

## ***Proposed Rules – Wastewater Pollution Control Pretreatment and Indirect Discharge Permit Rules (OAC Chapters 3745-3 and 3745-36)***

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### **What does OAC Chapters 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 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 12 rules in these two chapters and has identified necessary revisions to eight of the rules. The other four rules will be filed as no change in a separate rulemaking.

### **What changes are being proposed?**

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

In addition, the following specific proposed rule changes are summarized below.

- OAC 3745-3-01 and OAC 3745-36-02 will be revised to include a definition of noncontact cooling water.
- OAC 3745-3-06(F) will be revised to clarify that reports and certification required by the rule include the certification statement in 40 C.F.R. 403.6(a)(2)(ii). We are also including the administrative requirements for the optional toxic organics management plan certification currently in the Division of Surface Water's policy manual into rule. The policy is available at: <http://www.epa.ohio.gov/dsw/policy/policy.aspx>.
- OAC 3745-3-07(F) will be revised to clarify 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.

### **Are there changes from the March 2012 draft rule revisions?**

The addition of the TOMP option in rule OAC 3745-3-06 is the only major revision to the March 2012 draft rules. Minor grammatical edits were also made.

### **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 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 proposed rules?**

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

### **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 A, 50 West Town Street, Suite 700, in Columbus, Ohio at 10:30 a.m. on July 11, 2012.** The purpose of the public hearing is to give interested persons the opportunity to present oral or written comments on the proposed rules.

# Proposed Rules – Wastewater Pollution Control Pretreatment and Indirect Discharge Permit Program (OAC Chapters 3745-3 and 3745-36)

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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 fall 2012.

## How can I comment on the proposed rules?

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, OH 43216-1049

**Comments on the proposed rules must be received  
no later than 5:00 p.m. on July 11, 2012.**

## 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/Home.aspx](http://www.epa.ohio.gov/dsw/Home.aspx).

For more information about the proposed rules, please contact:

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

### Rules in OAC Chapters 3745-3 and 3745-36 With 5-Year Review Dates of 2/1/2012 Proposed for Revision

Rule #	Rule Title	Action
	OAC Chapter 3745-3 Industrial Discharges to Publicly Owned Treatment Works	
3745-3-01	Definitions.	Amend
3745-3-03	POTW pretreatment programs.	Amend
3745-3-04	Prohibited discharges.	Amend
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
	OAC Chapter 3745-36 Permit Program Regulating Discharge of Nondomestic Wastewater into a POTW	
3745-36-02	Definitions.	Amend
3745-36-03	Individual indirect discharge permits.	Amend