to navigation in and around any structures covered in the lease.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-05	Shall	No lessee shall refuse, during storms or other adverse conditions, safe harbor refuge to any vessel seeking such refuge, provided that the harbor can safely accommodate such vessel.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-05	Shall	Each lease shall require adequate liability insurance or self insurance documentation for lessee, municipal corporations or political subdivisions of the state for lessee's development, improvement or activity in the territory and lessee's occupation of the territory.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-05	Require	Each lease shall require adequate liability insurance or self insurance documentation for lessee, municipal corporations or political subdivisions of the state for lessee's development, improvement or activity in the territory and lessee's occupation of the territory.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-05	Shall	Minimum limits of liability insurance shall be established by the department and shall contain a clause naming the State of Ohio as additional insured.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-05	Shall	Minimum limits of liability insurance shall be established by the department and shall contain a clause naming the State of Ohio as additional insured.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-05	Shall	Each lease shall be subject to any and all local, state or federal laws or regulations.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-05	Shall	Failure to obtain any required permits or documents shall be a violation of the lease and subject to cancellation under the default provisions therein.	1506.02	Yes, both state and federal law	Yes, both state and federal law

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1501-6-06	Shall	The rent rates herein determined shall be applied equally throughout the entire lake Erie shoreline, including Sandusky bay, Maumee bay and the islands. Rates will be determined by the director using the description of the development, improvement or activity provided by the applicant according to the following schedule: (A)Existing fill - any artificially filled area or filled portion of any area of the territory existing on March 15, 1989, shall be charged \$0.01 per square foot per year for the term of the lease or renewals. This rental rate shall apply only to the use of the filled area as it existed on March 15, 1989. If the lessee or its assigns change the use of the filled area, the rent may be modified to reflect the rent rate in effect for the new use at the time of the change of use. The rental rate for any artificially filled area of the territory existing on March 15, 1989, which qualifies as a governmental non-income producing facility as determined by the director, shall be \$1.00 per year. (B)Private floating dock - \$50 per year. (C)Private structure - \$50 plus \$0.02 per square foot of leased area per year. (D)Private erosion control structure - \$50 plus \$0.01 per square foot of leased area for the first year, and \$0.01 per square foot of leased area per year thereafter. This rental rate shall be applied to all qualifying leases, or qualifying portion of the leased area for leases executed on or after the effective date of this rule. For existing leases executed after the April 30, 1992 effective date of the original rules, this lease rate will apply upon the rent renewal date for the lease, unless the lease is modified prior to such date. This rate shall not apply to leases executed prior to April 30, 1992 unless the lease is modified on or after the effective date of this rule. (E)Semi-private and small commercial facility occupying no more than four acres - \$0.03 per square foot of leased area per year. (F)Large facility and an industrial facility - \$0.04 per square foot of the leased area per year. (G)Utility - \$500 per year. (H)Governmental income producing facility shall pay the rent for the category of the facility. (I)Governmental non-income producing facility shall pay \$1.00 per year. Where practicable, a lease for all such governmental uses or purposes shall be covered in one instrument for each political subdivision. (J)"Escalator clause" - the rental rates as provided for in paragraphs (B) to (H) of this rule, shall be recalculated every five years beginning on the fifth anniversary of the effective date of this rule and any increase shall be at the same rate of increase as the "National Consumers Price Index" (C.P.I.). The annual base rate for calculation purposes shall be the rate	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-06	Shall	Existing fill - any artificially filled area or filled portion of any area of the territory existing on March 15, 1989, shall be charged \$0.01 per square foot per year for the term of the lease or renewals.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-06	Shall	This rental rate shall apply only to the use of the filled area as it existed on March 15, 1989.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-06	Shall	The rental rate for any artificially filled area of the territory existing on March 15, 1989, which qualifies as a governmental non-income producing facility as determined by the director, shall be \$1.00 per year.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-06	Shall	This rental rate shall be applied to all qualifying leases, or qualifying portion of the leased area for leases executed on or after the effective date of this rule.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-06	Shall Not	This rate shall not apply to leases executed prior to April 30, 1992 unless the lease is modified on or after the effective date of this rule.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-06	Shall	Governmental income producing facility shall pay the rent for the category of the facility.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-06	Shall	Governmental non-income producing facility shall pay \$1.00 per year.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-06	Shall	Where practicable, a lease for all such governmental uses or purposes shall be covered in one instrument for each political subdivision.	1506.02	Yes, both state and federal law	Yes, both state and federal law

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1501-6-06	Shall	"Escalator clause" - the rental rates as provided for in paragraphs (B) to (H) of this rule, shall be recalculated every five years beginning on the fifth anniversary of the effective date of this rule and any increase shall be at the same rate of increase as the "National Consumers Price Index" (C.P.I.).	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-06	Shall	"Escalator clause" - the rental rates as provided for in paragraphs (B) to (H) of this rule, shall be recalculated every five years beginning on the fifth anniversary of the effective date of this rule and any increase shall be at the same rate of increase as the "National Consumers Price Index" (C.P.I.).	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-06	Shall	The annual base rate for calculation purposes shall be the rate established by the U.S. department of labor for the city of Cleveland, Ohio, urban, all categories (C.P.I.U.) for February, 1992.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-06	Shall	The new rate shall be most recent C.P.I.U. annual rate established to the nearest month prior to the date of recalculation by the U.S department of labor.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-06	Shall	Once the new annual rate has been determined and the amount of increase has been calculated, then the new annual rate shall become the base annual rate for calculation purposes for the next five year period of time.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-06	Shall	This change in rates shall continue until such time as the C.P.I.U. is no longer used or the director determines that another method may be more accurate.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-06	Shall	The rental rate percentage increase shall be the lesser of the following: (1)The base annual rate shall be subtracted from the new annual rate, the base rate shall be divided into the difference between the base rate and the new rate and the answer will be the percentage of increase or decrease over that five year period of time: example: new rate (nr) 140.2 - base rate (br) 136.2 difference (df) 4.0 df 4.0 = .0293 or 2.93 % increase br 136.2 current rent: \$10,000.00.0293 increase=\$293.00 new rent: \$10,293.00 (2)At no time shall the increases of the rental rate exceed 20 percent in any given five year period of time, nor shall the aggregate increase of the rental rate exceed 150 percent over the term of the lease. Also at no time shall the rental rate charged in any lease written by the State of Ohio pursuant to sections 1506.10 and 1506.11 of the Revised Code or by these rules be lowered.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-06	Shall	The base annual rate shall be subtracted from the new annual rate, the base rate shall be divided into the difference between the base rate and the new rate and the answer will be the percentage of increase or decrease over that five year period of time: example: new rate (nr) 140.2 - base rate (br) 136.2 difference (df) 4.0 df 4.0 = .0293 or 2.93 % increase br 136.2 current rent: \$10,000.00.0293 increase=\$293.00 new rent: \$10,293.00	1506.02	Yes, both state and federal law	Yes, both state and federal law

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1501-6-06	Shall	The base annual rate shall be subtracted from the new annual rate, the base rate shall be divided into the difference between the base rate and the new rate and the answer will be the percentage of increase or decrease over that five year period of time: example: new rate (nr) 140.2 - base rate (br) 136.2 _____ difference (df) 4.0 df 4.0 _____ = .0293 or 2.93 % increase br 136.2 current rent: \$10,000.00.0293 increase=\$293.00 new rent: \$10,293.00	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-06	Shall	At no time shall the increases of the rental rate exceed 20 percent in any given five year period of time, nor shall the aggregate increase of the rental rate exceed 150 percent over the term of the lease.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-06	Shall	At no time shall the increases of the rental rate exceed 20 percent in any given five year period of time, nor shall the aggregate increase of the rental rate exceed 150 percent over the term of the lease.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-06	Shall	Also at no time shall the rental rate charged in any lease written by the State of Ohio pursuant to sections 1506.10 and 1506.11 of the Revised Code or by these rules be lowered.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-06	Shall	Should the United States department of labor discontinue the use of C.P.I. the director shall select as nearly compatible a statistical formula on the purchasing power of the consumer dollar as is then available and published in some responsible governmental publication.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-06	Shall Not	This escalator method shall not affect the rent charged under paragraph (A) of this rule existing fill or paragraph (H) of this rule governmental non-income producing facility.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-10	Shall	The annual recession rate shall be based on a time period not less than ten years nor greater than thirty years prior to the year that the base-map imagery was acquired.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-10	Shall	In no case shall the annual recession rate used to calculate the anticipated recession distance be less than zero.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-10	Shall	Anticipated recession distances less than thirty times the "calculated accuracy limit" (refer to paragraph (H) of this rule) shall be equal to zero.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-10	Shall	The coastal erosion area shall be designated by measuring anticipated recession distances from the base recession line.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-10	Shall	"Calculated accuracy limit" means the potential error in recession rate resulting from the limit of image resolution and measurement inaccuracies and shall be calculated by dividing a fixed error of five feet by the time period in years over which the annual recession rate is calculated.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-10	Shall Not	Where anticipated recession distances are equal to zero, coastal erosion areas shall not be designated either lakeward or landward of the base recession line.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-10	Shall	"Dike" means any artificial barrier together with appurtenant works that shall be used either TO: (1)Divert or restrain the flow of a stream or other body of water for the purpose of protecting an area from inundation by flood waters; or (2)Maintain water levels in the diked area for the purposes of managing a wetland.	1506.02	Yes, both state and federal law	Yes, both state and federal law

