

3745-81-04 Administrative penalties.

(A) Pursuant to section 6109.23 of the Revised Code, the director may assess and collect administrative penalties from any person who owns or operates a public water system and violates Chapter 6109. of the Revised Code or the administrative rules adopted thereunder. Administrative penalties for a public water system shall be calculated according to this rule in the following manner:

- (1) Each violation of the public water system shall be assigned a value of one thousand dollars. This amount represents the threat to public health caused by the public water system's failure to comply with the applicable regulations.
- (2) The value is then multiplied by a number, expressed as a decimal, which represents the public water system's size, in accordance with the following list in order to determine the penalty amount for each day of each violation:

System Size (number of people served)	Number
At least 15 service connections or 25 to 3,300	0.25
3,301 to 6,700	0.50
6,701 to 10,000	0.75
10,001 or more	1.00

(B) Lead and copper rule administrative penalties. Pursuant to section 6109.121 of the Revised Code, the director shall assess and collect administrative penalties from any person who owns or operates a community or nontransient noncommunity water system and violates paragraphs (A)(1) and (C)(1) of rule 3745-81-85 of the Administrative Code. Administrative penalties shall be assessed in accordance with the following tables:

Violation of paragraph (A)(1) of rule 3745-81-85 of the Administrative Code (consumer notification)

Population Served	Penalty Assessed (dollars per day per notification)
25 - 3,300	\$25.00
3,301 - 10,000	\$50.00
10,001 - 25,000	\$75.00
25,001 or more	\$100.00

Violation of paragraph (C)(1) of rule 3745-81-85 of the Administrative Code (lead public notification)

Population Served	Penalty Assessed (dollars per day per notification)
25 - 3,300	\$250.00
3,301 - 10,000	\$500.00
10,001 - 25,000	\$750.00
25,001 or more	\$1,000.00

Replaces: 3745-81-04

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Five Year Review (FYR) Dates: 05/01/2023

Promulgated Under: 119.03

Statutory Authority: 6109.23, 6109.121, 6109.04

Rule Amplifies: 6109.04, 6109.23, 6109.121

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