

ARCHIVE: Archived because VAP rule promulgated in 1996 (OAC Chapter 3745-300) render this guidance unnecessary. However, this document is accurate under Interim Program prior to promulgation of OAC Chapter 3745-300.

TITLE: The Definition of Ground Water In the Voluntary Action Interim Program

DATE EFFECTIVE: 1995

KEYWORDS: ground water, interim program, subsurface, saturation, contamination

RULES: Statute and rule citations relating to this issue: Ohio Administrative Code (OAC) 3745-27, Ohio Revised Code (ORC) Chapter 3746

QUESTION: How was ground water defined during the Voluntary Action interim program?

ANSWER: The term “ground water” is not defined in ORC Chapter 3746. Ohio Administrative Code Chapter 3745-27 specifically defines ground water as, “water that forms a subsurface zone of saturation.” The Ohio Environmental Protection Agency (Ohio EPA) considers water in a shallow saturated zone beneath a property to be included in this definition of ground water for purposes of the interim Voluntary Action Program (VAP).

Natural ground water quality and quantity were not addressed by OAC 3745-27 or by ORC Chapter 3746. ORC Chapter 3746 excluded properties with contaminated ground water from participating in the VAP interim program.

SUMMARY: During the interim program of the VAP, ground water was defined as a zone of saturation within the subsurface of a property, regardless of yield or quality.

OHIO EPA CONTACT: For any questions concerning this issue, please contact the VAP central office at (614)644-2924