



John R. Kasich, Governor
 Mary Taylor, Lt. Governor
 Craig W. Butler, Director

January 8, 2016

Re: Availability of rules for comment
 OAC Chapter 3745-32, Section 401 Water Quality Certifications Rules and OAC 3745-45, Section 401
 Water Quality Certification Fees

Dear Interested Parties:

The Division of Surface Water (DSW) is providing interested parties opportunity to review and comment on the following rules in Ohio Administrative Code (OAC) Chapters 3745-32 and 3745-45:

Rule #	Rule Title	Draft Action
OAC Chapter 3745-32 Section 401 Water Quality Certifications		
3745-32-01	Definitions.	Rescind
3745-32-01	Definitions.	New
3745-32-02	Section 401 water quality certification required.	Rescind
3745-32-02	Applicability.	New
3745-32-03	Section 401 water quality certification exemptions.	Rescind
3745-32-03	Section 401 water quality certification application requirements and procedures.	New
3745-32-04	Section 401 water quality certification applications.	Rescind
3745-32-05	Criteria for decision by director.	Rescind
3745-32-06	Revocation of section 401 water quality certification.	Rescind
3745-32-07	Procedure for decision by director.	Rescind
OAC Chapter 3745-45 Section 401 Water Quality Certification Fees		
3745-45-02	Certification fees.	Rescind

This is the five year review of these rules. The Agency is considering restructuring, clarifying and building on the administrative processes used in the issuance of Section 401 water quality certifications. The Agency is also considering rescinding an out of date certification fee rule. For additional details please see the related rulemaking fact sheet.

In addition to the draft rule amendments, Ohio EPA is also seeking comments and feedback on the draft Common Sense Initiative (CSI) Business Impact Analysis Form, which is being released with these rules for review.

Interested Parties

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The draft rules, the CSI form and supporting documents are available electronically for review at: <http://epa.ohio.gov/dsw/dswrules.aspx>. We request that you provide us with any comments you may have on the changes that have been recommended by February 9, 2016.

Please submit your comments or suggestions in one of the following manners.

By e-mail: dsw_rulecomments@epa.ohio.gov

By mail: Rule Coordinator
Ohio EPA, Division of Surface Water
P.O. Box 1049
Columbus, Ohio 43216-1049

By fax: (614) 644-2745

Sincerely,



Tiffani Kavalec
Chief, Division of Surface Water

TK:mh