

Ohio EPA, Division of Drinking and Ground Waters  
 State Rule Making Update  
 May 2009

Rule Name	General Description	Issues of Note?	Status / Comment Deadlines
3745-84 License to Operate	Amending rules to establish conditions and procedures for conditioning, suspending, revoking or denying a license to operate.	<ul style="list-style-type: none"> <li>• Will begin utilizing conditioning licenses with the 2010 LTO</li> <li>• Have preliminarily identified a dozen or so NCWS SNCs as targets</li> <li>• Will use the rest of 2009 to return these systems to compliance</li> </ul>	<ul style="list-style-type: none"> <li>• Effective 4/1/09</li> </ul>
3745-34 Underground Injection Control	Review and update of UIC rules for five year rule review.	Strengthens Class V permitting, specifically motor vehicle waste disposal wells.	<ul style="list-style-type: none"> <li>• Effective 4/23/09</li> </ul>
3745-9 Well Standards	Amending rules to clarify variance provisions, include setback distances from certain waste management activities, clarify analytical requirements, and require development or update of a source water protection plan within two years after receiving approval for a new well.	Majority of interested party comments concerned revisions to well siting criteria, pumping test requirements and time frame for submission of source water protection plan. Revisions were made to provide additional flexibility, including allowing two years to submit protection plan.	<ul style="list-style-type: none"> <li>• Proposed on 4/20/09</li> <li>• Public hearing on 5/27/09</li> <li>• JCARR hearing on 6/22/09</li> <li>• Anticipate effective 7/09</li> </ul>

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3745-81 Lead and Copper	Revisions are being included to incorporate federal revisions published on 10/10/07. The short-term revisions do not change the action levels of 0.015 milligrams per liter (mg/L) for lead and 1.3 mg/L for copper.	New requirement to issue consumer notice of tap water lead monitoring results to all served by the sampling site, regardless of whether the sample exceeds the lead action level.	<ul style="list-style-type: none"> <li>• Proposed on 4/20/09</li> <li>• Public hearing on 5/27/09</li> <li>• JCARR hearing on 6/22/09</li> <li>• Anticipate effective 7/09</li> </ul>
3745-88 Disadvantaged Community Loans	Revising to allow increased flexibility in the administration of disadvantaged community loans		<ul style="list-style-type: none"> <li>• Proposed on 5/1/09</li> <li>• Public hearing on 6/4/09</li> <li>• JCARR hearing on 6/22/09</li> <li>• Anticipate effective 7/09</li> </ul>
3745-91 Plan Approval	Amending to update reference to Ten State Standards; clarify PE requirements; add references to Guidelines for Design of Small PWS (aka Greenbook), Arsenic Treatment manual and Approved Capacity document.	Approved capacity document contains requirements for water systems to complete water demand projections and take appropriate action to address future needs.	<ul style="list-style-type: none"> <li>• Reviewing comments received during interested party review</li> <li>• Expect to propose in summer; effective rules in fall</li> </ul>
3745-89 Laboratory Certification	Amending to require electronic reporting of data and submission of lead and copper data on individual sample reports beginning 7/1/10 and to require revocation of a lab certification when a corresponding operator certificate is revoked for falsification		<ul style="list-style-type: none"> <li>• Expect to propose in summer; effective rules in fall</li> </ul>

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3745-81 Long Term 2 Enhanced Surface Water Treatment Rule	Supplements prior rules (IESWTR & LT1SWTR) to address concern with <i>Cryptosporidium</i> in unfiltered systems and filtered systems with elevated <i>Cryptosporidium</i> levels in source water.		<ul style="list-style-type: none"> <li>• Extension for state implementation until 1/4/10</li> <li>• Currently reviewing comments received during Interested Party Review</li> <li>• Expect to propose in summer; effective rules in fall</li> </ul>
3745-81 Stage 2 Disinfectants/ Disinfection Byproducts Rule	Expansion of Stage 1 D/DBP requirements to more systems. Also, intended to reduce disparity between high and low DBP levels in a distribution system.	<ul style="list-style-type: none"> <li>• Majority of comments related to "extra" sampling and the implementation dates of the rule</li> <li>• Schedule 2 training on May 13 for report writing</li> <li>• Preparing for implementation, i.e. tracking and Schedule 4 IDSE compliance</li> <li>• USEPA proposing implementation transition</li> </ul>	<ul style="list-style-type: none"> <li>• Extension for state implementation until 1/4/10</li> <li>• Currently reviewing comments received during Interested Party Review</li> <li>• Expect to propose in summer; effective rules in fall</li> <li>• Response to comments will be sent when rules are proposed</li> </ul>
3745-81 Ground Water Rule	Assessment and treatment of ground water sources vulnerable to microbiological contamination.	Almost all PWSs will be affected; current version of SDWIS does not handle GWR tracking or compliance	<ul style="list-style-type: none"> <li>• Implementation under federal GWR starts 12/1/09</li> <li>• Workgroup is currently drafting state rules</li> </ul>