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1501-6-10	Shall	"Recession line" means the landform used for mapping recession of the shore, which shall include but is not limited to: (1)Where the shore is a bluff, the recession line shall be the bluff line. Examples are shown in figure 1 of this rule. (2)Where the shore is a sand spit with a dune or a barrier beach with a dune, the recession line shall be the top of the wave-cut face in the dune or the crest of the dune. (3)Where the shore is a low-lying sand spit lacking a dune or a barrier beach lacking a dune, the recession line shall be the crest of the spit or barrier. (4)Where the shore is a wetland, the recession line shall be the lakeward line of persistent emergent vegetation. Click here to view image. Figure: Figure 1: Examples of how recession lines are picked at bluff edge. (5)Where the shore is diked, the recession line shall be the top of the lakeward-facing slope of the dike. (6)Where low-lying waterfront areas are protected by a seawall, bulkhead, or revetment, the recession line shall be the top of the lakeward-facing slope of the structure. See Figure 1 at http://www.registerofohio.state.oh.us/pdfs/1501/0/6/1501-6-10_PH_FYR_C_RU_20090729_1320.pdf FIGURE 1: EXAMPLES OF HOW RECESSION LINES ARE PICKED AT BLUFF EDGE. (V) "Wetland" means an area that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances does support, vegetation typically adapted for life in saturated soil conditions. Wetland includes without limitation swamps, marshes, bogs, and fens.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-10	Shall	Where the shore is a bluff, the recession line shall be the bluff line.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-10	Shall	Where the shore is a sand spit with a dune or a barrier beach with a dune, the recession line shall be the top of the wave-cut face in the dune or the crest of the dune.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-10	Shall	Where the shore is a low-lying sand spit lacking a dune or a barrier beach lacking a dune, the recession line shall be the crest of the spit or barrier.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-10	Shall	Where the shore is a wetland, the recession line shall be the lakeward line of persistent emergent vegetation.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-10	Shall	Where the shore is diked, the recession line shall be the top of the lakeward-facing slope of the dike.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-10	Shall	Where low-lying waterfront areas are protected by a seawall, bulkhead, or revetment, the recession line shall be the top of the lakeward-facing slope of the structure.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-11	Shall	The process of determining annual recession rates shall include preparation of recession-line base maps, measurement of recession distances on the recession-line maps, and calculation of annual recession rates.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-11	Shall	Recession-line maps shall be prepared using the following procedure.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-11	Shall	Base maps shall be constructed using the most currently available imagery.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-11	Shall	Criteria used to select base-map imagery shall include, but are not limited to, complete synoptic coverage of the Ohio shore where the shore is centrally located on the images, adequate geographic reference points, and resolution that is adequate to map a base recession line and identify cultural and physiographic features on the imagery.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-11	Shall	The resulting base maps shall be produced at a nominal scale of one inch equal to two hundred feet; the scale of the base maps shall be verified with field measurements not less than five hundred feet in length, and the true scale in feet shall be noted on each individual base map.	1506.02	Yes, both state and federal law	Yes, both state and federal law

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1501-6-11	Shall	The resulting base maps shall be produced at a nominal scale of one inch equal to two hundred feet; the scale of the base maps shall be verified with field measurements not less than five hundred feet in length, and the true scale in feet shall be noted on each individual base map.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-11	Shall	The resulting base maps shall be produced at a nominal scale of one inch equal to two hundred feet; the scale of the base maps shall be verified with field measurements not less than five hundred feet in length, and the true scale in feet shall be noted on each individual base map.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-11	Shall	A base recession line shall be mapped on the recession-line base maps as described in paragraph (R) of rule 1501-6-10 of the Administrative Code.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-11	Shall	Historical imagery used to prepare recession-line maps shall be selected from charts, aerial photographs, or other imagery of the shore which are on file at the department of natural resources, division of geological survey.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-11	Shall	Criteria used to select this imagery for recession-line mapping shall include but are not limited to those criteria listed in paragraph (A)(1) of this rule.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-11	Shall	Imagery shall be acquired within a time period of not less than ten years nor greater than thirty years prior to the year that the base-map imagery was acquired.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-11	Shall	Recession lines from charts, aerial photographs, or other imagery shall be projected or digitally transferred onto the base maps.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-11	Shall	Recession distances shall be measured at points uniformly spaced along the base recession line.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-11	Shall	The recession distance at each point shall be measured from the base recession line along a transect oriented at a right angle to the general trend of the base recession line (figure 1). See Figure 1 at http://www.registrofohio.state.oh.us/pdfs/1501/0/6/1501-6-11_PH_FYR_C_RU_20090729_1320.pdf FIGURE 1: EXAMPLE ILLUSTRATING BASE-RECESSION LINE, TRANSECT ORIENTATION, AND UNIFORM SPACING BETWEEN TRANSECTS.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-11	Shall	Each transect shall be uniquely identified and the measured recession distance shall be recorded and used to calculate the annual recession rate.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-11	Shall	Each transect shall be uniquely identified and the measured recession distance shall be recorded and used to calculate the annual recession rate.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-11	Shall	For each transect, the annual recession rate in feet per year shall be calculated by dividing the measured recession distance by the time period in years between the recession lines.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-11	Shall	The minimum annual recession rate shall be zero feet per year.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-12	Shall	The anticipated recession distance in feet for each transect shall be the center-weighted moving average of distances equal to thirty times the annual recession rate in feet per year as determined at five consecutive transects where: (1) the distances for the two outer transects shall be weighted by a factor of one; (2) the distances for the two inner transects shall be weighted by a factor of three; and (3) the distance for the center transect shall be weighted by a factor of five (figure 1). See Figure 1 at http://www.registrofohio.state.oh.us/pdfs/1501/0/6/1501-6-12_PH_FYR_C_RU_20090729_1320.pdf FIGURE 1: ILLUSTRATION OF WEIGHTED FIVE-POINT MOVING AVERAGE. THE CENTER TRANSECT IS WEIGHTED BY A FACTOR OF FIVE, THE NEXT TWO ADJACENT TRANSECTS ARE WEIGHTED BY A FACTOR OF THREE, AND THE TWO EDGE TRANSECTS ARE WEIGHTED BY A FACTOR OF ONE.	1506.02	Yes, both state and federal law	Yes, both state and federal law

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1501-6-12	Shall	The anticipated recession distance in feet for each transect shall be the center-weighted moving average of distances equal to thirty times the annual recession rate in feet per year as determined at five consecutive transects where: (1) the distances for the two outer transects shall be weighted by a factor of one; (2) the distances for the two inner transects shall be weighted by a factor of three; and (3) the distance for the center transect shall be weighted by a factor of five (figure 1). See Figure 1 at http://www.registerofohio.state.oh.us/pdfs/1501/0/6/1501-6-12_PH_FYR_C_RU_20090729_1320.pdf FIGURE 1: ILLUSTRATION OF WEIGHTED FIVE-POINT MOVING AVERAGE. THE CENTER TRANSECT IS WEIGHTED BY A FACTOR OF FIVE, THE NEXT TWO ADJACENT TRANSECTS ARE WEIGHTED BY A FACTOR OF THREE, AND THE TWO EDGE TRANSECTS ARE WEIGHTED BY A FACTOR OF ONE.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-12	Shall	The anticipated recession distance in feet for each transect shall be the center-weighted moving average of distances equal to thirty times the annual recession rate in feet per year as determined at five consecutive transects where: (1) the distances for the two outer transects shall be weighted by a factor of one; (2) the distances for the two inner transects shall be weighted by a factor of three; and (3) the distance for the center transect shall be weighted by a factor of five (figure 1). See Figure 1 at http://www.registerofohio.state.oh.us/pdfs/1501/0/6/1501-6-12_PH_FYR_C_RU_20090729_1320.pdf FIGURE 1: ILLUSTRATION OF WEIGHTED FIVE-POINT MOVING AVERAGE. THE CENTER TRANSECT IS WEIGHTED BY A FACTOR OF FIVE, THE NEXT TWO ADJACENT TRANSECTS ARE WEIGHTED BY A FACTOR OF THREE, AND THE TWO EDGE TRANSECTS ARE WEIGHTED BY A FACTOR OF ONE.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-12	Shall	The anticipated recession distance in feet for each transect shall be the center-weighted moving average of distances equal to thirty times the annual recession rate in feet per year as determined at five consecutive transects where: (1) the distances for the two outer transects shall be weighted by a factor of one; (2) the distances for the two inner transects shall be weighted by a factor of three; and (3) the distance for the center transect shall be weighted by a factor of five (figure 1). See Figure 1 at http://www.registerofohio.state.oh.us/pdfs/1501/0/6/1501-6-12_PH_FYR_C_RU_20090729_1320.pdf FIGURE 1: ILLUSTRATION OF WEIGHTED FIVE-POINT MOVING AVERAGE. THE CENTER TRANSECT IS WEIGHTED BY A FACTOR OF FIVE, THE NEXT TWO ADJACENT TRANSECTS ARE WEIGHTED BY A FACTOR OF THREE, AND THE TWO EDGE TRANSECTS ARE WEIGHTED BY A FACTOR OF ONE.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-12	Shall	Anticipated recession distances less than thirty times the calculated accuracy limit shall be equal to zero.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-12	Shall	In no case shall the anticipated recession distance be less than zero.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-13	Shall	Coastal erosion areas shall be delineated on coastal erosion area maps.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-13	Shall	Where coastal erosion areas are identified, such areas shall include land lakeward of the base recession line and all land that extends landward of the base recession line for a distance equal to the anticipated recession distance.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-13	Shall Not	Where anticipated recession distances are equal to zero, a coastal erosion area shall not be designated, either lakeward or landward of the base recession line.	1506.02	Yes, both state and federal law	Yes, both state and federal law

