



**BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY**

March 28, 2016

**Public Notice: Proposed Rulemaking Governing Rules for Well Standards
and Public Water System Plan Approval.**

Notice is hereby given that the Ohio Environmental Protection Agency, Division of Drinking and Ground Waters (DDAGW) is proposing revised rules in Chapters 3745-9 and 3745-91 of the Ohio Administrative Code (OAC), governing water well standards and plan approval. The proposed revisions are, in part, a result of the five-year rule review requirements of the Section 106.03 of the Revised Code.

Revisions made to Chapter 3745-9 include the following:

- Clarifying non-potable well requirements.
- Adding and revising definitions.
- Evaluating conditions under which public water system (PWS) well variances may be granted.
- Clarifying standards for grout placement in a flowing well.
- Clarifying conditions requiring use of alternate cement types.
- Updating American Water Works Association (AWWA) standard C654, Disinfection of Wells from the 2003 to 2013 version. Major changes to this edition include updating the format to match AWWA's standard style and revising the definition of 'parties'.
- Revising step drawdown and constant rate testing requirements to ensure accurate evaluation of well productivity.
- Revising the requirement for disinfection of a dry hole prior to sealing.
- Updating technical documents that are rule by reference.
- Withdrawing the draft guidance, 'Nonpotable Well Standards Guidance.'

Other revisions made to the rules include removing the previously drafted requirements for hydrogeological investigations, specifications on step drawdown and constant rate testing, and withdrawing the policy, 'When the Constant Rate Pumping Test Should Exceed 24 Hours.'

In addition, the intent of proposed revisions to rules in Chapter 3745-91 governing plan approval of PWSs did not change. Revisions to these rules include adding plan approval exemptions for hauled water systems, and for small ground water systems, installing ion exchange water softeners and cartridge filters. The proposed rules also incorporate the current Recommended Standards for Water Works, also known as the "10 State Standards," and revisions to DDAGW's Guidelines for Design of

Small Ground Water Systems, which is a rule by reference. A revision was made to these guidelines regarding the requirement for dual wells. The existing provision requires all new community water systems, and new noncommunity water systems with a consumption exceeding 50,000 gallons per day or a population of 500 or greater, to have dual wells. The proposed revisions extend this requirement to existing community water systems and new noncommunity water systems, when their existing well collapses or cannot substantially meet peak demand, unless they have an emergency connection to another public water system with adequate capacity to meet peak demand.

A public hearing pursuant to §106.03 of the Ohio Revised Code will be conducted on April 29, 2016 beginning at 10:30 a.m. in Conference Room A at the Ohio EPA, Lazarus Government Center, 50 West Town Street, Columbus, Ohio. All interested persons are entitled to attend or be represented and give their written or oral comments on this proposed rulemaking. A presiding officer will be present until all interested persons have been heard.

To facilitate scheduling of oral presentations, persons intending to give testimony at the hearing should ensure that Ohio EPA receives notice of such intent by April 28, 2016, 5:00 p.m. Persons who provide Ohio EPA with prior notice will be heard ahead of persons who register at the hearing. Oral testimony may be limited to five minutes depending on the number of persons testifying. All interested persons are entitled to attend or be represented and to present oral and/or written comments concerning the proposed rulemaking. **All visitors to Ohio EPA must register at the Security desk in the lobby upon arrival. Please bring photo identification (such as a valid driver's license). For security reasons, visitors are required to wear their badge at all times while in the building. Please arrive early to complete these procedures.** To provide notice of intent to give oral comments at the public hearing, contact Susan Kramer by mail at Ohio EPA, DDAGW, Lazarus Government Center, 50 West Town Street, Suite 700, Columbus, Ohio 43215, or by phone at (614) 644-2752.

In order to ensure that written comments are considered as part of the official record of this hearing, written comments must be received by Ohio EPA by the close of business April 29, 2016. Written comments on the proposed rules may be given to the presiding officer during the hearing, sent by mail to Susan Kramer at the address above, or sent by email to the following address ddagw_rulecomments@epa.ohio.gov. All testimony received at the hearing or by the close of business on April 29, 2016, will be considered by Ohio EPA prior to final action on this rulemaking proposal.

To obtain a copy of the proposed rules or for questions about this rules package, contact Susan Kramer at Ohio EPA at (614) 644-2752 or email at Susan.Kramer@epa.ohio.gov. Please request the "Well Standards & Plan Approval Rules" and be sure to include your name, telephone number and complete mailing address. There is no charge for proposed rules. The proposed rules will be available on the Agency webpage until their adoption or withdrawal. They can be found at <http://epa.ohio.gov/ddagw/rules.aspx> on the "Proposed Rules" tab.