

Recreational Water Criteria Rule

OAC Chapter 3745-1
Early Stakeholder Outreach

Division of Surface Water

December 4, 2014



Overview

- Summary of rule process
- What are recreational water criteria?
- Which rule is being reviewed at this time?
- Why is this rule being reviewed?
- What changes are being considered?
- How do I provide input?

Ohio EPA's Rule Process

- **Early Stakeholder Outreach**
- Rule Development
- Interested Party Review
 - Draft Rules
- Common Sense Initiative Office (Lt. Governor)
- Joint Committee on Agency Rule Review
 - Proposed Rules
- Finalize Rule (Rule Adoption)
- Review/Approval by U.S. EPA

Obtain stakeholder input early in rulemaking process before developing draft rule language



What are Recreational Water Criteria?

- They are numeric criteria intended to protect the recreational use designation (as described in OAC 3745-1-07(B)(4))
 - **Bathing Water (BW)** – heavy use; facilities provided (lifeguard, bathhouse, parking)
 - **Primary Contact Recreation (PCR)** – supports full body contact recreation; three subcategories to reflect a gradation of potential recreational use intensity
 - Class A – frequent usage; includes lakes and popular paddling streams (specific list in Table 7-16)
 - Class B – occasional usage; applies to most water bodies
 - Class C – infrequent usage; applicable to small streams that are historically channelized
 - **Secondary Contact Recreation (SCR)** – applies to small water bodies with minimal potential for recreation
 - Water body in remote area; limited access; sparsely populated; shallow depth precludes full body immersion



What are Ohio's Existing Recreational Water Quality Criteria?

Table 7-13. Statewide numerical criteria for the protection of recreation uses. These criteria apply inside and outside the mixing zone at all times during the recreation season.

Recreation use	E. coli (colony counts per 100 ml)	
	Seasonal geometric mean	Single sample maximum ¹
Bathing water	126	235 ^a
Class A primary contact recreation	126	298
Class B primary contact recreation	161	523
Class C primary contact recreation	206	940
Secondary contact recreation	1030	1030

¹ Except as noted in footnote a, these criteria shall not be exceeded in more than ten per cent of the samples taken during any thirty-day period.

^a This criterion shall be used for the issuance of beach and bathing water advisories.

Note: Recreation season is May 1 through Oct. 31



Why is the Rule Under Review?

- U.S. EPA updated the federal recreation criteria in 2012.

water.epa.gov/scitech/swguidance/standards/criteria/health/recreation/

- Ohio's current criteria are no longer consistent with the federal criteria guidance
- Federal BEACH Act grant funds the beach monitoring program on Lake Erie
 - Continuation of funding requires adoption of new criteria by November 2015 consistent with national program recommendations



What Changes Are Under Consideration?

- U.S. EPA is no longer supporting varying recreational use intensities (e.g. PCR - Class A; Class B; Class C)
 - This will require collapsing these subcategories back into a single category
 - Similar to that which existed in Ohio for many years (up until 3/15/2010)
- U.S. EPA is no longer supporting a seasonal averaging period for the geometric mean
 - Geometric mean expression is a 30-day period
 - Similar to that which existed in Ohio for many years (up until 3/15/2010)



What Changes Are Under Consideration?

- Updating the magnitude of the recreational criteria consistent with federal recommendations
 - Summarized in table below
 - Criteria must be composed of both a geometric mean and STV
 - Ohio's existing criteria utilize the *E. coli* indicator and have done so for years

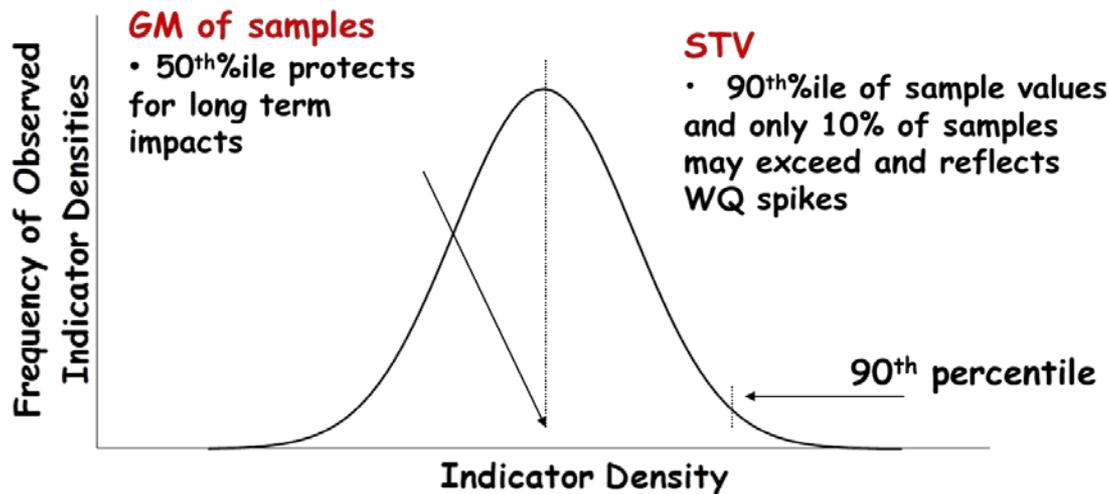
CRITERIA ELEMENTS	Recommendation 1		Recommendation 2	
	Estimated Illness Rate 36/1,000		Estimated Illness Rate 32/1,000	
Indicator	GM (cfu/100 mL)	STV (cfu/100 mL)	GM (cfu/100 mL)	STV (cfu/100 mL)
Enterococci (marine & fresh)	35	130	30	110
<i>E. coli</i> (fresh)	126	410	100	320

Correlates to the water quality levels associated with the 1986 Federal criteria document



What is the STV?

- STV is an acronym that stands for “Statistical Threshold Value”
 - An integral component of the water quality criteria
 - The STV approximates the 90th percentile of the water quality distribution and is intended to be a value that should not be exceeded by more than 10% of the samples taken
 - Replaces the term “Single Sample Maximum” (SSM)



How do I provide input?

- Written comments accepted through close of business **December 22, 2014**
- Submit in following ways:
 - dsw_rulecomments@epa.ohio.gov
 - 614-644-2745 (fax)
 - Rule Coordinator, Ohio EPA, Division of Surface Water, P.O. Box 1049, Columbus, OH 43216-1049
- Fact sheet available at:
epa.ohio.gov/dsw/dswrules.aspx#120473212-early-stakeholder-outreach



For Additional Information

Division of Surface Water Web Page:
epa.ohio.gov/dsw/SurfaceWater.aspx

Ohio EPA Water Quality Standards Web Page:
epa.ohio.gov/dsw/wqs/index.aspx

Federal Recreational Water Quality Criteria Web Page:
water.epa.gov/scitech/swguidance/standards/criteria/health/recreation/

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