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1501-6-13	Shall	The landward boundary of a coastal erosion area shall be delineated by plotting on each transect a point landward from the base recession line equal to the anticipated recession distance as determined in rule 1501-6-12 of the Administrative Code and then drawing straight lines between these points (figure 1). See Figures at http://www.registerofohio.state.oh.us/pdfs/1501/0/6/1501-6-13_PH_FYR_C_RU_20090729_1320.pdf Figure 1: Anticipated recession distance measured from the base recession line defines the land ward boundary of a coastal erosion area. Figure 2: Example of an excluded area. Shading indicates coastal erosion areas. Coastal erosion line turns lakeward upon intersecting the calculated accuracy limit. Figure 3: Example of a coastal erosion map illustrating transects, the recession line used to determine annual recession rates (dashed line), the base recession line, and coastal erosion line denoting the landward extent of coastal erosion areas.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-13	Shall	Where one transect has a positive anticipated recession distance and an adjacent transect has a zero anticipated recession distance, the coastal erosion area boundary shall be delineated as follows. A boundary line shall be drawn between the positive anticipated recession distance on the one transect to the base recession line position on the adjacent transect (figure 2). At the point where the distance between the boundary line and the base recession line equals the calculated accuracy limit, the boundary line shall turn lakeward. The lakeward extension of the boundary line shall extend to the shoreline and shall be spaced proportionately between the transects (figure 2). See Figures at http://www.registerofohio.state.oh.us/pdfs/1501/0/6/1501-6-13_PH_FYR_C_RU_20090729_1320.pdf Figure 1: Anticipated recession distance measured from the base recession line defines the land ward boundary of a coastal erosion area. Figure 2: Example of an excluded area. Shading indicates coastal erosion areas. Coastal erosion line turns lakeward upon intersecting the calculated accuracy limit. Figure 3: Example of a coastal erosion map illustrating transects, the recession line used to determine annual recession rates (dashed line), the base recession line, and coastal erosion line denoting the landward extent of coastal erosion areas.	1506.02	Yes, both state and federal law	Yes, both state and federal law

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1501-6-13	Shall	Where one transect has a positive anticipated recession distance and an adjacent transect has a zero anticipated recession distance, the coastal erosion area boundary shall be delineated as follows. A boundary line shall be drawn between the positive anticipated recession distance on the one transect to the base recession line position on the adjacent transect (figure 2). At the point where the distance between the boundary line and the base recession line equals the calculated accuracy limit, the boundary line shall turn lakeward. The lakeward extension of the boundary line shall extend to the shoreline and shall be spaced proportionately between the transects (figure 2). See Figures at http://www.registerofohio.state.oh.us/pdfs/1501/0/6/1501-6-13_PH_FYR_C_RU_20090729_1320.pdf Figure 1: Anticipated recession distance measured from the base recession line defines the land ward boundary of a coastal erosion area. Figure 2: Example of an excluded area. Shading indicates coastal erosion areas. Coastal erosion line turns lakeward upon intersecting the calculated accuracy limit. Figure 3: Example of a coastal erosion map illustrating transects, the recession line used to determine annual recession rates (dashed line), the base recession line, and coastal erosion line denoting the landward extent of coastal erosion areas.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-13	Shall	Where one transect has a positive anticipated recession distance and an adjacent transect has a zero anticipated recession distance, the coastal erosion area boundary shall be delineated as follows. A boundary line shall be drawn between the positive anticipated recession distance on the one transect to the base recession line position on the adjacent transect (figure 2). At the point where the distance between the boundary line and the base recession line equals the calculated accuracy limit, the boundary line shall turn lakeward. The lakeward extension of the boundary line shall extend to the shoreline and shall be spaced proportionately between the transects (figure 2). See Figures at http://www.registerofohio.state.oh.us/pdfs/1501/0/6/1501-6-13_PH_FYR_C_RU_20090729_1320.pdf Figure 1: Anticipated recession distance measured from the base recession line defines the land ward boundary of a coastal erosion area. Figure 2: Example of an excluded area. Shading indicates coastal erosion areas. Coastal erosion line turns lakeward upon intersecting the calculated accuracy limit. Figure 3: Example of a coastal erosion map illustrating transects, the recession line used to determine annual recession rates (dashed line), the base recession line, and coastal erosion line denoting the landward extent of coastal erosion areas.	1506.02	Yes, both state and federal law	Yes, both state and federal law

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1501-6-13	Shall	Where one transect has a positive anticipated recession distance and an adjacent transect has a zero anticipated recession distance, the coastal erosion area boundary shall be delineated as follows. A boundary line shall be drawn between the positive anticipated recession distance on the one transect to the base recession line position on the adjacent transect (figure 2). At the point where the distance between the boundary line and the base recession line equals the calculated accuracy limit, the boundary line shall turn lakeward. The lakeward extension of the boundary line shall extend to the shoreline and shall be spaced proportionately between the transects (figure 2). See Figures at http://www.registerofohio.state.oh.us/pdfs/1501/0/6/1501-6-13_PH_FYR_C_RU_20090729_1320.pdf Figure 1: Anticipated recession distance measured from the base recession line defines the land ward boundary of a coastal erosion area. Figure 2: Example of an excluded area. Shading indicates coastal erosion areas. Coastal erosion line turns lakeward upon intersecting the calculated accuracy limit. Figure 3: Example of a coastal erosion map illustrating transects, the recession line used to determine annual recession rates (dashed line), the base recession line, and coastal erosion line denoting the landward extent of coastal erosion areas.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-13	Shall	Where one transect has a positive anticipated recession distance and an adjacent transect has a zero anticipated recession distance, the coastal erosion area boundary shall be delineated as follows. A boundary line shall be drawn between the positive anticipated recession distance on the one transect to the base recession line position on the adjacent transect (figure 2). At the point where the distance between the boundary line and the base recession line equals the calculated accuracy limit, the boundary line shall turn lakeward. The lakeward extension of the boundary line shall extend to the shoreline and shall be spaced proportionately between the transects (figure 2). See Figures at http://www.registerofohio.state.oh.us/pdfs/1501/0/6/1501-6-13_PH_FYR_C_RU_20090729_1320.pdf Figure 1: Anticipated recession distance measured from the base recession line defines the land ward boundary of a coastal erosion area. Figure 2: Example of an excluded area. Shading indicates coastal erosion areas. Coastal erosion line turns lakeward upon intersecting the calculated accuracy limit. Figure 3: Example of a coastal erosion map illustrating transects, the recession line used to determine annual recession rates (dashed line), the base recession line, and coastal erosion line denoting the landward extent of coastal erosion areas.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-13	Shall	The preliminary identification of coastal erosion areas shall be shown on recession-line base maps described in paragraph (A) of rule 1501-6-11 of the Administrative Code as areas bounded on the lakeward side by the shoreline and on the landward side by a line (coastal erosion area line) drawn pursuant to paragraphs (A)(1) and (A)(2) of this rule.	1506.02	Yes, both state and federal law	Yes, both state and federal law

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1501-6-13	Shall	The base recession line and the recession line used to determine annual recession rates and anticipated recession distances as prescribed in paragraph (A)(4) of rule 1501-6-11 of the Administrative Code shall also be shown on the recessionline base maps (figure 3). See Figures at http://www.registrofohio.state.oh.us/pdfs/1501/0/6/1501-6-13_PH_FYR_C_RU_20090729_1320.pdf Figure 1: Anticipated recession distance measured from the base recession line defines the land ward boundary of a coastal erosion area. Figure 2: Example of an excluded area. Shading indicates coastal erosion areas. Coastal erosion line turns lakeward upon intersecting the calculated accuracy limit. Figure 3: Example of a coastal erosion map illustrating transects, the recession line used to determine annual recession rates (dashed line), the base recession line, and coastal erosion line denoting the landward extent of coastal erosion areas.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-13	Shall	Final identification of coastal erosion areas shall be shown on the recession-line base maps described in paragraph (A) of rule 1501-6-11 of the Administrative Code as areas bounded on the lakeward side by the shoreline and on the landward side by a line drawn pursuant to paragraphs (A)(1), (A)(2), and (B) of this rule.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-13	Shall	This final identification shall show the boundaries of coastal erosion areas as they existed at the time the base-map imagery was acquired.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-13	Shall	Subsequent to the final identification, the landward extent of a coastal erosion area shall be determined by measuring the anticipated recession distance from the current base recession line defined in paragraph (R) of rule 1501-6-10 of the Administrative Code.	1506.02	Yes, both state and federal law	Yes, both state and federal law
1501-6-13	Shall	Recession rates and anticipated recession distances shall be provided by the department of natural resources with coastal erosion area maps.	1506.02	Yes, both state and federal law	Yes, both state and federal law

