

As Introduced

136th General Assembly

Regular Session

2025-2026

H. B. No. 307

Representatives Jarrells, Robb Blasdel

**Cosponsors: Representatives Brennan, Williams, Synenberg, White, E., Rogers,
Russo, Stephens, Sims, Rader**

A BILL

To amend sections 6109.01 and 6109.22 and to enact 1
sections 504.201, 735.291, 743.041, 6101.531, 2
6103.021, 6109.41, 6109.42, 6109.43, 6109.44, 3
6109.45, 6109.46, 6109.47, 6109.48, 6109.49, 4
6109.50, 6109.51, 6115.531, and 6119.062 of the 5
Revised Code to establish a program regarding 6
lead service line replacement and to name this 7
act the Lead Line Replacement Act. 8

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 6109.01 and 6109.22 be amended 9
and sections 504.201, 735.291, 743.041, 6101.531, 6103.021, 10
6109.41, 6109.42, 6109.43, 6109.44, 6109.45, 6109.46, 6109.47, 11
6109.48, 6109.49, 6109.50, 6109.51, 6115.531, and 6119.062 of 12
the Revised Code be enacted to read as follows: 13

Sec. 504.201. A township that has adopted a limited home 14
rule government may utilize sections 6109.48 to 6109.51 of the 15
Revised Code regarding the replacement, and the recovery of 16
costs of replacement and replacement reimbursement, of lead and 17
non-lead service lines. 18

Sec. 735.291. A village may utilize sections 6109.48 to 19
6109.51 of the Revised Code regarding the replacement, and the 20
recovery of costs of replacement and replacement reimbursement, 21
of lead and non-lead service lines. 22

Sec. 743.041. A municipal corporation may utilize sections 23
6109.48 to 6109.51 of the Revised Code regarding the 24
replacement, and the recovery of costs of replacement and 25
replacement reimbursement, of lead and non-lead service lines. 26

Sec. 6101.531. A conservancy district may utilize sections 27
6109.48 to 6109.51 of the Revised Code regarding the 28
replacement, and the recovery of costs of replacement and 29
replacement reimbursement, of lead and non-lead service lines. 30

Sec. 6103.021. A county may utilize sections 6109.48 to 31
6109.51 of the Revised Code regarding the replacement, and the 32
recovery of costs of replacement and replacement reimbursement, 33
of lead and non-lead service lines. 34

Sec. 6109.01. As used in this chapter: 35

(A) "Public water system" means a system for the provision 36
to the public of water for human consumption through pipes or 37
other constructed conveyances if the system has at least fifteen 38
service connections or regularly serves at least twenty-five 39
individuals. "Public water system" includes any collection, 40
treatment, storage, and distribution facilities under control of 41
the operator of the system and used primarily in connection with 42
the system, any collection or pretreatment storage facilities 43
not under such control that are used primarily in connection 44
with the system, and any water supply system serving an 45
agricultural labor camp as defined in section 3733.41 of the 46
Revised Code. 47

(B) "Contaminant" means any physical, chemical, 48
biological, or radiological substance or matter in water. 49

(C) "Person" means the state, any political subdivision, 50
agency, institution, or instrumentality thereof, any federal 51
agency, and any person as defined in section 1.59 of the Revised 52
Code. 53

(D) "Safe Drinking Water Act" means the "Safe Drinking 54
Water Act," 88 Stat. 1660 (1974), 42 U.S.C. 300(f), as amended 55
by the "Safe Drinking Water Amendments of 1977," 91 Stat. 1393, 56
42 U.S.C. 300(f), the "Safe Drinking Water Act Amendments of 57
1986," 100 Stat. 642, 42 U.S.C. 300(f), and the "Safe Drinking 58
Water Act Amendments of 1996," 110 Stat. 1613, 42 U.S.C. 300(f), 59
and regulations adopted under those acts. 60

(E) "Community water system" means a public water system 61
that has at least fifteen service connections used by year-round 62
residents or that regularly serves at least twenty-five year- 63
round residents. 64

