

LEGAL NOTICE
STATE OF OHIO
DEPARTMENT OF NATURAL RESOURCES
NOTICE OF INTENTION TO AMEND AND HOLD A PUBLIC HEARING ON
MINE SAFETY, COAL MINING, AND INDUSTRIAL MINERALS SURFACE
MINING RULES

The Chief of the Division of Mineral Resources Management, pursuant to sections 1513.02, 1513.072, 1513.35, 1514.02, 1514.08, 1514.081, 1514.40, 1514.43, 1561.03, 1561.05, 1561.26, 1565.15 and Chapter 119. of the Revised Code, hereby gives notice of his intention to amend the following mine safety, coal mining, and industrial minerals surface mining rules:

- 1501:10-1-04 Mine medical responder.
- 1501:10-1-06 Accident reporting; investigation by chief; annual report.
- 1501:10-1-07 Incorporation by reference.
- 1501:13-1-02 Definitions.
- 1501:13-1-14 Incorporation by reference.
- 1501:14-1-01 Definitions.
- 1501:14-1-09 Payment of fees and filing of performance bond.
- 1501:14-1-16 Incorporation by reference.
- 1501:14-2-01 Incorporation by reference of mine safety standards.
- 1501:14-2-03 Criteria, standards and procedures governing annual safety performance evaluations of surface mining operations that are inspected by MSHA.
- 1501:14-2-05 Mine safety inspections of surface mining operations that are inspected by MSHA.

The reasons for amending these rules are the following:

- To comply with the five-year-review requirements of section 106.03 of the Revised Code.
- To make changes due to statutory changes of HB 49 of the 132nd General Assembly, effective 9/29/2017.
- To update the Emergency Operations Center phone number.
- To update the publication dates of the Code of Federal Regulations and the United States Code.
- To prevent a person who is ineligible to participate in the bond pool under section 1513.08(C)(2) (because he or she has not held a permit in Ohio for at least 5 years) from gaining access to the bond pool through a change of ownership and operational control that does not change the existence and name of the permittee.
- To make a clarification.

A public hearing on the proposed rule amendments will be held at 9:00 a.m. on Wednesday, March 6, 2019; 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 rule amendments may appear and be heard in person, or by the person's attorney, or both, and may present the person's positions, arguments, or contentions, orally or in writing, offer and examine witnesses, and present evidence tending to show that the proposed rule amendments, if adopted, will be unreasonable or unlawful.

Written positions, arguments, or contentions regarding these proposed rule amendments may also be submitted to the Division of Mineral Resources Management at the address below or to the following e-mail address: minerals.rules@dnr.state.oh.us. Such written positions, arguments, or contentions must be post-marked or e-mailed by March 7, 2019.

Copies of the proposed rule amendments are available on the Register of Ohio website, <http://www.registerofohio.state.oh.us/>.

Copies will also be posted under the "JCARR Review" tab on this Ohio Department of Natural Resources website page: <http://minerals.ohiodnr.gov/laws-regulations/proposed-rule-changes-csi-review>. For persons who do not have access to the Internet, copies of the proposed 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.