



## Division of Surface Water

### Response to Comments on Proposed Rules February 2014

- Rule:** OAC 3745-11-01: Definitions used in OAC Chapter 3745-11.  
OAC 3745-11-02: Conditions that warrant a standard connection ban or special connection ban.  
OAC 3745-11-03: Application for connection ban variances.

#### Agency Contact for this Package

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On January 7, 2014, Ohio EPA made available for review and comment three rules regarding connection ban standards. This comment period ended on February 10, 2014.

Ohio EPA reviewed and considered all comments received during the public comment periods. By law, Ohio EPA has authority to consider specific issues related to protection of the environment and public health.

#### OAC 3745-11-01 Definitions used in OAC Chapter 3745-11.

**Comment 1:** 3745-11-01 (G): The omission of the language in rule number 3745-11 letter G where the words "including household building sewer systems as defined in this rule" are omitted are unnecessary.

Suggestion: Do not omit the language.

**Response 1:** The language was omitted to make the definition of "treatment works" consistent with the statutory definition contained in ORC 6111.01.

OAC 3745-11-02 Conditions that warrant a standard connection ban or special connection ban.

**Comment 1:** 3745-11-02 (E) (1)-(3): The omission of the language in rule 3745-11-02 paragraph (E) numbers 1 through 3 where the word "and" is omitted and the word "or" remains is unnecessary and detrimental in providing enforcement of the rule.

Suggestion: Do not omit the word "and".

**Response 1:** It is the preference of the Ohio Legislative Service Commission that "and/or" be removed from rules. For 3745-11-02 (E) (1) through (3), it would not make sense to have the word "and" in place of "and/or". Ohio EPA does not believe leaving "or" in place of "and/or" will be detrimental to enforcement of the rule.

**End of Response to Comments**