

As Introduced

**134th General Assembly
Regular Session
2021-2022**

H. B. No. 464

Representative Wiggam

A BILL

To amend section 6109.072 and to repeal section 1
6109.24 of the Revised Code to eliminate public 2
water system asset management program 3
requirements and to require the Director of 4
Environmental Protection to rescind rules 5
governing that program. 6

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

Section 1. That section 6109.072 of the Revised Code be 7
amended to read as follows: 8

Sec. 6109.072. (A) No person shall install a public water 9
system well without an approved well siting application issued 10
by the director of environmental protection in accordance with 11
this chapter and any rules adopted under it. 12

(B) In addition to meeting the siting requirements 13
established under section 6109.04 of the Revised Code and the 14
rules adopted under it, a person that submits a well siting 15
application for a public water system well shall include all of 16
the following in the application: 17

(1) For a new public water system or an existing public 18
water system that proposes an increase in the withdrawal of 19

waters of the state, an evaluation of alternatives for the 20
provision of drinking water, including the potential for tie-in 21
to a regional water system; 22

~~(2) For a new public water system or an existing public 23
water system that proposes an increase in the withdrawal of 24
waters of the state, asset management program information in 25
accordance with section 6109.24 of the Revised Code and the 26
rules adopted under it; 27~~

~~(3) For an existing public water system, a description of 28
the asset management program impacts of installing the well, 29
including impacts to any existing asset management program and 30
the potential for tie-in to a regional water system; 31~~

~~(4) For a public water system well that has the capacity 32
to withdraw waters of the state in an amount requiring 33
registration pursuant to section 1521.16 of the Revised Code, a 34
general plan, subject to approval of the director, that includes 35
both of the following: 36~~

~~(a) The information required to be submitted under section 37
6109.07 of the Revised Code and the rules adopted under it; 38~~

~~(b) Verification of registration pursuant to section 39
1521.16 of the Revised Code. 40~~

~~(5) (3) For a public water system well that has new or 41
increased capacities for withdrawal or consumptive use that 42
require a permit issued under either section 1521.29 or 1522.12 43
of the Revised Code, a permit approved by the chief of the 44
division of water resources in the department of natural 45
resources pursuant to section 1521.29 or 1522.12 of the Revised 46
Code. 47~~

(C) If the director approves a well siting application for 48

an applicant that meets the requirements of division ~~(B)(5)~~(B)
(3) of this section, the applicant then shall submit to the
director a copy of any certification, continuing monitoring, or
other data or reports required by the chief of the division of
water resources pursuant to a permit issued under either section
1521.29 or 1522.12 of the Revised Code and any revised ground
water model required by the chief.

(D) The director may require the well site applicant to
include, in the application, additional information, including
but not limited to hydrologic information, in a form prescribed
by the director for any public water system that is not required
to obtain a permit under either section 1521.23 or 1522.12 of
the Revised Code.

(E) The director may adopt rules in accordance with
Chapter 119. of the Revised Code as is necessary for the
implementation of this section.

Section 2. That existing section 6109.072 of the Revised
Code is hereby repealed.

Section 3. That section 6109.24 of the Revised Code is
hereby repealed.

Section 4. Not later than thirty days after the effective
date of this section, the Director of Environmental Protection
shall rescind all rules adopted under the authority of section
6109.24 of the Revised Code as that section existed prior to its
repeal by this act.