

OHIO DEPARTMENT OF NATURAL RESOURCES
DIVISION OF RECLAMATION

****POLICY/PROCEDURE DIRECTIVE****

INSPECTION AND ENFORCEMENT

95-1

(Replaces Inspection & Enforcement 93-02)
(Remove from Notebook)

Subject: Notification to owners or controllers of a permit that a cessation order was issued.

Effective: September 27, 1995

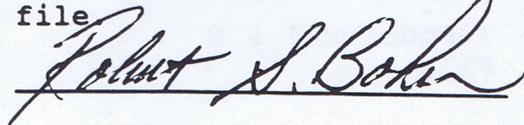
Purpose: To establish a procedure to comply with the requirement to notify owners or controllers of the permittee that a cessation order was issued.

As required by rule 1501: 13-14-02 (A) (8), within 60 days after issuing a cessation order, the Chief shall notify in writing any person who has been identified as owning or controlling the permittee that the cessation order was issued and that the person has been identified as an owner or controller as defined by rule 1501:13-4-03 A(1) (2).

If the cessation order is for failure to abate a notice of violation (FTACO) and not an Imminent Harm Cessation Order (IHCO), then these owners and controllers will also be informed that they, and any company they may be associated with, will be blocked from receiving future permits until the cessation order (FTACO) has been abated and all civil penalties associated with the cessation order (FTACO) have been paid. An IHCO will not result in a permit block unless the IHCO is not abated.

The Division will notify the owners and controllers by sending each a letter via certified mail (See Exhibit I for FTACO) and (Exhibit II for IHCO). This will be done as follows:

1. The person designated in the Columbus office to handle the AVS system will obtain a list of owners and controllers of the permittee to which the cessation order was issued, and
2. A notification letter will be sent, via certified mail, to those listed in the AVS as owners and controllers, and
3. The AVS report and a copy of the notification letter will be filed with the cessation order in the Civil Penalty Assessment (CPA) file


Robert S. Baker