



## Ohio Revised Code

### Section 6109.08 Owner or operator to provide financial assurance.

Effective: October 6, 2017

Legislation: Senate Bill 2 - 132nd General Assembly

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(A) The director of environmental protection shall not approve plans for construction, installation, or substantial modification of a community water system that serves fewer than five hundred service connections, or any part of such a system, except a system owned and operated by a public entity or a system regulated by the public utilities commission, unless the owner or operator of the system or part thereof has provided financial assurance, in a form acceptable to the director, in an amount equal to fifteen per cent of the cost of the system or part thereof owned by the owner or operator, but not to exceed one hundred thousand dollars.

(B) If a system for which financial assurance is required under division (A) of this section is not properly constructed, maintained, repaired, or operated, the director may order the owner or operator of the system or part thereof to correct the deficiencies, and shall authorize the use of money from the financial assurance as necessary to enable compliance with the order. When money from the financial assurance is used, the owner or the operator of the system or part thereof shall replace such money within six months of its use.

(C) For purposes of this section, "community water system" means a public water system that serves at least fifteen service connections used by year-round residents or that regularly serves at least twenty-five year-round residents.

For purposes of this section, "public entity" means the federal government, the state, any political subdivision, and any agency, institution, or instrumentality thereof.

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