



State of Ohio Environmental Protection Agency

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September 28, 2010

Re: Draft amendments addressing the Surface Water Credible Data Program rules in Ohio Administrative Code (OAC) Chapter 3745-4

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
3745-4-01	Purpose and applicability.	Amend
3745-4-02	Definitions.	Amend
3745-4-03	Qualified data collectors.	Amend
3745-4-04	Level 1 data requirements and reporting.	Amend
3745-4-05	Level 2 data requirements and reporting.	Amend
3745-4-06	Level 3 data requirements and reporting.	Amend

The credible data program classifies surface water monitoring performed by watershed groups, state agencies, schools, local volunteers and other organizations. Ohio EPA uses the data submitted under the program in ways prescribed by State law.

In 2006, Ohio EPA adopted rules that establish criteria for three levels of credible data related to surface water monitoring and assessment. The rules also: define training and experience requirements for qualified data collectors (QDCs); describe sampling protocols and field methods to ensure that the data collection and interpretation are reproducible, scientifically defensible and free from pre-conceived bias; and require Ohio EPA to establish and maintain a computerized database of all credible water quality data submitted to the Agency

Section 119.032 of the Ohio Revised Code requires Ohio EPA to review its rules every five years to determine whether they should be changed. The Agency has reviewed the credible data rules and has identified needed changes.

The significant draft rule changes are summarized below.

- The draft rules expand the recognized habitat assessment skill sets to include the headwater habitat evaluation index (HHEI). Level 2 and level 3 QDCs will be able to be approved for methods specific to those small watersheds.

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

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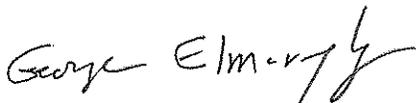
- The draft rules add the Ohio River Valley Water Sanitation Commission (ORSANCO) to the list of organizations recognized in the rule as providing credible data. This eliminates requirements for ORSANCO employees to obtain QDC status and submit study plans.
- The draft rules reflect new training and testing requirements for the chemical water quality assessment specialty.
- The draft rules include alternatives to formalized training requirements (e.g., apprenticeships and Director's consideration), a commitment to review and categorize submitted data within one year, and the authority to approve the use of updated versions of older sampling and analysis methods as part of the study plan approval process.
- The draft rules reflect an option for automatic approval of level 1 QDCs.
- The draft rules add an Ohio EPA Division of Environmental Services (DES) lab audit option.

The draft rules and a fact sheet explaining the rule revisions are posted on the Ohio EPA website at www.epa.ohio.gov/dsw/Home.aspx. If you are unable to access the website or have questions about the draft rules, contact Jeff Reynolds, Division of Surface Water, at (614) 644-3635 or jeff.reynolds@epa.state.oh.us.

Comments on these rules are due to this Agency by **November 9, 2010**. Send your comments by postal mail or email 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).

Sincerely,



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

GE:bh