

3745-6-02

Definitions.

As used in this chapter:

(A)

(1) "Act" means the Federal Water Pollution Control Act, (commonly referred to as the Clean Water Act), 33 U.S.C. sections 1251 to 1387.

(2) "Applicant" means a person applying for certification as a water quality certified professional under this chapter.

(3) "Audit finding" means documentation provided by Ohio EPA to a water quality certified professional who has submitted data in support of a section 401 water quality certification or isolated wetland permit application pursuant to this chapter, which indicates the results of an audit conducted in accordance with rule 3745-6-08 of the Administrative Code.

(B) [Reserved.]

(C) "Credible data program" means the state of Ohio's voluntary surface water quality monitoring and assessment program, as authorized under sections 6111.50 to 6111.56 of the Revised Code, and rules promulgated in Chapter 3745-4 of the Administrative Code.

(D)

(1) "Data sufficient to determine existing aquatic life use" means information sufficient for Ohio EPA to assess stream performance and quality for purposes of conducting an antidegradation analysis and assigning appropriate mitigation goals in Ohio EPA's permitting actions.

(2) "Director" means the director of the Ohio environmental protection agency or an authorized representative.

(E) [Reserved.]

(F) "Field supervise" means to provide direct supervisory oversight in the field at the same time and date that individuals working under the water quality certified professional are working in the field.

(G) [Reserved.]

(H) [Reserved.]

(I)

(1) "Isolated wetland" means the same as defined in section 6111.02 of the Revised

Code.

(2) "Isolated wetland permit" or "IWP" means a permit issued in accordance with sections 6111.02 to 6111.027 of the Revised Code, which authorizes the filling of an isolated wetland.

(J) [Reserved.]

(K) [Reserved.]

(L) "Level 3 qualified data collector" or "level 3 QDC" means an individual who holds active status as a level 3 qualified data collector under the credible data program in Chapter 3745-4 of the Administrative Code.

(M) [Reserved.]

(N) [Reserved.]

(O) "Ohio EPA" means the Ohio environmental protection agency.

(P)

(1) "Permit" means the same as "section 401 water quality certification" or "isolated wetland permit".

(2) "Person" means the same as defined in section 6111.01 of the Revised Code.

(Q) [Reserved.]

(R) "Revocation" means the permanent nullification of a person's certification as a water quality certified professional under this chapter.

(S)

(1) "Section 401 water quality certification," "401 certification," or "water quality certification" means a section 401 water quality certification issued by Ohio EPA, pursuant to section 401 of the act, Chapter 6111. of the Revised Code, and chapter 3745-32 of the Administrative Code.

(2) "Suspension" means the temporary nullification of a person's certification status as an active water quality certified professional under this chapter.

(T) [Reserved.]

(U) "Use designation" means the same as established in rules 3745-01-07 and 3745-1-53 of the Administrative Code.

(V) [Reserved.]

(W)

(1) "Water quality certified professional" or "WQCP" or "certified professional" or "CP" or "professional" means an individual who is certified under rule 3745-6-03 of the Administrative Code.

(2) "Waters of the state" means the same as defined in section 6111.01 of the Revised Code.

(3) "Wetlands" means the same as defined in section 6111.02 of the Revised Code.

(4) "Withdrawal" means the voluntary cessation of active status as a water quality certified professional, as initiated by the water quality certified professional.

(X) [Reserved.]

(Y) [Reserved.]

(Z) [Reserved.]

(AA) Incorporation by reference. The text of the incorporated materials is not included in the rules contained in this chapter. The materials are hereby made a part of this chapter. For materials subject to change, only the version specified in this rule is incorporated. Any amendment or revision to a referenced document is not incorporated unless and until this rule has been amended to specify the new version.

(1) Availability. The materials incorporated by reference are available as follows:

(a) Code of federal regulations (C.F.R.). Information and copies may be obtained by writing to: "U.S. Government Publishing Office Bookstore, 710 North Capitol Street N.W., Washington, D.C. 20403." The full text of the C.F.R. is also available in electronic format at <http://www.gpoaccess.gov/cfr/>. The C.F.R. compilations are also available for inspection and copying at most public libraries and "The State Library of Ohio."

(b) Federal statutes. The full text is available in electronic format at <http://www.gpo.gov/fdsys>. These laws are also available for inspection and copying at most public libraries and "The State Library of Ohio."

(2) Incorporated materials.

(a) Appropriate "Federal Statutes." The statutes listed in this rule are those

versions of the laws as amended through July 1, 2018, including the Federal Water Pollution Control Act (commonly referred to as the Clean Water Act), 33 U.S.C. sections 1251 to 1387.

(b) As used in this chapter "40 C.F.R." means Title 40 of the Code of Federal Regulations as amended through July 1, 2018.