

CSI - Ohio

The Common Sense Initiative

Business Impact Analysis

Agency Name: Ohio Environmental Protection Agency

Regulation/Package Title: OpCert 2017

Rule Number(s): 3745-7-01, 3745-7-02, 3745-7-03, 3745-7-04, 3745-7-05, 3745-7-06, 3745-7-07, 3745-7-09, 3745-7-10, 3745-7-11, 3745-7-12, 3745-7-13, 3745-7-15, 3745-7-17, 3745-7-18, 3745-7-19, 3745-7-20, 3745-7-21

Date: 02/28/2017 (updated 1/22/2018)

Rule Type:

☒ New

☒ 5-Year Review

☒ Amended

☐ Rescinded

The Common Sense Initiative was established by Executive Order 2011-01K and placed within the Office of the Lieutenant Governor. Under the CSI Initiative, agencies should balance the critical objectives of all regulations with the costs of compliance by the regulated parties. Agencies should promote transparency, consistency, predictability, and flexibility in regulatory activities. Agencies should prioritize compliance over punishment, and to that end, should utilize plain language in the development of regulations.

Regulatory Intent

1. Please briefly describe the draft regulation in plain language.

Ohio EPA is proposing revisions to all rules in Chapter 3745-7 of the Ohio Administrative Code (OAC) and proposing the addition of a new rule. One proposed change that affects all of the rules is the amendment of language so that operators are referred to as “professional operators”.

77 SOUTH HIGH STREET | 30TH FLOOR | COLUMBUS, OHIO 43215-6117

CSIOhio@governor.ohio.gov

OAC rule 3745-7-01 covers definitions for the operator certification rules in OAC Chapter 3745-7. Proposed amendments include the addition of several definitions and the revision of the definition of “operating experience” to limit the amount of laboratory, pre-treatment, collection, distribution, construction inspection and engineering design experience that is allowed to be counted. The addition is directed at people who solely perform the functions listed in the rules. Once an operator achieves a level of certification they are qualified to act as the operator of record for any facility in the state with that classification or lower. It is imperative that these certified individuals have actual hands-on experience operating plants to be certified. Leaving the rule as is results in individuals who have never made process control decisions or process adjustments being able to act as contract operators without ever having been in control of a plant. The amendments to the definition of operating experience will take effect one year after the effective date of the rule. The delay will give systems time to establish cross-training programs.

OAC rule 3745-7-02 requires each person owning or operating a public water system (PWS), treatment works or sewerage system to designate a professional operator of record to oversee the technical operation of said facility, each treatment plant or distribution system within a PWS or wastewater treatment facility with treatment works. Proposed amendments include the addition of language that clarifies the requirements for contracted professional operators and contract operations companies.

OAC rule 3745-7-03 describes how each PWS or water treatment plant and distribution system within a PWS is classified, and the minimum staffing requirements for each classification. Proposed amendments include removing the provision that allows existing systems to have up to a year to meet minimum staffing requirements after a change in classification, adding minimum staffing requirements for distribution systems, clarifying the criteria that allows for reductions in minimum staffing requirements and clarifying the reporting requirements and responsibilities of backup professional operators.

OAC rule 3745-7-04 outlines how treatment works, sewerage systems, and wastewater treatment facilities within a treatment works are classified and the minimum staffing requirements for each classification. Proposed amendments include editing the classification criteria for sewerage systems, removing the provision that allows existing systems to have up to a year to meet minimum staffing requirements after a change in classification, adding a provision that allows facilities, which had an increase in classification after an issue, to request a permit modification to revert back to their original classification after the issue is resolved, adding minimum staffing requirements for sewerage systems, clarifying the criteria that allows for reductions in minimum staffing requirements, clarifying the reporting requirements and responsibilities of backup professional operators and specifying alternative staffing requirements for wastewater treatment systems with a design capacity of less than or equal to 1,500 gallons per day.

OAC rule 3745-7-05 outlines the classifications for which professional operators may be certified under this chapter. It also outlines the classifications of PWSs, sewerage systems, or treatment works for which they can be the professional operator of record. Proposed amendments include establishing that limited class A professional operators can be the professional operator of record at a class A PWS or class A treatment works, relocating the statement about how limited class A professional operators are only permitted to hold facility-specific certificates from OAC rules 3745-7-03 and 3745-7-04 to this rule and adding charts to demonstrate the hierarchy of drinking water and wastewater certificates.

