

1301:7-9-09 SENSITIVE AREAS.

(A) Purpose and scope .

For the purpose of prescribing rules pursuant to division (A)(2) of section 3737.88 of the Revised Code, the fire marshal hereby adopts this rule to designate areas of this state as being sensitive for the protection of human health and the environment. This rule is adopted by the fire marshal in accordance with Chapter 119. of the Revised Code and shall not be considered part of the "Ohio Fire Code."

(B) An area is defined as a sensitive area if the area meets one or more of the following criteria:

(1) The following areas associated with an aquifer declared by the federal government under the Safe Drinking Water Act (42 U.S.C.A. 300f et seq.):

(a) Areas on Catawba Island in Ottawa county;

(b) Areas in Guernsey county located within the following described boundaries:

Township Section(s)

T8N-R9W 4, 5, 6, 7, 8, 9

"R" stands for Range. "T" stands for Township. "N" stands for North. "W" stands for West.

(c) Areas associated with the buried valley aquifer system of the Great Miami/Little Miami River Basins of Southwestern Ohio petitioned for by the Miami Valley Regional Planning Commission of Dayton, Ohio as determined by the U.S. environmental protection agency at 53 Fed. Reg 86, 15876 (1988), located within the following described boundaries:

(i) Areas in Champaign county located within the following described boundaries:

Township Section(s)

R10T4 6, 12

R10T5 6, 12, 18, 30, 36

R10T6 24, 30, 36

R11T4 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 16, 17, 18, 22, 23, 29, 30, 36

R11T5 1, 2, 3, 4, 5, 6, 7, 13, 18, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36

R11T6 19, 31, 32, 33, 34, 35, 36

R12T4 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 24, 25, 31

R12T5 1, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 29, 30, 31, 32, 33, 34,

35, 36

R13T4 1, 2, 3, 7, 8, 9, 13, 14, 15, 19, 20, 21, 25, 26, 27

R13T5 19, 20, 25, 26, 31, 32

"R" stands for Range. "T" stands for Township.

(ii) Areas in Clark county located within the following described boundaries:

Township Section(s)

R8T3 6, 12, 17, 18, 23, 24, 29, 30, 36

R9T3 1, 2, 7, 8, 13, 14, 19, 20, 21, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36

R9T4 6, 10, 11, 12, 16, 17, 21, 22, 27, 31, 32, 33

R9T5 12, 18, 21, 22, 23, 24, 28, 29, 30

R10T4 1, 2, 3, 4, 5, 7, 8

R10T5 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 13, 14, 15, 17, 29, 33, 34, 35

R10T6 23, 28, 29, 33, 34, 35

"R" stands for Range. "T" stands for Township.

(iii) Areas in Greene county located within the following described boundaries:

Township Section(s)

R5T4 17, 18, 22, 23, 24, 30

R6T2 1, 2

R6T3 18, 24, 25, 26, 27, 28, 29, 30, 31, 32

R7T2 1, 2, 6, 8, 12

R7T3 2, 3, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 29, 30, 31, 32, 36

R7T4 18, 23, 24, 28, 29, 33, 34

R8T2 1, 2, 3, 7, 8

R8T3 10, 13, 14, 15, 16, 19, 20, 21, 22, 25, 26, 27, 28, 31, 32, 33, 34

R8T4 13

"R" stands for Range. "T" stands for Township.

Survey Tract(s)

386, 387, 389, 390, 417, 429, 432, 435, 438, 548, 571, 574, 576, 577, 598, 603, 616, 870, 904, 925, 929, 975, 1044, 1281, 1295, 1297, 1378, 1391, 1965, 2233, 2235, 2238, 2241, 2243, 2244, 2263, 2264, 2267, 2272, 2312, 2358, 2359, 2383, 2424, 2425, 2426, 2435, 2474, 2475, 2565, 2566, 3096, 3576, 3583, 3610, 3908, 3916, 4148, 4371, 4499, 4651, 4704, 4730, 4871, 9474, 10721, 12248

(iv) Areas in Logan county located within the following described boundaries:

Township Section(s)

R13T4 4, 5, 10, 16

R13T5 17, 21, 22, 23, 27, 28, 29, 33, 34, 35, 36

"R" stands for Range. "T" stands for Township.

