



Ohio Administrative Code Rule 3745-86-01 Emergency loans.

Effective: April 1, 2022

(A) Except as otherwise noted, the definitions in rule 3745-81-01 of the Administrative Code shall apply to this chapter.

(1) "Fund" means the drinking water protection fund created by section 6109.30 of the Revised Code.

(2) "Fiscal year" means the state of Ohio fiscal year which commences on July first.

(3) "Threat of contamination" means anything that is preventing or could reasonably be expected to prevent a public water system from supplying adequate quantities of safe, potable water to its existing water users.

(B) Application for loans for emergency remediation of threats of contamination to public water systems.

(1) The owner or operator of a public water system whose license to operate a public water system has not expired nor been suspended or revoked may apply to the director for an emergency loan from the fund for the purpose of remediating a threat of contamination to that system.

(2) Application for an emergency loan shall be made on a form provided by the director and shall contain all information the director deems necessary.

(3) All emergency loan applications shall be signed as follows.

(a) Corporations: Loan applications shall be signed by a principal executive officer of at least the level of vice president.

(b) Partnerships: Loan applications shall be signed by a general partner.



(c) Sole proprietorships: Loan applications shall be signed by the proprietor.

(d) Municipal, state, federal, or other public agencies: Loan applications shall be signed by a principal executive or other ranking elected official.

(4) Signatures on emergency loan applications shall be notarized.

(5) Incomplete emergency loan applications shall be returned and no further action shall be taken by the director.

(C) Terms of emergency loans from the fund.

(1) The director shall not loan more than twenty-five thousand dollars to the owner or operator of any single public water system from the fund per fiscal year.

(2) An owner or operator of a public water system is not eligible for an emergency loan if they have not fully repaid a previously issued emergency loan. The director may waive this prohibition when the director determines that the threat of contamination cannot otherwise be addressed within an acceptable timeframe to protect the public health and welfare.

(3) The owner or operator of a public water system that receives an emergency loan from the fund shall repay that loan not later than twelve months after the receipt of the loan. Repayment shall be made by tendering a certified check in the amount of the loan drawn to the treasurer of the state of Ohio and submitted to the fiscal administrator of the Ohio environmental protection agency unless an alternative schedule is approved by the director. .

(4) The director shall not accept or consider any application for an emergency loan from the fund in any fiscal year in which two hundred thousand dollars in emergency loans have already been granted.

(5) The director's decisions regarding applications for emergency loans from the fund shall be final actions of the director.



- (6) The director may distribute funds from an emergency loan granted under this rule directly to the loan applicant or to the loan applicant's contractors, at the director's discretion.

- (7) The director may distribute funds from an emergency loan granted under this rule either in a lump sum following approval of the application or on a reimbursement basis following terms determined by the director.

- (8) The director may establish terms for what expenditures may qualify for reimbursement under the emergency loan.

- (9) The director may establish such other conditions as necessary.