

As Introduced

**129th General Assembly
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S. B. No. 96

Senator Stewart

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A B I L L

To amend section 6109.04 of the Revised Code to 1
require a community water system's annual report 2
to its customers to include information concerning 3
the amount of water lost by the system during the 4
transmission of water between the source waters 5
utilized by the system to the consumers serviced 6
by the system. 7

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

Section 1. That section 6109.04 of the Revised Code be 8
amended to read as follows: 9

Sec. 6109.04. (A) The director of environmental protection 10
shall administer and enforce this chapter and rules adopted under 11
it. 12

(B) The director shall adopt, amend, and rescind such rules 13
in accordance with Chapter 119. of the Revised Code as may be 14
necessary or desirable to do both of the following: 15

(1) Govern public water systems in order to protect the 16
public health; 17

(2) Govern public water systems to protect the public 18
welfare, including rules governing contaminants in water that may 19

adversely affect the suitability of the water for its intended 20
uses or that may otherwise adversely affect the public health or 21
welfare. 22

(C) The director may do any or all of the following: 23

(1) Adopt, amend, and rescind such rules in accordance with 24
Chapter 119. of the Revised Code as may be necessary or desirable 25
to do any or all of the following: 26

(a) Govern the granting of variances and exemptions from 27
rules adopted under this chapter, subject to requirements of the 28
Safe Drinking Water Act; 29

(b) Govern the certification of operators of public water 30
systems, including establishment of qualifications according to a 31
classification of public water systems and of provisions for 32
examination, grounds for revocation, reciprocity with other 33
states, renewal of certification, and other provisions necessary 34
or desirable for assurance of proper operation of water systems; 35

(c) Carry out the powers and duties of the director under 36
this chapter. 37

Rules adopted under this section pertaining to an annual 38
report that a community water system must deliver to its customers 39
shall require the report to include information concerning the 40
amount of water that is lost by the system during the transmission 41
of water between the source waters utilized by the system to the 42
consumers serviced by the system. 43

(2) Provide a program for the general supervision of 44
operation and maintenance of public water systems; 45

(3) Maintain an inventory of public water systems; 46

(4) Adopt and implement a program for conducting sanitary 47
surveys of public water systems; 48

(5) Establish and maintain a system of record keeping and 49

reporting of activities of the environmental protection agency 50
under this chapter; 51

(6) Establish and maintain a program for the certification of 52
laboratories conducting analyses of drinking water; 53

(7) Issue, modify, and revoke orders as necessary to carry 54
out the director's powers and duties under this chapter and 55
primary enforcement responsibility for public water systems under 56
the "Safe Drinking Water Act." Orders issued under this chapter 57
are subject to Chapter 119. of the Revised Code. 58

(D) Before adopting, amending, or rescinding a rule 59
authorized by this chapter, the director shall do all of the 60
following: 61

(1) Mail notice to each statewide organization that the 62
director determines represents persons who would be affected by 63
the proposed rule, amendment, or rescission at least thirty-five 64
days before any public hearing thereon; 65

(2) Mail a copy of each proposed rule, amendment, or 66
rescission to any person who requests a copy, within five days 67
after receipt of the request; 68

(3) Consult with appropriate state and local government 69
agencies or their representatives, including statewide 70
organizations of local government officials, industrial 71
representatives, and other interested persons. 72

Although the director is expected to discharge these duties 73
diligently, failure to mail any such notice or copy or to consult 74
with any person does not invalidate any proceeding or action of 75
the director. 76

Section 2. That existing section 6109.04 of the Revised Code 77
is hereby repealed. 78