



**BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY**

June 27, 2016

Public Notice: Proposed Rulemaking Governing Contingency Plans

Notice is hereby given that the Ohio Environmental Protection Agency, Division of Drinking and Ground Waters (DDAGW) drafted revisions to rule 3745-85-01 of the Ohio Administrative Code (OAC). The draft amendments are, in part, a result of the five-year rule review requirements of Section 106.03 of the Revised Code.

The division drafted revisions to OAC Rule 3745-85-01 include the following:

- Establish that wholesale systems are required to prepare and maintain a contingency plan in addition to community water systems;
- Expand the definition and purpose of the contingency plan;
- Expand the availability of the contingency plan;
- Clarify and expand the required contents of the contingency plan;
- Establish a requirement to exercise the contingency plan;
- Revise the contingency plan revision requirements;
- Establish the steps a public water system (PWS) needs to take if a circumstance triggers the activation of their contingency plan;
- Clarify that contingency plans submitted in accordance with the rule are not public records; and,
- Establish a requirement to supply the emergency contact information of a designated water system representative who will respond to an emergency within thirty minutes.

As part of the rulemaking process, the Agency is required by Section 121.39 of the Ohio Revised Code to consult with organizations that represent political subdivisions, environmental interests, business interests, and others affected by this rule. Additionally, the Agency is working with the Common Sense Initiative (CSI) Office. The Agency is offering you and your organization the opportunity to comment on the draft rule and CSI Business Impact Analysis (BIA) Form, before the division formally proposes them.

To obtain a copy of the proposed rule, contact Corin Bonnett at Ohio EPA at (614) 644-2752 or email at Corin.Bonnett@epa.ohio.gov. Please request the "Revised Contingency Plans rule" and be sure to include your name, telephone number, and complete mailing address. There is no charge for the copies. The draft rule will be available on the Agency web page until it is formally proposed with the Joint Committee on Agency Rule Review (JCARR). It can be found

at <http://epa.ohio.gov/ddagw/rules.aspx> on the "Interested Party Review" tab. Comments can be submitted in hard copy to the following address: "Ohio Environmental Protection Agency, Division of Drinking and Ground Waters, P.O. Box 1049, Lazarus Government Center, Columbus, Ohio 43216-1049, Attn: Corin Bonnett" or by email to ddagw_rulecomments@epa.ohio.gov. Comments should be received at the above address by close of business, **July 27, 2016**.