



# Department of Commerce

Division of State Fire Marshal

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## BUSTR SENSITIVE AREAS

Rule 1301:7-9-09 of the Administrative Code defines certain parts of Ohio as 'sensitive areas' and establishes release detection and clean-up standards for underground storage tanks (UST's) in these regions. Proximity to drinking water sources was the main criterion used in designating areas as 'sensitive'.

Rule 1301:7-9-09 of the Administrative Code defines a number of township sections and survey tracts as 'sensitive areas' due to their proximity to sole-source aquifers and drinking water sources as defined by the Federal Government under the 'Safe Drinking Water Act (42 U.S.C.A. 300f, et seq., as amended through January 7, 2011). Parts of the following counties are affected by this provision of the rule:

- Allen
- Auglaize
- Butler
- Champaign
- Clark
- Clermont
- Green
- Guernsey
- Hamilton
- Logan
- Mercer
- Miami
- Montgomery
- Ottawa (Catawba Island only)
- Preble
- Putnam
- Shelby
- Van Wert
- Warren

To determine if an UST is located within a township section or survey tract designated as a 'sensitive area', begin by looking at the property deed or survey to determine the township section(s) or survey tract(s) where the UST is located. Once this determination is made, reference the appropriate county in paragraph (B) of rule 1301:7-9-09 of the administrative Code to see if the UST is located in one of the township section(s) or survey tract(s) listed as being a 'sensitive area'.

If you are unable to find the number of the township section(s) or survey track(s) for the property in question, you can consult Sensitive Area Maps that have been prepared by BUSTR staff in conjunction with Ohio Department of Natural Resources. These maps are available for viewing at the BUSTR office. Additional regional State maps that depict sensitive areas are available at the BUSTR web site at: <http://www.com.ohio.gov/fire/bustMain.aspx>.

In addition to the township sections and survey tracts mentioned above, rule 1301:7-9-09 of the Administrative Code defines the following areas as 'sensitive':

- 1) Areas located within 50-horizontal feet of a private water supply well or developed spring not located on the same site as the UST system;
- 2) Areas within 200-horizontal feet of a lake or reservoir with an average surface area of the body of water must be a minimum of 5-acres;

- 3) Areas within a half-circle shaped arc 1,000-feet upstream of a public water supply water intake where the base line of the half-circle is perpendicular to the stream at the intake (unless the UST owner or operator demonstrates that the system located in a drainage area downstream of the intakes);
- 4) Areas within 100-horizontal feet of a man-made underground structure, tunnel or cavity used primarily for pedestrian traffic or passenger carrying vehicles; and
- 5) Areas within the following distances of public water supplies designated by Ohio Environmental Protection Agency (OEPA):

<b>Net Production Rate</b>	<b>Distance Requirement</b>	<b>Horizontal Distance</b>
10,000 gallons/day or less		100-feet
10,001 to 50,000 gallons/day		200-feet
50,001 gallons/day or greater		300-feet

#### **REQUIREMENTS FOR USTS LOCATED WITHIN SENSITIVE AREAS**

In order to provide a more stringent level of protection for human health and the environment within Ohio's designated sensitive areas, the following requirements have been set:

- 1) After September 1, 1992, newly installed UST systems located in sensitive areas must meet all new construction requirements that apply to all UST systems as well as have an approved method of secondary containment for USTs and underground piping as defined in rules 1301:7-9-06 and 1301:7-9-07 of the Administrative Code;
- 2) After September 1, 1992, newly installed UST systems in sensitive areas must use interstitial monitoring as the primary means of monthly release detection for UST's and underground piping as defined in paragraph (B)(1) of rule 1301:7-9-07 of the Administrative Code;
- 3) UST systems that existed in areas prior to the areas being declared sensitive may use other approved methods of monthly release detection for UST's other than interstitial monitoring as defined in paragraph (C)(3)(c) of rule 1301:7-9-07 of the Administrative Code;
- 4) Beginning December 31, 2005, both newly installed and existing UST systems, installed after September 1, 1992 in sensitive areas, shall have containments tightness tested every 3-years as defined in paragraph (D)(3)(C) of rule 1301:7-9-09 of the Administrative Code ; and
- 5) Both newly installed and existing UST systems located in sensitive areas must be operated and maintained in accordance with the various operational compliance requirements defined in rule 1301:7-9-07 of the Administrative Code.

Bureau of Underground Storage Tank Regulations  
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