

3745-87-02**Applicability and general requirements.**

In order to ensure the long-term viability of public water systems, all public water systems shall demonstrate the managerial, technical, and financial capability of the public water system to comply with this chapter and rules adopted thereunder. Demonstration of capability shall be made through a written description of an asset management program that is acceptable to the director.

(A) A public water system shall submit a written description of the public water system's asset management program description and supporting documents in accordance with the following:

(1) New public water systems shall submit an outline describing what the asset management program will entail prior to operation. Thereafter, the public water system shall submit a written description and supporting documents upon request of the director in accordance with rule 3745-87-04 of the Administrative Code and in accordance with any schedule prescribed by the director.

(2) For existing public water systems other than those receiving a loan, the director may require public water systems to make the asset management program available for review based on enforcement proceedings, compliance history including violations and deficiencies identified as part of the sanitary survey or limited scope site visits, or on the results of a capability screening. A written description of the asset management program meeting all of the requirements of this rule, shall be submitted in accordance with a schedule prescribed by the director.

(B) Public water systems applying for a water supply revolving loan account (WSRLA) loan shall demonstrate an acceptable asset management program prior to receiving a WSRLA loan. The asset management program shall address any deficiencies noted in a capability screening.

(C) A written description of an asset management program and all supporting documents provided to the director by a public water system that demonstrates the asset management program shall be treated as an infrastructure and security record and be exempt from the public record provisions of Chapter 149.43 and 149.433 of the Revised Code and is not subject to mandatory release or disclosure under that section.

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Certification

Date

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