

**BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY**

**Public Notice
Proposed Rulemaking Governing
Wastewater Sewage Sludge & Biosolids**

Notice is hereby given that the Director of Environmental Protection, under the authority of Sections 6111.03 and 6111.042 of the Ohio Revised Code and in accordance with Chapter 119 of the Ohio Revised Code, proposes to rescind and adopt the following rules of the Ohio Administrative Code:

Rule Number	Proposed Rule Title	Proposed Action
3745-40-01	Definitions.	Rescind
3745-40-01	Definitions.	New
3745-40-02	Purpose, applicability and exclusions.	Rescind
3745-40-02	Purpose, applicability, general requirements, exclusions and prohibitions.	New
3745-40-03	Permits, plans and authorizations.	Rescind
3745-40-03	NPDES permit requirements and management plan requirements.	New
3745-40-04	Land application agronomic management.	Rescind
3745-40-04	Biosolids classifications.	New
3745-40-05	Land application restrictions.	Rescind
3745-40-05	Notice and necessary information requirements for biosolids and other notification requirements.	New
3745-40-06	Land application monitoring and reporting.	Rescind
3745-40-06	Authorization for a beneficial use site, site transfer requirements and site amendment requirements for class B biosolids.	New
3745-40-07	Other management practices; prohibition.	Rescind
3745-40-07	Requirements for the storage of biosolids: isolation distance requirements and requirements for field and regional facility storage.	New
3745-40-08	Requirements for the beneficial use of biosolids: general requirements, prohibitions, isolation distance requirements, site specific requirements, and additional site restrictions for the beneficial use of class B biosolids.	New
3745-40-09	Approved sampling methods, monitoring frequency requirements, record retention and annual reporting requirements.	New
3745-40-10	Facility storage requirements.	New
3745-40-11	Signage requirements for beneficial use sites receiving class B biosolids.	New
3745-40-12	Compliance and enforcement; and spill notification requirements.	New

These new rules address the regulation of wastewater sewage sludge and biosolids.

The public comment period will run until **5:00 p.m. on June 7, 2010**. A public hearing on the 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 10:30 a.m. **on June 7, 2010** at the following location:

Ohio EPA Central Office
50 W. Town Street, Suite 700
Conference Room A
Columbus, Ohio 43215

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 Jacob Howdyshell at the 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 June 7, 2010** will be considered by Ohio EPA prior to final action on this rulemaking proposal. Written comments submitted after this date may be considered as time and circumstances permit.

For questions regarding this rule package or to receive a copy of the proposed rules, please contact Jacob Howdyshell, at the Division of Surface Water (DSW), at (614) 644-2018 or via e-mail at jacob.howdyshell@epa.state.oh.us. In addition, the proposed rules are available for review at any Ohio EPA district office and at the Ohio EPA central office. The proposed rules are also accessible on the DSW Web site at www.epa.ohio.gov/dsw/rules/drafrules.aspx and on the Register of Ohio Web site at www.registerofohio.state.oh.us.