



**BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY**

4/6/2022

Public Notice: Proposed Rulemaking: Plan Approval

Notice is hereby given that the Ohio Environmental Protection Agency, Division of Drinking and Ground Waters (DDAGW) proposed revisions to Plan Approval Rules in Chapter 3745-91 of the Ohio Administrative Code. DDAGW has reviewed the Plan Approval Rules to satisfy the five-year rule review requirements of section 106.03 and 106.031 of the Ohio Revised Code, OAC Chapter 3745-91.

Proposed revisions to OAC Rules 3745-91-01, 3745-91-02, 3745-91-03, 3745-91-04, 3745-91-05, 3745-91-06, 3745-91-07, 3745-91-08, 3745-91-09, 3745-91-10, 3745-91-12 include the following:

- Adding the definition of "General Plan" and updating "Substantial Change" definition in rule 3745-91-01.
- Adding language regarding General Plan content and submission requirements (including all community system improvement projects and those seeking Water Supply Revolving Loan Account (WSRLA) funding), total cost evaluations, plan approval for found systems, streamlined water line approvals and prohibition of like-kind replacements when wells or treatment items are located in pits in rule 3745-91-02.
- Updating language in rule 3745-91-03 to include electronic submission.
- Updating plan sign-off protocol in rule 3745-91-07.
- Updating references and adding clarifying language and the process to obtain a variance from the rules to rule 3745-91-08.
- Adding language to include non-transient non-community water systems serving sensitive populations as a part of the systems that must comply with the rule 3745-91-09.
- Updating references and adding clarifying language that all public water systems must have a source protection plan to rule 3745-91-10.

The public comment period will run until May 11th, 2022. A public hearing on this proposed rulemaking will be held to consider public comments in accordance with Section 119.03 of the Ohio Revised Code. Ohio EPA will be holding a virtual public hearing on the rules on May 11th, 2022, at 10:30 AM. During the hearing, the public may submit written comments on the record about the proposed rules or participate virtually.

Citizens who want to participate virtually must register in advance for the meeting at:

<https://attendee.gotowebinar.com/register/2433446153835872782>

Comments can be submitted by email to ddagw_rulecomments@epa.ohio.gov. Comments should be received at the above address by close of business May 11th, 2022.

To facilitate scheduling of oral presentations, persons intending to give testimony at the hearing should ensure that Ohio EPA receives notice of such intent by May 10th, 2022. Persons who provide Ohio EPA with prior notice will be heard ahead of persons who register at the hearing. To provide notice of intent to give oral comments at the public hearing, contact Colin White by mail at Ohio EPA, DDAGW, Lazarus Government Center, 50 West Town Street, Suite 700, Columbus, Ohio 43215, or by phone at (614) 644-2759.

In order to ensure that written comments are considered as part of the official record of this hearing, written comments must be received by Ohio EPA by the close of business on May 11th, 2022. Written comments on the proposed rules may be given to the presiding officer during the hearing, sent by mail to Zach Winoker at the address above, or sent by email to the following address: ddagw_rulecomments@epa.ohio.gov.

To obtain a copy of the proposed rules, contact Zach Winoker at Ohio EPA at (614) 644-3387 or email at Zachary.Winoker@epa.ohio.gov. Please request the "Plan Approval Rules" and be sure to include your name, telephone number, and complete mailing address. There are amendments to the proposed rules. These rules and associated documents are available on DDAGW's Web page for electronic downloading here: <https://epa.ohio.gov/divisions-and-offices/drinking-and-ground-waters/regulations/proposed-rules>

Comments can be submitted in hard copy to the following address: "Ohio Environmental Protection Agency, DDAGW, P.O. Box 1049, Lazarus Government Center, Columbus, Ohio 43216-1049, Attn: Zach Winoker" or by email to ddagw_rulecomments@epa.ohio.gov. Comments should be received at the above address by close of business on May 11th, 2022.