

State of Ohio
Environmental Protection Agency

PUBLIC NOTICE

July 7, 2008

Request for Comment on Draft Rules

Notice is hereby given that the Ohio Environmental Protection Agency, Division of Drinking and Ground Waters (DDAGW) has drafted revisions to rules in Ohio Administrative Code (OAC) that govern the water well standards. The draft amendments are, in part, a result of the five year rule review requirements of Section 119.032 of the Revised Code.

The division has drafted revisions to water well standards rules 3745-9-01 (Definitions), 3745-9-02 (Scope and Exemptions), 3745-9-04 (Well Siting), 3745-9-09 (Well Development and Pump Test) and a new plan approval rule, 3745-91-10 that is related to approving a new water well.

Rule 3745-9-01 includes new definitions that support the revisions drafted in the other water well rules.

Rule 3745-9-02 is being modified to clarify the applicant's requirements when applying for a variance from rules contained in the water well standards in Chapter 3745-9.

Rule 3745-9-04 includes revisions to the existing rule language and new conditions that provide for the long term protection of the well's source water. The draft changes include specific setback distances (e.g. 300 feet) from certain waste management activities for all public water supply wells and a prohibition from siting a new well where it could capture water from an aquifer beneath certain type of waste management facilities. The capture zones are the drinking water source protection area (five year time-of-travel) or the inner management zone (one year time-of-travel).

Rule 3745-9-09 is being modified to clarify analytical requirements for new wells, provide consistency with the contaminant names contained in Chapter 3745-81 and add criteria to establish when stabilized yield is achieved for constant rate pump tests.

A new rule, 3745-91-10, is being proposed in the plan approval chapter to require development or update of a drinking water source protection plan within one year after receiving the director's approval for a new well. The rule will be applicable to most community water systems serving a political subdivision of Ohio.

As part of the rule-making process, the Agency is required by Section 121.39 of the

Ohio Revised Code to consult with organizations that represent political subdivisions, environmental interests, business interests, and others affected by the rules. The Agency is offering you and your organization the opportunity to comment on these rules before the division formally proposes them.

To obtain a copy of the draft rules, call Donna Roberts at Ohio EPA at (614) 644-2755, send email to "donna.roberts@epa.state.oh.us", or write to "Ohio Environmental Protection Agency, Division of Drinking and Ground Waters, P.O. Box 1049, Lazarus Government Center, Columbus, Ohio 43216-1049, Attn: Donna Roberts". Please request the "draft well standards rules" and be sure to include your name, telephone number, and complete mailing address. There is no charge to receive a copy of these draft rules. The draft rules will be available on the Ohio EPA web page until their adoption or withdrawal. The address is: <http://www.epa.state.oh.us/ddagw/oac.html#drafrules>.

Questions concerning these draft rules, other than obtaining copies of the draft rules, may be addressed to Gina Hayes at (614) 644-2752. Comments can be submitted in hard copy to the following address: "Ohio Environmental Protection Agency, Division of Drinking and Ground Waters, P.O. Box 1049, Lazarus Government Center, Columbus, Ohio 43216-1049, Attn: Gina Hayes" or by email to "ddagw_rulecomments@epa.state.oh.us". Comments should be received at the above address by close of business, August 8, 2008.