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1501-6-21	Shall	The following definitions shall apply to the terms used in rules 1501-6-21 to 1501-6-28 of the Administrative Code. (A)"Applicant" means the owner of the property to be improved or an authorized agent for said property owner. (B)"Application" means the signed and completed application form and all supporting information required to be submitted to apply for a permit to erect, construct, or redevelop a permanent structure in a lake Erie coastal erosion area pursuant to section 1506.07 of the Revised Code. (C)"Coastal erosion area" means those land areas along lake Erie anticipated to be lost due to lake Erie-related erosion within a thirty-year period if no additional approved erosion control measures are completed within that time, as defined in rule 1501-6-10 of the Administrative Code. (D)"Construct" means to build, form, or assemble a new permanent structure. (E)"Department" means the department of natural resources. (F)"Director" means the director of the department of natural resources, or the director's designee. (G)"Erect" means construct. (H)"Erosion control measure" means a structure or actions specifically designed to reduce or control lake Erie-related erosion of the shore. Examples include, but are not limited to, groins, jetties, dikes, seawalls, revetments, bulkheads, breakwaters and artificially nourished sand and/or gravel beaches. (I)"Existing structure" means a permanent structure which existed or upon which construction had begun prior to the effective date of enforcement of these rules as described in paragraph (C) of rule 1501-6-22 of the Administrative Code. (J)"Movable structure" means a permanent structure designed, sited, and constructed to be readily relocated at minimum cost and with minimum disruption of its intended use. Access to and from the site shall be of sufficient width and acceptable grade to permit the structure to be relocated. Mobile homes and structures built of above-ground stud wall construction on skids or on piling, or on basement or crawl space foundations are examples of movable structures. Septic systems and structures with above-ground walls of masonry, concrete, or related materials are not movable structures. (K)"Permanent structure" means any residential, commercial, industrial, institutional, or agricultural building, any manufactured home as defined in section 4501.01 of the Revised Code, and any septic system that receives sewage from a single-family, two-family, or three-family dwelling, but does not include any recreational vehicle as	1506.07	Yes, both state and federal law	Yes, both state and federal law
1501-6-21	Shall	Access to and from the site shall be of sufficient width and acceptable grade to permit the structure to be relocated.	1506.07	Yes, both state and federal law	Yes, both state and federal law
1501-6-22	Shall	In accordance with the provisions of division (B) of section 1506.07 of the Revised Code and the administrative rules adopted pursuant to division (A) of section 1506.07 of the Revised Code, a permit shall be required for the erection, construction, or redevelopment of a permanent structure which lies or will lie, in whole or in part, on any land within a lake Erie coastal erosion area as defined in section 1506.06 of the Revised Code and rules 1501-6-10 to 1501-6-13 of the Administrative Code.	1506.07	Yes, both state and federal law	Yes, both state and federal law
1501-6-22	Require	In accordance with the provisions of division (B) of section 1506.07 of the Revised Code and the administrative rules adopted pursuant to division (A) of section 1506.07 of the Revised Code, a permit shall be required for the erection, construction, or redevelopment of a permanent structure which lies or will lie, in whole or in part, on any land within a lake Erie coastal erosion area as defined in section 1506.06 of the Revised Code and rules 1501-6-10 to 1501-6-13 of the Administrative Code.	1506.07	Yes, both state and federal law	Yes, both state and federal law

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1501-6-23	Require	A person seeking to obtain a permit to erect, construct, or redevelop a permanent structure which lies or will lie, in whole or in part, on any land within a lake Erie coastal erosion area is required to file an application, accompanied by necessary supporting information, in accordance with rules 1501-6-21 to 1501-6-28 of the Administrative Code.	1506.07	Yes, both state and federal law	Yes, both state and federal law
1501-6-23	Shall	The application shall be on a form as specified by the director, copies of which may be obtained from the department.	1506.07	Yes, both state and federal law	Yes, both state and federal law
1501-6-23	Shall	In addition to the information to be supplied on the application form, the applicant shall also submit the supporting information described in paragraph (B) or (C) of this rule.	1506.07	Yes, both state and federal law	Yes, both state and federal law
1501-6-23	Shall	For a proposed permanent structure protected or to be protected by an erosion control measure, the application shall include the following: (1)A general description of the proposed permanent structure identifying its purpose; and (2)A map of the project site that clearly shows the location of the proposed permanent structure with respect to the lake Erie shoreline; property lines; county, township, and municipal corporation boundary lines; and state, county and local roads. A United States geological survey (USGS) seven and one-half minute topographic map or portion thereof will generally meet this requirement; and (3)A proposed schedule of construction. The schedule shall demonstrate that the erosion control measures will be constructed prior to or concurrent with the erection, construction, or redevelopment of the permanent structure; and (4)Other pertinent information as may reasonably be determined necessary by the department to fully evaluate the application.	1506.07	Yes, both state and federal law	Yes, both state and federal law
1501-6-23	Shall	The schedule shall demonstrate that the erosion control measures will be constructed prior to or concurrent with the erection, construction, or redevelopment of the permanent structure;	1506.07	Yes, both state and federal law	Yes, both state and federal law
1501-6-23	Shall	For a proposed permanent structure when the applicant requests a permit due to exceptional hardship as described in paragraph (C)(2) of rule 1501-6-24 of the Administrative Code, the application shall include the following supporting information: (1)The information described in paragraphs (B)(1) and (B)(2) of this rule; and (2)Documentation that the permanent structure will be movable or will be situated as far landward as applicable zoning resolutions or ordinances permit; and (3)Explanation of the exceptional hardship that the person seeking the authorization will suffer, if the authorization is not given.	1506.07	Yes, both state and federal law	Yes, both state and federal law
1501-6-23	Shall	Within seven working days of receipt of the application, the department shall notify the applicant, in writing, indicating the starting date for the thirty-day review period (which date shall be, as stated above, the date of receipt of the application) if the application is complete.	1506.07	Yes, both state and federal law	Yes, both state and federal law
1501-6-23	Shall	Within seven working days of receipt of the application, the department shall notify the applicant, in writing, indicating the starting date for the thirty-day review period (which date shall be, as stated above, the date of receipt of the application) if the application is complete.	1506.07	Yes, both state and federal law	Yes, both state and federal law
1501-6-23	Shall	If the application is incomplete, the department shall identify deficiencies in the application which must be corrected before the application will be considered complete.	1506.07	Yes, both state and federal law	Yes, both state and federal law
1501-6-23	Must	If the application is incomplete, the department shall identify deficiencies in the application which must be corrected before the application will be considered complete.	1506.07	Yes, both state and federal law	Yes, both state and federal law

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1501-6-23	Shall	If, during the thirty-day review period specified in paragraph (B) rule 1501-6-24 of the Administrative Code, the application is found to be inaccurate or additional information from the applicant is necessary to adequately evaluate the project, the applicant shall be notified, in writing, of the inaccuracy or additional information required.	1506.07	Yes, both state and federal law	Yes, both state and federal law
1501-6-23	Shall	If either the necessary changes or additional information is not provided within sixty days of the date the department requested it, review of the application will be terminated, the department shall return the application, and a new application shall be required for renewed consideration.	1506.07	Yes, both state and federal law	Yes, both state and federal law
1501-6-23	Shall	If either the necessary changes or additional information is not provided within sixty days of the date the department requested it, review of the application will be terminated, the department shall return the application, and a new application shall be required for renewed consideration.	1506.07	Yes, both state and federal law	Yes, both state and federal law
1501-6-23	Require	If either the necessary changes or additional information is not provided within sixty days of the date the department requested it, review of the application will be terminated, the department shall return the application, and a new application shall be required for renewed consideration.	1506.07	Yes, both state and federal law	Yes, both state and federal law
1501-6-24	Shall	Pursuant to the requirements of division (B) of section 1506.07 of the Revised Code, the department shall review each application for a permit as described in paragraph (B) of rule 1506-6-23 [1501-6-23] of the Administrative Code to evaluate the existing or proposed erosion control measures.	1506.07	Yes, both state and federal law	Yes, both state and federal law
1501-6-24	Shall	Factors to be considered in the evaluation of an erosion control measure shall include, but not be limited to, the following: (1)The potential individual or cumulative impact, including any adverse effects on sand resources and coastal processes; and (2)The potential for accelerating erosion along the adjacent shoreline; and (3)The stability of the existing or proposed slope; and (4)The effectiveness of existing erosion control measures at the proposed site and along the adjacent shoreline; and (5)The integrity of the existing or proposed erosion control measure, its appurtenances and component materials; and (6)The effectiveness of proposed structural and/or nonstructural measures to protect the permanent structure.	1506.07	Yes, both state and federal law	Yes, both state and federal law
1501-6-24	Shall	Within thirty days after receipt of a complete application, the director shall notify the applicant that the application is either approved or denied.	1506.07	Yes, both state and federal law	Yes, both state and federal law
1501-6-24	Shall	If an application is approved, the director shall issue a permit, as specified in rule 1501-6-25 of the Administrative Code, to erect, construct, or redevelop the permanent structure.	1506.07	Yes, both state and federal law	Yes, both state and federal law
1501-6-24	Shall	If an application is denied, the director shall notify the applicant of the reason for denial and of the applicant's appeal rights under section 1506.08 of the Revised Code.	1506.07	Yes, both state and federal law	Yes, both state and federal law