Survey Tract(s)

4493, 4525, 9878, 10109, 10718, 10719, 12099

(v) Areas in Miami county located within the following described boundaries:

Township Section(s)

R9T1 6

R9T2 3, 4, 5, 6, 10, 11, 12, 17, 18, 23, 24, 30, 31, 32, 33, 34, 35, 36

R10T1 1, 2, 3, 4, 7, 8, 9, 10, 11, 12, 17, 18, 23, 24

R10T2 19, 25, 26, 31, 32, 33

R11T1 13, 17, 18, 19, 20, 23, 24, 26, 27

R12T1 19, 20, 25, 26, 27, 31, 32, 33

T7N-R4E 1, 2, 3, 10
 T6N-R5E 12, 13
 T4N-R6E 3, 4, 5, 6, 7, 10, 11, 14, 23, 24, 25, 26, 35, 36
 T8N-R4E 36
 T7N-R5E 17, 18, 19, 20, 28, 29, 30, 31, 32, 33
 T5N-R6E 5, 8, 9, 16, 17, 20, 21, 22, 27, 28, 29, 31, 32, 33, 34
 T6N-R6E 32
 T7N-R6E 31, 32

"R" stands for Range. "T" stands for Township. "N" stands for North. "E" stands for East.

(vi) Areas in Montgomery county located within the following described boundaries:

Township	Section(s)
R5T2	28, 29, 34, 35, 36
R6T1	3, 4, 5, 9, 10, 11, 12, 14, 15, 16, 17, 18, 21, 22, 25, 26, 27, 28, 31, 32
R7T1	2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14
R7T2	13, 14, 17, 18, 20, 21, 22, 23, 24, 27, 28, 29, 30, 32, 33, 34, 35, 36
R8T1	2, 3, 4, 5
R8T2	13, 19, 25, 31, 32, 33, 34, 35, 36
T3N-R4E	1, 3, 4, 5, 10, 11, 12, 13, 14, 23, 24
T4N-R4E	1, 12, 17, 18, 19, 20, 21, 23, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
T5N-R4E	26, 35, 36
T2N-R5E	2, 3, 7, 10, 15, 17, 18, 19, 20, 22, 23, 26, 27, 28, 29, 30
T3N-R5E	6, 7, 16, 17, 21, 24, 25, 26, 27, 28, 32, 33, 34, 35, 36

T4N-R5E 9, 10, 13, 14, 15, 16, 23, 24, 25

T5N-R5E 2, 3, 10, 11, 14, 15, 22, 23, 24, 25, 26, 36

T1N-R6E 3, 4, 5, 8, 17, 18, 19, 30

T2N-R6E 1, 2, 4, 5, 6, 8, 9, 11, 12, 13, 14, 15, 16, 19, 21, 22, 27, 28, 29, 30, 31, 32, 33, 34

T3N-R6E 1, 2, 11, 13, 14, 23, 24, 26, 30, 31, 32, 35

"R" stands for Range. "T" stands for Township. "N" stands for North. "E" stands for East.

(vii) Areas in Preble county located within the following described boundaries:

Township Section(s)

T6N-R2E 3, 9, 10, 15, 16

T4N-R3E 1, 2

T5N-R3E 2, 3, 4, 5, 9, 10, 11, 15, 22, 25, 26, 27, 34, 35, 36

T6N-R3E 3, 4, 32, 34

T7N-R3E 21, 22, 27, 28, 33, 34

"R" stands for Range. "T" stands for Township. "N" stands for North. "E" stands for East.

(viii) Areas in Shelby county located within the following described boundaries:

Township Section(s)

T9N-R5E 1, 2, 3, 9, 10, 11, 12, 13

T7N-R6E 5, 6, 7, 8, 17, 18, 19, 20, 29, 30

T8N-R6E 31, 32

"R" stands for Range. "T" stands for Township. "N" stands for North. "E" stands for East.

(ix) Areas in Warren county located within the following described boundaries:

Township Section(s)

R5T1 1
 R5T2 27, 31, 32, 33
 T1N-R5E 3, 4, 5
 T2N-R5E 26, 27, 28, 29, 30, 31, 32, 33, 34

"R" stands for Range. "T" stands for Township. "N" stands for North. "E" stands for East.

