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Ohio Administrative Code

Rule 3745-91-02 Application for approval of plans.

Effective: August 12, 2023

(A) No person shall begin construction or installation of a public water system, make a substantial change in a public water system, or operate a public water system, until plans have been approved by the director of environmental protection, unless exempted pursuant to paragraphs (D) to (F) of this rule. An application for approval of plans for such construction, installation or substantial change in a public water system, as required by section 6109.07 of the Revised Code, shall be submitted to the Ohio EPA in a method approved by the director and shall consist of all of the following:

(1) One electronic copy of plan drawings as specified by rule 3745-91-03 of the Administrative Code.

(2) One electronic copy of specifications as specified by rule 3745-91-04 of the Administrative Code.

(3) One electronic copy of a data sheet as specified by rule 3745-91-05 of the Administrative Code.

(4) One electronic copy of supporting information as specified by rule 3745-91-06 of the Administrative Code.

(5) An electronic submittal letter, or owner's signature on the detail plans, as specified by rule 3745-91-07 of the Administrative Code.

(B) A person applying for plan approval for a public water system under section 6109.07 of the Revised Code shall pay a fee pursuant to section 3745.11 of the Revised Code. The fee shall be paid at the time the application is submitted, by a method acceptable to the director.

(C) General plans containing preliminary information concerning proposed source, treatment and distribution may be submitted for approval.

(1) The director may require submittal of general plans for approval for community and noncommunity water systems prior to submittal of an application under this rule for projects with a high degree of complexity, non-standard technology, unusual features, phased implementation, compliance schedules or deviations from standards and guidelines used by the agency.

(2) General plans are required to be submitted for water treatment plant design or construction projects that are seeking funding through the "Water Supply Revolving Loan Account (WSRLA)" and for public water systems, which conform to any one or combination of the following:

(a) More than five hundred service connections.

AUTHENTICATED,
OHIO LEGISLATIVE SERVICE
COMMISSION
DOCUMENT #532342

(b) Treat for a primary MCL or HAL.

(c) Use a surface water source, building a new water treatment plant or those planning major improvements to water treatment plants that are beyond the water treatment plant's useful life.

(3) General plans submitted for conditional approval shall be submitted electronically.

(4) General plans for water treatment plant design or construction shall include the following:

(a) Introduction and purpose.

(b) Existing conditions.

(c) Future conditions.

(d) Alternatives considered, including regionalization, and an explanation for why the selected alternative was chosen. Include a discussion on compliance with Chapter 6109. of the Revised Code, and the rules adopted thereunder, and other agency rules, as applicable.

(e) Selected alternative and performance justification.

(f) Preliminary cost estimate, including operation and maintenance costs, debt service and capital costs.

(g) Affordability analysis.

(h) Compliance schedule, as applicable.

(i) Discussion of how the proposed project is consistent with the system's capital improvement plan and financial capability in the asset management program, as specified in Chapter 3745-87 of the Administrative Code.

(5) General plans concerning proposed wells shall include the following:

(a) Proposed drilling method.

(b) Anticipated well casing diameter.

(c) Anticipated well casing depth.

AUTHENTICATED,
OHIO LEGISLATIVE SERVICE
COMMISSION
DOCUMENT #532342

(d) Anticipated total well depth.

(e) Screen, if applicable.

(f) Anticipated pump design rate.

(g) Anticipated pumping test rate and duration.

(h) Proposed grout type.

(i) Driller's name and registration number.

(D) Public water systems are exempted from obtaining prior plan approval for replacement waterlines provided the following conditions are met:

(1) The increase in main size for pipe less than four inches in diameter is not greater than two inches in diameter and the increase in main size for pipe four inches in diameter or greater is not greater than four inches in diameter.

Original Main Size	Change in Pipe Size
less than 4 inch	less than or equal to 2 inch
greater than or equal to 4 inch	less than or equal to 4 inch

(2) The replacement of the waterline complies with the requirements of sections 8. 0 through 8.12 of "The Great Lakes-Upper Mississippi River Board of State and Provincial Public Health and Environmental Managers' Recommended Standards for Water Works", except if the sanitary isolation requirements of section 8.8 cannot be met, the replacement results in a greater sanitary isolation radius than was previously in place.

(3) The public water system has appropriately investigated to ensure pipe replacement does not take place in an area of known water or soil contamination.

(4) The public water system submits an annual project summary to the district office on or before January fifteenth that includes each exempted replacement waterline project completed the previous year.

(a) Each project summary shall identify the following items:

(i) On an updated distribution map, the locations of the exempted replacement waterlines.

AUTHENTICATED,
OHIO LEGISLATIVE SERVICE
COMMISSION
DOCUMENT #532342

(ii) Type and size of pipe replaced.

(iii) Type and size of pipe installed.

(iv) Length of pipe installed.

(v) Any unusual conditions encountered during waterline replacement.

(b) The project summary must be signed by a professional engineer licensed by the state of Ohio who certifies that the exempted waterline project or projects described in the project summary met paragraph (D) of this rule.

(E) Hauled water systems are exempt from obtaining prior plan approval if all the conditions specified in rule 3745-81-02 of the Administrative Code are met and an acceptable hauled water system application is submitted containing the following information:

(1) Location, material and size of tank.

(2) Proposed treatment and abandonment of any existing equipment.

(3) Information on abandonment of the existing water source; if abandonment is not planned, how the plumbing will be separated and labeled to prevent cross-connections.

(4) Source of hauled water.

(5) Schedule for installation and completion of the replacement system.

(F) Ground water noncommunity public water systems serving less than two hundred and fifty persons are exempt from obtaining prior plan approval for the installation of ion exchange softeners and cartridge filters if the following conditions are met:

(1) The components comply with rule 3745-83-01 of the Administrative Code.

(2) The public water system submits the following information:

(a) For ion exchange softeners, the number and size of units, the system well capacities, the loading rate and backwash rate, source of backwash water, the blending information and the method of brine disposal.

(b) For cartridge filters, the number of units, the system well capacities, the manufacturer and model number, whether the units are cleanable or disposable, and the manufacturer's capacity recommendation.

AUTHENTICATED,
OHIO LEGISLATIVE SERVICE
COMMISSION
DOCUMENT #532342

(3) The system does not have a raw water nitrate result greater than five milligrams per liter or an inorganic result of greater than eighty per cent of the maximum contaminant level for applicable contaminants as defined in Chapter 3745-81 of the Administrative Code.

(G) Prior plan approval is required if the conditions for any of the exemptions in paragraphs (D) to (F) of this rule are not met. Failure to obtain plan approval or meet the conditions of any of the exemptions is a violation of this rule.

(H) Public water systems shall remove equipment that is not required to meet safe drinking water regulations when it is no longer intended for use on a temporary, seasonal or permanent basis, no longer in working order or poses a potential threat to water quality. Plan approval prior to the removal of this equipment is required unless written agreement from the director to the public water system indicates plan approval is not required.

[Comment: "Recommended Standards for Water Works" 2018 edition. Copies are available from "Ohio EPA, Lazarus Government Center, 50 West Town Street, Suite 700, Columbus, OH 43215," (614) 644-2752 or online at http://10statesstandards.com or https://epa.ohio.gov/divisions-and-offices/drinking-and-ground-waters.]