



**BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY**

June 3, 2016

**Public Notice: Final Rulemaking Governing Rules for Water Well
Standards and Public Water System Plan Approval.**

Notice is hereby given that the Ohio Environmental Protection Agency, Division of Drinking and Ground Waters (DDAGW) has adopted revisions to rules in Chapter 3745-9 and 3745-91 of the Ohio Administrative Code (OAC), governing water well standards and plan approval for public water systems (PWSs). These rules have been reviewed pursuant to the five-year rule review requirements of Section 106.03 of the Revised Code.

Revisions made to Chapter 3745-9 include the following:

- Clarified non-potable well requirements.
- Added and revised definitions.
- Evaluated conditions under which public water system (PWS) well variance may be granted.
- Clarified standards for grout placement in a flowing well.
- Clarified conditions requiring use of alternate cement types.
- Updated American Water Works Association (AWWA) standard C654, Disinfection of Wells from the 2003 to 2013 version. Major changes to this addition include updating the format to match AWWA's standard style and revising the definition of 'parties'.
- Revised step drawdown and constant rate testing requirements to ensure accurate evaluation of well productivity.
- Revised the requirements for disinfection of a dry hole prior to sealing.
- Updated technical documents that are rule by reference.

Revisions to Chapter 3745-91, governing plan approval of PWSs included adding plan approval exemptions for hauled water systems, and for small ground water systems, installing ion exchange water softeners and cartridge filters. The revised rules also incorporate the current Recommended Standards for Water Works, also known as the "10 State Standards," and revisions to DDAGW's Guidelines for Design of Small Ground Water Systems, which is rule by reference.

The Director of Environmental Protection, after considering public comment, adopted these rules in final form, pursuant to Section 6109.04 of the Ohio Revised Code. The Director's order of adoption was issued on June 3, 2016. The effective date of the amended rules will be June 13, 2016 in accordance with Section 119.04(A) of the Revised Code.

A copy of the rules may be obtained, at cost, by contacting the Hearing Clerk, Ohio EPA, 50 West Town Street, Suite 700, P.O. Box 1049, Columbus, Ohio 43216-1049, or (614) 644-2129. These rules are also available electronically at the following internet address: <http://epa.ohio.gov/ddagw/rules.aspx>.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00, made payable to "Treasurer, State of Ohio," which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission
77 South High Street, 17th Floor
Columbus, OH 43215