

NOTICE OF PUBLIC HEARING

The Ohio Department of Natural Resources, Division of Water Resources will conduct a public hearing for the purpose of promulgating rules on May 16, 2024 at 10:00 a.m. at the Ohio Department of Natural Resources, Division of Water Resources, 2045 Morse Road, Building B-3, Columbus, Ohio 43229.

The purpose of this hearing is to consider the amendment of the following Administrative Code rules: 1501:21-1-01 Notice of public hearing to adopt, amend, or rescind rules, 1501:21-1-03 Applicability of the construction permit requirements for dams and levees, 1501:21-1-04 Severability, 1501:21-3-01 Definitions, 1501:21-3-02 Registered professional engineer and surveyor requirement, 1501:21-5-01 Application procedures, general, 1501:21-5-02 Preliminary design report, 1501:21-5-03 The final design submittal, 1501:21-5-04 The final design report, 1501:21-5-05 The plans, 1501:21-5-06 The specifications, 1501:21-5-07 The filing fee, 1501:21-7-01 The surety bond, 1501:21-7-02 Release of the surety bond, 1501:21-7-03 Forfeiture of the surety bond, 1501:21-9-01 The construction permit, 1501:21-11-01 Investigations, general requirements, 1501:21-11-02 Foundation investigation, 1501:21-11-03 Construction materials, 1501:21-11-05 Hydrologic and hydraulic investigations, 1501:21-13-01 Classification of dams, 1501:21-13-02 Design flood for dams and determination of critical flood, 1501:21-13-04 Pipe conduit spillways, general requirements, 1501:21-13-05 Pipe conduit spillways, special requirements, 1501:21-13-06 Requirements for drains and other pipe conduits, 1501:21-13-07 Freeboard requirements for dams, 1501:21-13-08 Additional design requirements for dams, 1501:21-13-09 Classification of levees, 1501:21-13-13 Freeboard requirements for levees, 1501:21-13-14 Additional design requirements for levees, 1501:21-15-02 Approval of changes in design, plans, or specifications, 1501:21-15-06 Operation, maintenance, and inspection manual, 1501:21-15-07 Emergency action plan, 1501:21-17-02 Notice, order, and revocation for noncompliance, 1501:21-17-03 Approval of construction by the chief, 1501:21-19-01 Permit exemptions for dams and levees, 1501:21-19-02 Inspection exemptions for dams, 1501:21-21-01 Periodic inspection of existing dams and levees, 1501:21-21-02 Periodic inspection procedures, 1501:21-21-03 Owner's responsibilities in correcting deficient dams and levees, 1501:21-21-04 Owner's responsibilities in the operation, maintenance, and inspection of dams and levees, 1501:21-22-02 Notice, order, and revocation for noncompliance, 1501:21-22-03 Approval of construction by the chief, 1501:21-23-01 Orders of the chief, and 1501:21-24-02 Compliant dam discount.

These rules are being amended to comply with Ohio Revised Code Section 121.951 to remove regulatory restrictions from the dam and levee safety rules and remove duplicative regulation with the Ohio Department of Agriculture in response to a Cut Red Tape Ohio Inquiry.

An electronic copy of the proposed rule is available at the Ohio Legislative Services Commission's internet website at: <http://www.registerofohio.state.oh.us/>. A paper copy of the full text of the proposed Rules or a copy of this public notice may be obtained by written request from the Division of Water Resources, 2045 Morse Road, Building B-3, Columbus, Ohio 43229. A self-addressed envelope should accompany each request.

The full text of proposed regulations are available for review in the office of the Chief of the Division of Water Resources.

The hearing will be conducted in accordance with the Administrative Procedures Act, Chapter 119 of the Ohio Revised Code, and Ohio Revised Code 1521.06. Interested persons will have the opportunity to give testimony for or against the proposed rules.