



Ohio Administrative Code

Rule 1501:9-4-03 Surface location and siting criteria.

Effective: January 13, 2022

On and after the effective date of this rule, all of the following apply to a new oil and gas waste facility:

(A) No portion of an oil and gas waste facility shall be located within the boundary of a flood hazard area as delineated on the "National Flood Insurance Rate Map." The chief may waive in writing this requirement if the chief determines the applicant has met applicable flood plain regulations.

(B) No portion of an oil and gas waste facility shall be located within one thousand feet of and within any of the following:

(1) The five-year time of travel associated with a public drinking water supply, as delineated or endorsed under the "Source Water Assessment and Protection Program";

(2) The emergency management zone of a public water system intake; and

(3) An occupied private dwelling or a public building that may be used as a place of assembly, education, entertainment, lodging, or occupancy by the public. However, the owner or the person with legal authority for the private dwelling or public building may consent in writing to a location of an oil and gas waste facility to a distance less than one thousand feet if the applicant submits the written consent with the application to the chief for approval.

(a) Sites of a proposed oil and gas facility that are zoned industrial are not subject to this paragraph.

(b) Pipelines are not subject to this paragraph.

(C) An oil and gas waste facility cannot be located on or within one hundred feet of a wetland or any surface waters that are waters of the state as defined in section 1509.01 of the Revised Code.



(D) An oil and gas waste facility cannot be located within one hundred feet of and within ponds, developed springs, and water wells unless those ponds, developed springs, and water wells are included as an integral part and support the production operations of the oil and gas waste facility.

(E) Pipelines proposed to be installed within the distances established in paragraphs (C) and (D) of this rule may only be installed if additional requirements that are approved by the chief, are implemented. These requirements include, but are not limited to, double encasement, continuous monitoring, testing frequency, and valving.