- (d) Areas associated with the southern portion of the buried valley aquifer system of the Great Miami/Little Miami River Basins of Southwestern Ohio petitioned for by the Ohio-Kentucky-Indiana Regional Council of Governments of Cincinnati, Ohio as determined by the U.S. Environmental protection agency at 53 Fed. Reg. 131, 25670 (1988), located within the following described boundaries:

- (i) Areas in Butler county located within the following described boundaries:

Township	Section(s)
R2T1	3, 4, 5, 6, 8, 9, 10, 11, 14, 15, 20
R3T1	1, 2, 3
R2T2	3, 4, 5, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 21, 22, 23, 24, 27, 28, 29, 30, 33, 34, 35, 36
R3T2	22, 26, 27, 28, 31, 32, 33, 34
R3T3	12
R4T1	1, 2, 3
R4T2	7, 8, 12, 13, 14, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 32, 33, 34
T3N-R2E	13, 14, 15, 22, 23, 24, 25, 26, 27, 28, 32, 33, 34, 35, 36
T1N-R3E	5, 6, 7, 8, 18
T5N-R1E	2, 11, 14, 23, 24, 25, 36
T4N-R2E	1, 12
T5N-R2E	25, 30, 31
T2N-R3E	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 20, 21, 22, 23, 24, 28, 29, 32

T3N-R3E 29, 30, 31, 32, 33, 34, 36

T1N-R4E 4, 5, 6, 7, 8, 18

T2N-R4E 1, 2, 10, 11, 12, 13, 14, 15, 21, 22, 27, 28, 29, 30, 31, 32, 33

"R" stands for Range. "T" stands for Township. "N" stands for North. "E" stands for East.

(ii) Areas in Clermont county located within the following described boundaries:

Survey Tract(s)

430, 590, 631, 1017, 1545, 1748, 1767, 2195, 4848

(iii) Areas in Hamilton county located within the following described boundaries:

Township Section(s)

R1T1 1, 2, 3, 4, 7, 8, 9

R1T2 28, 29, 30, 34

R1T3 1, 2, 3, 6, 7, 8, 9, 12

R1T4 24, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36

R1T5 13, 14, 17, 18, 19, 23, 26, 27, 28

R2T1 19, 25

R2T2 1, 7

R2T3 19, 25, 31

R2T4 13

T1N-R1E 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 15, 16, 17, 20, 21, 22, 27, 28, 29, 30, 31, 32

T1N-R2E 6, 7

T2N-R1E 1, 2, 3, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 24, 25, 28, 29, 30, 32, 33, 36

T2N-R2E 3, 4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 30, 31

FR1T1	5, 6
FR1T2	35, 36
FR1T4	12, 17, 18, 23, 24, 29, 30, 35
FR1T5	23, 24, 29, 30
FR2T1	5, 6, 11, 12, 17, 21, 22, 23, 24, 27, 31, 32, 33
FR2T3	1, 4, 5, 6, 10, 11, 12, 13, 16, 17, 18, 19, 20, 21, 22, 23, 25, 26, 27, 28
FR2T4	3, 9, 13, 14, 15, 16, 19, 20, 21, 22, 23, 25, 28, 29, 31, 34, 35, 36
FR2T5	18, 22, 23, 24, 28, 33, 34

"R" stands for Range. "T" stands for Township. "N" stands for North. "E" stands for East.
 "FR" stands for Fractional Range.

Survey Tract(s)

395, 410, 427, 535, 536, 552, 1575, 1723, 1769, 1775, 2204

(iv) Areas in Warren county located within the following described boundaries:

Township	Section(s)
R2T4	10, 11, 12, 16, 17
R3T3	4, 5, 6
R3T4	1, 2, 5, 6, 7, 8, 10, 11, 12, 16, 17, 21, 22, 27, 28, 33, 34, 35, 36
R3T5	7, 13, 19, 25, 31
R4T2	1, 2
R4T3	31
R4T4	4, 5, 6, 10, 11
R5T1	1

R5T2 27, 31, 32, 33
 R5T3 1
 R5T4 20, 21, 25, 26, 31
 T1N-R5E 3, 4, 5, 6, 7, 8
 T2N-R5E 26, 27, 28, 29, 30, 31, 32, 33, 34

"R" stands for Range. "T" stands for Township. "N" stands for North. "E" stands for East.

