3745-7-03 **Public water system classification and staffing requirements.**

Each public water system or water treatment plant and distribution system within a public water system~~, except~~ shall be classified in accordance with this rule, with the exception of transient noncommunity public water systems using groundwater, without treatment for nitrate, arsenic or 4-log removal of viruses and serving populations of two hundred fifty or fewer~~, shall be classified in accordance with this rule. Said public water systems and water treatment plants shall be classified as a class A, I, II, III, or IV public water system or a class I or II distribution system and shall provide the minimum staffing required for that classification of system~~.

All systems classified under this rule shall provide the minimum staffing required for that classification of system in accordance with this rule.

(A) Applicability.

(1) Public water systems or water treatment plants and distribution systems within a public water system shall be classified in accordance with this rule and shall be staffed in accordance with paragraph (C) of this rule by either an operator of record pursuant to paragraph (A)(1) of rule 3745-7-02 of the Administrative Code or a backup operator pursuant to paragraphs (C)(2)(d), (C)(2)(e) and (C)(2)(f) of this rule.

(2) The owner of a public water system may request that the director reclassify the facility in accordance with the provisions of this rule at any time.

(B) Classification.

(1) A public water system or water treatment plant and distribution system within a public water system shall be classified in accordance with paragraphs (B)(2) to (B)(4) of this rule based on the approved design flow, degree of risk to public health or the environment, and the complexity of the treatment plant operation.

(a) The classification of a particular public water system or water treatment plant and distribution system within a public water system may change when there are system changes that affect the quality of the source, the complexity of treatment or the distribution system, the population served, or potential public health hazards.

(b) The director shall issue a certificate to each public water system indicating the classification of each water treatment plant and distribution system within the system. The owner shall display each certificate for public examination at the water treatment plant or principal office of the public

water system.

(c) After a public water system or water treatment plant and distribution system within a public water system is classified in accordance with paragraph (A)(1) of this rule, if the director changes the classification, the owner of the public water system or water treatment plant shall have up to twelve months to meet the staffing requirements in paragraph (C) of this rule for the new classification~~.~~, provided the owner or operator of the public water system or water treatment plant ensure that the operator of record continues to meet previous staffing requirements.

(2) Distribution system.

(a) The director shall classify as a class I water distribution system:

(i) The distribution system of each public water system if the system serves a population of less than twenty-five thousand per day and is not part of a class A public water system as defined in ~~paragraph (B)(3)~~Table 1 of this rule~~; and~~.

(ii) Each public water system that consists solely of a distribution system if the system serves a population of less than twenty-five thousand per day and is not part of a class A public water system as defined in ~~paragraph (B)(3)~~Table 1 of this rule.

(b) For distribution systems that are not classified as a class I water distribution system under paragraph (B)(2)(a) of this rule and are not part of a class A public water system as defined in ~~paragraph (B)(3)~~Table 1 of this rule, the director shall classify the distribution system of each public water system and each public water system that consists solely of a distribution system as a class II water distribution system.

(c) Each public water system that purchases water from another public water system and provides additional treatment shall have the treatment system classified in accordance with Table 1 of this rule.

~~(3) A public water system shall be classified as a class A public water system when the public water system meets all of the following criteria:~~

~~(a) Is a community or nontransient noncommunity public water system that serves a population of no more than two hundred fifty, or a transient noncommunity public water system that serves a population greater~~

~~than two hundred fifty;~~

~~(b) Uses only purchased water or a ground water source;~~

~~(c) Does not provide precipitative softening or treat for a chemical contaminant with a maximum contaminant level as defined in rule 3745-81-01 of the Administrative Code; and~~

~~(d) Has no serious public health or environmental hazard associated with the operation of the public water system.~~

~~(4)~~(3) ~~Unless classified as a class A public water system according to paragraph (B)(3) of this rule, public~~Public water systems shall be classified according to the criteria in ~~the following table:~~Table 1 of this rule.

