

*** DRAFT - NOT YET FILED ***

3745-42-08

Isolation distance requirements.

(A) Isolation distances. Except as provided in paragraphs (B) to (D) 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.

<u>Component of disposal system</u>	<u>Minimum isolation distance required from an occupied building</u>	<u>Minimum isolation distance required from surface waters of the state</u>
<u>Earthen impoundment that contains sewage, treated sewage or industrial waste</u>	<u>Three hundred feet</u>	<u>Three hundred feet</u>
<u>Sewage sludge drying bed</u>	<u>Three hundred feet</u>	<u>Three hundred feet</u>
<u>Covered sand filter</u>	<u>One hundred fifty feet</u>	<u>Three hundred feet</u>
<u>Housing or building enclosure for extended aeration treatment works</u>	<u>One hundred fifty feet</u>	<u>One hundred fifty feet</u>
<u>Pump station</u>	<u>Fifty feet</u>	<u>Thirty-five feet</u>
<u>Any other component of a treatment works, not including a disposal field or a land application area</u>	<u>Two hundred feet</u>	<u>Three hundred feet</u>

(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 landscape mounds, fencing, trees or other means to reduce the impacts:

(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

within an applicable 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;

(b) A day care facility;

(c) A hospitals; or

(d) Waters of the state.

(C) The director may reduce any minimum isolation distance in table A-1 of this rule if:

(1) The applicant can demonstrate, 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;

(2) The applicant can demonstrate technical or financial hardship in implementing a minimum isolation distance;

(3) The applicant can demonstrate that there are no other viable options; and

(4) For the construction of any new disposal system, the applicant can demonstrate to the director 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) Isolation distances from any component of a disposal system in existence prior to December 1, 2005 and proposed to be modified after December 1, 2005 shall be determined on a case-by-case basis. If 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, then reduced distances, pursuant to paragraph (C) of this rule, may be approved unless the director determines that public health or the environment will be negatively impacted. The director may require other mitigative measures when smaller isolation distances are allowed.

Effective:

R.C. 119.032 review dates:

Certification

Date

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