BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY

Public Notice
Proposed Rulemaking Governing
Section 401 Water Quality Certifications

Notice is hereby given that the Director of Environmental Protection, under the authority of Section 6111.03 of the Ohio Revised Code and in accordance with Chapter 119, proposes to amend the following rules of the Ohio Administrative Code (OAC):

Rule #	Rule Title
3745-32-01	Definitions.
3745-32-02	Section 401 water quality certification required.
3745-32-03	Section 401 water quality certification exemptions.
3745-32-04	Section 401 water quality certification applications.
3745-32-05	Criteria for decision by director.
3745-32-06	Revocation of section 401 water quality certification.
3745-32-07	Procedure for decision by director.
3745-45-02	Certification fees.

The rulemaking includes the five year review of all of OAC Chapters 3745-32 and 3745-45. OAC Chapter 3745-32 contains the administrative and technical requirements for submitting a Section 401 water quality certification to Ohio EPA's Division of Surface Water. Seven rules in the chapter are being combined into three new rules: 3745-32-01, 3745-32-02 and 3745-32-03. OAC Chapter 3745-45 consists of one rule, which contains outdated water quality certification fees. This rule is being rescinded.

The Agency invites all interested parties to comment on these rules. The public comment period will run until **August 31, 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 A at the Ohio EPA Central Office, 50 West Town Street, Suite 700, Columbus, Ohio at 10:30 a.m. on August 31, 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 **August 31, 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 Harry Kallipolitis at the Division of Surface Water, at (614) 644-2146.