

**\*\*\* DRAFT – NOT FOR FILING \*\*\***

3745-34-07 **Prohibition of movement of fluid into underground sources of drinking water.**

(A) No owner ~~or operator~~ shall construct, operate, maintain, convert, plug, abandon, or conduct any other injection activity in a manner that allows the movement of fluid containing any contaminant into an underground source of drinking water, if the presence of that contaminant may cause ~~a violation~~ an exceedance in the underground source of drinking water of any primary drinking water ~~rule~~ standard established under Chapter 3745-81 of the Administrative Code or may otherwise adversely affect the health of persons. The applicant for a permit shall have the burden of showing that the requirements of this paragraph are met.

(B) Injection into a Class V well shall not cause the migration of contaminants in a manner or at concentrations that may cause adverse environmental impacts to ecological resources.

~~(B)~~ (C) For class I wells, if any water quality monitoring of an underground source of drinking water indicates the movement of any contaminant into the underground source of drinking water, except as authorized under this chapter, the director shall prescribe such additional requirements for construction, corrective action, operation, monitoring, or reporting (including closure of the injection well) as are necessary to prevent such movement. ~~In the case of wells authorized by permit, these~~ These additional requirements shall be imposed by modifying the permit in accordance with rule 3745-34-23 of the Administrative Code or the permit may be terminated under rule 3745-34-24 of the Administrative Code if cause exists, or appropriate enforcement action may be taken if the permit has been violated. ~~In the case of wells authorized by rule, see rules 3745-34-11 to 3745-34-13 of the Administrative Code.~~

~~(C)~~ (D) For class V wells, if at any time the director learns that a class V well may cause ~~a violation-~~ an exceedance of any primary drinking water ~~rules~~ standards established under Chapter 3745-81 of the Administrative Code or cause an adverse ecological impact per paragraph B of this rule, he or she shall:

- (1) Require the injector to obtain an individual permit;
- (2) Order the injector to take such actions (including where required closure of the injection well) as may be necessary to prevent or correct the violation; or
- (3) Take enforcement action.

~~(D)~~ (E) Whenever the director learns that a class V well may be otherwise adversely affecting the health of persons, he or she may prescribe such actions as may be necessary to prevent the adverse effect, including any action authorized under paragraph (C) of this rule.

~~(E)~~ (F) Notwithstanding any other provision of this rule, the director may take emergency action upon receipt of information that a contaminant which is present in or is likely to enter a public water system may present an imminent and substantial endangerment to the health of persons.