



## Ohio Administrative Code Rule 3745-47-19 Emergency orders.

Effective: April 2, 2012

---

(A) When the director has determined that an emergency exists and has ordered that such action be taken as is necessary to meet the emergency pursuant to division (B) of section 3714.12, division (B) of section 3734.13, division (B) of section 6109.05, or division (C) of section 6111.06 of the Revised Code, any person to whom such order is directed may request an adjudication hearing.

Notwithstanding a request for an adjudication hearing, emergency orders shall be effective immediately. Immediately upon receipt of such request, the director shall appoint a hearing examiner who shall convene an adjudication hearing within forty-eight hours to consider the issues raised by the adjudication hearing request. To obtain necessary evidence, the hearing examiner may continue the adjudication hearing, but shall reconvene the adjudication hearing as soon as possible and not later than twenty days after the adjudication hearing request unless the subject of the adjudication hearing becomes moot. The director shall give priority to consideration of the hearing examiner's report and recommendation and shall not await written objections of the parties before issuing a decision. To the extent that other rules of this chapter conflict with this rule or would cause delay in an emergency adjudication hearing, the other rules shall not be applicable to adjudication proceedings under this rule.

(B) Proceedings pursuant to the declaration of an air pollution emergency under section 3704.032 of the Revised Code shall not be subject to this chapter.

---