



Early Stakeholder Outreach – Backflow Prevention and Cross-Connection Control

Ohio EPA prepares early stakeholder outreach fact sheets to ensure stakeholders are brought into the review process as early as possible and to obtain additional input and discussion before development of interested party draft rules.

What does the proposed rules package cover?

DDAGW has reviewed rules in Chapter 3745-95 of the Ohio Administrative Code (OAC) to satisfy the five-year rule review requirements of section 106.03 of the Ohio Revised Code. The rules describe backflow prevention and cross-connection control.

Why are these rules being sent out for Early Stakeholder Outreach?

In response to Executive Order 2011-01K, Ohio EPA has added an additional step to ensure stakeholders are brought into the rule process as early as possible. This additional interested party notification and request for information will allow for early feedback before the rule language has been developed by the Agency.

What changes are being considered?

Proposed minor revisions to OAC Rules 3745-95-01, 3745-95-02, 3745-95-03, 3745-95-04, 3745-95-05, 3745-95-06, 3745-95-07, 3745-95-08 and 3745-95-09 include the following:

- Modifying and adding supporting language to definitions in 3745-95-01 that clarify the application of these rules to all public water systems.
- Adding clarifying language as to acceptable means for fulfilling residential educational campaigns in rule 3745-95-03.
- Clarifying and updating language in Rules 3745-95-01 through 3745-95-09 for consistency.

Who will be regulated by these rules?

All PWSs in the State of Ohio will be regulated by these rules.

What is the rulemaking schedule?

DDAGW will evaluate feedback from the early stakeholder outreach process and then prepare a draft version of rules for interested party review. After incorporating interested party comments, Ohio EPA will start the rule filing process required by the Joint Committee on Agency Rule Review (JCARR). Visit JCARR's website for meeting dates and agenda items at <https://www.jcarr.state.oh.us>.

What input is the Agency seeking?

DDAGW wants to hear from interested stakeholders who may be impacted by these rules. The following questions may help guide you as you develop your comments.

- Is the general regulatory framework proposed the most appropriate? Should the Agency consider any alternative framework?

How can I provide input?

The Agency is seeking stakeholder input on proposed changes to rules in OAC Chapter 3745-95. When preparing your comments, be sure to:

- explain your views as clearly as possible;
- describe any assumptions used;
- provide any technical information and/or data used to support your views;
- explain how you arrived at your estimate for potential burdens, benefits or costs;
- provide specific examples to illustrate your views; and
- offer alternatives.

Written comments will be accepted through close of business **March 24th, 2020**. Please submit input to: DDAGW_RULECOMMENTS@epa.ohio.gov. Please include, "Backflow Prevention and Cross-Connection Control" in the subject line of the email.

What if I have questions?

Questions on this rules package and the process for submitting comments may be forwarded by email to DDAGW_RULECOMMENTS@epa.ohio.gov or by phone at (614) 728-1219. You can find the currently effective rules on DDAGW's rulemaking web page at www.epa.ohio.gov/ddagw/rules.aspx.

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- What options are available for improving an identified concept?
- Are there considerations the Agency should take into account when developing a specific concept?
- Is there any information or data the Agency should be aware of when developing program concepts or rule language?

Ohio EPA would especially like to hear information regarding the following from stakeholders who may be impacted.

- Would this regulatory program have a positive impact on your business? Please explain how.
- Would this regulatory program have an adverse impact on your business? If so, please identify the nature of the adverse impact (for example, license fees, fines, employer time for compliance).

Contact

There is not an official written response to input received during the early stakeholder outreach phase of rule development. However, your input is very important to Ohio EPA and it will be considered when rules are being drafted. There will be additional opportunities to comment on specific rule language later in the process.

For more information, contact Emma Brown at DDAGW_RULECOMMENTS@epa.ohio.gov or (614) 728 – 1219.