



Early Stakeholder Outreach — Credible Data Rules (OAC Chapter 3745-4)

Ohio EPA prepares early stakeholder outreach fact sheets to ensure stakeholders are brought into the review process as early as possible and to obtain additional input and discussion before development of interested party draft rules.

What does OAC Chapter 3745-4 cover?

Ohio Administrative Code (OAC) Chapter 3745-4 contains Ohio's standards for the credible data program. This program was designed to encourage and oversee the collection, analysis and use of data collected by volunteer individuals and organizations.

Why are these rules being sent out for Early Stakeholder Outreach?

The first step in the rule-making process is for Ohio EPA to identify that a rule needs to be amended, rescinded, or created. In response to EO 2011-01K, Ohio EPA has added an additional step to ensure stakeholders are brought into the rule process as early as possible. This additional interested party notification and request for information provides an opportunity for the Agency to obtain feedback before the rule language has been developed by the Agency.

What changes are being considered?

A number of minor changes are under consideration and are listed in the side panel. The Agency believes these changes will improve the quality of data and the administrative aspects of the program. Our goal is to make it easier for outside groups to participate in data collection activities.

Who is regulated by these rules?

Participation in the credible data program is voluntary. Those individuals choosing to participate in the program are governed by requirements and procedures in these rules.

What is the rulemaking schedule?

At the close of the Early Stakeholder Outreach comment period, the Agency will consider input provided by stakeholders and then draft revisions to the rules. These draft revisions will be released for another comment period called Interested Party Review, which the Agency anticipates occurring in late 2016.

What input is the Agency seeking?

Please review the existing rules in OAC Chapter 3745-4, available at: http://epa.ohio.gov/dsw/rules/3745_4.aspx. The Agency strongly encourages interested stakeholders to provide comments now; at this early step in the rulemaking process so that the Agency can draft revised language in response to those comments and make the draft revisions available for comment during the next rule review step.

Rule content under review.

All aspects of the rules are subject to review. After using these rules over the past five years the Agency has highlighted these topic areas needing review and possible revision.

- Data collection methods and their citation dates.
- Training and testing requirements to obtain status as a Qualified Data Collector (QDC).
- Procedures and qualifications needed to train and test QDC candidates.
- Establishing testing requirements for QDC status in chemistry.
- Application procedures.
- QDC renewal procedures.
- Content requirements for project study plans and laboratory quality assurance plans.
- Data submittal requirements.

Early Stakeholder Outreach — Credible Data Program Rules

The following questions may help guide you as you develop your comments.

- Is the general regulatory framework proposed the most appropriate? Should the Agency consider any alternative framework?
- What options are available for improving the existing rules?
- Are there considerations the Agency should take into account when updating the existing rules?
- Is there any information or data the Agency should be aware of when developing new or amended rule language?

Ohio EPA would especially like to hear information regarding the following from stakeholders who may be impacted by this program.

- Does this program have a positive impact on your business? Please explain how.
- Does this program have an adverse impact on your business? If so, please identify the nature of the adverse impact (for example, license fees, fines, employer time for compliance).

How can I get more information?

Information is available on the Ohio EPA Division of Surface Water website:

- This fact sheet is available on the Division of Surface Water website at <http://www.epa.ohio.gov/dsw/dswrules.aspx>.
- For additional background information on the Credible Data Program, please visit the Credible Data web page at: <http://www.epa.state.oh.us/dsw/credibledata/index.aspx>.
- The existing rules in OAC Chapter 3745-4 are available at: http://www.epa.ohio.gov/dsw/rules/3745_4.aspx.

How can I provide input?

The Agency is seeking stakeholder input on the rules. When preparing your comments, be sure to:

- explain your views as clearly as possible;
- describe any assumptions used;
- provide any technical information and/or data used to support your views;
- explain how you arrived at your estimate for potential burdens, benefits or costs;
- provide specific examples to illustrate your views; and
- offer alternatives.

Written comments will be accepted through close of business on September 2, 2016.

Please submit your comments in one of the following ways:

- By email: dsw_rulecomments@epa.ohio.gov
- By fax: (614) 644-2745
- By postal mail: Rule Coordinator, Ohio EPA, Division of Surface Water, P.O. Box 1049, Columbus, OH 43216-1049

What if I have questions?

For more information about the rulemaking, please contact: Jeff Reynolds at (614) 705-1011 or jeff.reynolds@epa.ohio.gov.