

OHIO ENVIRONMENTAL PROTECTION AGENCY

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

Notice is hereby given that the Director of Environmental Protection, under the authority of Sections 6111.03, 6111.041, and 6111.12 of the Ohio Revised Code and in accordance with Chapter 119, proposes to original file the following rules of the Ohio Administrative Code:

- 3745-1-01 Purpose and applicability.
- 3745-1-04 Criteria applicable to all waters.
- 3745-1-06 Mixing zone demonstration and sizing requirements.
- 3745-1-18 Little Miami river drainage basin.
- 3745-1-20 Rocky river drainage basin.
- 3745-1-39 Site-specific modifications to criteria and values.
- 3745-1-40 Methodologies for development of aquatic life criteria and values.
- 3745-1-41 Methodology for deriving bioaccumulation factors.
- 3745-1-42 Methodologies for development of human health criteria and values for the lake Erie drainage basin.
- 3745-1-43 Methodology for the development of wildlife criteria for the lake Erie drainage basin.
- 3745-1-44 Whole effluent toxicity provisions.

These rules address water quality standards regulations.

The purpose of this rule making is to complete the five-year rule reviews of ten water quality standards rules as required by Ohio law, and to correct a stream name in an eleventh rule.

The public comment period will run until September 28, 2023. A public hearing on this proposed rulemaking will be held to consider public comments in accordance with Section 119.03 of the Ohio Revised Code. Ohio EPA will be holding an in-person and virtual public hearing on the rules at 10:30 a.m. on September 28, 2023. The in-person hearing will be held at Ohio EPA, Suite 700, 50 W. Town Street, Columbus, Ohio 43215, 6th floor A in the Summer room. During the hearing, the public may submit written comments on the record about the proposed rules if participating virtually and verbally if participating in person.

Citizens who want to participate virtually must register in advance for the meeting at: <https://attendee.gotowebinar.com/register/8042708087618962269>

Registration for the in-person hearing is not required. Citizens 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 or by emailing mary.mccarron@epa.ohio.gov. 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 rule making.

Written testimony should be sent to the attention of Emily Imhoff, Rules Coordinator at the Division of Surface Water, P.O. Box 1049, Columbus Ohio 43216-1049 or can be emailed to dsw_rulecomments@epa.ohio.gov. 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 close of business on September 28, 2023, 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.

Questions regarding this rule package should be directed to Mariah Hood, at the Division of Surface Water at Mariah.Hood@epa.ohio.gov or (614)644-2865.

To receive a copy of the proposed rules, please contact the DSW receptionist at **(614) 644-2001**. In addition, full copies of all 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 DSW web page at **epa.ohio.gov/divisions-and-offices/surface-water/regulations/proposed-rules**

To request a reasonable accommodation due to a disability, visit <https://epa.ohio.gov/ada>