Table 1. Classification of class A, I, II, III, and IV public water systems

	System characteristics	Design flow*	Classification
1.	Surface water treatment, excluding slow sand filtration	More than 5.0 MGD	Class IV
		5.0 MGD or less	Class III
2.	Slow sand filtration surface water treatment	All	Class II
3.	Ground water treatment to remove any chemical contaminant with a maximum contaminant level (arsenic, nitrate, etc.) -or- precipitative softening ground water treatment	More than 5.0 MGD	Class III
		0.5 to 5.0 MGD	Class II
		Less than 0.5 MGD	Class I
4.	Ground water treatment for any contaminant with a secondary maximum contaminant level# or that only involves adding a disinfectant, but in either case excluding precipitative softening ground water treatment	More than 5.0 MGD	Class III
		2.5 to 5.0 MGD	Class II
		Less than 2.5 MGD	Class I

5.	Nontransient noncommunity groundwater treatment systems with a population > 250 and < 1,000 not meeting the ~~above~~ criteria~~.~~ of paragraph (1) and paragraph (4) of this table	Not applicable	Class I
6.	A transient noncommunity groundwater system with a population of < 250 which treats for nitrate, arsenic or 4-log virus inactivation and removal	Not applicable	Class I
7.	A purchased water system that provides additional treatment and serves a population of twenty-five thousand per day or greater	Not applicable	Class II
8.	A purchased water system that provides additional treatment, does not meet the criteria in paragraph (10) of this table and serves a population less than twenty-five thousand per day	Not applicable	Class I
~~6~~9.	Public water systems meeting the criteria of paragraphs ~~(B)(3)(a)~~(10)(a) to ~~(B)(3)(c)~~(10)(c) but not paragraph ~~(B)(3)(d)~~ (10)(d) of this ~~rule~~table	Not applicable	Class I
10.	Public water systems meeting all of the following criteria:	Not applicable	Class A
	(a) Is a community or nontransient noncommunity public water system that serves a population of no more than two hundred fifty, or a transient noncommunity public water system that serves a population greater than two hundred fifty		
	(b) Uses only purchased water or a ground water source		
	(c) Does not provide precipitative softening or treat for a chemical contaminant with a maximum contaminant level or action level as defined in rule 3745-81-01 of the Administrative Code		
	(d) Has no serious public health or environmental		

	hazard associated with the operation of the public water system		

* MGD = Million gallons per day

"Secondary maximum contaminant level" is as defined in rule 3745-82-01 of the Administrative Code.

(C) Staffing.

(1) An operator of record shall, at a minimum, be physically present at the public water system and fulfill the time requirements, as detailed in ~~the following table~~Table 2, and perform technical operation as assigned by the owner of a public water system or their designee.

Table 2. Minimum staffing requirements for an operator of record

System classification	Staffing requirement
Class A without treatment or only treating with a cartridge filter	At least 30 minutes per week.
Class A with treatment	2 days per week for a minimum of 1 hour per week.
Class I	3 days per week for a minimum of 1.5 hours per week.
Class II	5 days per week for a minimum of 20 hours per week.
Class III and IV	5 days per week for a minimum of 40 hours per week.

(2) Exceptions.

(a) An operator of record of a distribution system shall not be required to meet the minimum staffing requirements in paragraph (C)(1) of this rule.

(b) During periods when the public water system is not producing or treating water it shall not be necessary to meet the staffing requirements in paragraph (C)(1) of this rule.

(c) Upon application by the owner of the system using a form acceptable to the director, and the director's approval of the system operating plan described in paragraph (C)(2)(c)(i), the director shall reduce the

minimum staffing requirement for the operator of record of a class II, III, or IV public water system to no less than five days a week for a minimum of ten hours per week. ~~However, the~~The director shall not grant a reduction to a public water system where an operator of record cannot respond to operational problems within one hour~~. Nor will the director grant a reduction to~~, a public water system that has a history of noncompliance with maximum contaminant levels, treatment techniques, sampling, reporting, or any other violations related to the public water system~~;~~, or a public water system under formal enforcement.

(i) Public water systems shall submit an operating plan for their system as part of the application for a staffing reduction. The operating plan shall include a description of the level of automation and continuous monitoring at the facility, a standard operating procedure for any such automation or continuous monitoring equipment, and a detailed operations schedule showing the number of operators, their certification level, and the number of hours spent at the public water system. The description of the continuous monitoring shall include a description of the calibration frequency, verification of calibration and records maintenance. Reductions in minimum staffing for the operator of record may be granted in accordance with the criteria in ~~tables A and B~~Table 3 and Table 4 below, either singly or in combination, based on the information provided in the system's operating plan. In no case shall a reduction of greater than thirty hours per week be granted for a class III or IV facility ~~and~~, or ten hours per week for a class II facility.

