

OAC Rule #	Paragraph	Restriction	Description/Quotation	Statutory Authority	State or Fed Law?	Federally delegated program?	Removal would require state or federal law change?	Requirement on the agency or director?
3745-150-01	Intro	shall	The following definitions shall apply to this chapter:	6111.036	State	No	No	No
3745-150-02	(A)	shall	The director shall conduct an independent, comprehensive environmental review pursuant to this chapter for each assistance proposal that receives assistance under section 6111.036 of the Revised Code, including an evaluation of the environmental effects of the disposal system, or the overall activities, of which the assistance proposal is a part.	6111.036	State	No	No	Yes
3745-150-02	(B)	shall	The director shall also conduct an environmental review after an environmental review has been conducted previously pursuant to section 6111.036 of the Revised Code, where a significant change has occurred in:	6111.036	State	No	No	No
3745-150-03	(A)	shall	Applicants shall develop and submit environmental information as required by the director as a part of the director's review of their assistance proposals.	6111.036	State	No	No	No
3745-150-03	(B)	shall	Applicants shall submit facilities plans or project plans prepared in support of their assistance proposals under section 6111.036 of the Revised Code.	6111.036	State	No	No	No
3745-150-03	(C)	shall	Applicants shall conduct public participation and provide a record thereof as may be required by the director, as a part of their submission of facilities plans or project plans. Depending on the complexity of assistance proposal and the disposal system, or the overall activities, of which the assistance proposal is a part, any known public controversy, and the type of environmental review being conducted, without limitation the director may require:	6111.036	State	No	No	No
3745-150-03	(C)	require	Applicants shall conduct public participation and provide a record thereof as may be required by the director, as a part of their submission of facilities plans or project plans. Depending on the complexity of assistance proposal and the disposal system, or the overall activities, of which the assistance proposal is a part, any known public controversy, and the type of environmental review being conducted, without limitation the director may require:	6111.036	State	No	No	No
3745-150-04	(A)	shall	In conducting an environmental review the director shall consider potential direct, indirect, and cumulative short-term and long-term environmental impacts associated with the assistance proposal and the disposal system, or the overall activities, of which it is a part.	6111.036	State	No	No	Yes
3745-150-04	(A)	shall	The director shall conduct the review in sufficient detail to be an adequate basis to determine whether to issue a finding of no significant impact or a finding of significant impact.	6111.036	State	No	No	Yes
3745-150-04	(B)	shall	The director shall, without limitation, consider the following attributes in the environmental review:	6111.036	State	No	No	Yes
3745-150-05	(C)	shall	The director shall document and give public notice of the director's decision to conduct a limited environmental review through issuance of a limited environmental review document.	6111.036	State	No	No	Yes
3745-150-06	(A)	shall	If a limited environmental review is not conducted pursuant to rule 3745-150-05 of the Administrative Code, the director shall prepare an environmental assessment document to document the director's determinations under rule 3745-150-04 of the Administrative Code, and shall provide an opportunity for public review and comment on the contents of the environmental assessment document.	6111.036	State	No	No	Yes
3745-150-06	(A)	shall	If a limited environmental review is not conducted pursuant to rule 3745-150-05 of the Administrative Code, the director shall prepare an environmental assessment document to document the director's determinations under rule 3745-150-04 of the Administrative Code, and shall provide an opportunity for public review and comment on the contents of the environmental assessment document.	6111.036	State	No	No	Yes
3745-150-06	(B)	shall	Without limitation, in each environmental assessment document the director shall describe the following as applicable to each disposal system, or the overall activities, of which the assistance proposal is a part:	6111.036	State	No	No	Yes
3745-150-07	(A)	shall	Where the director determines the need for a supplemental study to provide a more detailed analysis of environmental impacts of the assistance proposal and the disposal system, or the overall activities, of which the assistance proposal is a part, unless the applicant withdraws the assistance proposal for funding consideration or proposes measures to avoid the environmental impacts that would be the subject of the supplemental study, the director shall:	6111.036	State	No	No	Yes
