

Use of bottled water and point-of-use or point-of-entry treatment devices.

- (A) Public water systems shall not use bottled water to achieve compliance with the requirements of this chapter. Upon approval of the director, bottled water may be used on a temporary basis to avoid an increased risk to health from contaminant levels exceeding the maximum contaminant level (MCL). The bottled water shall be of a quality acceptable to the director.
- (B) Except as provided below, a public water system may not use point-of-use or point-of-entry treatment devices to achieve compliance with a MCL. A nontransient noncommunity public water system may use a point-of-use or point-of-entry treatment device to achieve compliance with the MCL for arsenic if the following conditions are met:
- (1) Point-of-use and point-of-entry treatment devices shall be owned, controlled, and maintained by the public water system, or by a person under contract with the public water system, to ensure proper operation and maintenance and compliance with the arsenic maximum contaminant level.
 - (2) Before any new point-of-use or point-of-entry treatment devices are installed for compliance with the arsenic MCL, or any existing point-of-use or point-of-entry treatment devices are used for compliance with the arsenic MCL, the public water system shall obtain approval of detail plans in accordance with Chapter 3745-91 of the Administrative Code. Chemical and microbiological analyses for constituents that may affect the performance or maintenance of the proposed point-of-entry or point-of-use device must be performed on water entering the treatment device and reported in the detail plans. Results of samples collected more than twelve months prior to plan submittal may not be accepted. Detail plans shall include data from an acceptable demonstration study and a monitoring plan which ensures that the treatment devices provide health protection equivalent to that provided by central water treatment. "Equivalent" means that the water would meet all primary drinking water regulations and would be of acceptable quality similar to water distributed by a well operated central treatment plant. Detail plans shall describe how the system design shall ensure that water of increased corrosivity shall not be released to the drinking water distribution system. The monitoring plan shall include at least the following parts:
 - (a) Description of and schedule for the recording of physical measurements and observations such as total flow treated and mechanical condition of the treatment equipment.

- (b) An explanation of how consumers will be educated as to which taps are suitable for ingestion.
 - (c) The location of treatment devices and sampling points, and the frequency of sample collection for arsenic analysis. At least one treatment device (or a minimum of twenty-five per cent of treatment devices) shall be sampled for arsenic each quarter unless otherwise approved by the director. Each treatment device shall be sampled at least once annually.
 - (d) A schedule to collect any additional data required by the director to demonstrate consistency of treatment performance of the point-of-use or point-of-entry treatment device.
- (3) The public water system must apply effective technology under a plan approved by the director. The microbiological safety of the water must be maintained at all times.
 - (4) The design and application of any point-of-entry or point-of-use treatment device shall consider the potential for increase in bacteria concentrations in water treated with activated carbon. It may be necessary to use frequent backwashing, post-contactor disinfection, and bacteria monitoring to ensure the microbiological safety of the water is not compromised.
 - (5) The public water system shall ensure that all buildings connected to the system have sufficient point-of-use or point-of-entry treatment devices that are properly installed, maintained, and monitored such that all consumers will be protected. Public water systems using point-of-use technology must install devices at every tap where common practice is to obtain water for ingestion.
 - (6) All point-of-use and point-of-entry treatment devices shall be equipped with mechanical warnings that automatically alert consumers of operational problems.
 - (7) The point-of-entry or point-of-use treatment device shall be certified by an accredited "American National Standards Institute" (ANSI) certification program for drinking water treatment units in accordance with one of the following "American National Standards Institute/National Sanitation Foundation" (ANSI/NSF) standards: standard 58 "Reverse Osmosis Drinking Water Treatment Systems 58-2007 (October 22, 2007)"; standard 62 "Drinking Water Distillation Systems 62-2004 (March 16, 2004)"; or standard 53 "Drinking Water Treatment Units-Health Effects 53-2007a (July 10, 2007)".

- (8) Maintenance of the treatment device shall occur according to manufacturers suggestions, or at an interval determined during a demonstration period, whichever time period is shorter.
- (9) Upon failure of the point-of-entry or point-of-use treatment device, all repairs or replacements must be completed as soon as practical, but no later than fourteen days after the failure.
- (10) The point-of-entry or point-of-use treatment device must be operational at all times to provide water that meets the arsenic standard at required taps.
 - (a) Under temporary circumstances during required maintenance of the point-of-entry or point-of-use treatment device or equipment failure, bottled water may be required to be provided as specified in paragraph (A) of this rule for a period not to exceed fourteen days.
 - (b) At any time a point-of-use or point-of-entry treatment device is not operating due to maintenance or failure of the device, a notice shall be posted at any tap served by that device. The notice shall inform consumers that the water from that tap is not suitable for ingestion due to elevated arsenic concentration and direct them to alternative taps or sources that are suitable for ingestion.
- (11) Maintenance records of all treatment devices must be maintained for three years and available for review during a sanitary survey.

[Comment: This rule adopts the ANSI/NSF standards 53, 58, and 62 by reference. Copies may be obtained from "NSF International, 789 Dixboro Road, P.O. Box 130140, Ann Arbor, MI 48113-0140, (734) 769-8010", www.nsf.org. These documents are available for review at the "Ohio EPA Lazarus Government Center, 50 West Town Street, Suite 700, Columbus, OH 43215".]

[Comment: This rule references the ANSI accreditation program for third party certification of drinking water units. A list of ANSI accredited third party product certification programs may be obtained from the "American National Standards Institute, 25 West 43rd Street, New York, NY 10036, (212) 642-4900" or www.ansi.org.]

Effective: 02/22/2010

R.C. 119.032 review dates: 02/22/2015 and 01/29/2020

Promulgated Under: 119.03

Statutory Authority: 6109.03, 6109.04

Rule Amplifies: 6109.04

Prior Effective Dates: 08/01/05