

Detail Plan Submission Guidance for Non-Community Public Water Systems

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I. PURPOSE:

The purpose of this document is to provide guidance to staff of the Division of Drinking and Ground Waters (DDAGW) and the regulated community regarding prioritization of division resources to enforce the general requirement for detail plans to be approved by the Ohio EPA prior to any construction, installation or substantial changes being made to a public water system. This guidance was developed primarily to address noncommunity public water systems.

II. BACKGROUND:

In accordance with Ohio Revised Code Section 6109.07 (effective 12-14-78), “No person shall begin construction or installation of a public water system, or make a substantial change in a public water system, until plans therefor have been approved by the director of environmental protection ...”. Although this has been enforced with general consistency for community public water systems, due to the nature of noncommunity public water systems, consistent enforcement of the requirement for noncommunity public water systems has not been achieved. The nature of a noncommunity public water system is different from a community water system in that they tend to change more frequently with respect to ownership, management, occupancy, type, size, etc. and they can go in and out of existence fairly quickly and easily. All of this can happen without the Ohio EPA having prior knowledge. Also, pre-existing noncommunity public water systems are still actively being identified and introduced to the drinking water program.

Resource limitations make it practically impossible to pursue and process detail plans, at one time, for every public water system that has not submitted detail plans. Therefore, this guidance has been developed to clarify what the DDAGW considers to be appropriate prioritization of circumstances requiring plan approval. The basis for the prioritization outlined in this guidance is to effectively utilize DDAGW’s limited resources to provide the greatest benefit to human health and safety and to provide a framework for manageable and consistent application of the statute. It does not address every possible situation, but only those that tend to occur more frequently.

III. GUIDANCE:

Ohio EPA will actively pursue the requirement for detail plan approval for all public water systems as time and resources allow. Priority will be given to the following scenarios:

1. New public water systems.
2. A public water system that has been built less than five years ago when Ohio EPA became aware of its existence.
3. A private water system that changes to a public water system.
4. A public water system that never had plan approval, closes for less than 1 year, then reopens under new ownership. There have been no changes in equipment or demand rates. (Note that this does not include the seasonal public water systems that are closed for part of every year and reopen under the same ownership.)
5. A public water system that never had plan approval closes for more than 1 year and then reopens.
6. A public water system that had plan approval closes, then reopens. When it reopens, there is new treatment or demands have increased.
7. An existing public water system, including a system that changes water system population type (e.g. transient to non-transient), that makes a substantial change to the water system, water treatment system or water treatment requirements(e.g. softening, new well, chlorination, iron removal, etc.).

IV. HISTORY

The Division of Drinking and Ground Waters issued this guidance in draft form on June 22, 2001. It was initially issued by the Chief of DDAGW as an effective guidance on January 15, 2003.