

Isolation distance requirements.

(A) Isolation distances. Except as provided in paragraphs (B) to (E) of this rule, the minimum isolation distances in table A-1 of this rule shall be maintained.

[Comment: Isolation distances. In the case of any reference to any building, the measurement shall be taken from the outside wall of the building. In the case of any reference to a treatment works or a component of the treatment works or a pump station, the measurement shall be taken from the closest point on the perimeter of the treatment works, the component of the treatment works, or the pump station. In the case of any reference to an earthen lagoon or storage facility, the measurement shall be taken from the outer bank or the toe of the earthen impoundment.]

-Table A-1: Isolation distance requirements.-

Component of disposal system	Minimum isolation distance required from an occupied building	Minimum isolation distance required from surface waters of the state
Earthen impoundment that contains sewage or treated sewage	Three hundred feet	Three hundred feet
Earthen impoundment that contains industrial waste, other than industrial waste generated from the recovery of any natural resource, such as a quarry mining operation	Three hundred feet	Three hundred feet
Sewage sludge drying bed	Three hundred feet	Three hundred feet
Covered sand filter	One hundred fifty feet	Three hundred feet
Housing or building enclosure for extended aeration treatment works	One hundred fifty feet	One hundred fifty feet
Pump station	Fifty feet	Thirty-five feet
Any other component of a treatment works, not including (1) a disposal field, (2) a land application area or (3) a wet weather management facility for treating combined sewer overflows or sanitary sewer overflows	Two hundred feet	Three hundred feet

(B) After considering either the potential impacts to neighboring buildings or prevailing wind directions, the director may increase an isolation distance set forth in table A-1

of this rule or require mitigative measures such as additional freeboard, landscape mounds, fencing, trees or other means to reduce the impacts:

[Comment: Potential impacts to neighboring buildings could include odors or the probability that either an overflow or a breach could inundate neighboring buildings, causing harm to life, health or property. Applicants proposing to construct above ground impoundments should also contact the Ohio department of natural resources division of dam safety. Their web page is: <http://www.dnr.state.oh.us/dsafety/default/tabid/3329/Default.aspx> .]

- (1) Within a permit, including but not limited to a general permit to install or a storm water permit. Where a greater isolation distance requirement exists as a condition of a permit, the greater isolation distance requirement shall prevail; or
 - (2) To protect the following from potential impacts from a wastewater treatment works with a design flow of more than one hundred thousand gallons per day or from any non-aerated treatment lagoon:
 - (a) A high density development;

[Comment: A high density development includes a residential development of homes or condominiums, a commercial development, such as a shopping mall, or a business park development.]
 - (b) A day care facility;
 - (c) A hospital; or
 - (d) Waters of the state.
- (C) For the construction of any new disposal system after the effective date of this rule, the director may reduce any minimum isolation distance in table A-1 of this rule if:
- (1) For any request to reduce an isolation distance from an occupied building, the applicant can demonstrate to the director:
 - (a) That by taking into account prevailing wind directions, screening, or other means of noise and odor control, that any component of a disposal system will not negatively impact a neighboring building, public health or the environment; and
 - (b) That the general public that is located within the disposal system service area has been notified of the proposed reduced isolation distances and has been given an opportunity to view the proposal and comment. All comments shall be forwarded to the director or an authorized representative for their consideration; or

- (2) For any request to reduce an isolation distance from waters of the state, the applicant can demonstrate to the director:
- (a) That there is a technical or financial hardship in implementing a minimum isolation distance;
 - (b) That there are no other viable options; and
 - (c) That the general public that is located within the disposal system service area has been notified of the proposed reduced isolation distances and has been given an opportunity to view the proposal and comment. All comments shall be forwarded to the director or an authorized representative for their consideration.
- (D) For any disposal system constructed prior to the effective date of this rule and proposed to be modified after the effective date of this rule, smaller isolation distances will be allowed, provided the applicant provides documentation that meeting the isolation distances in paragraphs (A) and (B) of this rule would impede the function of the existing disposal system or cause the applicant to incur more cost. To protect public health or the environment from a significant threat, the director may require other mitigative measures, such as additional freeboard, landscape mounds, fencing, trees or other means to reduce the impacts when smaller isolation distances are allowed.
- (E) For any disposal system constructed prior to the effective date of this rule, to protect public health or the environment, the director may require other mitigative measures when isolation distances smaller than those listed in table A-1 of this rule exist. For example, mitigative measures could be required as a result of documented odor complaints or a breach or overflow that caused harm to life, health or property.

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