3745-150-07	(B)	shall	The director shall incorporate the results of the supplemental study in the environmental assessment of the assistance proposal.	6111.036	State	No	No	Yes
3745-150-08	(A)	shall	If the director determines as a result of an environmental assessment that a potentially significant adverse environmental impact may occur, unless the applicant withdraws the assistance proposal for funding consideration or modifies the assistance proposal to avoid the potentially significant environmental impact, the director shall distribute a draft finding of significant impact and the environmental assessment document for public review for a thirty day period.	6111.036	State	No	No	Yes
3745-150-08	(A)	shall	The draft finding of significant impact shall identify the potential significant impacts to environmental attributes.	6111.036	State	No	No	Yes
3745-150-08	(B)	shall	If the applicant chooses not to submit a proposal for avoiding or mitigating the identified significant adverse environmental impacts, then the director shall issue a finding of significant impact.	6111.036	State	No	No	Yes
3745-150-08	(C)	shall	The director shall not provide financial assistance from the Ohio water pollution control loan fund to any assistance proposal for which the most recent environmental review has resulted in a finding of significant impact.	6111.036	State	No	No	Yes
3745-150-09	(A)	shall	Where the director has determined that an assistance proposal meets the criteria for a limited environmental review, the director shall issue a public notice of the finding of no significant impact with the limited environmental review document.	6111.036	State	No	No	Yes
3745-150-09	(B)	shall	Where the director determines not to conduct a limited environmental review, and where the director determines as a result of the environmental review that there will not be potentially significant adverse direct, indirect or cumulative short-term or long-term environmental impacts, the director shall issue for public review a draft finding of no significant impact with the environmental assessment document.	6111.036	State	No	No	Yes

3745-150-09	(B)	shall	The draft finding of no significant impact shall identify the director's basis for determining there will be no potential significant adverse impacts to environmental attributes.	6111.036	State	No	No	Yes
3745-150-09	(B)	shall	Thirty days shall be provided for public review, during which no action will be taken on the assistance proposal.	6111.036	State	No	No	Yes
3745-150-09	(C)	shall	The director may consider public comments received regarding the draft finding of no significant impact in determining whether to issue a finding of no significant impact. If, as a result of public comments received, the director's conclusions regarding the potential for no significant adverse environmental impacts remain unchanged, then the director shall issue a finding of no significant impact.	6111.036	State	No	No	Yes
3745-150-09	(D)	shall	Where the director has determined that certain mitigative measures will be implemented, or the applicant has proposed to implement mitigative measures, the applicant shall implement the mitigative measures in the manner required by the director.	6111.036	State	No	No	No
3745-150-09	(F)	shall not	The director shall not provide financial assistance from the Ohio water pollution control loan fund to any assistance proposal for implementation unless a finding of no significant impact has been issued.	6111.036	State	No	No	Yes
3745-150-10	(A)	shall	If a finding of no significant impact or other environmental decision is less than five years old, and if circumstances change or new information comes to light after a finding of no significant impact has been issued, prior to providing additional financial assistance or to disbursing additional funds for the assistance proposal the director shall re-evaluate the environmental review and either:	6111.036	State	No	No	Yes
3745-150-10	(B)	shall	If a finding of no significant impact or other applicable environmental decision for an assistance proposal is five years old or older, prior to providing additional financial assistance or to disbursing additional funds for the assistance proposal the director will re-evaluate the environmental review and the director shall either:	6111.036	State	No	No	Yes
