



Ohio Administrative Code

Rule 1513-3-14 Site views and location of hearings.

Effective: November 1, 2018

(A) Site views.

- (1) After an action is commenced, or as part of a notice of appeal, any party may request that the commission view the site of mining or reclamation operations or other areas or features relevant to the appeal.
- (2) Subject to any applicable safety requirements, the commission may, upon reasonable notice and at reasonable times, inspect any site or other premises when the commission is of the opinion that such a viewing would have a beneficial value in any matter pending before the commission.
- (3) A quorum of commission members need not be present to conduct a site view.
- (4) The commission shall control and direct the manner of conducting a site view.
- (5) All parties shall have prior notice of a site view and shall have the right to be present.
- (6) Where a site view is conducted on property subject to a mining and reclamation permit, parties shall be informed prior to the site view of any necessary personal protective equipment, including hard hat, safety glasses, hearing protection, safety-toed shoes or boots and additional equipment as may be required on mine property as determined by the mine operator.
- (7) The commission may limit the number of persons who may accompany a party at a site view.
- (8) No argument or independent oral statement of the parties shall be permitted at a site view.
- (9) A site view shall not be considered as evidence.

(B) Location of hearings. The location of hearings to be held under the rules of this chapter of the



Administrative Code shall be established by the commission, giving due regard to the convenience of the parties and their witnesses, provided further that:

- (1) Where the hearing reviews an order or notice of violation requiring cessation of mining, the hearing shall be in reasonable proximity to the mining site so that any viewings can be conducted during the course of the hearing;
- (2) Where the hearing is on a motion for temporary relief, and if requested, the hearing shall be in the locality of the permit area;
- (3) In all other proceedings, the hearing shall be in Columbus, Ohio or at any other convenient public location selected by the commission.