

*** DRAFT - NOT YET FILED ***

TO BE RESCINDED

3745-84-01 **Public water system licenses.**

(A) Except as otherwise noted, the definitions in rule 3745-81-01 of the Administrative Code shall apply to this chapter.

- (1) "Number of wells supplying system" means those wells that are physically connected to the plumbing system serving the public water system.
- (2) "Population served" means the total number of individuals receiving water from the public water system during a twenty-four hour period averaged over at least sixty days during any calendar year.
- (3) "Service connection" means the active or inactive pipes, goosenecks, pigtails, and any other fittings connecting a water main to any building outlet.
- (4) "Church" means a fellowship of believers, congregation, society, corporation, convention, or association that is formed primarily or exclusively for religious purposes and is not formed or operated for the private profit of any person.
- (5) "School" means any public or non-public school that meets the minimum standards of the state board of education.

(B) Application for a license to operate or maintain a public water system.

- (1) Except as provided in paragraphs (B)(6) and (B)(7) of this rule, no person shall operate or maintain a public water system in the state of Ohio without a public water system license issued by the director.
 - (a) Any person who operates or maintains a public water system shall obtain an initial public water system license.
 - (b) A completed application for an initial public water system license shall be filed with the director not later than thirty days prior to the operation of the public water system, and shall be accompanied by the appropriate fee as set forth in paragraph (E) of this rule.

(2) Application for an initial public water system license shall be on a form

provided by the director, and the following information shall be provided by the applicant:

- (a) Public water system identification number;
 - (b) Name, address, and telephone number of the public water system;
 - (c) Owner name, address and telephone number;
 - (d) Population served (if applicable);
 - (e) Number of service connections (if applicable);
 - (f) Source(s) of water;
 - (g) Number of wells supplying the public water system (if applicable); and
 - (h) Additional data which may be required by the director.
- (3) Not later than thirty days after receiving a completed application and the appropriate fee, the director shall issue the initial public water system license.
- (4) A public water system license or license renewal, issued pursuant to section 6109.21 of the Revised Code and in accordance with this chapter, shall expire on the thirtieth day of January in the year following its issuance.
- (5) A person proposing to operate or maintain a new public water system shall submit a completed application to the director for an initial public water system license in accordance with this rule not less than thirty days prior to operation of the public water system.
- (6) Paragraph (B) of this rule does not apply to a church that operates or maintains a public water system solely to provide water for that church or for a campground that is owned by the church and operated primarily or exclusively for members of the church and their families.
- (7) Paragraph (B) this rule does not apply to any public or non-public school that operates or maintains a public water system solely to provide water for that school.

(C) Renewal of license to operate or maintain a public water system.

- (1) Except as provided in paragraph (C)(6) of this rule, a person holding a public water system license or a public water system license renewal issued by the director under section 6109.21 of the Revised Code, who is proposing to continue operating the public water system, shall submit a completed application for license renewal to the director not less than thirty days prior to the expiration date of the license or license renewal.
- (2) The application for a public water system license renewal shall be submitted on a form provided by the director and shall be accompanied by the appropriate fee as set forth in this rule.
- (3) The application for a public water system license renewal shall include the information required in paragraph (B) of this rule reflecting the current conditions of the public water system.
- (4) Within thirty days of receipt of both a completed application for a public water system license renewal under this rule and the applicable fees, the director shall act on the application by:
 - (a) Issuing the license renewal, or
 - (b) Issuing the license renewal subject to terms and conditions which the director determines are necessary to ensure compliance with Chapter 6109. of the Revised Code and the administrative rules adopted thereunder, or
 - (c) Acting to deny the license renewal upon a finding that the public water system was not operated in substantial compliance with Chapter 6109. of the Revised Code and the administrative rules adopted thereunder.
- (5) A public water system license renewal to operate or maintain a public water system issued by the director pursuant to section 6109.21 of the Revised Code and this chapter shall expire on the thirtieth of January in the year following its issuance.
- (6) This rule does not apply to a church that has previously obtained a license under paragraph (B) of this rule.

(D) Display of license to operate or maintain a public water system.

- (1) A public water system license or license renewal issued by the director pursuant to this chapter is the property of the state of Ohio.
 - (2) License or license renewal shall be prominently displayed at the office of the public water system.
 - (3) License or license renewal shall be surrendered to the director upon revocation.
- (E) Fees for operating or maintaining a public water system.
- (1) Pursuant to section 3745.11 of the Revised Code, a person applying for a public water system license or a public water system license renewal to operate or maintain a public water system under section 6109.21 of the Revised Code and this chapter shall pay the appropriate fee according to the schedule set forth in section 3745.11(M) of the Revised Code at the time of submission of the application to the director.
 - (2) Failure to pay the appropriate fee required by section 3745.11(M) of the Revised Code at the time of submission of application for a public water system license or a public water system license renewal, shall require payment of an additional amount equal to ten per cent of the appropriate fee.
 - (3) Failure to pay the fee required by section 3745.11(M) of the Revised Code shall render an application for a public water system license or a public water system license renewal incomplete.
 - (4) Payment of fees required by section 3745.11(M) of the Revised Code shall be made by tendering a certified check payable to the treasurer of the state of Ohio. The director shall transmit all fees collected under this rule to the treasurer of the state for deposit into the drinking water protection fund created in section 6109.30 of the Revised Code.
 - (5) For public water systems that are community water systems as defined in rule 3745-81-01 of the Administrative Code, the fees for initial license and license renewal, required under this chapter shall be as set forth in section 3745.11(M)(1) of the Revised Code. The public water system may determine its means for obtaining fees, including the assessment of additional user fees which may be assessed on a volumetric basis.
 - (6) For public water systems that are nontransient noncommunity water systems as defined in rule 3745-81-01 of the Administrative Code, the fees for initial

license and license renewal required by this chapter shall be as set forth in section 3745.11(M)(2) of the Revised Code.

(7) For public water systems that are transient noncommunity water systems as defined in rule 3745-81-01 of the Administrative Code, the fees for initial license and license renewal required by this chapter shall be as set forth in section 3745.11(M)(3) of the Revised Code.

(F) Suspension and revocation of a license to operate or maintain a public water system. Upon a finding by the director that a person holding a license to operate a public water system issued by the director pursuant to section 6109.21 of the Revised Code and this chapter, has failed to operate or maintain a public water system in substantial compliance with Chapter 6109. of the Revised Code and the administrative rules adopted thereunder, the director may suspend or revoke the license. In suspending or revoking a license the director shall act in accordance with the provisions of Chapters 119. and 3745. of the Revised Code and this chapter.

Effective:

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Certification

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