

Decision by emergency response commission.

- (A) The emergency response commission shall vote to grant or deny the application for a variance within one hundred twenty days of the date on which a completed application for a variance is received, unless information is presented to the commission at the meeting which in the judgment of the commission requires additional review and evaluation. If the commission determines that the information presented at the meeting needs further evaluation then the commission may approve a motion to delay a vote on the application for a variance until its next regularly scheduled meeting.
- (1) The commission shall issue an order granting the variance when sixty per cent or more of the voting members of the commission vote to approve the variance application.
 - (2) The commission shall issue an order denying the variance when less than sixty per cent of the voting members of the commission vote to approve the variance application.
- (B) The commission shall issue an order within sixty days of the date on which the commission has voted to either grant or deny the application for a variance.
- (C) An order of the commission granting or denying an application for a variance may be appealed to the environmental board of review in accordance with section 3750.19 of the Revised Code.

R.C. 119.032 review dates: 01/13/2006 and 01/13/2011

CERTIFIED ELECTRONICALLY
Certification

01/13/2006
Date

Promulgated Under: 119.03
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Rule Amplifies: 3750.11(B) and (C)
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