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1501-6-24	Shall	The director shall issue a permit to an applicant if: (1)The proposed site is or will be protected by effective erosion control measures as determined according to criteria in paragraphs (A)(1) through (A)(6) of this rule, or. (2)Both of the following criteria are met: (a)The permanent structure will be a movable structure or will be situated as far landward as applicable zoning resolutions or ordinances permit; and (b)The applicant will suffer exceptional hardship if the permit is not granted.	1506.07	Yes, both state and federal law	Yes, both state and federal law
1501-6-25	Shall	A permit to erect, construct, or redevelop a permanent structure which lies or will lie, in whole or in part, in a lake Erie coastal erosion area shall be issued by the director after approval of the application required by rule 1501-6-23 of the Administrative Code.	1506.07	Yes, both state and federal law	Yes, both state and federal law
1501-6-25	Shall	The permit shall be valid for a period of two years from the date of issue unless specified otherwise pursuant to provisions of this rule.	1506.07	Yes, both state and federal law	Yes, both state and federal law
1501-6-25	Shall	No construction shall be performed until the permit is issued by the director.	1506.07	Yes, both state and federal law	Yes, both state and federal law
1501-6-25	Shall	The permit shall include conditions, as necessary, to assure that construction of the permanent structure and any erosion control measure is in compliance with the approved application.	1506.07	Yes, both state and federal law	Yes, both state and federal law
1501-6-25	Shall	If the permit expires before construction has begun, no construction shall be performed, and a new application with supporting information, as prescribed by rule 1501-6-23 of the Administrative Code, shall be submitted for renewed consideration.	1506.07	Yes, both state and federal law	Yes, both state and federal law
1501-6-25	Shall	If the permit expires before construction has begun, no construction shall be performed, and a new application with supporting information, as prescribed by rule 1501-6-23 of the Administrative Code, shall be submitted for renewed consideration.	1506.07	Yes, both state and federal law	Yes, both state and federal law
1501-6-25	Shall	No extension shall be granted unless the applicant has demonstrated to the satisfaction of the director that substantial effort has been made to complete the construction.	1506.07	Yes, both state and federal law	Yes, both state and federal law
1501-6-26	Shall	The applicant shall be given reasonable prior notice of an inspection by the department, and all inspections shall be performed at reasonable times for conducting business.	1506.07	Yes, both state and federal law	Yes, both state and federal law
1501-6-26	Shall	The applicant shall be given reasonable prior notice of an inspection by the department, and all inspections shall be performed at reasonable times for conducting business.	1506.07	Yes, both state and federal law	Yes, both state and federal law
1501-6-26	Shall	If an inspection reveals that any erection, construction, or redevelopment of a permanent structure is being conducted without a permit or in violation of the permit or that a required erosion protection measure is not in compliance with the permit, the director or the director's authorized representative may order that all work shall cease until the violation has been corrected to the satisfaction of the director.	1506.07	Yes, both state and federal law	Yes, both state and federal law
1501-6-26	Shall	The director's order shall be in writing and shall indicate the specific nature of the violation.	1506.07	Yes, both state and federal law	Yes, both state and federal law
1501-6-26	Shall	The director's order shall be in writing and shall indicate the specific nature of the violation.	1506.07	Yes, both state and federal law	Yes, both state and federal law
1501-6-26	Shall	The order shall remain in effect until the violation has been corrected to the satisfaction of the director or the director's authorized representative.	1506.07	Yes, both state and federal law	Yes, both state and federal law
1501-6-26	Shall	The person to whom an order is issued shall be afforded an adjudication hearing pursuant to Chapter 119. of the Revised Code.	1506.07	Yes, both state and federal law	Yes, both state and federal law
1501-6-26	Shall	The director shall sustain the order if deemed appropriate after each person allegedly liable has had a hearing or has waived the right to a hearing.	1506.07	Yes, both state and federal law	Yes, both state and federal law

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1501-6-27	Shall	Beginning on the thirty-first day of January following the director's notice that the lake Erie coastal erosion area resolution or ordinance of a county or municipal corporation meets or exceeds the standards of division (B) of section 1506.07 of the Revised Code, and every two years thereafter, the legislative authority of the county or municipal corporation shall submit to the director, on a form provided by the department, a report of the county's or municipal corporation's relevant administrative and enforcement activities during the previous two years.	1506.07	Yes, both state and federal law	Yes, both state and federal law
1501-6-27	Shall	The department shall review the reports to assure compliance with section 1506.07 of the Revised Code including, but not limited to, verification of the locations of permitted permanent structures relative to coastal erosion areas.	1506.07	Yes, both state and federal law	Yes, both state and federal law
1501-6-27	Shall	If, at any time, the director determines that a lake Erie coastal erosion area resolution or ordinance adopted by a county or municipal corporation is being inadequately administered or enforced, the director shall so notify the legislative authority of the county or municipal corporation, identifying the scope of the administrative or enforcement deficiencies and the procedure established in paragraph (D) of this rule for the legislative authority's response.	1506.07	Yes, both state and federal law	Yes, both state and federal law
1501-6-27	Shall	After the director notifies the affected legislative authority of the deficiency, the following procedure shall apply: (1)Within thirty days of the date of mailing of the director's notice that the resolution or ordinance is being inadequately administered or enforced, the legislative authority of the county or municipal corporation shall respond, in writing, to the director, addressing the identified deficiencies and describing with specificity any proposed remedies thereto. (2)Within thirty days of the date of mailing of the written response from the legislative authority of the county or municipal corporation, the director shall make a final determination as to whether or not the legislative authority's response adequately addresses the identified deficiencies and provides for their correction. (3)If the director makes a final determination that a lake Erie coastal erosion area resolution or ordinance is being inadequately administered or enforced by a county or municipal corporation, the permit requirements of division (B) of section 1506.07 of the Revised Code shall be reinstated within the territory of the affected county or municipal corporation. (4)During any period in which the director has determined that a lake Erie coastal erosion area resolution or ordinance adopted by a county or municipal corporation is being inadequately administered or enforced, all applications to erect, construct, or redevelop a permanent structure in a lake Erie coastal erosion area shall be subject to joint review by the director and the county or municipal corporation. During this period, the county or municipal corporation shall not issue any permit for construction, erection, or redevelopment of a permanent structure which lies or will lie, in whole or in part, in a lake Erie coastal erosion area without the specific written approval of the director. The period of joint review shall commence on the fifth day after the date of mailing of the director's notice of deficiency and shall be effective until such time as the director is satisfied that any identified deficiencies have been adequately addressed by the legislative authority of the county or municipal corporation.	1506.07	Yes, both state and federal law	Yes, both state and federal law
1501-6-27	Shall	Within thirty days of the date of mailing of the director's notice that the resolution or ordinance is being inadequately administered or enforced, the legislative authority of the county or municipal corporation shall respond, in writing, to the director, addressing the identified deficiencies and describing with specificity any proposed remedies thereto.	1506.07	Yes, both state and federal law	Yes, both state and federal law

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1501-6-27	Shall	Within thirty days of the date of mailing of the written response from the legislative authority of the county or municipal corporation, the director shall make a final determination as to whether or not the legislative authority's response adequately addresses the identified deficiencies and provides for their correction.	1506.07	Yes, both state and federal law	Yes, both state and federal law
1501-6-27	Shall	If the director makes a final determination that a lake Erie coastal erosion area resolution or ordinance is being inadequately administered or enforced by a county or municipal corporation, the permit requirements of division (B) of section 1506.07 of the Revised Code shall be reinstated within the territory of the affected county or municipal corporation.	1506.07	Yes, both state and federal law	Yes, both state and federal law
1501-6-27	Shall	During any period in which the director has determined that a lake Erie coastal erosion area resolution or ordinance adopted by a county or municipal corporation is being inadequately administered or enforced, all applications to erect, construct, or redevelop a permanent structure in a lake Erie coastal erosion area shall be subject to joint review by the director and the county or municipal corporation.	1506.07	Yes, both state and federal law	Yes, both state and federal law
1501-6-27	Shall Not	During this period, the county or municipal corporation shall not issue any permit for construction, erection, or redevelopment of a permanent structure which lies or will lie, in whole or in part, in a lake Erie coastal erosion area without the specific written approval of the director.	1506.07	Yes, both state and federal law	Yes, both state and federal law
1501-6-27	Shall	The period of joint review shall commence on the fifth day after the date of mailing of the director's notice of deficiency and shall be effective until such time as the director is satisfied that any identified deficiencies have been adequately addressed by the legislative authority of the county or municipal corporation.	1506.07	Yes, both state and federal law	Yes, both state and federal law
1501-6-27	Shall	The period of joint review shall commence on the fifth day after the date of mailing of the director's notice of deficiency and shall be effective until such time as the director is satisfied that any identified deficiencies have been adequately addressed by the legislative authority of the county or municipal corporation.	1506.07	Yes, both state and federal law	Yes, both state and federal law
1501-6-28	Shall Not	The invalidation by a court of a rule adopted or amended pursuant to section 1506.07 of the Revised Code shall not affect the validity of any other rule or portion thereof adopted or amended thereunder by the director.	1506.07	No, general rulemaking authority	Yes, state law
1501-7-02	Shall	The invalidation by a court of a rule adopted or amended pursuant to division (B) of section 1520.03 of the Revised Code shall not affect the validity of any other rule or portion thereof adopted or amended thereunder by the director.	1520.03 and 1501.01	No, general rulemaking authority	Yes, state law
1501-7-03	Shall	No person shall withdraw, take, or divert water from any canal or canal reservoir operated and maintained by the director without first obtaining a lease or sale agreement from the director in accordance with section 1520.03 of the Revised Code.	1520.03 and 1501.01	Yes, state law	Yes, state law
1501-7-03	Shall	Any sale or lease agreement for water from a canal or canal reservoir shall be administered by the division in accordance with sections 1520.03 and 1521.08 of the Revised Code.	1520.03 and 1501.01	Yes, state law	Yes, state law
1501-7-03	Require	However, the director may require water conservation measures for water that is withdrawn from any canal or canal reservoir for domestic use during drought conditions, or emergencies declared by the governor.	1520.03 and 1501.01	Yes, state law	Yes, state law
1501-7-03	Shall	This chapter of the Administrative Code shall apply to all waters impounded in any canal reservoir or canal operated and maintained by the director except the waters of Lake Erie and that portion of streams or rivers used for canal navigation.	1520.03 and 1501.01	Yes, state law	Yes, state law
1501-7-03	Shall	The quantity of water that may be sold or leased from a canal reservoir or canal shall be determined by the division using accepted engineering methods and practices.	1520.03 and 1501.01	Yes, state law	Yes, state law
1501-7-03	Shall	Any water withdrawn for commercial, industrial, agricultural, hydroelectric power generation, or public water supply use shall be measured by a metering system or other method acceptable to the division.	1520.03 and 1501.01	Yes, state law	Yes, state law
1501-7-03	Shall	All withdrawals as mentioned above shall be reported to the division on a form provided by the division and within a time period specified by the division.	1520.03 and 1501.01	Yes, state law	Yes, state law
1501-7-03	Shall Not	The director shall not sell or lease water from a canal or canal reservoir within any state nature preserve or state natural area that is owned by the department.	1520.03 and 1501.01	Yes, state law	Yes, state law

