

## Wastewater Pollution Control – Interested Party Review

### Draft Revisions for Pretreatment and Indirect Discharge Permit Rules (OAC 3745-3 and 3745-36)

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#### What does OAC 3745-3 and 3745-36 cover?

These chapters of the Ohio Administrative Code (OAC) provide the administrative requirements for the development and implementation of pretreatment programs, regulating industrial wastewater discharges into publicly owned treatment works (POTWs). These rules are also known as the Pretreatment and Indirect Discharge Permit (IDP) rules.

#### Why are these rules being amended?

The rules under OAC Chapters 3745-3 and 3745-36 have been reviewed and amended pursuant to section 119.032 of the Ohio Revised Code (ORC). Ohio EPA is required to review its rules every five years to determine if the rules need revisited.

State law and the federal Clean Water Act require Ohio EPA to periodically update rules to reflect the latest scientific information. The Agency has reviewed 12 rules due for review at this time and has identified changes needed to 8 of the rules, one of which (OAC 3745-36-03) has been included in a separate rulemaking. Therefore, we are planning revisions to 7 rules and no change to 4 rules in this rulemaking as listed in the table on the next page.

#### What changes are being considered?

A majority of the revisions consist of minor updates to references and grammatical edits.

In addition, the following specific changes are being considered.

- 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).
- 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.

#### Who will be regulated by these rules?

Applicability of the rules will not differ from the current version of the rules, which includes industrial and manufacturing facilities that discharge process wastewater into publicly owned wastewater treatment works.

#### What additional information is the Agency seeking?

The Agency wants to hear from interested stakeholders (public, local officials, National Pollutant Discharge Elimination System (NPDES) permit holders and Indirect Permit Program permit holders) who may be impacted by these rule revisions. General comments and specific factual information are welcome.

#### How are the amendments formatted in the draft rules?

Text being considered for deletion is struck through; new text being considered is underlined.

#### What is the rulemaking schedule?

At this time, the Agency is soliciting initial input on these draft rule revisions. Ohio EPA is required by Section 121.39(D) of the Ohio Revised Code to contact potentially affected parties prior to adopting rule changes.

At the close of the draft rule comment period, the Agency will review the comments and make necessary changes to the rules. The Agency will then file the proposed rules with the Joint Commission on Agency Rule Review (JCARR), the Legislative Service Commission and the Secretary of the State.

At that point, another comment period, including one or more public hearings, will be scheduled. After the close of that public comment period, the Agency will review the comments, make any necessary changes and then adopt

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the final rules.

Ohio EPA expects to file the proposed rules later this summer. The final rules could be adopted by the end of this year.

## How can I provide input on the draft revisions?

Please submit your comments in one of the following ways:

By email: [dsw\\_rulecomments@epa.state.oh.us](mailto:dsw_rulecomments@epa.state.oh.us)

By fax: (614) 644-2745

By postal mail:

### Rule Coordinator

Ohio EPA, Division of Surface Water  
P.O. Box 1049  
Columbus, Ohio 43216-1049

later than July 20, 2011.

## How can I get more information?

Copies of this fact sheet and the draft rules are on the Division of Surface Water website at [www.epa.ohio.gov/dsw/Home.aspx](http://www.epa.ohio.gov/dsw/Home.aspx).

For more information about the draft rules, please contact:

Ryan Laake  
(614) 644-2134  
[ryan.laake@epa.state.oh.us](mailto:ryan.laake@epa.state.oh.us)

**Comments on the draft rules must be received no**

### Rules in OAC Chapters 3745-3 and 3745-36 with 5-Year Review Dates of 2/1/2012

Rule #	Title	Draft Action
<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
3745-36-06	Indirect discharge permit-by-rule.	No change