(F) "Small system" means a public water system serving a 65
population of ten thousand or fewer individuals. 66

(G) "Technical assistance" means nonfinancial assistance 67
provided by the state to public water systems and other eligible 68
applicants, including, without limitation, assistance for 69
planning and design, development, and implementation of source 70
water quality protection programs; locating alternative supplies 71
of drinking water; operational training; restructuring or 72
consolidation of small systems; providing treatment information 73
in order to assist compliance with a national primary drinking 74
water standard; and other nonfinancial assistance authorized by 75
the requirements governing the funds established under this 76

chapter.	77
(H) "Disadvantaged community" means the service area or	78
portion of a service area of a public water system that meets	79
affordability and other criteria established by the director of	80
environmental protection in rules adopted under division (M) of	81
section 6109.22 of the Revised Code and may include the service	82
area or portion of a service area of a public water system	83
located in a distressed area as defined in section 122.19 of the	84
Revised Code.	85
(I) "Director of environmental protection" or "director"	86
includes an authorized representative of the director.	87
(J) "Federal Water Pollution Control Act" has the same	88
meaning as in section 6111.01 of the Revised Code.	89
(K) "Nontransient noncommunity water system" means a	90
public water system that regularly serves at least twenty-five	91
of the same persons over six months per year and is not a	92
community water system.	93
(L) "Transient noncommunity water system" means a	94
noncommunity public water system that does not regularly serve	95
at least twenty-five of the same persons over six months per	96
year and is not a community water system or a nontransient	97
noncommunity water system.	98
(M) "Lead service line" means any public or private	99
<u>service line that contains lead that is connected to a public</u>	100
<u>water system, including any lead pigtail, or lead gooseneck.</u>	101
<u>"Lead service line" also includes both of the following:</u>	102
<u>(1) Any galvanized requiring replacement service line;</u>	103
<u>(2) Any pipe containing lead from the discharge of the</u>	104

corporation fitting to customer site piping or to the building 105
plumbing at the first shut-off valve inside the building, or 106
eighteen inches inside the building, whichever is shorter, that 107
is connected to a public water system. 108

(N) "Galvanized requiring replacement service line" means 109
a public or private galvanized service line that is or was at 110
any time downstream of a service line that contains or contained 111
lead or is currently downstream of a lead status unknown service 112
line. 113

(O) "Non-lead service line" means a service line that is 114
determined through an evidence-based record, method, or 115
technique not to be lead or galvanized requiring replacement. 116

(P) "Lead status unknown service line" has the same 117
meaning as in 40 C.F.R. 141. 118

Sec. 6109.22. (A) There is hereby created the drinking 119
water assistance fund to provide financial and technical 120
assistance for the purposes of protecting public health and 121
achieving and maintaining compliance with the Safe Drinking 122
Water Act and this chapter. In addition to the accounts created 123
under divisions (G) and (H) of this section, the drinking water 124
assistance fund may include any other accounts established by 125
the director of environmental protection. The fund shall be 126
administered by the director consistent with the Safe Drinking 127
Water Act, this section, and rules adopted under division (M) of 128
this section. 129

(B) The drinking water assistance fund shall consist of 130
the moneys credited to it from all capitalization grants 131
received under the Safe Drinking Water Act except for moneys 132
reserved by the governor pursuant to Title III, section 302 of 133

that act, all moneys credited to the fund from nonfederal 134
sources, including, without limitation, the proceeds of state 135
bonds or notes issued for the benefit of the fund, all payments 136
of principal and interest on loans made from the fund, and all 137
investment earnings on moneys held in the fund. On or before the 138
date that a capitalization grant payment made under the 139
authority of the Safe Drinking Water Act is credited to the 140
fund, required matching moneys shall be credited to the fund. 141
Any moneys transferred to or reserved from the drinking water 142
assistance fund pursuant to Title III, section 302 of the Safe 143
Drinking Water Act shall be accounted for separately. 144

