

3750-10-07

Executive committee: issuance of orders: persons who may request enforcement order procedure.

- (A) The executive committee of the commission, by majority vote of a quorum of at least four members, may issue an order to any person who has violated or is violating any provision of Chapter 3750. of the Revised Code or the rules adopted hereunder.
- (B) The order shall be in writing and shall set forth the section or rule violated and a description of the violation, and shall specify what action is required in order to abate the violation. An order issued under this rule shall be sent by certified mail, return receipt requested. Notice of the order shall be deemed effective when delivery is tendered at the last known address or the address currently on file with the commission, committee, or fire department for any facility owner or operator subject of the order.
- (C) Any state agency represented on the commission, committee, fire department or any other person who believes that any person has violated or is violating a provision of Chapter 3750. of the Revised Code or a rule adopted hereunder may request the executive committee to issue an order to such person under this rule.
 - (1) The request shall be in writing and shall be on a form prescribed by the executive committee. A person submitting a request under this rule, other than the state agencies represented on the commission shall have the form notarized.
 - (2) Upon receipt of a request for enforcement action under this rule from the state agencies represented on the commission, committee, fire department or other person, the executive committee may request the commission or the director of environmental protection to investigate the alleged violation, and the executive committee may thereafter issue an order under this rule.
- (D) A decision of the executive committee to request an investigation by the commission or director to issue an order under this rule is not an act or action appealable to the environmental board of review under section 3750.19 of the Revised Code.

R.C. 119.032 review dates: 08/20/2004 and 08/19/2009

CERTIFIED ELECTRONICALLY

Certification

08/20/2004

Date

Promulgated Under: 119.03
Statutory Authority: 3750.02(B)(9)
Rule Amplifies: 3750.02(A)
Prior Effective Dates: 2/22/90, 6/30/90, 9/1/98.