



Proposed Rules – NPDES and Pretreatment Programs

OAC 3745-33-04 and 3745-36-03

What do these chapters of the OAC cover?

Chapter 3745-33 of the Ohio Administrative Code (OAC) contains the administrative and technical requirements for writing and obtaining wastewater discharge permits under the National Pollutant Discharge Elimination System (NPDES).

OAC Chapter 3745-36 contains the administrative requirements for permitting industrial wastewater discharges into publicly owned treatment works (POTWs). The rules in this chapter are also known as the Indirect Discharge Permit (IDP) rules.

Why are these rules under review?

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 6111.03(J)(3), which would provide the Director with the discretion to renew a permittee's permit or deny the renewal. Since the statute has been revised, the Agency is proposing to revise the rule language to be consistent with the statute.

What changes are being proposed?

Paragraph (C)(2) of rule OAC 3745-33-04 and paragraph (g)(2) of rule 3745-36-03 are being amended to include language from revised ORC 6111.03 and additional clarification on coverage under an existing permit during permit denial proceedings.

Are there changes from the September 2012 draft rule revisions?

Yes. In response to comments received during the interested party review, revised rule language will be included as mentioned in the paragraph above.

Who will be regulated by these rules?

Applicability of the rule will not differ from the current version of the rule, which includes direct and indirect dischargers covered under the National Pollutant Discharge Elimination System (NPDES).

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, indirect dischargers) who may be impacted by these rule revisions. General comments and specific factual information are welcome.

How are the amendments formatted in the proposed rules?

Text proposed for deletion is struck through; new text is underlined.

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What is the rulemaking schedule?

A public hearing on these proposed rules will be held to consider public comments in accordance with Section 119.03 of the Ohio Revised Code. This hearing will be held at the **Ohio EPA Conference Center, Room B, 50 West Town Street, Suite 700, in Columbus, Ohio at 11:00 a.m. on February 26, 2013**. The purpose of the public hearing is to give interested persons the opportunity to present oral or written comments on the proposed rules.

At the close of the public comment period, the Agency will review the comments, make any necessary changes to the rules, and then adopt the rules. This is roughly a two-month process from the close of the comment period. A responsiveness summary will be prepared and sent to everyone who comments on the proposed rules. Final rules could be adopted in spring 2013.

How can I comment on the proposed rules?

Please submit your comments in one of the following ways:

By email: dsw_rulecomments@epa.ohio.gov

By fax: (614) 644-2745

By postal mail: Rule Coordinator, Ohio EPA, Division of Surface Water, P.O. Box 1049, Columbus, OH 43216-1049

Comments on the proposed rules must be received no later than 5:00 p.m. on February 26, 2013.

How can I get more information?

Copies of this fact sheet and the proposed rules are on the Division of Surface Water website at:

www.epa.ohio.gov/dsw/dswrules.aspx. For more information about the proposed rules, please contact: Eric Nygaard at (614) 644-2024 or eric.nygaard@epa.ohio.gov.