



Early Stakeholder Outreach — Onsite Sewage Treatment Systems (OAC 3745-42-12)

Ohio EPA prepares early stakeholder outreach fact sheets to ensure stakeholders are brought into the review process as early as possible and to obtain additional input and discussion before development of interested party draft rules.

What does OAC Chapter 3745-42 cover?

The Permit to Install (PTI) program rules in Ohio Administrative Code (OAC) Chapter 3745-42 cover administrative requirements for submitting a PTI or plan approval application to the Agency for approval, and technical requirements for wastewater treatment works.

Rule OAC Chapter 3745-42-12 is a new rule, covering the standard for designing onsite sewage treatment systems that will be used consistently across the State of Ohio. The rule will include prohibitions and restrictions, permit to install application requirements, set back distances and site evaluations.

Why is this rule being sent out for Early Stakeholder Outreach?

The first step in the rule-making process is for Ohio EPA to identify that a rule needs to be amended, rescinded, or created. In response to Governor Kasich's Executive Order No. 2011-01K, Ohio EPA has added an additional step to ensure stakeholders are brought into the rule process as early as possible. This additional interested party notification and request for information will allow for early feedback before the rule language has been developed by the Agency.

Why is a new rule being considered?

Ohio EPA has determined that an onsite sewage treatment system rule is necessary to adopt design standards for non-residential onsite sewage treatment systems currently in the existing Division of Surface Water guidance document called, Interim Onsite Sewage Treatment System Guidance Document (2008), and to align with the Ohio Department of Health's rules regulating residential onsite sewage treatment systems, as appropriate. In addition to this guidance document and Ohio Department of Health regulations for residential onsite sewage treatment systems, DSW is also reviewing additional information regarding onsite sewage treatment systems, such as, U.S. EPA guidance manuals, information from other states, and guidance bulletins published by The Ohio State University.

Who is regulated by this rule?

System owners not covered by Ohio Department of Health, such as non-residential systems, or non-residential systems not regulated under the Ohio Department of Health's Small Flow Onsite Sewage Treatment System Program.

What is the rulemaking schedule?

How can I provide input?

The Agency is seeking stakeholder input on the rule. When preparing your comments, be sure to:

- explain your views as clearly as possible;
- describe any assumptions used;
- provide any technical information and/or data used to support your views;
- explain how you arrived at your estimate for potential burdens, benefits or costs;
- provide specific examples to illustrate your views; and
- offer alternatives.

Written comments will be accepted through close of business **June 25, 2018**. Please submit input to:

Rule Coordinator
Ohio EPA, Division of Surface Water
P.O. Box 1049
Columbus, Ohio 43216-1019
dsw_rulecomments@epa.ohio.gov

What if I have questions?

For more information about the rulemaking, please contact:
aleksandr.yakhnitskiy@epa.ohio.gov.

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Depending upon feedback provided during this comment period, the Agency is planning to release a draft version of this rule for interested party review and comment in summer of 2018.

What input is the Agency seeking?

The following questions may help guide you as you develop your comments.

- Is there any information or data the Agency should be aware of when developing program concepts or rule language? Ohio EPA would especially like to hear information regarding the following from stakeholders who may be impacted by this program.

- Will this regulatory program have a positive impact on your business? Please explain how.
- Will this regulatory program have an adverse impact on your business? If so, please identify the nature of the adverse impact.

How can I get more information?

Information is available on the Ohio EPA Division of Surface Water website:

- This fact sheet is available on the Division of Surface Water website at: www.epa.ohio.gov/dsw/dswrules.aspx.
- For additional information on the Permit to Install Program, see the program's website at: www.epa.ohio.gov/dsw/pti/index.aspx.