



## Early Stakeholder Outreach – Connection Ban Standards

### For DSW's Permits Programs OAC 3745-11

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#### What rulemaking is Ohio EPA considering?

Ohio EPA is considering minor revisions to the three rules in Ohio Administrative Code (OAC) Chapter 3745-11, connection ban standards. The intent of the rules are to define the terms of a connection ban, specify the conditions that warrant a connection ban, and describe connection ban variances.

#### Why are the rules being reviewed; what types of changes are being considered?

Ohio EPA is reviewing these rules as part of the five year rule review requirements in Ohio Revised Code 119.032. At this time, the Agency is planning minor revisions to the rules, including changing the definition of "treatment works" to be consistent with the statutory definition contained in ORC 6111.01 and editorial revisions for consistency with the Legislative Service Commission's rule drafting manual.

#### Why is this rulemaking 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The first step in the rule-making process is for Ohio EPA to identify that a rule needs to be amended, rescinded, or created.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 Executive Order (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 opportunity for early input before the rule language has been developed by the Agency.

#### Who will be regulated by this rulemaking?

The connection ban standards rules impact anyone responsible for the construction and operation of a treatment works and anyone responsible for the issuance of permits to construct new connections or treatment works. For example, publicly owned treatment works, National Pollutant Discharge Elimination System (NPDES) permit holders, sewerage system owners, and local health departments, etc.

#### What is the rulemaking schedule?

The Agency is planning to release a draft version of the rules for interested party review and comment in the summer of 2013.

#### What additional information is the Agency seeking?

The Agency wants to hear from interested stakeholders who may be impacted by this rulemaking. General comments and specific factual information are welcome. Ohio EPA is specifically asking for stakeholders to identify the following:

- Does this rulemaking impact your business?
- Does this rulemaking have an adverse impact on your business? If so, please identify the nature of the adverse impact (e.g., license fees, fines, employer time for compliance).
- Is there an alternative rulemaking (or specific provisions within the rules) that the Agency should consider?
- What are the benefits of the rulemaking?

#### What should I consider as I prepare my comments?

You may find the following suggestions helpful for preparing your comments:

1. Explain your views as clearly as possible.

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2. Describe any assumptions that you used.
3. Provide any technical information and/or data you used that support your views.
4. If you estimate potential burden or costs, explain how you arrived at your estimate.
5. Provide specific examples to illustrate your concerns.
6. Offer alternatives.
7. Make sure to submit your comments by the comment period deadline.

### How can I provide input on the rulemaking?

Please submit your comments in one of the following ways:

By email: [dsw\\_rulecomments@epa.ohio.gov](mailto: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

**Comments on the rule must be received no later than 5:00 p.m. on May 23, 2013.**

### How can I get more information?

Additional 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 [www.epa.ohio.gov/dsw/dswrules.aspx](http://www.epa.ohio.gov/dsw/dswrules.aspx).
- The existing Chapter OAC 3745-11 is available at: [http://www.epa.ohio.gov/dsw/rules/3745\\_11.aspx](http://www.epa.ohio.gov/dsw/rules/3745_11.aspx)

For more information about the rulemaking, please contact: Mark Stump at (614) 644-2028 or [mark.stump@epa.ohio.gov](mailto:mark.stump@epa.ohio.gov)