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## Proposed Rule – Permit to Install Program Design Flow Rule, OAC 3745-42-05

### What does rule OAC 3745-42-05 cover?

Ohio EPA Division of Surface Water's Permit to Install program permits the design and technical requirements of wastewater collection and treatment systems prior to their construction. The Permit to Install (PTI) program rules in Ohio Administrative Code (OAC) Chapter 3745-42 cover administrative requirements for submitting a PTI or plan approval application for construction of a new, replacement or substantially modified wastewater treatment plant, to the Agency for approval, and technical requirements for wastewater treatment and disposal.

Rule OAC Chapter 3745-42-05 covers the design flow and waste strength requirements for treatment works sized for one hundred thousand gallons per day or less.

### Which rules are under review at this time?

Only one rule, OAC 3745-42-05, is undergoing a five-year rule review at this time.

### What changes are being proposed?

The only major change being proposed in this rulemaking is the inclusion of the option for the Director of Ohio EPA to consider an up to thirty percent reduction in the design flows for a wastewater treatment works based upon the installation of low flow fixtures or water saving devices installed at the source of wastewater generation.

### Are there changes from the January 2018 draft rule revisions?

No, there are no changes from the draft rule.

### Who will be regulated by this rule?

The Applicability of the rule will not differ from the current version of the rule, which includes anyone who wishes to design and install a new, replaced, or substantially modified wastewater conveyance and treatment system sized for 100,000 gallons per day or less. 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, industry sectors, other state agencies, consultants and environmental organizations) 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 rule?

Text proposed for deletion is struck through; new text is 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 June 4, 2018**. The purpose of the public hearing is to give interested persons the opportunity to present oral or written comments on the proposed rule.

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At the close of the public comment period, the Agency will review the comments, make any necessary changes to the rule, and then adopt the rule. 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 rule. The final rule could be adopted in summer 2018.

### How can I comment on the proposed rule?

Please submit your comments in one of the following ways:

- By email: [dsw\\_rulecomments@epa.ohio.gov](mailto: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 rule must be received no later than 5:00 p.m. on June 4, 2018.**

### How can I get more information?

- Copies of this fact sheet and proposed rule are on the Division of Surface Water website at:  
[www.epa.ohio.gov/dsw/dswrules.aspx](http://www.epa.ohio.gov/dsw/dswrules.aspx).

For more information about the proposed rule, please contact Mark Stump at (614) 644-2028 or [mark.stump@epa.ohio.gov](mailto:mark.stump@epa.ohio.gov).