(C) In a manner consistent with the Safe Drinking Water 145
Act and the applicable drinking water assistance management plan 146
prepared in accordance with this section, the director may 147
reserve and award for assistance moneys allotted to the state 148
under section 1452 of the Safe Drinking Water Act, provided that 149
the director makes a determination that the use of the moneys 150
will accomplish the state's objectives and the objectives 151
established for capitalization grants under the Safe Drinking 152
Water Act. The director may use a portion of the reserved moneys 153
to enter into contracts with qualified organizations, including 154
private nonprofit organizations, to provide statewide on-site 155
technical assistance to small public water systems. 156

(D) Subject to the terms of the agreements provided for in 157
division (E) of this section, moneys in the drinking water 158
assistance fund shall be held in trust by the Ohio water 159
development authority for the purposes of this section, shall be 160
kept in the same manner that funds of the authority are kept 161
under section 6121.11 of the Revised Code, and may be invested 162
in the same manner that funds of the authority are invested 163
under section 6121.12 of the Revised Code. Moneys in the 164

drinking water assistance fund shall be separate and apart from 165
and not a part of the state treasury or of the other funds of 166
the authority. No withdrawals or disbursements shall be made 167
from the drinking water assistance fund without the written 168
authorization of the director. 169

(E) The director shall adopt written criteria to ensure 170
that fiscal controls are established for prudent administration 171
of the drinking water assistance fund. For that purpose, the 172
director and the authority shall enter into any necessary and 173
appropriate agreements under which the authority may perform or 174
provide any of the following: 175

(1) Fiscal controls and accounting procedures governing 176
fund balances, receipts, and disbursements; 177

(2) Administration of loan accounts; 178

(3) Maintenance, management, and investment of moneys in 179
the fund. 180

Any agreement entered into under division (E) of this 181
section shall provide for the payment of reasonable fees to the 182
authority for any services it performs under the agreement and 183
may provide for reasonable fees for the assistance of financial 184
or accounting advisors. Payment of any of the fees to the 185
authority may be made from the drinking water assistance 186
administrative account established under division (G) of this 187
section. 188

(F) The authority may make moneys available to the 189
director for the purpose of providing matching moneys required 190
to be credited to the drinking water assistance fund under 191
division (B) of this section, subject to any terms that the 192
director and the authority consider appropriate, and may pledge 193

moneys that are held by the authority to secure the payment of 194
bonds or notes issued by the authority to provide those matching 195
moneys. 196

The director and the authority may enter into trust 197
agreements to enable the authority to issue and refund bonds or 198
notes for the sole benefit of the drinking water assistance 199
fund, including, without limitation, the raising of matching 200
moneys required to be credited to the fund in accordance with 201
division (B) of this section. The agreements may authorize the 202
pledge of moneys accruing to the fund from payments of principal 203
or interest or both on loans made from the fund to secure bonds 204
or notes, the proceeds of which bonds or notes shall be for the 205
sole benefit of the drinking water assistance fund. The 206
agreements may contain any terms that the director and the 207
authority consider reasonable and proper for the payment and 208
security of the bondholders or noteholders. 209

(G) There is hereby established within the drinking water 210
assistance fund the drinking water assistance administrative 211
account. No state matching moneys deposited into the fund under 212
this section shall be used for the purpose of paying for or 213
defraying the costs of administering this section. The director 214
may establish and collect fees from applicants for assistance 215
provided under this section. The total fees charged to an 216
applicant under this division for assistance under this section 217
shall not exceed the following: 218

(1) For the environmental protection agency, one per cent 219
of the principal amount of the assistance awarded to the 220
applicant; 221

(2) For the authority, thirty-five one-hundredths of one 222
per cent of the principal amount of the assistance awarded to 223

the applicant. 224

All moneys from the fees shall be credited to the drinking 225
water assistance administrative account in the fund. The moneys 226
shall be used solely to defray the costs of administering this 227
section. 228

(H) There is hereby established within the drinking water 229
assistance fund the water supply revolving loan account. The 230
director may provide financial assistance from the water supply 231
revolving loan account ~~for improvements to community~~ both of the 232
following: 233

(1) Community water systems and to nonprofit noncommunity 234
public water systems for improvements; 235

