3701-12-04 Reviewability determinations; appeals.

(A) The director shall issue a ruling on whether a particular proposed project is a reviewable activity (reviewability determination) . The director may request additional information necessary to determine whether the activity is a reviewable activity as described in any provision of rule 3701-12-05 of the Administrative Code. The director shall issue a ruling not later than forty-five days after receiving a request for the ruling that is accompanied by the information necessary to make the ruling. The date that the ruling is mailed to the person who filed the request shall be the date of issuance of the ruling. If the director does not issue a ruling in that time, the project shall be considered to have been ruled not a reviewable activity. A determination that a project is not a reviewable activity only relates to the project as described in the request and any additional information and does not authorize conducting a different, reviewable activity.

(B) Any affected person may appeal a reviewability ruling to the director in accordance with Chapter 119. of the Revised Code. The director shall conduct an adjudication hearing in accordance with Chapter 119. of the Revised Code. Each person who appeals to the director shall file with the director, not later than thirty days after the decision of the director is mailed, a notice of appeal that designates the decision, ruling, or determination the person is appealing.

R.C. 119.032 review dates: 08/03/2015 and 08/01/2020

CERTIFIED ELECTRONICALLY

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Certification

08/03/2015

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Date

Promulgated Under:	119.03
Statutory Authority:	3702.52
Rule Amplifies:	3702.52, 3702.57, 3702.59, 3702.592, 3702.593, 3702.594, 3702.60
Prior Effective Dates:	12/21/1982 (Emer.), 3/19/83, 7/21/83 (Emer.), 10/18/83 (Emer.), 6/22/84 (Emer.), 9/28/84, 12/25/86, 7/23/87 (Emer.) , 10/12/87, 3/3/88, 11/28/88, 9/6/99, 3/17/08, 9/1/08, 3/25/10, 9/2/13