



Proposed Rules – Permit to Install Program OAC Chapter 3745-42

What does OAC 3745-42 cover?

Ohio Administrative Code (OAC) Chapter 3745-42 covers the requirements for wastewater permits to install (PTIs). The following is a brief description of the rules covered in this rulemaking:

- OAC 3745-42-02 includes the applicability, exemptions and procedures for issuance and modification of permits to install or plan approvals for disposal systems.
- Rule 3745-42-06 contains the procedural and administrative requirements for general permits to install.
- Rule 3745-42-08 contains isolation distance requirements for components of a disposal system to either an occupied building or surface waters of the state.
- Rule 3745-42-11 covers the design and management requirements for holding tanks containing either sewage or industrial waste.

Which rules are under review at this time?

Four rules under OAC Chapter 3745-42 have been reviewed and amended pursuant to section 106. of the ORC. Ohio EPA is required to review its rules every five years to determine if the rules need to be revisited. The Agency has reviewed the rules and has identified needed changes.

What changes are being proposed?

The rules are being amended as part of the five-year rule review requirements in Ohio Revised Code section 106. The Agency has reviewed these rules and has identified necessary changes. The following major changes are being considered:

Rule 3745-42-02

- Update of references and style.
- Update of applicability exemptions. New exemptions, with qualifiers, have been included for: building sewers, sanitary sewer replacement projects, in situ sanitary sewer repairs, repair or replacement of a treatment works component, media or equipment, modifications within existing treatment works infrastructure, disposal systems designed to be a best management practice under a storm water National Pollutant Discharge Elimination System (NPDES) permit, treatment works pilot study, installation of on line monitoring or process control equipment, installation of odor control equipment, remodel or replacement of buildings or laboratories located at a treatment works, and filtration systems, ion exchange systems and oil skimmers on process tanks that serve manufacturing equipment.

Rule 3745-42-06

- Update of references and style.

Rule 3745-42-08

- Update of references and style.

Rule 3745-42-11

- Update of references and style.
- Minor clarifications of rule requirements on prohibitions and restrictions for sewage holding tanks. The rule considers a new allowance of a proprietary, stand alone, self-contained system to be installed, for example, to serve a restroom facility at a park.
- New language that allows for the approval of holding tanks in “extreme” situations where no other feasible alternative is available and not otherwise permissible in rule.

Are there changes from the February 2017 draft rule revisions?

Two minor typographical errors were fixed in the proposed rules, as well as the addition of new language that allows for the approval of holding tanks in “extreme” situations where no other feasible alternative is available and not otherwise permissible in rule. These changes were made in response to comments received from interested parties.

Who will be regulated by these rules?

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Anyone who wishes to design and install a wastewater conveyance and treatment system is regulated by these rules. This includes local and state governments, federal government, businesses and private property owners.

What additional information is the Agency seeking?

The Agency wants to hear from interested stakeholders (public, local officials, consultants and PTI applicants) who may be impacted by these rule revisions and additions. General comments and specific factual information are welcome.

How are the amendments formatted in the proposed rules?

Text proposed for deletion is struck through; new text is underlined. The new rule has all text underlined.

What is the rulemaking schedule?

A public hearing on the proposed rule will be held to consider public comments in accordance with Section 119.03 of the Ohio Revised Code. This hearing will be held at the **Ohio EPA Conference Center, Room A, 50 West Town Street, Suite 700, in Columbus, Ohio at 10:30 a.m. on November 20, 2017.** The purpose of the public hearing is to give interested persons the opportunity to present oral or written comments on the proposed rules.

At the close of the public comment period, the Agency will review the comments, make any necessary changes to the rules, and then adopt the rules. This is roughly a two-month process from the close of the comment period. A responsiveness summary will be prepared and sent to everyone who comments on the proposed rules. Final rules could be adopted in fall 2017.

How can I comment on the proposed rules?

Please submit your comments in one of the following ways:

- By email: dsw_rulecomments@epa.ohio.gov
- By fax: (614) 644-2745
- By postal mail:
Rule Coordinator, Ohio EPA, Division of Surface Water
P.O. Box 1049, Columbus, OH 43216-1049

Comments on the proposed rules must be received no later than 5:00 p.m. on November 20, 2017.

How can I get more information?

Copies of this fact sheet and proposed rules are on the Division of Surface Water website at:

www.epa.ohio.gov/dsw/dswrules.aspx. For more information about these proposed rules, please contact:

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