(2) Public water systems for the purposes of replacing 236
lead service lines and funding lead service line replacement 237
plans under section 6109.43 of the Revised Code. 238

(I) All moneys from the fund credited to the water supply 239
revolving loan account, all interest earned on moneys credited 240
to the account, and all payments of principal and interest on 241
loans made from the account shall be dedicated in perpetuity and 242
used and reused solely for the following purposes, except as 243
otherwise provided in this section: 244

(1) To make loans to community water systems and nonprofit 245
noncommunity public water systems, and to make loans to public 246
water systems for the purposes of replacing lead service lines 247
and funding lead service line replacement plans under section 248
6109.43 of the Revised Code, subject to all of the following 249
conditions: 250

(a) The loans are made at or below market rates of 251
interest, including, without limitation, interest-free loans; 252

(b) Each recipient of a loan shall establish a dedicated 253
source of security or revenue for repayment of the loan; 254

(c) Periodic payments of principal and interest shall be 255
required on the dates and in the amounts approved by the 256
director; 257

(d) All payments of principal and interest on the loans 258
shall be credited to the water supply revolving loan account. 259

(2) To purchase or refinance at or below market rates 260
interest debt obligations incurred after July 1, 1993, by 261
municipal corporations, other political subdivisions, and 262
interstate agencies having territory in the state. If any debt 263
obligations are purchased or refinanced under division (I) (2) of 264
this section to provide financial assistance for any of the 265
purposes allowed under division (I) of this section, the 266
repayment period may extend up to forty-five years. However, the 267
repayment period shall not exceed the expected useful life of 268
any facilities that are financed by the obligations. 269

(3) To guarantee or purchase insurance for debt 270
obligations when the guarantee or insurance would improve the 271
borrower's access to credit markets or would reduce the interest 272
paid on those obligations; 273

(4) As a source of revenue or security for the payment of 274
principal and interest on general obligation or revenue bonds or 275
notes issued by this state if the proceeds of the sale of the 276
bonds or notes are or will be deposited into the account; 277

(5) To provide subsidies in addition to any other 278
financial assistance afforded disadvantaged communities under 279
this section; 280

(6) To earn interest on moneys credited to the account; 281

(7) To provide any other assistance authorized by the Safe 282
Drinking Water Act or any other federal law related to the use 283
of federal funds administered under the Safe Drinking Water Act. 284

(J) The director may provide financial assistance from the 285
water supply revolving loan account after determining all of the 286
following: 287

(1) The applicant for financial assistance has the legal, 288
institutional, managerial, and financial capability to 289
construct, operate, and maintain its public water system and the 290
proposed improvements to it; 291

(2) The applicant will implement a financial management 292
plan that includes, without limitation, provisions for 293
satisfactory repayment of the financial assistance; 294

(3) The public water system of which the project for which 295
assistance is proposed is a part is economically and 296
nonmonetarily cost-effective, based on an evaluation of feasible 297
alternatives that meet the drinking water treatment needs of the 298
planning area in which the proposed project is located; 299

(4) Based on a comprehensive environmental review approved 300
by the director, there are no significant adverse environmental 301
effects resulting from all necessary improvements to the public 302
water system of which the project proposed for assistance is a 303
part; 304

(5) Public participation has occurred during the process 305
of planning the project in compliance with applicable 306
requirements under the Safe Drinking Water Act; 307

(6) The application meets the requirements of this section 308
and rules adopted under division (M) of this section and is 309
consistent with section 1452 of the Safe Drinking Water Act and 310

regulations adopted under it; 311

(7) If the applicant for assistance is a water district 312
formed under Chapter 6119. of the Revised Code that operates a 313
public water system and that water district seeks to extend the 314
distribution facilities, increase the number of service 315
connections to its system, or provide for any other expansion of 316
its system, the water district has consulted with the board of 317
county commissioners from each county in which is located the 318
proposed extension of distribution facilities, increase in the 319
number of service connections, or other expansion of the public 320
water system; 321

