OHIO COASTAL MANAGEMENT PROGRAM
POLICY 11 – GROUND WATER

IT IS THE POLICY OF THE STATE OF OHIO TO PROMOTE THE PROTECTION AND MANAGEMENT OF OHIO'S GROUND WATER RESOURCES BY:

A. REGULATING ACTIVITIES AND ENFORCING RULES REGARDING THE CONSTRUCTION AND OPERATION OF WATER SUPPLY AND WASTE-WATER DISPOSAL SYSTEMS (O.R.C. 3701.04, 3701.344, 3718.02, 6111.03, 6109.07, AND O.A.C. 3701-28, 3701-29, 3745-9);

B. REGULATING UNDERGROUND HAZARDOUS AND PETROLEUM MATERIALS STORAGE FACILITIES AND ABOVE-GROUND HAZARDOUS WASTE STORAGE (O.R.C. 3737.87, 3737.88, 3737.881, 3737.882 AND O.A.C. 1301:7-9 AND 3745-54);

C. REGULATING OIL, GAS, COAL AND MINERAL OPERATIONS (O.R.C. CHAPTER 1509, 1513 AND 1514, O.R.C. 1509.22);

D. REGULATING SUBSURFACE INJECTION OF BRINE AND OTHER WASTES ASSOCIATED WITH OIL AND GAS OPERATIONS (O.R.C. 1509.22);

E. PREPARING GROUND WATER POLLUTION POTENTIAL MAPS; AND

F. COORDINATING STATE ACTIVITIES REGARDING GROUND WATER ISSUES.

Authorities and Administration

A. & B.

The Ohio Department of Health (ODH), Ohio EPA, and the State Fire Marshal administer the state's ground water programs relating to water quality concerns. All three bodies implement permitting, monitoring and planning activities and provide technical assistance to local governments.

ODH is authorized to administer programs, monitor water quality, and enforce compliance with regulations pertaining to private water systems under the authority of the Public Health Council in O.R.C. 3701.344 and O.A.C. 3701-28. ODH regulates onsite household and small flow sewage treatment systems as required in O.R.C. 3718.02 and O.A.C. 3701-29.

Ohio EPA has general supervisory power over public water supplies pursuant to O.R.C. 6111.03 and O.A.C. 3745-81 through 3745-99. Construction or installation plans for a public water system must be approved by Ohio EPA in compliance with requirements of the Safe Drinking Water Act (O.R.C. 6109.07 and O.A.C. 3745-91). State standards for the location, construction, operation, and modification of wells are set forth in O.A.C. Chapter 3745-9. Ohio EPA also administers

wastewater disposal programs and regulates hazardous and nonhazardous materials management and disposal. Ohio EPA's Division of Drinking and Ground Waters implements the ground water protection requirements of the CWA (O.R.C. 6111.03); manages the state's Underground Injection Control program which regulates the types and amounts of waste that can be injected into underground geologic formations (O.A.C. 3745-34); monitors ground water quality , and manages and works to achieve voluntary participation in Ohio's Wellhead Protection Program (O.A.C. 3745-91).

Ohio EPA enforces the state's ground water protection standard (O.A.C. 3745-54-92) that provides that the owners and operators of facilities that treat, store or dispose of hazardous waste must comply with conditions specified in the facility permit that are designed to ensure that hazardous constituents under O.A.C. 3754-54-93 detected in the ground water from a regulated unit do not exceed the concentration limits under O.A.C. 3745-54-94 in the uppermost aquifer underlying the waste management area beyond the point of compliance under O.A.C. 3745-54-95 during the compliance period under O.A.C. 3745-54-06.

The State Fire Marshal (Ohio Department of Commerce) has responsibility for regulating underground storage tanks in Ohio, through its Bureau of Underground Storage Tank Regulation (BUSTR) (O.R.C. 3737.87 and O.A.C. 1301-7-9), in accordance with the Resource Conservation and Recovery Act (RCRA, 40 C.F.R. 280). O.A.C. 1301-7-9 establishes performance standards, design and construction standards, financial responsibility, a listing of regulated substances and operating requirements.

C. ODNR regulates oil, gas, coal and industrial mineral extraction (see Policies 36 and 38).

D. The Division of Mineral Resources Management, ODNR, administers a permit program for subsurface injection and other brine management activities that specifically prohibits contamination of surface and underground waters (O.R.C. 1509.22).

E. ODNR's Division of Water has prepared 67 county ground water pollution potential maps that illustrate the relative vulnerability of ground water to contamination. Of the 67 maps, 28 are for counties located completely or partially within the Lake Erie watershed. The maps evaluate the major geologic and hydrogeological factors that affect ground water vulnerability. These factors are combined with hydrogeologic settings to produce color-coded maps with ground water pollution potential information. Each map is accompanied by a report that includes general geologic and hydrologic information. Planners, managers and local officials can use the maps and reports to evaluate potential for contamination from various pollution sources and thereby direct land- use activities to appropriate areas. Water quality protection, monitoring and cleanup efforts also can be facilitated through use of pollution potential maps.

F. The State of Ohio has a comprehensive ground water policy, the Ohio Ground Water Protection & Management Strategy. State agencies with regulatory and programmatic jurisdiction over ground water, i.e., Ohio EPA, Ohio Department of Health (ODH), Ohio Department of Agriculture (ODA), Ohio Department of Transportation (ODOT) and ODNR, prepared the strategy with the assistance of federal agencies, regional planning agencies, citizen's groups, and business and professional associations working through a Ground Water Task Force. State

agencies are responsible for implementing the initiatives of the strategy. The strategy directs limited state resources to priority needs and emphasizes proper development and protection and management of the ground water resources.

The ground water strategy contains six principal initiatives, each of which includes program recommendations:

1. Controlling sources of ground water contamination;

2. Assessing Ohio's ground water;

3. Coordinating agency activities;

4. Targeting critical areas;

5. Regional and local ground water protection and management; and

6. Education, training, research and technology transfer.

The state agencies listed above, and the Department of Development, the Public Utilities Commission of Ohio (PUCO) and the Bureau of Underground Storage Tank Regulation in the Department of Commerce, formed the State Coordinating Committee on Ground Water (SCCGW) to promote exchange of agency information and coordination of programs and activities. The SCCGW meets on a regular basis and is developing a Comprehensive Ground Water Protection and Management Plan and a State Management Plan for Pesticides. Technical standards for well construction and sealing have been developed by the SCCGW.