

**BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY**

January 8, 2015

**Public Notice: Draft Rule Revisions Governing Rules for Public Water System
Plan Approval, Backflow Prevention and Cross-Connection Control and
Consumer Confidence Reports**

Notice is hereby given that the Ohio Environmental Protection Agency, Division of Drinking and Ground Waters (DDAGW) revised draft rules in Chapters 3745-91, 3745-95 and 3745-96 of the Ohio Administrative Code (OAC). These revisions replace the draft rules previously available for public comment during the period of March 15 to April 26, 2013.

Revisions made to the previous drafts in Chapter 3745-95 did not change the intent, which was to more clearly define the requirements for assessing locations where cross-connections to the consumer's water system have an increased potential to backflow into the public water system. The revisions provide an alternative to on-site investigations of each residential premise, replacing them with an educational campaign. Also, revisions include an alternative to conducting an on-site investigation of all premises every five years. The draft allows the use of information gathered through a water use survey questionnaire or in coordination with the local licensing agencies as indicators of when an on-site investigation should be conducted

Additional changes include the provision prohibiting booster pumps on one, two or three-family dwellings was removed. Also, an exemption, allowing a pressure vacuum breaker to be installed for certain residential auxiliary water systems meeting specific conditions was added to the rule listing types of backflow protection. Several standards have been aligned with the Ohio Plumbing Code in the rule governing booster pumps. Lastly, it was determined to remove the Ohio EPA Backflow Prevention and Cross-Connection Control manual as a rule-by-reference. The manual with revisions adopted will remain as recommendations and guidance.

Rules in Chapters 3745-91 and 3745-96 have not been revised since the first round of interested party of review which ended in April 2013. Rule 3745-91-12 was drafted with revisions to include self-certification, requiring submittal of a project summary and annual report. Draft revisions in Chapter 3745-96 include defining PWS satellite system requirements; and adding in condominium complexes to the list of facilities for delivery of consumer confidence reports.

As part of the rule-making process, the Agency is required by Section 121.39 of the Ohio Revised Code to consult with organizations that represent political subdivisions, environmental interests, business interests, and others affected by the rule. Additionally, the Agency is working with the Common Sense Initiative (CSI) Office to identify impact to businesses. The Agency is offering you and your organization the opportunity to comment on the draft rules before the division formally proposes them.

The draft rules will be available on the Ohio EPA web page under the heading, "Interested Party Review" until its adoption or withdrawal. The address is: www.epa.ohio.gov/ddagw/rulemaking.aspx. Questions concerning the draft rules and policy revisions may be addressed to Susan Baughman at (614) 644-2752.

To obtain a copy of the draft rules and the proposed policy revisions, call Susan Baughman at Ohio EPA at (614) 644-2752 or send an email to "Susan.Baughman@epa.ohio.gov". Please request the "draft amendments to backflow prevention rules and more" and be sure to include your name, telephone number, and complete mailing address. There is no charge to receive copies of the rules.

Comments can be submitted in hard copy to the following address: "Ohio Environmental Protection Agency, Division of Drinking and Ground Waters, P.O. Box 1049, Lazarus Government Center, Columbus, Ohio 43216-1049, Attn: Susan Baughman" or by email to "ddagw_rulecomments@epa.ohio.gov". Comments should be received at the above address by close of business, **January 30, 2015**.