

**BEFORE THE  
OHIO ENVIRONMENTAL PROTECTION AGENCY**

**Public Notice  
Proposed Rulemaking Governing  
Water Quality Standards**

Notice is hereby given that the Director of Environmental Protection, in accordance with Chapter 119 of the Revised Code, proposes to adopt the following rules of the Ohio Administrative Code (OAC). Authority to adopt OAC Chapter 3745-1 rules is under Section 6111.041 of the Ohio Revised Code.

<b>Rule #</b>	<b>Rule Title</b>	<b>Action</b>
3745-1-01	Purpose and applicability	Rescind
3745-1-01	Purpose and applicability	New
3745-1-02	Definitions	Amend
3745-1-03	Analytical methods and availability of documents	Amend
3745-1-04	Criteria applicable to all waters	Amend
3745-1-05	Antidegradation	Amend
3745-1-07	Water use designations and statewide criteria	Rescind
3745-1-07	Beneficial use designations	New
3745-1-31	Lake Erie standards	Amend
3745-1-32	Ohio river standards	Rescind
3745-1-32	Ohio river standards	New
3745-1-33	Water quality criteria for the lake Erie drainage basin	Rescind
3745-1-34	Water quality criteria for the Ohio river drainage basin	Rescind
3745-1-35	Site-specific modifications to criteria and values	Amend
3745-1-36	Methodologies for development of aquatic life criteria and values	Amend
3745-1-37	Methodology for deriving bioaccumulation factors	Amend
3745-1-38	Methodologies for development of human health criteria and values	Amend
3745-1-39	Methodology for the development of wildlife criteria for the lake Erie drainage basin	Amend
3745-1-40	Water quality criteria for water supply use designations	New
3745-1-41	Water quality criteria for recreation use designations	New
3745-1-42	Water quality criteria for the base aquatic life use designation	New
3745-1-43	Water quality criteria for the tiered aquatic life use designations	New

OAC Chapter 3745-1 contains: beneficial use designations such as warmwater aquatic life habitat, public water supply and primary contact recreation; numeric levels and narrative statements (water quality criteria) protective of the use designations; and an antidegradation rule.

The proposed amendments include new beneficial use designations: primary headwater habitat, lake habitat, sport fishing recreation use and base aquatic life use; statewide application of human health criteria based on maximum contaminant levels for public water supply use; inclusion of updated Ohio River Valley Water Sanitation Commission Pollution Control Standards for the Ohio River mainstem; new and revised aquatic life criteria for six chemicals; separation of antidegradation requirements for dredge and fill projects from NPDES

antidegradation requirements and inclusion of nutrient design effluent limits for new and expanding sanitary wastewater dischargers.

The public comment period will run until **5:00 p.m. on February 24, 2012**. 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, Columbus, Ohio at 3:00 p.m. on February 1, 2012**. All visitors to Ohio EPA must register at the Security desk in the lobby upon arrival. Please bring photo identification (such as a valid driver's license). For security reasons, visitors are required to wear their badge at all times while in the building. Please arrive early to complete these procedures.

To facilitate the scheduling of oral presentations, persons intending to give testimony at the hearing should notify the Ohio EPA Public Interest Center, P.O. Box 1049, Columbus, Ohio 43216-1049, (614) 644-2160. Prior registration will ensure that registrants are heard ahead of those individuals who register at the hearing. Oral testimony may be limited to five minutes, depending on the number of persons testifying. All interested persons are entitled to attend or be represented and to present oral and/or written comments concerning the proposed rules.

Written testimony should be sent to the attention of Rule Coordinator at the Ohio EPA Division of Surface Water, P.O. Box 1049, Columbus Ohio 43216-1049. Written comments may also be submitted to the Hearing Officer at the public hearing. Written testimony will receive the same consideration as oral testimony. All testimony received at the hearing or by **5:00 p.m. on February 24, 2012**, will be considered by Ohio EPA prior to final action on this rulemaking. Written comments submitted after this date may be considered as time and circumstances permit.

To obtain copies of the proposed rules, or if you have any questions about this rule package, contact Dan Dudley, Division of Surface Water, at (614) 644-2876 or via email at [dan.dudley@epa.state.oh.us](mailto:dan.dudley@epa.state.oh.us). Copies of the proposed rules are also available on the Ohio EPA Division of Surface Water website at [www.epa.ohio.gov/dsw/Home.aspx](http://www.epa.ohio.gov/dsw/Home.aspx) and the Register of Ohio website at [www.registerofohio.state.oh.us](http://www.registerofohio.state.oh.us).