

**State of Ohio**  
**Environmental Protection Agency**

**PUBLIC NOTICE**

September 18, 2009

**Notice of Proposed Rule-making and Public Hearing**

Notice is hereby given that the Ohio Environmental Protection Agency, Division of Drinking and Ground Waters (DDAGW) is proposing revisions to rules in Ohio Administrative Code (OAC) to adopt the federal Stage 2 Disinfectants and Disinfection Byproducts (D/DBP) Rule. The proposed amendments are, in part, a result of the five year rule review requirements of Section 119.032 of the Revised Code.

The Stage 2 D/DBP rule builds upon earlier rules that addressed disinfection byproducts to improve drinking water quality and provide additional public health protection from disinfection byproducts. The Stage 2 rule strengthens public health protection for customers of systems that deliver disinfected water by requiring such systems to meet maximum contaminant levels as an average at each compliance monitoring location (instead of as a system-wide average as in previous rules) for two groups of DBPs, trihalomethanes (TTHM) and five haloacetic acids (HAA5). The rule targets systems with the greatest risk and builds incrementally on existing rules. This regulation will reduce DBP exposure and related potential health risks and provide more equitable public health protection.

Please note some provisions of the federal Stage 2 D/DBP rule are included in other rulemaking packages and will go into effect prior to these rules. Specifically, revisions to OAC rules 3745-81-01, 3745-96-01 and 3745-96-02 are included in the Lead and Copper Short-Term Revisions rules package, and revisions to OAC rule 3745-81-27 are included in the Long Term 2 (LT2) Enhanced Surface Water Treatment rules package.

As part of the rule-making process, the Agency is required by Section 121.39 of the Ohio Revised Code to consult with organizations that represent political subdivisions, environmental interests, business interests, and others affected by the rules. The Agency is offering you and your organization the opportunity to comment on these rules before the division adopts them.

A public hearing pursuant to §119.03 of the Ohio Revised Code will be conducted on October 22, 2009, beginning at 2:00 p.m. in Conference Room B at the Ohio EPA, Lazarus Government Center, 50 West Town Street, Columbus, Ohio. All interested persons are entitled to attend or be represented and give their written or oral comments on this proposed rule-making. A presiding officer will be present until all interested persons have been heard.

To facilitate scheduling of oral presentations, persons intending to give testimony at the hearing should ensure that Ohio EPA receives notice of such intent by 5:00 p.m. on October 21, 2009. Persons who provide Ohio EPA with prior notice will be heard ahead of persons who register at the hearing. **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 provide notice of intent to give oral comments at the public hearing, contact Holly Kaloz by mail at Ohio EPA, DDAGW, Lazarus Government Center, 50 West Town Street, Suite 700, Columbus, Ohio 43215, or by phone at (614) 644-2752.

In order to ensure that written comments are considered as part of the official record of this hearing, written comments must be received by Ohio EPA by the close of business October 22, 2009. Written comments on the proposed rules may be given to the presiding officer during the hearing, sent by mail to Holly Kaloz at the address above, or sent by email to the following address [ddagw\\_rulecomments@epa.state.oh.us](mailto:ddagw_rulecomments@epa.state.oh.us).

To obtain a copy of the proposed rules, contact Donna Roberts at Ohio EPA at (614) 644-2916 or email at [donna.roberts@epa.state.oh.us](mailto:donna.roberts@epa.state.oh.us). Please request the "proposed Stage 2 rules" and, if a recorded message is left, be sure to include your name, telephone number, and complete mailing address. There is no charge for proposed rules. The proposed rules will be available on the Agency web page until their adoption or withdrawal. The address is:  
<http://www.epa.ohio.gov/ddagw/rulemaking.aspx#proposed>.

Questions concerning this proposed rule-making, other than obtaining copies of the proposed rules, may be addressed to Holly Kaloz at Ohio EPA, DDAGW, Lazarus Government Center, 50 West Town Street, Suite 700, Columbus, Ohio 43215 or by phone at (614) 644-2752. Email can be sent to [holly.kaloz@epa.state.oh.us](mailto:holly.kaloz@epa.state.oh.us).