



**BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY**

1/5/2022

Public Notice: Proposed Rulemaking: Revised Total Coliform Rules

Notice is hereby given that the Ohio Environmental Protection Agency, Division of Drinking and Ground Waters (DDAGW) proposed revisions to Revised Total Coliform Rules in Chapter 3745-81 of the Ohio Administrative Code. DDAGW has reviewed the Revised Total Coliform Rules to satisfy the five-year rule review requirements of section 106.03 and 106.031 of the Ohio Revised Code. OAC Chapter 3745-81 sets forth rules set forth regulations for monitoring requirements for total coliform bacteria and how public water systems (PWSs) must respond when samples show that total coliform bacteria are present within a water supply.

Proposed revisions to OAC Rules 3745-81-14, 3745-81-21, 3745-81-50, 3745-81-51, 3745-81-52, 3745-81-53, 3745-81-54, 3745-81-55 include the following:

- Adding a new paragraph to 3745-81-50 to reiterate that total coliform samples collection must be collected under “normal operating conditions.” PWSs cannot disinfect prior to collecting routine and repeat samples.
- Clarify the start-up resamples for seasonal systems under 3745-81-51 Appendix A section 5.2.1 must be 2 consecutive samples at least 30 minutes apart since the only way for these small noncommunities to disinfect their PWS is to feed chlorine into their well and pull it through their entire PWS into the distribution system. This also aligns with the well disinfection requirements in 3745-9-08.
- Remove the “5 days prior to serving water to the public” requirement in 3745-81-51 Appendix A section 6.1 and 3745-81-55(A)(5) and replace with “submit on or before the first day of the primary operating season.”
- Change the name of the Start-Up checklist in 3745-81-51 Appendix A from “Seasonal Public Water System Start-Up Requirements and Checklist” to the shorter version of seasonal start-up checklist.
- Move 3745-81-14 paragraph (H) to 3745-81-50 then rescind 81-14 to minimize duplicated language.
- Clarify definitions for seasonal systems and each type of seasonal system in 3745-81-01 and 3745-81-51(B)(5)(c) to mimic terms on the DME language found in the survey letters. Specifically use and define the terms fully-pressurized year-round seasonal system, partially-depressurized seasonal system, depressurized seasonal system and primary operating season.
- Clarify the monitoring requirements of fully-pressurized seasonal systems in 3745-81-51(B)(5)(d).
- Correct minor spelling and grammatical errors.
- Clarify language throughout the Rules for consistency.

The public comment period will run until February 10th, 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 an in-person and virtual public hearing on the rules on February 10th, 2022 at 11:00 AM. The in-person hearing will be at the same time and date and will be located at Ohio EPA, Suite 700, 50 W. Town Street, Columbus, Ohio 43215. During the hearing, the public may submit written comments on the record about the proposed rules if participating virtually and verbally if participating in person. To facilitate the scheduling of oral presentations, persons intending to give testimony in-person at the hearing should notify the Ohio EPA Public Interest Center, mary.mccarron@epa.ohio.gov or (614) 644- 2160.

Citizens who want to participate virtually must register in advance for the meeting at <https://register.gotowebinar.com/register/201759703899861774>

Comments can be submitted by email to ddagw_rulecomments@epa.ohio.gov. Comments should be received at the above address by close of business, February 10th, 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 February 9th, 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 February 10th, 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 "Revised Total Coliform Amended 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/wps/portal/gov/epa/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, February 10th, 2022.