



**BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY**

Nov. 1, 2016

**Public Notice: Final Rulemaking Governing the
Underground Injection Control Rules, Minor Amendments.**

Notice is hereby given that the Ohio Environmental Protection Agency, Division of Drinking and Ground Waters (DDAGW) has adopted minor revisions to the underground injection control rules in Chapter 3745-34 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.

OAC rules 3745-34-01, 3745-34-04, 3745-34-08, 3745-34-12, 3745-34-23, 3745-34-34 and 3745-34-40 are part of this rules package. The minor revisions include the following:

- Removed nonessential references and rule language.
- Revised Class II and Class III well language to be consistent with the governing Agency (Ohio Dept. of Natural Resources).
- Updated rule references.
- Revised permit fees.
- Added language to be consistent with the federal counterparts.
- Added language to reflect state statute.
- Clarified that wells with mechanical integrity are authorized to inject waste and hazardous wells must follow operating requirements in OAC rule 3745-34-56.
- Added language to point to performance standards.
- Added language requiring an owner/operator to follow the approved plan and allow for deviations from the approved plan during field work.

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 Nov. 1, 2016. The effective date of the amended rules will be Nov. 11, 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, 17th Floor
Columbus, OH 43215