(8) The application meets any other requirements that the 322
director considers necessary or appropriate to protect public 323
health and the environment and to ensure the financial integrity 324
of the water supply revolving loan account. 325

Upon approval by the director of an application for 326
financial assistance, the Ohio water development authority shall 327
disburse the appropriate financial assistance from the water 328
supply revolving loan account. If the proposed financial 329
assistance is a loan, and if the payments of the principal or 330
interest on the loan are or are expected to be pledged to secure 331
payment of bonds issued or expected to be issued by the 332
authority, the director shall submit the application for the 333
loan to the authority for review and approval with respect to 334
any matters pertaining to security for and the marketability of 335
authority bonds. Review and approval by the authority shall be 336
required prior to the making of such a loan. 337

(K) In accordance with rules adopted under division (M) of 338
this section, the director periodically shall prepare a drinking 339
water assistance management plan establishing the short-term and 340

long-term goals for the assistance provided under this section, 341
the allocation of available resources for the purposes of this 342
section, the environmental, financial, and administrative terms, 343
conditions, and criteria for the award of financial and 344
technical assistance under this section, and the intended uses 345
of capitalization grants and available moneys from the drinking 346
water assistance fund. Criteria for awarding financial or 347
technical assistance under this section shall not favor or 348
disfavor any otherwise qualified nonprofit noncommunity public 349
water system because it is owned by, operated by, or services a 350
religious organization or a facility used for religious 351
purposes. Prior to its adoption, the director shall make the 352
drinking water assistance management plan available for public 353
review and comment at a minimum of two public meetings and shall 354
take adequate steps to ensure that reasonable public notice of 355
each public meeting is given at least thirty days prior to the 356
meeting. 357

The plan shall include, without limitation, a system that 358
prioritizes projects funded by the water supply revolving loan 359
account based on the relative risk to human health being 360
addressed, their necessity for ensuring compliance with 361
requirements of the Safe Drinking Water Act, and their 362
affordability to the applicants, as determined by the director. 363
Financial assistance for projects from the water supply 364
revolving loan account shall be limited to projects that are 365
included in that prioritization and shall be awarded based upon 366
their priority position and the applicants' readiness to proceed 367
with their proposed activities as determined by the director. 368
The drinking water assistance management plan shall include 369
terms, conditions, amounts of moneys, and qualifying criteria, 370
in addition to any other criteria established under this 371

section, governing the financial assistance to be awarded to 372
applicants from the water supply revolving loan account. The 373
director shall determine the most effective use of the moneys in 374
that account to achieve the state's drinking water assistance 375
goals and objectives. 376

(L) The director, consistent with this section and 377
applicable rules adopted under division (M) of this section, may 378
enter into an agreement with an applicant for assistance from 379
the drinking water assistance fund. Based on the director's 380
review and approval of the project plans submitted under section 381
6109.07 of the Revised Code, any determinations made under 382
division (J) of this section if an applicant seeks funding from 383
the water supply revolving loan account, and any other 384
requirements of this section and rules adopted under it, the 385
director may establish in the agreement environmental and 386
financial terms and conditions of the financial assistance to be 387
offered to the applicant. If the recipient of financial 388
assistance under this section defaults on any payment required 389
in the agreement for financial assistance or otherwise violates 390
a term or condition of the agreement or of the plan approval for 391
the project under section 6109.07 of the Revised Code, the 392
director, in addition to any other available remedies, may 393
terminate, suspend, or require immediate repayment of the 394
financial assistance. The director also may take any enforcement 395
action available under this chapter. 396

(M) The director may adopt rules in accordance with 397
Chapter 119. of the Revised Code for the implementation and 398
administration of this section. The rules shall be consistent 399
with section 1452 of the Safe Drinking Water Act. 400

(N) (1) For the purposes of this section, appealable 401

actions of the director pursuant to section 3745.04 of the 402
Revised Code are limited to the following: 403

(a) Adoption of the drinking water assistance management 404
plan prepared under division (K) of this section; 405

(b) Approval of priority systems, priority lists, and 406
written program administration policies; 407

