

TO BE RESCINDED

3745-42-08

General isolation distance requirements.

(A) Isolation distances.

Except as provided in paragraphs (B) to (D) of this rule, the following minimum isolation distances shall be maintained for disposal systems installed on or after the effective date of this rule:

- (1) Two hundred fifty feet between a treatment works and occupied buildings except as required in paragraphs (A)(2) to (A)(6) of this rule;
- (2) Three hundred feet between earthen impoundments and occupied buildings;
- (3) Three hundred feet between sludge drying beds and occupied buildings;
- (4) Fifty feet between pumping stations and occupied buildings;
- (5) One hundred fifty feet between covered sand filters and occupied buildings; and
- (6) One hundred fifty feet between the housing for extended aeration treatment plant equipment and occupied buildings.

(Comment: In the case of any reference to a building, the measurement shall be taken from the outside wall of the building. In the case of any reference to a treatment works or a component of the treatment works or a pump station, the measurement shall be taken from the closest point on the perimeter of the treatment works, the component of the treatment works, or the pump station.)

(B) The director may increase the isolation distances set forth in paragraph (A) of this rule, after considering the following:

- (1) Potential impacts to neighboring occupied buildings;
- (2) Prevailing wind directions;
- (3) Screening or other means of noise and odor control; and
- (4) Technical or financial hardship in implementing the maximum isolation distances.

- (C) The director may reduce any minimum isolation distance in paragraph (A) of this rule if:
- (1) The applicant can demonstrate, by taking into account prevailing wind directions, screening, or other means of noise and odor control, that the disposal system will not negatively impact the neighboring occupied buildings; and
 - (2) The applicant can demonstrate technical or financial hardship in implementing the minimum isolation distances.
- (D) Isolation distances for disposal systems in existence prior to the effective date of this rule and proposed to be modified after the effective date of this rule shall be determined on a case-by-case basis. If the applicant provides documentation that meeting the isolation distances in paragraphs (A) and (B) of this rule would impede the function of the existing disposal system or incur more cost, then reduced distances, pursuant to paragraph (C) of this rule, will be approved unless the director determines that there is a significant threat to public health or the environment.

Effective: 09/01/2009

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CERTIFIED ELECTRONICALLY

Certification

06/17/2009

Date

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