



**BEFORE THE  
OHIO ENVIRONMENTAL PROTECTION AGENCY**

**May 5, 2016**

**Public Notice: Proposed Rulemaking Governing Secondary Maximum Contaminant Levels.**

Notice is hereby given that the Ohio Environmental Protection Agency, Division of Drinking and Ground Waters (DDAGW) is proposing to rescind rule 3745-82-03 of the Ohio Administrative Code (OAC) and replace it with two new rules: a new version of OAC Rule 3745-82-03 and new OAC Rule 3745-82-04. The proposed revisions are, in part, a result of the five-year rule review requirements of Section 106.03 of the Ohio Revised Code.

The purpose of rescinding OAC Rule 3745-82-03 and replacing it with two new rules is to separate the fluoride-specific requirements from the general requirements. The new version of OAC Rule 3745-82-03 contains the general requirements from paragraph (A) of the current effective rule. The other new rule, OAC Rule 3745-82-04, contains the fluoride-specific requirements from paragraphs (B) through (D) of the current effective rule.

There are also proposed revisions to the fluoride-specific language in OAC Rule 3745-82-04. The revisions allow public water systems to operate with fluoride levels closer to 0.7 mg/L, which is the new optimal fluoride level recommended by the Centers for Disease Control and Prevention (CDC), but still maintain compliance with the fluoride range of 0.8 mg/L to 1.3 mg/L through an overall monthly average.

A public hearing pursuant to §106.03 of the Ohio Revised Code will be conducted on June 10, 2016, beginning at 10:30 a.m. in Conference Room B at the Ohio EPA, Lazarus Government Center, 50 West Town Street, Columbus, Ohio. All interested persons are entitled to attend or be represented and give their written or oral comments on this proposed rule-making. A presiding officer will be present until all interested persons have been heard.

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 June 9, 2016, 5:00 p.m. Persons who provide Ohio EPA with prior notice will be heard ahead of persons who register at the hearing. **All visitors to Ohio EPA must register at the Security desk in the lobby upon arrival. Please bring photo identification (such as a valid driver's license). For security reasons, visitors are required to wear their badge at all times while in the building. Please arrive early to complete these procedures.** To provide notice of intent to give oral comments at the public hearing, contact Corin Bonnett by mail at Ohio EPA, DDAGW, Lazarus Government

Center, 50 West Town Street, Suite 700, Columbus, Ohio 43215, or by phone at (614) 644-2752.

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 June 10, 2016. Written comments on the proposed rules may be given to the presiding officer during the hearing, sent by mail to Corin Bonnett at the address above, or sent by email to the following address [ddagw\\_rulecomments@epa.ohio.gov](mailto:ddagw_rulecomments@epa.ohio.gov).

To obtain a copy of the proposed rules, contact Corin Bonnett at Ohio EPA at (614) 644-2752 or email at [Corin.Bonnett@epa.ohio.gov](mailto:Corin.Bonnett@epa.ohio.gov). Please request "Revisions to Secondary MCL" and be sure to include your name, telephone number, and complete mailing address. There is no charge for proposed rules. The proposed rules will be available on the Agency web page until their adoption or withdrawal. They can be found at <http://epa.ohio.gov/ddagw/rules.aspx> on the "Proposed Rules" tab.

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: Corin Bonnett" or by email to [ddagw\\_rulecomments@epa.ohio.gov](mailto:ddagw_rulecomments@epa.ohio.gov). Comments should be received at the above address by close of business, June 10, 2016.