

**BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY**

**Public Notice
Proposed Rulemaking Governing
Storm Water Program**

Notice is hereby given that the Director of Environmental Protection, under the authority of Section 6111.041 of the Ohio Revised Code and in accordance with Chapter 119 of the Revised Code, proposes to adopt amendments to the following rules of the Ohio Administrative Code:

Rule #	Rule Title	Action
3745-39-01	Applicability of rules of procedure and definitions.	Amend
3745-39-02	Objectives of the Ohio EPA storm water management program for small MS4s.	Amend
3745-39-03	Ohio EPA NPDES requirements for small MS4s.	Amend

Chapter 3745-39 of the Administrative Code addresses permitting requirements for storm water discharges from construction sites, certain industries, and urban areas. The first three rules in OAC Chapter 3745-39 contain the regulations for small municipal separate storm sewer systems or small MS4s.

The amended rules include updated citations, grammatical edits and formatting revisions, and clarify the exclusion for fire fighting activities in rule 3745-39-03 to reflect existing practice.

The public comment period will run until **5:00 p.m. on August 4, 2009**. A public hearing on these proposed rule amendments will be held to consider public comments in accordance with Section 119.03 of the Ohio Revised Code. This hearing will be held in **Conference Room B at the Ohio EPA Central Office, 50 West Town Street, Suite 700, Columbus, Ohio at 2:00 p.m. on August 4, 2009**.

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 Anthony Robinson 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 August 4, 2009**, 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.

For questions regarding this rule package or to receive a copy of the proposed rules, please contact Anthony Robinson, Division of Surface Water, at (614) 728-3392 or by email at anthony.robinson@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.state.oh.us/dsw and the Register of Ohio Web site at www.registerofohio.state.oh.us.