(c) Approval or disapproval under this section of 408
applicants' project plans submitted under section 6109.07 of the 409
Revised Code; 410

(d) Approval or disapproval of an application for 411
assistance. 412

(2) Notwithstanding section 119.06 of the Revised Code, 413
the director may take the final actions described in divisions 414
(N) (1) (a) to (d) of this section without holding an adjudication 415
hearing in connection with the action and without first issuing 416
a proposed action under section 3745.07 of the Revised Code. 417

(3) Each action described in divisions (N) (1) (a) to (d) of 418
this section and each approval of a plan under section 6109.07 419
of the Revised Code is a separate and discrete action of the 420
director. Appeals are limited to the issues concerning the 421
specific action appealed. Any appeal shall not include issues 422
determined under the scope of any prior action. 423

(O) The failure or inability of a public water system to 424
obtain assistance under this section does not alter the 425
obligation of the public water system to comply with all 426
applicable requirements of this chapter and rules adopted under 427
it. 428

Sec. 6109.41. The director of environmental protection 429

shall establish a lead service line replacement program. The 430
purpose and goal of the program is to replace all lead service 431
lines in Ohio within fifteen years after the effective date of 432
this section. In implementing the program, the director shall do 433
all of the following: 434

(A) Adopt rules in accordance with section 6109.42 of the 435
Revised Code; 436

(B) Oversee the lead service line replacement plans 437
approved and adopted under section 6109.44 of the Revised Code; 438

(C) Provide customer service support to those 439
participating or attempting to participate in the lead service 440
line replacement program; 441

(D) Collaborate with local authorities to identify grant 442
programs that can provide resources to public water systems for 443
the purpose of funding lead service line replacement; 444

(E) Post information on the environmental protection 445
agency's web site about other sources of funding that are 446
available to assist public water systems with lead service line 447
identification and replacement; 448

(F) Take any other actions that the director determines 449
necessary for the administration and implementation of the lead 450
service line replacement program. 451

Sec. 6109.42. (A) Within one year of the effective date of 452
this section, the director of environmental protection shall 453
adopt rules in accordance with Chapter 119. of the Revised Code 454
to establish standards and procedures for administering and 455
implementing the lead service line replacement program created 456
in section 6109.41 of the Revised Code. 457

(B) The director shall ensure that the rules adopted under 458
this section establish all of the following: 459

(1) A requirement that the owner or operator of a public 460
water system identify and oversee the removal of all lead 461
service lines connected to the system not later than fifteen 462
years after the effective date of this section; 463

(2) Requirements and procedures for the submission of lead 464
service line replacement plans under section 6109.43 of the 465
Revised Code; 466

(3) Procedures for prioritizing lead service lines for 467
replacement; 468

(4) Procedures for identifying grant money that is 469
available to public water systems for lead service line 470
replacement and notifying public water systems of the 471
availability of such grants; 472

(5) Procedures that a public water system may follow to 473
require a customer to pay all or part of the costs of the 474
replacement of the customer's lead service line via a payment 475
plan. The director shall ensure that rules adopted under this 476
division take into account a customer's ability to pay and 477
provide for payment exemptions for customers who are of low or 478
moderate income. 479

(6) Procedures for the owner or operator of a public water 480
system to financially contribute to replacing the lead service 481
line of a customer who is of low or moderate income; 482

(7) A requirement that the owner or operator of a public 483
water system not disconnect a customer's water service due to 484
the customer's inability to pay for lead service line 485
replacement; 486

(8) Requirements and procedures for owners and operators 487
of public water systems taking action under the rules adopted 488
under divisions (B) (5) to (7) of this section and under section 489
6109.51 of the Revised Code; 490

(9) A requirement that the owner or operator of a public 491
water system that removes a lead service line shall remove the 492
entire line, except in cases of a public health or safety 493
emergency. In such cases, the requirement shall allow for a 494
forty-five-day grace period for the replacement of the entire 495
lead service line. 496

(10) Procedures by which the owner or operator of a public 497
water system shall provide a customer with educational resources 498
regarding the flushing of plumbing and use of water filters 499
before, during, and after a lead service line is replaced; 500

