



**BEFORE THE  
OHIO ENVIRONMENTAL PROTECTION AGENCY**

**March 21, 2016**

**Public Notice: Final Rulemaking Governing Revised Total Coliform New and Amended Rules.**

Notice is hereby given that the Ohio Environmental Protection Agency, Division of Drinking and Ground Waters (DDAGW) adopted new and amended rules in Chapters 3745-81 and 3745-96 of the Ohio Administrative Code (OAC). These rules have been reviewed pursuant to the five-year rule review requirements of Section 106.03 of the Revised Code. However, the rules have been drafted primarily to adopt U.S. EPA's Revised Total Coliform Rule.

The new and amended content of these rules will adopt relevant portions of U.S. EPA's Revised Total Coliform Rule (RTCR) under the Safe Drinking Water Act (SDWA), which will become effective on April 1, 2016. Adoption of regulations at least as stringent as the Federal rule is required for Ohio EPA to maintain primary enforcement authority for the SDWA. The RTCR is a major update to the existing framework for ensuring the microbiological safety of public drinking water supplies. It applies to every public water system and has the overall goal of improving public health protection by reducing fecal pathogens to minimal levels through a combination of strategies. Regular monitoring for total coliform will remain the primary means of warning of possible microbiological contamination. However, the rule changes will require public water systems to investigate conditions at systems more rapidly than in the past to look for and eliminate sources of contamination.

Additional revisions to the rules include the following:

- Added a definition for a limited scope site visit (LSSV).
- Added clarifications to ensure seasonal systems triggered into monthly monitoring will remain on this schedule until a special monitoring evaluation can take place.
- Addressed consecutive surface water systems and routine monitoring, allowing these types of systems to monitor in accordance with the federal counterpart which is less stringent than what Ohio has traditionally required.
- Clarified in rule that public water systems are required to respond to written correspondence indicating the requirement to do so (e.g., an LSSV).
- Addressed several cross reference and typographical errors.
- Added clarification recommended by U.S. EPA.

The Director of Environmental Protection, after considering public comment, adopted these rules in final form, pursuant to Section 6109.04 of the Ohio Revised Code. The Director's order of adoption was issued on March 21, 2016. The effective date of the amended rules will be April 1, 2016 in accordance with Section 119.04(A) of the Revised Code.

A copy of the rules may be obtained, at cost, by contacting the Hearing Clerk, Ohio EPA, 50 West Town Street, Suite 700, P.O. Box 1049, Columbus, Ohio 43216-1049, or (614) 644-2129.

These rules are also available electronically at the following internet address:  
<http://epa.ohio.gov/ddagw/rules.aspx>.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00, made payable to "Treasurer, State of Ohio," which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission  
77 South High Street, 17<sup>th</sup> Floor  
Columbus, OH 43215