

LEGAL NOTICE  
STATE OF OHIO  
DEPARTMENT OF NATURAL RESOURCES  
NOTICE OF INTENTION TO ADOPT AND AMEND AND TO HOLD A PUBLIC  
HEARING ON  
MINE SAFETY RULES

The Chief for the Division of Mineral Resources Management, pursuant to sections 1561.03 and 1561.05 and Chapter 119. of the Revised Code, hereby gives notice of his intention to amend, rescind, or adopt rules:

1501:10-1-02 (Adopt)  
1501:10-1-03 (Adopt)  
1501:10-1-04 (Adopt)  
1501:10-1-05 (Adopt)  
1501:10-1-06 (Amend)  
1501:10-1-07 (Amend)

The proposed new rules deal with:

Fire detection devices.  
Tag lines and tie-off lines.  
Mine medical responder.  
Additional requirements for the certification of mine forepersons or forepersons of gaseous mines and mine forepersons or forepersons of nongaseous mines.

The proposed amended rules deal with:

Accident reporting; investigation by chief; annual report.  
Incorporation by reference.

The reasons for adopting and amending these rules are the following: to adopt four rules to comply with provisions of SB 323 of the 127th General Assembly, effective 6/11/2008; to update one rule with changes made by HB 443 of the 126th General Assembly, effective 4/6/2007, and to comply with the five-year rule review requirements of Section 119.032 of the Revised Code; and to update and clarify the incorporation by reference rule pursuant to Sections 121.71 to 121.76 of the Revised Code.

A public hearing on the proposed rules and rule amendments will be held at 9:00 AM on Tuesday, October 2, 2012; at the Ohio Department of Natural Resources; Division of Mineral Resources Management; 2045 Morse Road; Building H-2 Conference Room; Columbus, Ohio 43229. At the public hearing, any person affected by the proposed rules or rule amendments may appear and be heard in person, or by their attorney, or both, and may present testimony, orally or in writing, offer and examine witnesses, and present evidence tending to show that the proposed rules or rule amendments, if adopted, will be unreasonable or unlawful.

Written testimony regarding these proposed rules and rule amendments may also be submitted to the Division of Mineral Resources Management to the address below or to the following e-mail address: [minerals@dnr.state.oh.us](mailto:minerals@dnr.state.oh.us) Such written testimony must be post-marked or e-mailed by October 3, 2012.

Copies of the proposed rules and rule amendments are available on the Register of Ohio website, <http://www.registerofohio.state.oh.us/index.jsp>. Copies will also be posted on the Ohio Department of Natural Resources website, <http://www.ohiodnr.com/mineral/tabid/10352/Default.aspx>. For persons who do not have access to the Internet, copies of the proposed rules and rule amendments are available from the Ohio Department of Natural Resources, Division of Mineral Resources Management, 2045 Morse Road, Building H-2, Columbus, Ohio 43229. If you have any questions, please call the Division of Mineral Resources Management at (614) 265-6633.