



**BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY**

April 21, 2015

**Public Notice: Final Rulemaking on Laboratory
Certification Rule Amendments.**

Notice is hereby given that the Ohio Environmental Protection Agency, Division of Drinking and Ground Waters (DDAGW) adopted revisions to rule 3745-81-27 and Chapter 3745-89 in the Ohio Administrative Code (OAC) establishing laboratory certification standards for the state of Ohio. These rules have been reviewed pursuant to the five-year rule review requirements of Section 106.03 of the Revised Code.

Revisions to these rules include the include the addition, removal and clarification of the definitions; addition of exceptions to lab certification requirements; incorporation of Ohio EPA lab manuals (microbiological and chemical) as rules by reference; addition of detailed renewal fee information; addition of requirements for annual review of quality assurance plan; inclusion of MMO-MUG (SM 9223) tests and interim authorization for this testing; addition of situations when the director may deny, suspend or revoke a laboratory certification; addition of requirements for out of state laboratories; addition of requirements for documentation; and, simplification of proficiency testing requirements. Proposed revisions to Rule 3745-81-27 include the addition of specifics for approved analytical methods for microbiological analyses to provide emphasis as well as prepare for the upcoming revised total coliform rule changes. Rule 3745-89-11 is being rescinded and replaced as new due to the amount of changes in information for certified laboratories that do testing for the Long Term 2 Enhanced Surface Water Treatment Rule.

The Director of Environmental Protection adopted these rules in final form, pursuant to Section 6109.04 of the Ohio Revised Code. The Director's order of adoption was issued on April 21, 2015. The effective date of the amended rules will be May 4, 2015 in accordance with Section 119.04(A) of the Revised Code.

A copy of the rules may be obtained, at cost, by contacting the Hearing Clerk, Ohio EPA, 50 West Town Street, Suite 700, P.O. Box 1049, Columbus, Ohio 43216-1049, or (614) 644-2129. These rules are also available electronically at the following internet address: <http://epa.ohio.gov/ddagw/rules.aspx>.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00, made payable to "Ohio Treasurer Josh Mandel," which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission
77 South High Street, 17th Floor
Columbus, OH 43215