Table ~~A:~~3. Reductions in minimum operator of record staffing based on facility staffing levels

	Operator of record staffing may be reduced by 5 hours per week if:	Operator of record staffing may be reduced by 10 hours per week if:	Operator of record staffing may be reduced by 15 hours per week if:	Operator of record staffing may be reduced by 20 hours per week if:
Plant staffing at class III or IV water treatment plants	There is another operator certified at a level no more than 2 classes below that of the public water system onsite at the water	There is another operator certified at a level no more than 2 classes below that of the public water system onsite at the water treatment	There is another operator certified at a level no more than 2 classes below that of the public water system onsite at the water	There is another operator certified at a level no more than 2 classes below that of the public water system onsite at

	treatment plant 2 hours per day 5 days per week	plant 4 hours per day 5 days per week	treatment plant 6 hours per day 5 days per week	the water treatment plant 8 hours per day 5 days per week
Plant staffing at class II water treatment plants	There is a class I operator onsite at the water treatment plant 3 hours per day 5 days per week	There is a class I operator onsite at the water treatment plant 4 hours per day 5 days per week	Not applicable	Not applicable

Table ~~B:~~4. Reductions in minimum operator of record staffing based on level of automation or continuous monitoring

	Operator of record staffing may be reduced by 5 hours per week if:	Operator of record staffing may be reduced by 10 hours per week if:	Operator of record staffing may be reduced by 15 hours per week if:	Operator of record staffing may be reduced by 20 hours per week if:
Automation or continuous monitoring at class II, III or IV plants	The water treatment plant has supervisory control and data acquisition ("SCADA") for MCL and treatment technique monitoring (turbidity, fluoride, pH, flow, temperature~~,~~ and chlorine residual, if applicable)	The water treatment plant is automated with continuous monitoring	The water treatment plant is automated with continuous monitoring~~;~~. The water treatment plant must also have personnel onsite at the water treatment plant or an electronic notification system that notifies the operator of record when there are problems with the water treatment plant	The water treatment plant is automated with continuous monitoring and an electronic notification system or certified operators on each shift that will notify the operator of record when there are problems with the water treatment plant~~;~~. The water treatment plant must also have the ability to be operated remotely or have a certified

				operator respond within 30 minutes

(ii) Any change in the circumstances under which the reduction was approved (e.g., retirement of an operator listed in the approved staffing plan, loss of the operator of record, reduction in the workforce, removal or failure of automation or continuous monitoring, etc.) will require that the system immediately return to compliance with the minimum staffing requirements in paragraph (C)(1) of this rule. This provision shall not preclude a public water system from submitting a modified operating plan.

(iii) For a system operating plan to receive director's approval under ~~table B~~Table 4 of this rule, continuous monitors shall be calibrated in accordance with manufacturer standards or applicable regulations, whichever is more stringent. Calibration verification shall be conducted at least once per week or in accordance with applicable regulations, whichever is more stringent. Records of the calibrations and verifications shall be maintained for three years.

(d) The operator of record of a class II, III, or IV public water system or class II water distribution system may be replaced by a backup operator with a certificate one classification lower than the public water system's classification for a period of up to thirty consecutive days. The use of this provision does not require notification to the agency. The operational records shall clearly indicate every time the backup operator is being used to meet the minimum staffing requirement. This provision may not be used to routinely circumvent minimum staffing requirements.

(e) Upon proper justification, such as military leave or long term illness, the director may authorize the replacement of the operator of record for a class II, III, or IV public water system or class II water distribution system by a backup operator with a certificate one classification lower than the facility for a period of greater than thirty consecutive days. Such requests shall be made in writing to the district office in which the system is located.

(f) If the designated operator of record is unable to meet the minimum staffing requirements at a class A or class I treatment works, then an operator with a certificate equal to or higher than the public water

system may serve as the operator of record until such time as the designated operator of record is available. The provisions of paragraphs (C)(2)(d) and (C)(2)(e) of this rule shall apply to this backup operator.

