



State of Ohio Environmental Protection Agency

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P.O. Box 1049  
Columbus, OH 43216-1049

March 3, 2009

**Re:** Draft amendments addressing Water Quality Standards rules in Ohio  
Administrative Code (OAC) Chapter 3745-1

Dear Interested Party:

This letter is to make you aware of, and solicit your input on, the Agency's draft revisions to the following rules in OAC Chapter 3745-1.

Rule #	Rule Title	Action
3745-1-05	Antidegradation.	Amend
3745-1-07	Water use designations and statewide criteria.	Amend
3745-1-31	Lake Erie standards.	Amend

This rulemaking consists of a few of the changes that were already made available for review in other draft rule packages, specifically the water quality standards rulemaking ([www.epa.state.oh.us/dsw/rules/draft\\_wqs\\_aug08.html](http://www.epa.state.oh.us/dsw/rules/draft_wqs_aug08.html)) and the antidegradation rulemaking ([www.epa.state.oh.us/dsw/rules/draft\\_antidegradation\\_oct08.html](http://www.epa.state.oh.us/dsw/rules/draft_antidegradation_oct08.html)). Those two rule packages are part of four interrelated rule packages (water quality standards, 401 water quality certification, antidegradation, and stream mitigation).

Because of delays in completing the draft stream mitigation rule package, Ohio EPA has decided to peel a few time-sensitive items out of the water quality standards/antidegradation rule packages and proceed with targeted changes in a separate stand alone rulemaking. This separate stand alone rulemaking will proceed through the rulemaking process ahead of the remainder of the rule changes, which will continue to proceed but be linked to the stream mitigation rules as previously planned.

The draft rule changes consist of:

- Making submittal, public notice and public hearing requirements for Section 401 water quality certification projects consistent with Ohio Revised Code section 6111.30 (Application for federal water quality certification – hearing, effective 09-29-2005);
- Revising the definitions of the recreation use designations;
- Removing fecal coliform water quality criteria and revising E. coli water quality criteria;
- Restricting disposal of dredge material in Lake Erie; and
- Small grammatical changes that don't substantively change the rules.

Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korleski, Director

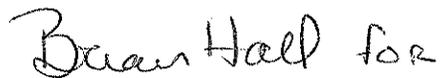
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The draft rules and a fact sheet explaining the rule revisions are posted on the Ohio EPA Web page at [www.epa.state.oh.us/dsw](http://www.epa.state.oh.us/dsw). If you are unable to access the Web page, contact Bob Heitzman, Division of Surface Water, at (614) 644-3075 to request a copy. Comments on these rules are due to this Agency by **April 17, 2009**. Comments should be forwarded to:

Ohio EPA, Division of Surface Water  
Attn: Bob Heitzman  
P.O. Box 1049  
Columbus, Ohio 43216-1049  
(email: [bob.heizman@epa.state.oh.us](mailto:bob.heizman@epa.state.oh.us)).

Please contact Mr. Heitzman at the email address or telephone number above if you have any questions.

Sincerely,



George Elmaraghy, P.E., Chief  
Division of Surface Water

GE:bh