

**BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY**

**Public Notice
Proposed Rulemaking Governing
Water Quality Standards**

Notice is hereby given that the Director of Environmental Protection, under the authority of Section 6111.041 of the Ohio Revised Code and in accordance with Chapter 119, proposes to amend the following rules of the Ohio Administrative Code (OAC):

Rule Number	Rule Title
3745-1-01	Purpose and applicability.
3745-1-02	Definitions.
3745-1-05	Antidegradation.
3745-1-06	Mixing zones.
3745-1-06	Mixing zone demonstration and sizing requirements.
3745-1-07	Water use designations and statewide criteria.
3745-1-07	Beneficial use designations and biological criteria.
3745-1-26	Cuyahoga river drainage basin.
3745-1-31	Lake Erie standards.
3745-1-32	Ohio river standards.
3745-1-33	Water quality criteria for the lake Erie drainage basin.
3745-1-33	Water quality criteria for water supply use designations.
3745-1-34	Water quality criteria for the Ohio river drainage basin.
3745-1-34	Human health criteria for one route exposure [fish consumption].
3745-1-35	Site-specific modifications to criteria and values.
3745-1-35	Aquatic life and wildlife criteria.
3745-1-36	Methodologies for development of aquatic life criteria and values.
3745-1-37	Methodology for deriving bioaccumulation factors.
3745-1-37	Water quality criteria for recreation use designations and aesthetic conditions.
3745-1-38	Methodologies for development of human health criteria and values for the lake Erie drainage basin.
3745-1-38	Variances.
3745-1-39	Methodology for development of wildlife criteria for the lake Erie drainage basin.
3745-1-39	Site-specific modifications to criteria and values.
3745-1-40	Methodologies for development of aquatic life criteria and values.
3745-1-41	Methodology for deriving bioaccumulation factors.
3745-1-42	Methodologies for development of human health criteria and values for the lake Erie drainage basin.

3745-1-43	Methodology for development of wildlife criteria for the lake Erie drainage basin.
3745-1-44	Whole effluent toxicity provisions.
3745-2-08	Mixing zone demonstration and sizing requirements.
3745-2-09	Whole effluent toxicity provisions and water quality based effluent limit calculation procedures.

OAC Chapter 3745-1 contains Ohio's standards for water quality. This rulemaking consists of a reorganization of the content in OAC Chapter 3745-1, which includes the movement of existing rule content without any substantive changes, except in rule OAC 3745-1-05. Also included as part of this reorganization of water quality standards is a transfer of water quality standards rule requirements currently contained in other rule chapters (OAC Chapters 3745-2 and 3745-33) into OAC Chapter 3745-1. After this rulemaking, all of Ohio's water quality standards will be contained within a single rule chapter.

The Agency invites all interested parties to comment on these rules. The public comment period will run until **October 5, 2016**. A public hearing on this proposed rulemaking will be held to consider public comments in accordance with Section 119.03 of the Ohio Revised Code. This hearing will be held at **Conference Room B at the Ohio EPA Central Office, 50 West Town Street, Suite 700, Columbus, Ohio at 10:30 a.m. on October 5, 2016**. 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 facilitate the scheduling of oral presentations, persons intending to give testimony at the hearing should notify the Ohio EPA Public Interest Center, P.O. Box 1049, Columbus, Ohio 43216-1049, (614) 644-2160. Prior registration will ensure that registrants are heard ahead of those individuals who register at the hearing. Oral testimony may be limited to five minutes, depending on the number of persons testifying. All interested persons are entitled to attend or be represented and to present oral and/or written comments concerning the proposed rulemaking.

Written testimony should be sent to the attention of Melinda Harris at the Division of Surface Water, P.O. Box 1049, Columbus Ohio 43216-1049. Written comments may also be submitted to the Hearing Officer at the public hearing. Written testimony will receive the same consideration as oral testimony. All testimony received at the hearing or by close of business on **October 5, 2016**, will be considered by Ohio EPA prior to final action on this rulemaking proposal. Written comments submitted after this date may be considered as time and circumstances permit.

The proposed rules and a fact sheet explaining the rule revisions are posted on the Ohio EPA website at www.epa.ohio.gov/dsw/dswrules.aspx. The proposed rules are also available on the Register of Ohio website at www.registerofohio.state.oh.us. Questions regarding this rule package should be directed to Dan Dudley, at the Division of Surface Water, at (614) 644-2876.