

3745-34-08 **Prohibition of class IV wells.**

- (A) The construction, operation or maintenance of any class IV well, as classified under rule 3745-34-04 of the Administrative Code is prohibited, except as provided in paragraph (C) of this rule.
- (B) The owner or operator of a class IV well shall comply with the closure and post-closure requirements of paragraph (B) of rule 3745-34-09 of the Administrative Code. All class IV wells shall be closed in compliance with rule 3745-34-07 of the Administrative Code. Any soil, gravel, sludge, liquids, or other materials removed from or adjacent to the well being closed shall be disposed of or managed in accordance with all applicable federal, state or local regulations and requirements.
 - (1) The owner or operator of a class IV well shall notify the director of the intent to close the class IV well at least thirty days prior to commencing closure of the well. The intent to close notification shall include the submission of a plan for closing the well per the requirements of this paragraph. The submitted plan shall be approved by the director prior to implementation and shall be followed during closure of the well. This plan shall include the following:
 - (a) A copy of the information required in paragraph (L) of rule 3745-34-11 of the Administrative Code.
 - (b) Procedures for the removal of any solids and sludge from the class IV well being closed.
 - (c) Procedures for plugging the class IV well. This procedure shall be consistent with paragraph (A) of rule 3745-34-07 of the Administrative Code and all other applicable federal, state or local regulations and requirements.
 - (d) Any other information deemed necessary by the director.
 - (2) Upon completion of closure, the owner or operator shall certify to the director in a report per rule 3745-34-17 of the Administrative Code that the class IV well was closed in compliance with this rule.
- (C) Injection wells used to inject contaminated ground water that has been treated and is being reinjected into the same formation from which it was drawn are authorized by rule for the life of the well despite the requirements of paragraphs (A) and (B) of this rule, if such subsurface emplacement of fluids is approved by the director or U.S. EPA as part of a remediation program pursuant to provisions for cleanup of releases under Chapter 3734. of the Revised Code and the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), 42 U.S.C. 9601-9675, as amended through 2002 or pursuant to requirements and provisions under the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. 6901-6992k, as amended through 2012. The owner or operator shall submit to the director the information about the well required within paragraph (L) of rule 3745-34-11 of the Administrative Code.

[Comment: This rule references the following "United States Code or U.S.C.": the

Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, 42 U.S.C. 9601-9675, as amended through 2002; the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. 6901-6992k, as amended through 2012. Copies of these codes may be obtained from the "U.S. Government Bookstore" toll free at (866) 512-1800 or <https://www.gpo.gov/fdsys>, or from "Ohio EPA Lazarus Government Center, 50 West Town Street, Suite 700, Columbus, OH, 43215," (614) 644-2752. This code is available for review at "Ohio EPA, Lazarus Government Center, 50 West Town Street, Suite 700, Columbus, OH, 43215."]

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