Survey Tract(s)

399, 421, 520, 598, 631, 791, 1494, 1500, 1546, 1547, 1548, 2464, 2527

(e) Areas associated with the Allen County Area Combined Aquifer System (AACACAS®) as petitioned for by Spencerville Dumpbusters, Inc. Of Spencerville, OH as determined by the U.S. Environmental protection agency at 57 Fed. Reg. 53,111 (1992), located within the following described boundaries:

(i) Areas in Allen County located within the following described boundaries:

Township	Section(s)
T2S R5E	19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
T2S R6E	31
T3S R4E	1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35, 36
T3S R5E	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
T3S R6E	6, 7, 18, 19, 29, 30, 31, 32
T4S R4E	1, 2, 3, 10, 11, 12, 13, 14, 15
T4S R5E	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18
T4S R6E	4, 5, 6, 7, 8, 9, 17, 18, 19, 29, 30

"R" stands for range. "T" stands for township. "S" stands for south. "E" stands for east.

(ii) Areas in Auglaize county located within the following described boundaries:

Township	Section(s)
T4S R4E	19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
T4S R5E	19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
T4S R6E	31, 32
T5S R4E	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 23, 24, 26
T5S R5E	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 21, 22, 23, 24, 25, 26, 27
T5S R6E	5, 6, 7, 8

"R" stands for range. "T" stands for township. "S" stands for south. "E" stands for east.

(iii) Areas in Mercer county located within the following described boundaries:

Township	Section(s)
T4S R2E	1, 12, 13
T4S R3E	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
T5S R3E	1, 2, 3, 4, 5, 10, 11, 12, 13, 14, 23, 24, 26

"R" stands for range. "T" stands for township. "S" stands for south. "E" stands for east.

(iv) Areas in Putnam county located within the following described boundaries:

Township	Section(s)
T1S R4E	24, 25, 35, 36
T1S R5E	19, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
T2S R5E	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18
T2S R6E	6

"R" stands for range. "T" stands for township. "S" stands for south. "E" stands for east.

(v) Areas in Van Wert county located within the following described boundaries:

Township	Section(s)
T2S R4E	1, 2, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
T3S R3E	1, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35, 36
T3S R4E	4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, 33
T4S R4E	4, 5, 6, 7, 8, 9, 16, 17, 18

"R" stands for range. "T" stands for township. "S" stands for south. "E" stands for east.

- (2) The area is located within fifty horizontal feet of a private water supply well or developed spring not located on the same site as the UST system;
- (3) The area is located within one of the following and is not located on the same site as the UST system:
 - (a) One hundred horizontal feet of a water supply well designated by Ohio environmental protection agency to be a public water supply and which has a net production rate of less than or equal to ten thousand gallons per day; or
 - (b) Two hundred horizontal feet of a water supply designated by Ohio environmental protection agency to be a public water supply and which has a net production rate of greater than ten thousand gallons per day to less than or equal to fifty thousand gallons per day; or
 - (c) Three hundred horizontal feet of a water supply designated by Ohio environmental protection agency to be a public water supply and which has a net production rate of greater than fifty thousand gallons per day.
- (4) The area is located within a half-circle shaped area one thousand feet upstream of a public water supply surface water intake where the base line of the half-circle is perpendicular to the stream at the intake and has a diameter of two thousand feet, and where the midpoint of the base line is the intake, and where the radius of the half-circle is one thousand feet, unless the owner or operator demonstrates to the bureau chief that the UST system is located or will be located in a surface water drainage area that is actually downstream of the intake.
- (5) The area is located within two hundred horizontal feet of a lake or reservoir. To be considered a lake

or reservoir for purposes of this paragraph the average surface area of the body of water must be a minimum of five acres.

(6) The area is located within one hundred horizontal feet of a man-made underground structure, tunnel or cavity used primarily for pedestrian traffic or passenger-carrying vehicles;

(C) An area is defined as a sensitive area if the area meets any of the criteria listed in paragraphs (B) to (B)(1)(d)(iv) or paragraphs (B)(2) to (B)(6) of this rule on or after September 1, 1992.

(D) An area is defined as a sensitive area if the area meets any of the criteria listed in paragraphs (B)(1)(e) to (B)(1)(e)(v) of this rule on or after the effective date of this rule.

Effective: March 31, 1999

R.C. 119.032 Review dates: 03/31/99, 03/31/04

Promulgated under: 119.03

Rule authorized by: 3737.88

Rule amplifies: 3737.88

Prior Effective Date: 9/1/92