



## Ohio Department of Natural Resources

MIKE DeWINE, GOVERNOR

MARY MERTZ, DIRECTOR

**David M. Crow, Chief**

Division of Mineral Resources Management


2045 Morse Rd, Building H-2

Columbus, Ohio 43229-6693

Phone: (614) 265-6633; Fax: (614) 265-7999

## MEMORANDUM

To: Ethan Wittkorn, Regulatory Policy Advocate  
Common Sense Initiative

From: David M. Crow, Chief   
ODNR – Division of Mineral Resources Management

Date: August 7, 2020

Subject: CSI Review – 2020 Industrial Minerals Rules

Thank you for your thorough review and analysis of the Division of Mineral Resources Management's (DMRM's) 2020 industrial minerals (IM) rules. The Common Sense Initiative (CSI) review memorandum states that these rules cover DMRM's regulations regarding IM surface mining requirements, such as permit transfers, federal code references, federal mine safety requirements, quarry fill, placement of lime mining waste, watercourse variances, permits for the use of lime mine wastes in mine operation reclamation, and distance limitation of lime mining waste placement.

There are two comments contained in the CSI review that need to be clarified:

- The rules of Ohio Administrative Code Chapter 1501:14-5 require operators of IM surface mining operations that will dewater to submit supplemental information in the permit application, including a hydrogeologic description and map, and groundwater data, that will allow the DMRM Chief to establish a projected cone of depression.
- Rule 1501:14-5-04 requires the applicant to submit more detailed information when requesting a variance that would allow the IM surface mining operation to mine close to certain size watercourses.

CSI has no recommendations on this rules package. CSI concluded that the Ohio Department of Natural Resources should proceed with filing the rules with the Joint Committee on Agency Rule Review.

DMRM intends to now move forward with the original filing of these rules with the Joint Committee on Agency Rule Review. If you have any questions, please contact Ann Laubach at 614-265-1092 or Brian Becker at 614-265-6861.

cc: Brittney Colvin, Deputy Director, ODNR  
Brian Becker, Deputy Legal Counsel, ODNR  
Sandy Ramos, Legal Counsel, ODNR – Division of Mineral Resources Management  
Matt Lieser, Field Supervisor, ODNR – Division of Mineral Resources Management  
Ann Laubach, Rules Coordinator, ODNR – Division of Mineral Resources Management