



**Environmental
Protection Agency**

John R. Kasich, **Governor**
Mary Taylor, **Lt. Governor**
Scott J. Nally, **Director**

September 27, 2012

Re: Interested Party Review – Draft amendments to National Pollutant Discharge Elimination System (NPDES) permit rule 3745-33-04 and Pretreatment rule 3745-36-03

Dear Interested Party:

This letter is to make you aware of, and solicit your input on, the Agency's draft amendments to the following rules.

	OAC Chapter 3745-33. Ohio NPDES Permits.	
Rule #	Rule Title	Action
3745-33-04	Permit actions.	Amend

	OAC Chapter 3745-36.	
	Permit Program Regulating Discharge of Nondomestic Wastewater into a POTW.	
Rule #	Rule Title	Action
3745-36-03	Individual indirect discharge permits.	Amend

Revisions are being considered to the parts of these rules that address the conditions under which the Agency may renew permits. On June 5, 2012, the Governor signed into law Senate Bill 294, the Agency's Omnibus Bill. Included in this bill was a revision to Ohio Revised Code (ORC) 6111.03(J)(3), which would provide the Director with the discretion to renew the permittee's permit or deny the renewal. Since the statute has been revised, the Agency is moving forward with a rulemaking to update the rule language. The Division is considering deleting the rule language that is now inconsistent with the statute.

In addition to the draft rule amendments, Ohio EPA is also seeking comments and feedback on the draft Common Sense Initiative (CSI) Business Regulation Impact Analysis form, which is being released with these draft rules during interested party review. The draft rules, a fact sheet, and CSI Form are posted on the Ohio EPA website at www.epa.ohio.gov/dsw/dswrules.aspx. If you are unable to access the website or have questions about the draft rules, contact Eric Nygaard, Division of Surface Water, at (614) 644-2024 or eric.nygaard@epa.ohio.gov.

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Comments on these rules are due to this Agency no later than 5:00 p.m. on October 29, 2012. Send your comments by postal mail or email to:

Rule Coordinator
Ohio EPA, Division of Surface Water
P.O. Box 1049
Columbus, Ohio 43216 1049
(email: dsw_rulecomments@epa.ohio.gov).

Sincerely,



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

GE:mh