



Ohio Administrative Code Rule 3745-1-04 Criteria applicable to all waters.

Effective: January 2, 2018

[Comment: For dates of non-regulatory government publications, publications of recognized organizations and associations, federal rules and federal statutory provisions referenced in this rule, see rule 3745-1-03 of the Administrative Code.]

The following general water quality criteria shall apply to all surface waters of the state including mixing zones. To every extent practical and possible as determined by the director, these waters shall be as follows:

- (A) Free from suspended solids or other substances that enter the waters as a result of human activity and that will settle to form putrescent or otherwise objectionable sludge deposits, or that will adversely affect aquatic life.
- (B) Free from floating debris, oil, scum and other floating materials entering the waters as a result of human activity in amounts sufficient to be unsightly or cause degradation.
- (C) Free from materials entering the waters as a result of human activity producing color, odor or other conditions in such a degree as to create a nuisance.
- (D) Free from substances entering the waters as a result of human activity in concentrations that are toxic or harmful to human, animal or aquatic life or are rapidly lethal in the mixing zone.
- (E) Free from nutrients entering the waters as a result of human activity in concentrations that create nuisance growths of aquatic weeds and algae.
- (F) Free from public health nuisances associated with raw or poorly treated sewage reaching surface waters of the state. A public health nuisance shall be deemed to exist when the conditions set forth in paragraph (F)(1) of this rule are demonstrated.



(1) An inspection conducted by, or under the supervision of, Ohio EPA or a sanitarian registered under Chapter 4736. of the Revised Code documents both of the following:

(a) Odor, color or other visual manifestations of raw or poorly treated sewage.

(b) Water samples exceed one thousand thirty E. coli counts per one hundred milliliters in two or more samples when five or fewer samples are collected, or in more than twenty per cent of the samples when more than five samples are taken.

(2) Paragraph (F)(1) of this rule may be used by the appropriate authorities to document the existence of unsanitary conditions as described in section 6117.34 of the Revised Code, but does not preclude the use of other evidence of unsanitary conditions for the purposes described in section 6117.34 of the Revised Code.

(G) For the purposes of applying paragraph (F) of this rule the collection of water samples shall adhere to all of the following specifications:

(1) The samples shall be collected when flow is representative of steady state dry weather conditions, i.e., base flow or delayed flow.

(2) The samples shall be collected at least two hours apart.

(3) The samples shall be collected over a time period not to exceed thirty days.

(H) Nothing in paragraph (F) or (G) of this rule shall limit or otherwise change the applicability of paragraphs (A) to (E) of this rule.