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1501-7-03	Shall	No lease or sale agreement for the use of water from a canal or canal reservoir that is operated and maintained by the director shall be required for operation of departmental facilities.	1520.03 and 1501.01	Yes, state law	Yes, state law
1501-7-03	Shall	Except as provided in rule 1501-7-06 of the Administrative Code, the director shall not sell, lease, or otherwise provide water to any person from any canal reservoir or canal that was constructed or purchased, wholly or in part, with funds from hunting or fishing licenses, deer and wild turkey permits, or trapping permits as provided in sections 1533.15 and 1533.33 of the Revised Code.	1520.03 and 1501.01	Yes, state law	Yes, state law
1501-7-04	Shall	All determinations as to the class of water use shall be made by the division.	1520.03 and 1501.01	No, general rulemaking authority	No, general rulemaking authority
1501-7-04	Shall	Any lease or sale agreement for commercial, industrial, public water supply, hydroelectric power generation, or agricultural water use shall be for a minimum of one million gallons per year.	1520.03 and 1501.01	No, general rulemaking authority	No, general rulemaking authority
1501-7-04	Shall	When withdrawing water for public water supply use as a backup source from a canal or canal reservoir, the division shall be notified immediately of commencement of said withdrawal.	1520.03 and 1501.01	No, general rulemaking authority	No, general rulemaking authority
1501-7-04	Shall	Withdrawal amounts shall be reported to the division pursuant to paragraph (F) of rule 1501-7-03 of the Administrative Code.	1520.03 and 1501.01	No, general rulemaking authority	No, general rulemaking authority
1501-7-04	Shall	For such withdrawals greater than one million gallons per year, the annual payment to the department shall be adjusted based on the rate established pursuant to paragraph (D) of rule 1501-7-05 of the Administrative Code and the total number of gallons per year withdrawn.	1520.03 and 1501.01	No, general rulemaking authority	No, general rulemaking authority
1501-7-05	Shall	Any person desiring to take, divert, or otherwise make use of water for commercial, industrial, agricultural, fire protection, hydroelectric power generation, or public water supply use from a canal or canal reservoir shall first submit a request in writing to the division which shall include the following: (1)The name, address, and telephone number of the applicant; (2)The name of the appropriate contact person; (3)The location(s) of the proposed withdrawal, diversion, or use; (4)The intended purpose of the withdrawal, diversion, or use; (5)The estimated quantity of water to be used annually; (6)A description of the method of withdrawal; (7)A description of the type of metering system to measure or method used to estimate withdrawal amounts.	1520.03 and 1501.01	No, general rulemaking authority	No, general rulemaking authority
1501-7-05	Shall	The chief shall consult with all affected divisions in the department on all requests pursuant to paragraph (A) of this rule.	1520.03 and 1501.01	No, general rulemaking authority	No, general rulemaking authority
1501-7-05	Shall	Within thirty days from the date of receipt of a written request pursuant to paragraph (A) of this rule to withdraw water from a canal or canal reservoir, the director shall do one of the following: (1)Notify the applicant that the request for a lease or sale is approved or denied, and if denied, the reason for denial; or (2)Notify the applicant of any modification or additional information needed to evaluate the request for a lease.	1520.03 and 1501.01	No, general rulemaking authority	No, general rulemaking authority
1501-7-05	Shall	Any lease agreement granted by the director for fire protection shall be granted without cost for water to the lessee.	1520.03 and 1501.01	No, general rulemaking authority	No, general rulemaking authority
1501-7-05	Shall	All capital operation and maintenance cost associated with the project shall be the responsibility of the applicant.	1520.03 and 1501.01	No, general rulemaking authority	No, general rulemaking authority
1501-7-05	Shall	"Escalator clause" - the lease rate as provided for in paragraph (D) of this rule, shall be recalculated every five years beginning on the first day of July following the fifth anniversary of the effective date of this rule and any increase shall be at the same rate of increase as the "National Consumers Price Index" (C.P.I.).	1520.03 and 1501.01	No, general rulemaking authority	No, general rulemaking authority

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1501-7-05	Shall	"Escalator clause" - the lease rate as provided for in paragraph (D) of this rule, shall be recalculated every five years beginning on the first day of July following the fifth anniversary of the effective date of this rule and any increase shall be at the same rate of increase as the "National Consumers Price Index" (C.P.I.).	1520.03 and 1501.01	No, general rulemaking authority	No, general rulemaking authority
1501-7-05	Shall	The annual base rate for calculation purposes shall be the rate established by the U.S. department of labor for the city of Cleveland, Ohio, urban, all categories (C.P.I.U.) for November, 2001.	1520.03 and 1501.01	No, general rulemaking authority	No, general rulemaking authority
1501-7-05	Shall	The new rate shall be the most recent C.P.I.U. annual rate established to the nearest month prior to the date of recalculation by the U.S. department of labor.	1520.03 and 1501.01	No, general rulemaking authority	No, general rulemaking authority
1501-7-05	Shall	Once the new annual rate has been determined and the amount of increase has been calculated, then the new annual rate shall become the base annual rate for calculation purposes for the next five year period of time.	1520.03 and 1501.01	No, general rulemaking authority	No, general rulemaking authority
1501-7-05	Shall	This change in rates shall continue until such time as the C.P.I.U. is no longer used or the director determines that another method may be more accurate.	1520.03 and 1501.01	No, general rulemaking authority	No, general rulemaking authority
1501-7-05	Shall	The lease rate percentage increase shall be the following: The base annual rate shall be subtracted from the new annual rate, the base rate shall be divided into the difference between the base rate and the new rate and the answer will be the percentage of increase or decrease over that five year period of time: example: Cnew rate (nr) 176.3 - base rate (br) 172.3 = difference (df) 4.0(df)4.0 / (br) 172.3 = .0232 or 2.32 percent increase current lease rate: \$10, 000.00 X .0232 increase=\$ 232.00 new lease rate: \$10, 232.00	1520.03 and 1501.01	No, general rulemaking authority	No, general rulemaking authority
1501-7-05	Shall	The base annual rate shall be subtracted from the new annual rate,	1520.03 and 1501.01	No, general rulemaking authority	No, general rulemaking authority
1501-7-05	Shall	the base rate shall be divided into the difference between the base rate and the new rate and the answer will be the percentage of increase or decrease over that five year period of time:	1520.03 and 1501.01	No, general rulemaking authority	No, general rulemaking authority
1501-7-05	Shall	At no time shall the lease rate charged in any lease written by the State of Ohio pursuant to section 1520.03 of the Revised Code or by these rules be lowered.	1520.03 and 1501.01	No, general rulemaking authority	No, general rulemaking authority
1501-7-05	Shall	Should the United States department of labor discontinue the use of C.P.I. the director shall select as nearly compatible a statistical formula on the purchasing power of the consumer dollar as is then available and published in some responsible governmental publication.	1520.03 and 1501.01	No, general rulemaking authority	No, general rulemaking authority
1501-7-05	Shall	Any lease or sale agreement granted under this rule shall be valid for a period of time as determined by the director but shall not exceed twenty-five years.	1520.03 and 1501.01	No, general rulemaking authority	No, general rulemaking authority
1501-7-05	Shall Not	Any lease or sale agreement granted under this rule shall be valid for a period of time as determined by the director but shall not exceed twenty-five years.	1520.03 and 1501.01	No, general rulemaking authority	No, general rulemaking authority
1501-7-05	Shall	Any person holding a lease or sale agreement shall permit agents, employees, or other representatives of the director to inspect any pump hookups, intake structures, or records that are required under this chapter of the Administrative Code at any reasonable time.	1520.03 and 1501.01	No, general rulemaking authority	No, general rulemaking authority
1501-7-05	Shall	The withdrawal of water from a canal or canal reservoir at a location other than that specified in a person's lease or sale agreement or for a use other than that specified in the agreement shall be considered an unauthorized withdrawal of water under section 1520.03 of the Revised Code.	1520.03 and 1501.01	No, general rulemaking authority	No, general rulemaking authority
1501-7-05	Shall	Any unauthorized withdrawal shall be sufficient cause for the director to terminate the agreement.	1520.03 and 1501.01	No, general rulemaking authority	No, general rulemaking authority
1501-7-06	Shall	Lease or sale agreements during emergency situations shall be for no more than onehundred eighty days and shall only be for public water supply, fire protection, or livestock watering.	1520.03 and 1501.01	No, general rulemaking authority	No, general rulemaking authority

