



Early Stakeholder Outreach — Contingency Plans

Ohio EPA prepares early stakeholder outreach fact sheets to ensure stakeholders are brought into the review process as early as possible and to obtain additional input and discussion before development of interested party draft rules.

What does the proposed rules package cover?

DDAGW has reviewed rule 3745-85-01 of the Ohio Administrative Code (OAC) to satisfy the five-year rule review requirements of section 106.03 and 106.031 of the Ohio Revised Code. This rule establishes requirements for community public water systems (PWSs) to have a contingency plan for providing safe drinking water to its service area under emergency conditions, along with what this plan is to include.

Why are these rules being sent out for Early Stakeholder Outreach?

The first step in the rule-making process is for Ohio EPA to identify that a rule needs to be amended, rescinded, or created. In response to Executive Order 2011-01K, Ohio EPA has added an additional step to ensure stakeholders are brought into the rule process as early as possible. This additional interested party notification and request for information will allow for early feedback before the rule language has been developed by the Agency.

What changes, if any, are being considered?

Amendments to rule 3745-85-01 are being considered and revised to include the following:

- Include language to clarify the plan be protective of public health.
- Incorporate language to ensure plan acceptable to the Director of Ohio EPA.
- Clarify that the plan is to be followed by the PWS.
- Consider requiring a limited-scope contingency plan for noncommunity PWSs.

Who will be regulated by these rules?

PWS owners will be regulated by these rules.

How can I provide input?

The Agency is seeking stakeholder input on the contingency plan rule package. When preparing your comments, be sure to:

- explain your views as clearly as possible;
- describe any assumptions used;
- provide any technical information and/or data used to support your views;
- explain how you arrived at your estimate for potential burdens, benefits or costs;
- provide specific examples to illustrate your views; and
- offer alternatives.

Written comments will be accepted through close of business, June 3, 2015. Please submit input to:

DDAGW_RULECOMMENTS@epa.ohio.gov.

Please include, "Contingency Plans" in the subject line of the email.

What if I have questions?

Questions on this rule package and the process for submitting comments may be forwarded by email to

Susan.Kramer@epa.ohio.gov or by phone at

(614) 644-2752. You can find the most current draft and proposed rules, as well as currently effective rules on DDAGW's rulemaking web page at

www.epa.ohio.gov/ddagw/rules.aspx

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What is the rulemaking schedule?

This rule will be filed with the Joint Committee on Agency Rule Review (JCARR) no later than March 2016. Prior to filing with JCARR, draft amendments to this rule will be sent out for Interested Party Comment.

What input is the Agency seeking?

DDAGW wants to hear from interested stakeholders who may be impacted by these rules. The following questions may help guide you as you develop your comments.

- Is the general regulatory framework proposed the most appropriate? Should the Agency consider any alternative framework?
- What options are available for improving an identified concept?
- Are there considerations the Agency should take into account when developing a specific concept?
- Is there any information or data the Agency should be aware of when developing program concepts or rule language?

Ohio EPA would especially like to hear information regarding the following from stakeholders who may be impacted.

- Would this regulatory program have a positive impact on your business? Please explain how.
- Would this regulatory program have an adverse impact on your business? If so, please identify the nature of the adverse impact (for example, license fees, fines, employer time for compliance).