

4901:2-7-10

**Request for conference.**

- (A) A respondent upon whom a notice of apparent violation, a notice of intent to assess forfeiture, a notice of intent to make compliance order, or a combined notice has been served may, within thirty days, serve upon staff a "request for conference." The written request for conference ~~shall be in writing, and~~ may be in any legible form which identifies the matter to be discussed, ~~and~~ communicates respondent's desire to have a conference concerning the matter. ~~The request for conference shall and~~ contains the name, address, and telephone number of the respondent or the respondent's authorized representative.
- (B) The conference may occur via video conference, by telephone, or through written communications, and may be held with the respondent or the respondent's authorized representative. The respondent ~~shall have the opportunity to~~ may present reasons why the violation did not occur as alleged, mitigating circumstances regarding the amount of the forfeiture, reasons why the compliance order may be unjustified, or any other information relevant to the action proposed to be taken.
- (C) The staff ~~shall~~ may notify the respondent of the date and time of the settlement conference by service of a scheduling notice, at least fourteen days prior to the date and time established for the conference, unless otherwise agreed by the staff and the respondent.
- (D) Unless contained in or otherwise provided in a settlement agreement, no statement or conduct occurring in a settlement conference is admissible in any hearing regarding the violation.

Effective:

Five Year Review (FYR) Dates: 3/27/2023

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Certification

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Date

Promulgated Under: 111.15  
Statutory Authority: 4905.81, 4923.04, 4923.99  
Rule Amplifies: 4905.81, 4923.04, 4923.99  
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