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1501-7-06	Shall	Lease or sale agreements during emergency situations shall be for no more than onehundred eighty days and shall only be for public water supply, fire protection, or livestock watering.	1520.03 and 1501.01	No, general rulemaking authority	No, general rulemaking authority
1501-7-06	Shall	If the emergency request is for a public water supply, the governing body shall have declared by resolution an emergency and shall have adopted and be enforcing water conservation measures.	1520.03 and 1501.01	No, general rulemaking authority	No, general rulemaking authority
1501-7-06	Shall	If the emergency request is for a public water supply, the governing body shall have declared by resolution an emergency and shall have adopted and be enforcing water conservation measures.	1520.03 and 1501.01	No, general rulemaking authority	No, general rulemaking authority
1501-7-06	Shall	The water rate established pursuant to paragraph (D) of rule 1501-7-05 of the Administrative Code shall apply to emergency water lease or sale agreements except as specified in paragraph (D) of this rule.	1520.03 and 1501.01	No, general rulemaking authority	No, general rulemaking authority
1501-7-07	Shall	Whenever a person or party requests a hearing pursuant to provisions of Chapter 119. of the Revised Code, the director shall immediately set the date, time, and place for such hearing and forthwith notify the person or party thereof.	1520.03 and 1501.01	No, general rulemaking authority	No, general rulemaking authority
1501-7-07	Shall	The date for such hearing shall be written fifteen days, but not earlier than seven days, after the person or party has requested a hearing, unless otherwise agreed to by both the director and the party.	1520.03 and 1501.01	No, general rulemaking authority	No, general rulemaking authority
1509-1-01	Shall	The oil and gas commission, state of Ohio, shall maintain its official office at "Oil and Gas Commission, 2045 Morse Road, Columbus, Ohio 43229."	1509.35	Yes, state law	No, general rulemaking authority
1509-1-02	Shall	"Owner" shall have the same meaning as provided in division (K) of section 1509.01 of the Revised Code.	1509.35	Yes, state law	Yes, state law
1509-1-02	Shall	"Person" shall have the same meaning as provided in division (T) of section 1509.01 of the Revised Code.	1509.35	Yes, state law	Yes, state law
1509-1-03	Shall	Three members of the commission shall constitute a quorum.	1509.35	Yes, state law	Yes, state law
1509-1-03	Shall	No action taken by the commission shall be valid unless it has the concurrence of at least a majority of the members voting upon that action.	1509.35	Yes, state law	Yes, state law
1509-1-03	Shall	Such temporary appointment shall be made in accodance with division (C) of section 1509.35 of the Revised Code.	1509.35	Yes, state law	Yes, state law
1509-1-03	Shall	The temporary member selected by the chair shall be subject to the conflict of interest restrictions of Chapter 102. of the Revised Code.	1509.35	Yes, state law	Yes, state law
1509-1-04	Shall	Appearances before the commission shall be by parties as defined in rule 1509-1-02 of the Administrative Code.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-04	Shall	Appearances before the commission shall be in person or by an attorney admitted to practice before the supreme court of Ohio.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-04	Shall	Corporations, limited liability companies, boards and associations shall be represented by counsel.	1509.35	Yes, state law	Yes, state law
1509-1-04	Shall	Attorneys appearing pro hac vice shall comply with Rule XII of the supreme court rules for the government of the bar of Ohio.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-04	Shall	In order for the commission to approve a petition to appear pro hac vice, a petitioning attorney shall present to the commission a copy of a certificate of pro hac vice registration with the Ohio supreme court.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-04	Shall	All persons appearing before the commission shall conform to the standards of ethical conduct required in appearances in the courts of the state of Ohio.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-04	Shall	The commission shall have the authority, for good cause stated in the record, to bar from participation in a particular proceeding any person who shall refuse to comply with the commission's directions, or who engages in disorderly conduct, dilatory tactics, or contemptuous language in the course of such proceeding.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-05	Shall	No party to an action before the commission, or their counsel, associates, compatriots or any other person acting on behalf of a party, shall seek or make an ex parte contact or communication, either directly or indirectly, with any member of the commission concerning substantive issues of a pending appeal.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-06	Shall	The time and location for an adjudicatory hearing shall be set forth within a notice of hearing issued to the parties to an appeal.	1509.35	Yes, state law	No, general rulemaking authority

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1509-1-06	shall	The time and location for commission hearings and meetings shall be announced in the "Hannah Report" published by the Hannah news service.	1509.35	Yes, state law	Yes, state law
1509-1-06	Shall	The time and location for commission hearings and meetings shall also be posted on the commission's web site.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-07	Shall	Minutes of all meetings of the commission will be promptly recorded and shall be open to public inspection during regular business hours at the commission's office.	1509.35	Yes, state law	Yes, state law
1509-1-08	Shall	The records and files of the commission shall be maintained at the commission's office	1509.35	Yes, state law	No, general rulemaking authority
1509-1-08	Shall	and shall be available for inspection and examination during regular business hours.	1509.35	Yes, state law	Yes, state law
1509-1-08	Shall Not	Papers and files of the commission, or parts thereof, shall not be removed from the custody of the commission without the specific consent of the commission.	1509.35	Yes, state law	Yes, state law
1509-1-08	Must	The request for regular notification must state with particularity the type of notices or decisions desired,	1509.35	Yes, state law	Yes, state law
1509-1-08	Must	and must include an address to which the regular notification	1509.35	Yes, state law	Yes, state law
1509-1-08	Shall	shall be sent.	1509.35	Yes, state law	Yes, state law
1509-1-08	Shall	A request for regular notification shall be valid for one year, and may be renewed by filing a written request to this effect with the commission.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-09	Shall	A notice of appeal permitted to be filed with the commission under section 1509.36 of the Revised Code or under section 1509.37 of the Revised Code, shall be filed at the official office of the commission;	1509.35	Yes, state law	Yes, state law
1509-1-09	Shall	and the filing thereof shall mean the actual delivery to the official office of the commission of said notice of appeal	1509.35	Yes, state law	Yes, state law
1509-1-09	Shall	or shall mean the facsimile transmission of the notice of appeal to the official office of the commission.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-09	Require	Any other documents required or permitted to be filed with the commission under section 1509.36 of the Revised Code or under Chapter 1509-1 of the Administrative Code may be mailed, faxed or delivered to the official office of the commission.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-09	Shall	Copies of all documents filed with the commission shall also be served by the party so filing on all other parties to an appeal.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-09	Shall	Service upon a party represented by counsel shall be made upon said counsel.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-10	Shall Not	However, the commission shall not increase or decrease the time for:	1509.35	Yes, state law	Yes, state law
1509-1-10	Shall Not	Filing a notice of appeal pursuant to section 1509.36 or section 1509.37 of the Revised Code;	1509.35	Yes, state law	Yes, state law
1509-1-10	Shall Not	Giving public notice of hearings on the adoption, amendment, or rescission of rules; or	1509.35	Yes, state law	Yes, state law
1509-1-10	Shall Not	Taking any other action where a time period is prescribed by statute, unless agreed to by the parties and approved by the commission.	1509.35	Yes, state law	Yes, state law
1509-1-10	Shall Not	In computing any period of time prescribed or allowed by this chapter of the Administrative Code, the day of the act or event from which the designated period of time begins to run shall not be included.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-10	Shall	The last day of the period so computed shall be included, unless it is a Saturday, Sunday or a legal holiday, in which event the period runs until the end of the next day which is not a Saturday, Sunday or a legal holiday.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-10	Shall	When the period of time prescribed or allowed is less than seven days, intermediate Saturdays, Sundays and legal holidays shall be excluded in the computation.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-11	Shall	All appeals from orders of the chief of the division to the commission shall be made by filing written notice to such effect with the commission within thirty days after the date upon which the order recipient received notice by registered or certified mail of the making of the order complained of or, for all other persons adversely affected by an order of the division chief, within thirty days after the date of the chief's issuance of the order complained of.	1509.35	Yes, state law	Yes, state law

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1509-1-11	Shall	A copy of the notice of appeal shall be filed with the chief of the division within three days of the filing of such notice with the commission.	1509.35	Yes, state law	Yes, state law
1509-1-11	Must	An appeal must be made in writing .	1509.35	Yes, state law	Yes, state law
1509-1-11	Must	A notice of appeal must state clearly the order appealed from, the relief sought, a brief statement of the facts involved in the appeal, and the grounds which are the basis for the requested review.	1509.35	Yes, state law	Yes, state law
1509-1-11	Must	All notices of appeal filed with the commission must contain the address of the appellant, and the name and address of the attorney representing the appellant, if any.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-11	Shall	All notices of appeal shall be signed by the appellant or by the appellant's attorney,	1509.35	Yes, state law	No, general rulemaking authority
1509-1-11	Shall	and the signature thereon shall constitute a certificate that, to the best of the appellant's knowledge, the information contained in the notice of appeal is true.	1509.35	Yes, state law	Yes, state law
1509-1-11	Shall	Failure to comply with the provisions of section 1509.36 of the Revised Code governing the filing of appeals with the commission shall be sufficient basis for dismissing an appeal.	1509.35	Yes, state law	Yes, state law
1509-1-12	Must	Such request must be submitted in writing to the official office of the commission.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-12	Shall	The commission shall consider such request, and may suspend an order or stay the execution of an order, upon such terms and conditions as the commission considers proper.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-13	Shall	A person claiming to be an interested person in an appeal shall have the burden of establishing their status as an interested person.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-13	Shall	If granted intervenor status, the interested person shall be allowed to participate in such proceeding in the manner set forth in rule 1509-1-14 of the Administrative Code.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-14	Must	A petition for leave to intervene must be filed no later than seven days prior to the scheduled evidentiary hearing in the matter, unless waived by the commission for extraordinary cause.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-14	Shall	A petitioner for intervention shall have the burden of showing an interest which is or may be affected by the outcome of a proceeding before the commission.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-14	Shall	In determining whether intervention is appropriate, the commission shall determine if the person petitioning for intervention was adversely affected under section 1509.36 of the Revised Code by the order that is the subject of the appeal before the commission.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-14	Shall	The commission shall determine whether a person petitioning to become an intervenor may participate in such proceeding using the factors established in paragraph (B) of this rule.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-14	Shall	The extent and the terms of the participation shall be in the discretion of the commission	1509.35	Yes, state law	No, general rulemaking authority
1509-1-14	Shall	and shall be set forth when the commission rules upon the petition for intervention.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-14	Shall	A person wishing to participate in an appeal as an amicus curiae shall move the commission for permission to so participate.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-15	Shall	Notice of hearing sent by certified mail to a party at the last known address of such person shall be deemed sufficient notice of hearing if mailed at least ten days prior to the date set for hearing.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-15	Shall	If a party is represented by counsel, notice of hearing may be sent by certified mail to the party's counsel and shall be deemed sufficient notice of hearing if mailed to counsel of record at least ten days prior to the date set for hearing.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-16	Must	If such application is made, it must be made not less than seven days prior to the date set for hearing.	1509.35	Yes, state law	No, general rulemaking authority

