



## Proposed Rule – Storm Water Program

### OAC 3745-39-04

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#### What does OAC Chapter 3745-39-04 cover?

The Storm Water National Pollutant Discharge Elimination System (NPDES) permit program rules are found in Ohio Administrative Code (OAC) Chapter 3745-39. OAC 3745-39-04 contains the administrative requirements for industries, construction, and large and medium municipal separate storm sewer systems (MS4s). The administrative requirements include: application deadlines, application contents, exempt discharges and “no exposure” certifications. The administrative requirements for small MS4s are located in OAC 3745-39-01 to -03.

#### Why is this rule under review?

Section 119.032 of the Ohio Revised Code (ORC) requires Ohio EPA to review its rules every five years to determine whether they should be changed. The Agency has reviewed OAC 3745-39-04 and has identified necessary revisions.

#### What changes are being proposed?

There are no major revisions proposed to this rule. Revisions consist of minor updates to clarify rule contents and organization, removal of vacated exemptions, removal of unnecessary expired dates and revised references and grammatical edits.

#### Are there changes from the February 2013 draft rule revision?

No.

#### Who will be regulated by this rule?

Applicability of the rule will not differ from the current version of the rule, which includes construction sites greater than one acre, facilities engaging in industrial activity defined in paragraph (B)(15) of the rule, and large and medium MS4s.

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

#### How are the amendments formatted in the proposed rule?

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

#### What is the rulemaking schedule?

A public hearing on this proposed rule 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 A, 50 West Town Street, Suite 700, in**

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**Columbus, Ohio at 10:30 a.m. on May 14, 2013.** The purpose of the public hearing is to give interested persons the opportunity to present oral or written comments on the proposed rule.

At the close of the public comment period, the Agency will review the comments, make any necessary changes to the rule, and then adopt the rule. 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 rule or requests a copy. A final rule could be adopted in summer 2013.

### How can I comment on the proposed rule?

Please submit your comments in one of the following ways:

By email: [dsw\\_rulecomments@epa.ohio.gov](mailto: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 rule must be received no later than 5:00 p.m. on May 14, 2013.**

### How can I get more information?

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

[www.epa.ohio.gov/dsw/dswrules.aspx](http://www.epa.ohio.gov/dsw/dswrules.aspx). For more information about the proposed rule, please contact: Jason Fyffe at (614) 728-1793 or [jason.fyffe@epa.ohio.gov](mailto:jason.fyffe@epa.ohio.gov).