901:10-1-11 **Exclusions.**

The following discharges do not require NPDES permits:

(A) Discharges of dredged or fill material into waters of the state which are regulated under section 404 of the Act and by the director of environmental protection in accordance with Chapter 6111 of the Revised Code.

(B) The introduction of sewage, industrial wastes, or other pollutants into publicly owned treatment works by indirect dischargers. Plans or agreements to switch to this method of disposal in the future do not relieve dischargers of the obligation to have and comply with NPDES permits until all discharges of pollutants to waters of the state are eliminated. This exclusion does not apply to the introduction of pollutants to privately owned treatment works or to other discharges through pipes, sewers, or other conveyances owned by a state, municipality, or other party not leading to treatment works.

(C) Any discharge in compliance with the instruction of a federal on-scene coordinator, as that term is defined in section 2305.39 of the Revised Code, who is the federal official designated in the national contingency plan pursuant to 40 CFR part 300 (The National Oil and Hazardous Substances Pollution Contingency Plan) or 33 CFR 153.10(e) (Pollution by Oil and Hazardous Substances).

(D) Any introduction of pollutants from nonpoint source agricultural and silvicultural activities, including stormwater runoff from orchards, cultivated crops, pastures range lands and forest lands, but not discharges from concentrated animal feeding operations, discharges to aquaculture projects, and discharges from silvicultural point sources.

(E) Return flows from irrigated agriculture.

(F) Discharges into a privately owned treatment works, except as the director of environmental protection may otherwise require.

Effective:

R.C. 119.032 review dates:

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Certification

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Date

Promulgated Under:	119.03
Statutory Authority:	903.08, 903.10
Rule Amplifies:	903.01, 903.02, 903.04, 903.07, 903.081, 903.082, 903.09, 903.10