

August 5, 2003

## Ohio EPA files new PTI/PE Stamp Rules

Over the past two years, the Ohio Environmental Protection Agency (Ohio EPA) has been evaluating several aspects of its rules relating to permit-to-install (PTI) and plan approvals. This review included the complexity, clarity and overall structure of the rules. As a result of this review it was determined that the restructuring of the rules relating to the PTI process should be revised.

Currently, the PTI rules which relate to air pollution control, surface water discharge and solid and infectious waste programs are found in Ohio Administrative Code (OAC) Chapter 3745-31. Ohio EPA determined that it can be difficult for users of different environmental program rules to effectively determine applicable components of OAC Chapter 3745-31. This is because most other environmental program rules are located in other OAC Chapters.

To simplify the process for users, Ohio EPA has decided to separate the various PTI rules and move them to the chapter that already governs other parts of that program, such as air pollution control. This will be done through the ORC 119 rule making process, which includes proposal of the rules to the Joint Committee on Agency Rule Review (JCARR).

In addition to revising the PTI rules, the Ohio EPA determined the need to clarify which plans of the Ohio EPA will require to be prepared by a professional engineer, as evidenced by a PE stamp. This issue, which has gone unresolved for a number of years, was raised by the Ohio Association of Consulting Engineers to the Ohio EPA Director Jones shortly after his appointment. The association questioned Ohio EPA's legal authority to approve plans for privately funded public water systems and wastewater systems that did not have a PE stamp. After obtaining the opinion of the Attorney General in 1999, the Ohio EPA would have to formally adopt rules requiring engineering plans to contain a PE stamp in order to reject plans that don't.

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