

3745-39-01

**Applicability of rules of procedure and definitions.**

- (A) Except where otherwise provided, this chapter shall be administered in accordance with provisions in the "rules of procedure," Chapter ~~3745-47~~3745-49 of the Administrative Code.
- (B) Except as otherwise provided in this chapter, all terms used in this chapter shall have the same meaning as in section 6111.01 of the Revised Code.
- (1) "Act" means the federal Water Pollution Control Act (commonly referred to as the Clean Water Act), 33 U.S.C. sections 1251 ~~et seq.~~ to 1387, as amended through ~~July 1, 2008~~July 1, 2014. This federal statute is generally available to the public through libraries and can be viewed electronically online at ~~<http://www.gpoaccess.gov/uscode/index.html>~~<http://www.gpo.gov/fdsys> and purchased by writing to: "Superintendent of Documents. Attn: New Orders, PO Box 371954, Pittsburgh, PA 15250-7954." The act is also available on-line through Ohio EPA and U.S. EPA websites.
  - (2) "Combined sewer" means a system that by design and function conveys sanitary wastewater in dry weather to a publicly owned treatment works and during wet weather conveys storm water and sanitary wastewater to a publicly owned treatment works or combined sewer overflow relief point specifically authorized by an Ohio national pollutant discharge elimination system (NPDES) permit.
  - (3) "Director" means the director of the Ohio environmental protection agency.
  - (4) "Discharge" means any addition of any pollutant to surface waters of the state from a point source.
  - (5) "EPA" means environmental protection agency.
  - (6) "Illicit discharge" means any discharge to an MS4 other than discharges not requiring an NPDES permit and NPDES permitted discharges.
  - (7) "Large MS4" means all municipal separate storm sewer systems that are located in an incorporated place with a population of two hundred fifty thousand or more as determined by the 1990 census by the United States bureau of the census. The 1990 census is available at public libraries and on the United States bureau of the census web site [www.census.gov](http://www.census.gov).
  - (8) "Medium MS4" means all municipal separate storm sewer systems that are located in an incorporated place with a population of one hundred thousand or

more, but less than two hundred fifty thousand as determined by the 1990 census by the United States bureau of the census. The 1990 census is available at public libraries and on the United States bureau of the census web site [www.census.gov](http://www.census.gov).

- (9) "MS4" means municipal separate storm sewer system which means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels or storm drains) that is conforming to the following:
- (a) Owned or operated by the federal government, state, municipality, township, county, district or other public body (created by or pursuant to state or federal law) including special district under state law such as a sewer district, flood control district or drainage districts, or similar entity, or a designated and approved management agency under section 208 of the act (33 U.S.C. section 1288) that discharges into surface waters of the state;
  - (b) Designed or used for collecting or conveying solely storm water;
  - (c) Not a combined sewer; ~~and~~
  - (d) Not a part of a publicly owned treatment works.
- (10) "NPDES permit coverage" means a permit issued by the state of Ohio under the national pollutant discharge elimination system for a discharge from a point source to surface waters of the state.
- (11) "Ohio NPDES general permit" means a permit issued by the state of Ohio for a category of point source discharges originating from multiple sites.
- (12) "Ohio NPDES individual permit" means a permit issued by the state of Ohio for a discharge from a point source at a facility which is either in compliance with authorized discharge levels or which includes a schedule which will bring the point source into compliance with authorized discharge levels.
- (13) "Ohio water quality standards" means all water quality standards which apply to surface waters of the state under Chapter 3745-1 of the Administrative Code.
- (14) "Pollutant" means sewage, industrial waste, sludge, sludge materials or other wastes as defined by section 6111.01 of the Revised Code.

- (15) "Small MS4" means all municipal separate storm sewer systems that are neither a large MS4 nor a medium MS4.
- (16) "Storm water" means storm water runoff, snow melt runoff and surface runoff and drainage.
- (17) "Surface waters of the state" or "water bodies" mean all streams, lakes, reservoirs, ponds, marshes, wetlands or other waterways which are situated wholly or partially within the boundaries of the state, except those private waters which do not combine or effect a junction with natural surface or underground waters. Waters defined as sewerage systems, treatment works or disposal systems in section 6111.01 of the Revised Code are not included.

Effective:

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Certification

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Date

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