



Ohio Revised Code Section 1521.32 Suspension of permit.

Effective: October 17, 2019

Legislation: House Bill 166 - 133rd General Assembly

(A) The chief may suspend a permit issued under section 1521.29 of the Revised Code pursuant to an adjudication conducted in accordance with Chapter 119. of the Revised Code if the chief determines one of the following:

(1) That the continued withdrawal or consumptive use of water under the permit will endanger the public health, safety, or welfare;

(2) That the withdrawal or consumptive use of water will result in a significant lowering of the water level within an aquifer, the overdrafting of an aquifer, or the imminent threat of irreparable material damage to an aquifer such that the aquifer will no longer yield the amount of water it did before the withdrawal or consumptive use.

(B) Before suspending a permit, the chief shall make a reasonable attempt to notify the permittee that the chief intends to suspend the permit. If the attempt fails, notification shall be given as soon as practicable following the suspension.

(C) Within five days after the suspension, the chief shall provide the permittee an opportunity for a hearing. At the hearing the permittee may present evidence that the continued withdrawal or consumptive use of water is warranted because the reasons for suspension specified in division (A) of this section do not apply.

(D) Prior to the expiration of a suspended permit, a permittee may request the chief to amend the suspended permit. The chief may amend the permit and allow the withdrawal or consumptive use of water under it to be resumed if the chief determines that, under the amended permit, the reasons for suspension specified in division (A) of this section will no longer apply.

(E)(1) Any six or more residents of this state may petition the chief for an investigation of a withdrawal of water resources that they allege is in violation of a permit issued under section



1521.29 of the Revised Code.

(2) In the petition, the petitioners shall identify the permittee and detail the reasons why the petitioners believe that grounds exist for the suspension of the permit under this section or the revocation of the permit under section 1521.33 of the Revised Code.

(3) Upon receipt of the petition, the chief shall send a copy to the permittee and, within sixty days, make a determination whether grounds exist for suspension of the permit under this section or revocation of the permit under section 1521.33 of the Revised Code.