

Note: Email completed form to jcarr1@jcarr.state.oh.us.

Hearing Date: 6/28/2018

Today's Date: 8/3/2018

Agency: Oil & Gas Commission

Rule Number(s): 1509-1-01, 1509-1-02, 1509-1-03, 1509-1-04, 1509-1-06, 1509-1-08, 1509-1-09, 1509-1-15, 1509-1-18, 1509-1-19, 1509-1-22, 1509-1-23, 1509-1-25, 1509-1-26

If no comments at the hearing, please check the box. ☐

List organizations or individuals giving or submitting testimony before, during or after the public hearing and indicate the rule number(s) in question.

1. Ohio Division of Oil & Gas Resources Management. Comments regarding rules 1509-1-01, 1509-1-02, 1509-1-03, 1509-1-04, 1509-1-06, 1509-1-15, 1509-1-18, 1509-1-19, 1509-1-22, 1509-1-23, 1509-1-25 and 1509-1-26.
2. Ohio Attorney General's Office, Environmental Enforcement Section. Comments regarding rules 1509-1-02, 1509-1-03, 1509-1-04, 1509-1-06, 1509-1-18, 1509-1-19, 1509-1-22 and 1509-1-26.
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Hearing Summary Report

Consolidated Summary of Comments Received

Please review all comments received and complete a consolidated summary paragraph of the comments and indicate the rule number(s).

1509-1-01, Official Address of the Oil & Gas Commission. Suggestion that the Commission develop a web site independent from the Ohio Department of Natural Resources' [ODNR's] web site.

1509-1-02, Definitions. Suggestion to slightly change the existing definition of "appellant," in order to more closely track statutory language.

1509-1-03, Quorum, Concurrence. Suggestion to remove certain language repeated from the statute, which language addresses the temporary appointment of members to the Commission where a quorum cannot be seated. Suggestion to slightly change proposed amended language.

1509-1-04, Appearances Before the Commission. Suggestion to change language relating to participation in Commission proceedings via telephone in order to ensure that the proposed amended language is internally consistent with existing language.

1509-1-06, Calendar. Suggestion that the Commission post meeting dates on a web site managed by the Commission, rather than on the ODNR web site.

1509-1-15, Notice of Adjudication Hearing. Suggestion to expand the time period in which the Commission provides notice of hearing to parties.

1509-1-18, Subpoenas. Suggestion regarding methods of serving Commission subpoenas.

1509-1-19, Motions, Briefs. Suggestion to remove reference to recusal motions.

1509-1-22, Substitution of Parties, Dismissal and Withdrawal. Suggestion regarding Commission entires issued upon an appellant's withdrawal of a Commission appeal.

1509-1-24, Decisions of the Commission. Suggestion regarding methods of providing parties with notice of the issuance of a Commission decision.

1509-1-25, Rules of the Commission, Notice of Public Hearing on Rule Amendments. Suggestion to remove certain language addressing rule amendment procedures where such language is repeated from the statute.

1509-1-26, Notice of Public Meetings ("Sunshine Law"). Suggestion that the Commission post meeting dates on a web site managed by the Commission, rather than on the ODNR web site.

Hearing Summary Report

Incorporated Comments into Rule(s)

Indicate how comments received during the hearing process were incorporated into the rule(s). If no comments were incorporated, explain why not.

Following the June 28, 2018 public hearing on proposed rule amendments, the Commission placed all of its Original Filed rule amendments into To Be Refiled status.

Counsel for the Commission met with counsel for the Division of Oil & Gas Resources Management, and with an Assistant Attorney General, in order to discuss the suggested revisions.

Where appropriate, suggested revisions will be incorporated into the rules. Regarding some suggestioned revisions, after discussion, all parties agreed that certain revisions were not necessary.

Suggested revisions to three separate rules address the Commission's creation of an independent web site, as opposed to utilizing a web page created and managed by ODNR on behalf of the Commission. In the past, the Commission has explored creating its own web presence and has been discouraged in this regard by ODNR. However, the Commission intends to again approach ODNR communications in order to determine if ODNR would support the Commission's creation of a separate web site.

The Commission members will be reviewing all suggested revisions during a regularly-scheduled meeting on August 13, 2018. Thereafter, the rules will be revised and refiled.