



**Environmental  
Protection Agency**

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

**March 20, 2012**

**Re:** Second Interested Party Review - Draft amendments addressing the pretreatment and indirect discharge permit program rules in Ohio Administrative Code (OAC) Chapters 3745-3 and 3745-36

Dear Interested Parties:

This letter is to make you aware of, and solicit your input on, the Agency's draft revisions to the following rules in OAC Chapters 3745-3 and 3745-36.

<b>Rule #</b>	<b>Rule Title</b>	<b>Draft Action</b>
<b>OAC Chapter 3745-3 Industrial Discharges to Publicly Owned Treatment Works</b>		
3745-3-01	Definitions.	Amend
3745-3-02	Purpose and applicability.	No change
3745-3-03	POTW pretreatment programs.	Amend
3745-3-04	Prohibited discharges.	Amend
3745-3-05	Notification of potential problems, including slug loading.	No change
3745-3-06	Reporting requirements for industrial users.	Amend
3745-3-07	Trade secrets; request for confidentiality.	Amend
3745-3-09	General requirements governing application of pretreatment standards.	Amend
<b>OAC Chapter 3745-36 Permit Program Regulating Discharge of Nondomestic Wastewater into a POTW</b>		
3745-36-01	Purpose.	No change
3745-36-02	Definitions.	Amend
3745-36-03	Individual indirect discharge permits.	Amend
3745-36-06	Indirect discharge permit-by-rule.	No change

Revisions are planned to eight of the rules in these chapters and no changes are planned to four of the rules. The draft rule changes consist of:

- Updates to references and grammatical edits
- In OAC 3745-3-01 and OAC 3745-36-02, we plan to include a definition of noncontact cooling water.
- In OAC 3745-3-06, we plan to clarify in paragraph (F), that reports and certifications required by the rule include the certification statement in 40 C.F.R. 403.6(a)(2)(ii). We are also including the optional Toxic Organics Management Plan (TOMP) requirements from

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DSW's policy manual into rule.

- In OAC 3745-3-07, we plan to clarify in paragraph (F) that all information submitted to the state or publicly owned treatment works shall be available to the public at least to the extent provided by 40 C.F.R. Part 2.302.

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, CSI form and a fact sheet explaining the rule revisions are posted on the Ohio EPA website at [www.epa.ohio.gov/dsw](http://www.epa.ohio.gov/dsw). If you are unable to access the web page, contact Melinda Harris, Division of Surface Water, at (614) 728-1357 to request a copy. Comments on the rules are due to this Agency by **April 20, 2012**. Comments should be forwarded to:

Ohio EPA, Division of Surface Water  
Attn: Rule Coordinator  
P.O. Box 1049  
Columbus, Ohio 43216-1049  
(email: [dsw\\_rulecomments@epa.state.oh.us](mailto:dsw_rulecomments@epa.state.oh.us))

Please direct questions regarding the draft rules to Ryan Laake at (614) 644-2134.

Sincerely,



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

GE:mh