(11) Procedures customers should follow when flushing 501
service lines and premises plumbing of particulate lead; 502

(12) A requirement that the owner or operator of a public 503
water system provide water filters and replacement cartridges to 504
a customer before, during, and after lead service line 505
replacement work; 506

(13) Procedures for determining and verifying the 507
composition of lead status unknown service lines; 508

(14) Requirements for the training and certification 509
program required under division (F) of section 6109.43 of the 510
Revised Code; 511

(15) Requirements and procedures necessary for compliance 512
with 40 C.F.R. 141; 513

(16) Any other requirements and procedures necessary for 514

the implementation and administration of the lead service line 515
replacement program. 516

(C) Notwithstanding any provision of section 121.95 of the 517
Revised Code to the contrary, a regulatory restriction contained 518
in a rule adopted under this section is not subject to sections 519
121.95 to 121.953 of the Revised Code. 520

Sec. 6109.43. (A) Not later than three years after the 521
director of environmental protection adopts rules under section 522
6109.42 of the Revised Code, the owner or operator of a public 523
water system shall submit a lead service line replacement plan 524
to the environmental protection agency in accordance with those 525
rules. The owner or operator of the public water system shall 526
update the lead service line replacement plan annually. 527

(B) A lead service line replacement plan shall include the 528
following: 529

(1) Information regarding whether there are lead service 530
lines connected to the public water system; 531

(2) A water distribution system material inventory of all 532
service lines. An inventory shall identify all of the following: 533

(a) The number and location of lead service lines, service 534
lines that are likely to have lead, and service lines that 535
contain unknown material; 536

(b) The number and location of lines described in division 537
(B) (2) (a) of this section that were added to the inventory after 538
the prior year's submission; 539

(c) The number and location of lines described in division 540
(B) (2) (a) of this section that were replaced prior to the 541
commencement of the inventory; 542

(d) All lead, galvanized requiring replacement, non-lead, 543
and lead status unknown service lines. 544

(3) The number of lead service lines planned to be 545
replaced over the course of the fifteen years of the program, 546
including a description and map showing the locations of the 547
lead service lines planned to be replaced in each year and a 548
description of how the lead service lines were prioritized; 549

(4) Any other information required by rule adopted under 550
section 6109.42 of the Revised Code. 551

(C) An owner or operator of a public water system shall 552
include an initial inventory described in division (B) (2) of 553
this section with the initial plan submitted under this section. 554

(D) The environmental protection agency shall verify 555
accuracy of inventories submitted as part of lead service line 556
replacement plans. 557

(E) Using the data submitted in lead service line 558
replacement plans and any other available mapping information, 559
the agency shall establish a publicly available database that 560
allows public water systems and the public to consistently track 561
and identify lead service line replacement, which shall be 562
available on the agency's web site. 563

(F) The agency shall establish a training and 564
certification program for owners and operators of public water 565
systems regarding best practices for lead service line 566
replacement. The training and certification program also shall 567
be for contractors and plumbers hired for lead service line 568
replacement. 569

Sec. 6109.44. (A) The director of environmental protection 570
shall review, and approve or disapprove, all lead service line 571

replacement plans submitted under section 6109.43 of the Revised 572
Code. If the director determines that a plan submitted by the 573
owner or operator of a public water system does not meet the 574
requirements of that section and rules adopted under section 575
6109.42 of the Revised Code, the director shall issue an order 576
requiring the owner or operator to submit a corrected plan. The 577
director shall indicate in the order which portions of the plan 578
must be corrected. 579

(B) If the director determines that a corrected plan 580
submitted by the owner or operator of a public water system does 581
not meet the requirements of section 6109.43 of the Revised Code 582
and rules adopted under section 6109.42 of the Revised Code, the 583
director shall adopt a lead service line replacement plan on 584
behalf of the owner or operator. 585

(C) No owner or operator of a public water system shall 586
fail to submit a lead service line replacement plan or a 587
corrected plan under this section. No owner or operator of a 588
public water system shall fail to properly implement a lead 589
service line plan approved or adopted under this section. 590