(g) In the event a public water system has more than one water treatment plant within one hundred feet of another water treatment plant, the public water system may submit a request on a form acceptable to the director, for a fifty per cent reduction of the hourly minimum staffing requirements for each water treatment plant. The request shall include documentation of the distance between the two facilities and documentation that the facilities are not under enforcement and have been in compliance with maximum contaminant levels, treatment techniques, sampling, reporting and operator certification requirements for the three years prior to the request. Upon receiving a complete application, the director may approve the minimum staffing reduction. Any change in the circumstances under which the reduction was approved (e.g., enforcement action entered, violation of the operator certification requirements, monitoring violations, etc.) will require that the system immediately return to compliance with the minimum staffing requirements in paragraph (C)(1) of this rule. This provision shall not preclude the public water system from submitting a modified operating plan. A reduction granted under this provision in combination with any other reductions available in this rule shall not reduce the minimum staffing requirements at a class II, III or IV facility to less than five days per week for a minimum of ten hours per week.

(D) Additional staffing requirements.

(1) The operator of record of the public water system or backup operator authorized under paragraphs (C)(2)(d), (C)(2)(e) and (C)(2)(f) of this rule shall be available during all periods of public water system operation.

(2) Daily visits to all public water systems classified in accordance with this rule shall be performed by the owner, supplier, or their representative or agent seven days per week and noted in the operational and maintenance records required by rule 3745-7-09 of the Administrative Code. Daily visits shall not be necessary when the public water system is not in operation.

(3) In the event a public water system can document the existence of automation and continuous monitoring which provides a greater level of reasonable assurance that a facility is maintaining compliance, the system may request a waiver of the daily visit requirement contained in paragraph (D)(2) of this rule. In order to request a waiver, the public water system shall submit a request on a form acceptable to the director. The public water system must

demonstrate they continuously monitor flow, pH, turbidity, disinfection and fluoridation, if applicable, at the entry point to the distribution system. The public water system must also demonstrate they continuously monitor chlorination, if applicable, at representative points in the distribution system. The public water system shall document alarm set points for each parameter that are protective of human health. Set points shall be set in such a manner that an operator can respond to correct a problem prior to the violation of regulatory limits. The public water system shall document that the monitoring system has the ability to notify public water system personnel when a value outside a set point has been detected. The public water system shall demonstrate the ability for an operator, certified at a level equal to or higher than that of the public water system, to respond to the system within an hour of a value outside a set point being detected.

The meters shall be calibrated in accordance with Ohio environmental protection agency regulations or manufacturer standards, whichever is more stringent. At a minimum, the calibration of all continuous monitors shall be verified on a weekly basis. Flow meter readings shall be within a plus or minus ten per cent of the reading determined by the method for calibration verification. Readings for chemical monitors shall be within the acceptable limits established in the "Ohio EPA, Laboratory Manual for Chemical Analyses of Public Drinking Water 2014."

In the event the calibration verification determines the monitor is outside of acceptable limits, the public water system shall immediately notify the Ohio environmental protection agency, district office of the problem and return to having an owner's representative visit the facility on a daily basis. Once the meter has been repaired or recalibrated, the facility may discontinue daily visits by an owner's representative and return to the monitoring approved by the director.

All of the information required in paragraph (D)(3) of this rule, shall be documented in the facility's operation and maintenance records. In the event any of the following occur, the public water system shall return to having an owner's representative visit the facility on a daily basis:

(a) Failure of the continuous monitoring equipment.

(b) Failure to follow the procedures identified in paragraph (D)(3) of this rule.

(c) Failure to maintain the appropriate records.

(d) Enforcement is initiated against the public water system.

~~(3)~~(4) A limited class A operator holds a facility-specific certificate and may not operate any other facilities or transfer the certificate to a different facility.

(E) The classification of an operator of record, and the numbers of days per week and hours per week for staffing requirements specified in paragraph (C) of this rule are minimum requirements. In order to protect public health and welfare and based on specific circumstances or treatment complexity at a public water system, the director may require a public water system to be operated by an operator of record with a higher classification than the minimum requirement, or may require one or more operator of record to visit a public water system or water treatment plant and distribution system within a public water system more frequently and for more hours per week than the minimums required by this rule.

[Comment: This rule incorporates the "Ohio EPA Laboratory Manual for the Chemical Analyses of Drinking Water 2014" by reference. Copies are available at www.epa.ohio.gov/ddagw/labs.aspx and at the "Ohio EPA, Lazarus Government Center, 50 West Town Street, Suite 700, Columbus, OH, 43215." Copies can also be obtained by contacting the laboratory certification office at 614-644-4245.]

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