3745-150-12	(A)	shall	A recipient of Ohio water pollution control loan fund financial assistance shall carry out its implementation of the assistance proposal and the disposal system, or the overall activities, of which the assistance proposal is a part, including mitigation measures to reduce environmental impacts, as described in the approved facilities plan or other assistance proposal plan, the environmental assessment, the limited environmental review document and the finding of no significant impact.	6111.036	State	No	No	No
3745-150-12	(B)	shall	Non-compliance shall be grounds for default by the recipient of its financial assistance agreement.	6111.036	State	No	No	No
3745-150-13	(A)	shall	The director shall maintain a state priority system and priority list for the purpose of establishing the relative priority of assistance proposals nominated for Ohio water pollution control loan fund assistance under section 6111.036 of the Revised Code.	6111.036	State	No	No	Yes
3745-150-13	(B)	shall	The director shall periodically prepare and adopt a state priority system which rates and ranks eligible assistance proposals that have been nominated for consideration for financial assistance. Assistance proposals may be nominated to the priority list by the director or by an applicant responsible for implementing the assistance proposal.	6111.036	State	No	No	Yes
3745-150-13	(C)	shall	The priority system shall be designed to rank assistance proposals according to the state's water quality goals and objectives, as determined by the director. Without limitation, the priority system shall rate and rank assistance proposals according to the following common factors:	6111.036	State	No	No	Yes
3745-150-13	(C)(1)	shall	Higher priority shall be given to assistance proposals designed to address confirmed instances of disease outbreak.	6111.036	State	No	No	Yes
3745-150-13	(C)(2)(a)	shall	Rivers, streams, inland lakes, lake Erie, and the Ohio river. Assistance proposals affecting rivers, streams, inland lakes, lake Erie, and the Ohio river shall be ranked based on their ability to protect or restore water resources.	6111.036	State	No	No	Yes
3745-150-13	(C)(2)(a)	shall	The priority system shall be developed in accordance with the following factors:	6111.036	State	No	No	Yes
3745-150-13	(C)(2)(a)(i)	shall	The priority system shall place greater value on a water body that has the capability to support a healthy biological community composed of diverse and pollution sensitive organisms than a water body that cannot support a healthy biological community.	6111.036	State	No	No	Yes
3745-150-13	(C)(2)(a)(i)	shall	This determination shall be made by using the aquatic life habitat use designations in Ohio's water quality standards.	6111.036	State	No	No	Yes
3745-150-13	(C)(2)(a)(ii)	shall	The priority system shall place greater value on water bodies that, although impaired, have the potential to be restored to their designated aquatic life use than on those water bodies that will not be restorable to their designated aquatic life use.	6111.036	State	No	No	Yes
3745-150-13	(C)(2)(a)(iii)	shall	The priority system shall place greater value on proposals that have a greater correlation between the assistance proposal and improvements to water quality.	6111.036	State	No	No	Yes
3745-150-13	(C)(2)(b)	shall	The priority system shall rank wetland assistance proposals based on the ecological integrity of the wetland, placing greater value on wetlands with greater ecological integrity.	6111.036	State	No	No	Yes
3745-150-13	(C)(2)(b)	shall	For purposes of making this determination, the wetland shall be evaluated using the "Ohio Rapid Assessment Method for Wetlands," version 5.0; published February 1, 2001; available at <a href="http://www.epa.ohio.gov/portals/35/401/oram50um_s.pdf">http://www.epa.ohio.gov/portals/35/401/oram50um_s.pdf</a> .	6111.036	State	No	No	Yes
3745-150-13	(C)(2)(c)	shall	The priority system shall rank ground water assistance proposals such that greater value is placed on ground water resources that are used for human consumption.	6111.036	State	No	No	Yes
3745-150-13	(C)(2)(c)	shall	The priority system shall place greater value on those water resources that are more sensitive to pollution.	6111.036	State	No	No	Yes
3745-150-13	(C)(3)	shall	In fulfillment of the financial need provisions of section 6111.036 of the Revised Code, the priority system shall give additional priority to assistance proposals which provide residential wastewater treatment service and qualify under the economic need determinations made by the director pursuant to rule 3745-150-14 of the Administrative Code.	6111.036	State	No	No	Yes
3745-150-13	(C)(3)	shall	The director shall determine the level of additional priority, and shall calculate their priority ratings accordingly.	6111.036	State	No	No	Yes
3745-150-13	(C)(3)	shall	The director shall determine the level of additional priority, and shall calculate their priority ratings accordingly.	6111.036	State	No	No	Yes