(D) The owner or operator of a public water system is not 591
eligible for a grant issued by any state agency for the 592
replacement of lead service lines unless the owner or operator 593
is properly implementing a lead service line replacement plan 594
approved or adopted under this section. 595

Sec. 6109.45. As used in this section, "lead service line 596
replacement project" means any project to remove or replace a 597
lead service line that is undertaken pursuant to the lead 598
service line replacement program created under sections 6109.41 599
to 6109.44 of the Revised Code. 600

For purposes of section 4115.03 of the Revised Code, a
lead service line replacement project is a public improvement,
and an owner or operator of a public water system undertaking a
lead service line replacement project is a public authority. All
contractors and subcontractors working on a lead service line
replacement project shall comply with sections 4115.03 to
4115.16 of the Revised Code.

Sec. 6109.46. The owner or operator of a public water
system or the owner or operator's authorized representative may
enter at reasonable times upon any private or public property to
replace lead service lines under the program established under
sections 6109.41 to 6109.44 of the Revised Code. If entry or
inspection authorized by this section is refused, hindered, or
thwarted, the owner or operator of the public water system or
the owner or operator's authorized representative may enter the
property without the consent of the owner of the private or
public property for the purposes of replacing the lead service
lines. Prior to entry without consent onto private or public
property, the owner or operator of the public water system or
the owner or operator's authorized representative shall provide
the property owner written notice before the owner or operator's
representative enters the property. The notice shall be provided
not less than fourteen days before entrance on the property.

Sec. 6109.47. Sections 6109.48 to 6109.51 of the Revised
Code do not grant authority to a water-works company, as defined
in section 4905.03 of the Revised Code, that is a public utility
under section 4905.02 of the Revised Code.

Sec. 6109.48. The owner or operator of a public water
system may replace non-lead service lines when mandated or
ordered to replace such lines by law or a state or federal

regulatory agency. 631

Sec. 6109.49. The owner or operator of a public water 632
system may reimburse a customer who replaces lead service lines 633
on the customer's property if both of the following occur: 634

(A) The owner or operator confirms that the lead service 635
lines were composed of lead. 636

(B) The customer who replaced the lead service lines 637
submits the reimbursement request to the owner or operator not 638
later than twelve months after the completion of the replacement 639
of the lines. 640

Sec. 6109.50. The owner or operator of a public water 641
system may reimburse a customer who replaces non-lead service 642
lines on the customer's property if both of the following occur: 643

(A) The owner or operator confirms that the non-lead 644
service lines were of a composition that was mandated or ordered 645
to be replaced by law or a state or federal regulatory agency. 646

(B) The customer who replaced the non-lead service lines 647
submits the reimbursement request to the owner or operator not 648
later than twelve months after the completion of the replacement 649
of the lines. 650

Sec. 6109.51. The owner or operator of a public water 651
system may recover costs from the following through rates, 652
rents, charges, or other amounts imposed on system customers: 653

(A) Replacing lead service lines and determining and 654
verifying the composition of lead status unknown service lines 655
under section 6109.42 of the Revised Code; 656

(B) Replacing non-lead service lines under section 6109.48 657
of the Revised Code; 658

(C) Reimbursing a customer under sections 6109.49 and 659
6109.50 of the Revised Code. 660

Sec. 6115.531. A sanitary district may utilize sections 661
6109.48 to 6109.51 of the Revised Code regarding the 662
replacement, and the recovery of costs of replacement and 663
replacement reimbursement, of lead and non-lead service lines. 664

Sec. 6119.062. A regional water and sewer district may 665
utilize sections 6109.48 to 6109.51 of the Revised Code 666
regarding the replacement, and the recovery of costs of 667
replacement and replacement reimbursement, of lead and non-lead 668
service lines. 669

Section 2. That existing sections 6109.01 and 6109.22 of 670
the Revised Code are hereby repealed. 671

Section 3. This act shall be known as the Lead Line 672
Replacement Act. 673