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1509-1-16	Must	An application for continuance must be directed to the commission and not to an individual commission member, and may be acted upon only by the commission.	1509.35	Yes, state law	Yes, state law
1509-1-16	Shall	This rule shall be without prejudice to the right of the commission to continue a hearing to a later date.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-17	Shall	Discovery shall be conducted in accordance with the procedural provisions of the "Ohio Rules of Civil Procedure."	1509.35	Yes, state law	No, general rulemaking authority
1509-1-17	Shall	The party taking the deposition shall pay the costs of the deposition.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-17	Shall	The use of a deposition in lieu of the deponent's oral testimony at hearing shall be allowed under the same provisions as are articulated in rule 32 of the "Ohio Rules of Civil Procedure."	1509.35	Yes, state law	No, general rulemaking authority
1509-1-17	Shall	A party desiring to use a deposition, or any designated part thereof, at hearing shall file the deposition with the commission and serve written notice to every other party at least five days prior to hearing.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-18	Shall	If a party to a proceeding pending before the commission desires to secure the attendance of a witness to testify in said party's behalf, said party shall, at least twelve days prior to the date of hearing thereon, unless such time is lessened by the commission, file with the commission a praecipe therefor comparable to like praecipies used in proceedings before a common pleas court.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-18	Shall	The full name and address, including street name and number and county of residence, of the witness must be given;	1509.35	Yes, state law	No, general rulemaking authority
1509-1-18	Shall	and if the praecipe is for a subpoena duces tecum, the specific books and records which the witness is required to bring with him shall be described in detail.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-18	Shall	Witness fees, if any, shall be paid directly to said witness by the party filing the praecipe therefor.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-19	Shall	Except for oral motions made upon the record at hearing, a motion shall be in writing	1509.35	Yes, state law	No, general rulemaking authority
1509-1-19	Shall	shall state with particularity the grounds upon which it is based.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-19	Shall	Unless otherwise directed by the commission, a party must file written motions at least ten days in advance of hearing.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-19	shall	Unless otherwise directed by the commission, any party to a proceeding shall have ten days from service of a motion, or until hearing, whichever is earlier, to file a response to said motion.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-19	Shall	Briefs, motions and responses filed with the commission shall be legible	1509.35	Yes, state law	No, general rulemaking authority
1509-1-19	Shall	and shall be signed by the party or by the party's counsel.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-19	Shall	If documents filed with the commission cite case law as authority in support of argument, the filing shall include a copy of the case law cited	1509.35	Yes, state law	No, general rulemaking authority
1509-1-19	Shall	and shall refer to the page number or paragraph where the cited language is found.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-20	Shall	The commission shall conduct hearings and other proceedings in such a manner as to render a fair and complete decision on all issues which are presented,	1509.35	Yes, state law	No, general rulemaking authority
1509-1-20	shall	and shall take any steps consistent with the impartial discharge of its duties which appear reasonable and necessary to ascertain all relevant facts.	1509.35	Yes, state law	No, general rulemaking authority

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1509-1-20	Shall Not	At an adjudication hearing, the commission shall not be bound by common law, by the rules of evidence or by technical or formal rules of procedure, except as articulated by rules in this chapter or otherwise determined by the commission.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-20	Shall	The commission shall admit into the record of the proceedings at an adjudication hearing, all relevant evidence offered on the issue of whether the order under appeal is lawful and reasonable.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-20	Shall	A party may object to the admission of any evidence and the commission shall rule upon the admissibility of said evidence.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-20	Shall	If a party objects to the admission or rejection of any evidence, or to other limitations of the scope of examination, that party shall state briefly the grounds for such objection on the record, and the record may include argument thereon, as allowed by the commission.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-20	Shall	and such proffer shall be made a part of the record of such proceeding.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-20	Shall	All hearings shall be conducted in an orderly manner.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-20	Shall	Parties shall have the right of presentation of evidence, examination of witnesses, cross-examination of witnesses, objection, motion and argument.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-20	Shall	All witnesses shall be sworn or shall affirm the truthfulness of their testimony.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-20	Must	The parties to a proceeding must bring to hearing sufficient copies of each proposed exhibit, so that one copy of each exhibit will be made a part of the record of the proceeding and so that each commission member present at hearing will be provided with a copy of each exhibit.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-20	Shall	A record of the proceedings before the commission shall be made by an official court reporter or by any other means approved by the commission.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-20	Shall	The record shall include all of the testimony and other evidence, the rulings regarding the admissibility of evidence, and any arguments allowed by the commission.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-20	Shall	Parties desiring copies of the transcript of a hearing shall obtain such copies from the official court reporter upon payment of the costs of said copies to the reporter.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-22	Shall	Failure to comply with the provisions of section 1509.36 of the Revised Code governing the filing of appeals with the commission shall be sufficient basis for dismissing an appeal.	1509.35	Yes, state law	Yes, state law
1509-1-22	Shall	If an appellant fails to appear personally or by counsel or other authorized representative at a hearing scheduled, after being duly notified of the hearing by the certified mailing of a notice of hearing to such party's last known address, and if good cause for such failure to appear is not shown, the commission shall dismiss an appeal.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-22	Shall	The effect of a dismissal of an appeal shall be to leave in effect the order of the chief from which the dismissed appeal had been made	1509.35	Yes, state law	Yes, state law
1509-1-22	Shall Not	and shall not constitute an affirmance of the chief's order by the commission.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-22	Shall	The withdrawal shall be entered into the record	1509.35	Yes, state law	No, general rulemaking authority
1509-1-22	Shall	and the appeal shall be considered closed.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-23	Shall	If, upon completion of an evidentiary hearing, the commission finds that the order appealed from was lawful and reasonable, it shall make a written decision affirming the order appealed from.	1509.35	Yes, state law	Yes, state law

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1509-1-23	Shall	If the commission finds that the order appealed from was unreasonable or unlawful, it shall make a written decision vacating the order appealed from, and making the order that it finds the chief should have made or remanding the matter to the chief for further proceedings.	1509.35	Yes, state law	Yes, state law
1509-1-23	Shall	All decisions of the commission shall incorporate:	1509.35	Yes, state law	No, general rulemaking authority
1509-1-23	Shall	Findings of fact;	1509.35	Yes, state law	No, general rulemaking authority
1509-1-23	Shall	Conclusions of law; and	1509.35	Yes, state law	No, general rulemaking authority
1509-1-23	Shall	An order granting or denying relief.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-23	Shall	When a final order of the commission is issued, the commission shall give notice thereof by certified mail to all parties to the proceeding.	1509.35	Yes, state law	Yes, state law
1509-1-23	Shall	A party shall ensure that the commission has its current address for the purpose of receiving the final order of the commission.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-24	Shall	The expense of preparing and transcribing the record of proceedings shall be borne by the party appealing the decision of the commission.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-24	Shall	All matters remanded to the commission shall be disposed of in accordance with the order of the court arising from judicial review.	1509.35	Yes, state law	Yes, state law
1509-1-25	Shall	The commission shall adopt rules governing procedures to be followed in proceedings before the commission.	1509.35	Yes, state law	Yes, state law
1509-1-25	Shall	Public notice shall state the commission's intention to consider adopting, amending, or rescinding a rule, shall include a synopsis of the proposed rule, amendment, or rule to be rescinded, or a general statement of the subject matter to which such rule relates, and the date, time, and place of a hearing on said proposed action.	1509.35	Yes, state law	Yes, state law
1509-1-25	Shall	The notice shall also state the place from which copies of the proposed rule, amendment, or rule to be rescinded may be obtained.	1509.35	Yes, state law	Yes, state law
1509-1-25	Shall	Public notice shall be published in the register of Ohio, found on the internet at http://www.registerofohio.state.oh.us ,	1509.35	Yes, state law	Yes, state law
1509-1-25	Shall	and shall be announced in the "Hannah Report" published by the Hannah news service.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-25	Shall	The commission shall have available at all times, copies of all rules governing the procedures of the commission	1509.35	Yes, state law	Yes, state law
1509-1-25	Shall	and shall furnish a copy of said rules free of charge to any person requesting said rules.	1509.35	Yes, state law	Yes, state law
1509-1-26	Shall	The executive director shall mail to such person a notice of the time, place, and type of business to be discussed at the meeting at least four calendar days before the meeting is scheduled to occur unless the meeting is an emergency meeting.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-26	Shall	The commission or its staff shall maintain a list of representatives of the news media who have requested in writing notice of special or emergency meetings.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-26	Shall	The commission or its staff shall mail or email such representatives notice at least four days before special meetings or shall provide telephone or email notice at least twenty-four hours before special meetings.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-26	Shall	In the event of an emergency meeting, the representatives of the news media who have requested notification of emergency meetings shall be notified immediately of the time, place, and purpose of the meeting.	1509.35	Yes, state law	No, general rulemaking authority
1509-1-26	Shall	News media requesting notice pursuant to this paragraph shall supply the commission or its staff with the name, mailing address, email address, and telephone number of the representative to be contacted.	1509.35	Yes, state law	No, general rulemaking authority

RULE NUMBER	REGULATORY RESTRICTION	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
1509-1-26	Shall	Notice of public meetings shall be announced in the "Hannah Report" published by the Hannah news service.	1509.35	Yes, state law	Yes, state law
1509-1-26	Shall	Notice of commission hearings shall be posted on the commission's web site.	1509.35	Yes, state law	No, general rulemaking authority