OAC rule 3745-7-06 details the application process for examination and certification, eligibility criteria and exam format. Proposed amendments include making minor revisions for clarification, establishing the requirement that all applicants need to review a course that will be added to the Ohio EPA website called “Ohio EPA Professional Operator Certification Training”, establishing the requirement that applicants for the class A examination for certification must have a degree from an accredited institution and establishing the requirement that an applicant approved to take the class IV examination needs to submit the examination within two years of the date of approval.

OAC rule 3745-7-07 describes the eligibility and requirements of professional operators in training, which have passed the examination but are still working to fulfill the onsite operating experience requirements. Proposed amendments include making minor revisions that do not affect the meaning of the rule and clarifying that professional operators in training are not certified and shall not act as professional operators of record.

OAC rule 3745-7-09 describes the recordkeeping requirements and responsibilities of owners, professional operators and professional operators of record. Proposed amendments include limiting the acceptable methods for maintaining records, specifying the acceptable characteristics of computer logs, adding language that allows facilities to keep separate log books for operation and maintenance activities, establishing the requirement that arrival and departure times must be recorded in military time, establishing that failure to document arrival and departure times constitutes a violation of the minimum staffing requirements and establishing that professional operators of record are responsible for ensuring that the recordkeeping requirements are met, ensuring that the minimum staffing requirements are met, displaying a copy of their certificate and reporting minimums staffing times to the agency.

OAC rule 3745-7-10 describes the membership requirements of the professional operator certification advisory council as well as the membership terms and reimbursement requirements. Proposed amendments are minor and do not affect the meaning of the rule.

OAC rule 3745-7-11 describes the responsibilities of the Professional Operator Certification Advisory Council. Proposed amendments include adding sewerage systems

to the list of systems for which the council may recommend minimum professional operator requirements.

OAC rule 3745-7-12 outlines the instances in which a professional operator's certification may be suspended or revoked, the procedure for doing so, and the time periods for both. Proposed amendments include minor revisions for clarification and establishing that certificates may be suspended or revoked if a professional operator creates or maintains misleading, inaccurate, or false reports, documents or applications.

OAC rule 3745-7-13 explains how professional operators certified in another state or province may be able to receive certification by reciprocity in Ohio. Proposed amendments include minor revisions for clarification.

OAC rule 3745-7-15 describes the expiration and renewal of certificates, the contact hour requirements, criteria for contact hour course approval and requirements for training providers. Proposed amendments include making minor revisions for clarification, removing a provision that is no longer relevant, establishing that renewal applications will need to be submitted electronically starting with certificates that expire on December 31, 2018, establishing that renewal applications are due by November 30th the year the certification expires, establishing that professional operators shall document on the renewal application that they completed a review of the “Ohio EPA Professional Operator Certification Training” course, reducing the grace period for meeting the contact hour requirements needed for renewal from one year to six months, establishing new provisions for contact hour course approval, adding reporting requirements for training providers, and reducing the grace period for certification expiration from one year to six months.

OAC rule 3745-7-17 describes the various fees associated with the professional operator certification process and to whom they must be made payable. Proposed amendments include separating the four types of fees (examination fee, certification fee, reciprocity fee and renewal fee) into four sections for clarification.

OAC rule 3745-7-18 describes the penalties for those persons who attempt to subvert the application, examination or review process. It also describes the actions that are considered to be subversive to the application, examination or review process. Proposed amendments include making minor revisions that do not affect the meaning of the rule, establishing that writing on materials other than the exam booklet or answer sheet is a violation of the exam process and specifying that individuals cannot use information written by other individuals for their class IV examination.

OAC rule 3745-7-19 describes the standards for approving water and wastewater professional operator certification examination providers. Proposed amendments are minor and do not affect the meaning of the rule.

OAC rule 3745-7-20 describes the certification of professional operators who pass an examination from an approved exam provider. Proposed amendments are minor and do not affect the meaning of the rule.

Ohio EPA is proposing new rule 3745-7-21, which will establish standards for contract operations companies and contracted professional operators.

2. Please list the Ohio statute authorizing the Agency to adopt this regulation.

ORC section 6109.04 paragraph (B)(2), “Adopt, amend, and rescind such rules in accordance with Chapter 119. of the Revised Code as may be necessary or desirable to... Govern public water systems to protect the public welfare, including rules governing contaminants in water that may adversely affect the suitability of the water for its intended uses or that may otherwise adversely affect the public health or welfare.”

ORC section 6111.46 paragraph (A), “The environmental protection agency shall exercise general supervision of the treatment and disposal of sewage and industrial wastes and the operation and maintenance of works or means installed for the collection, treatment, and disposal of sewage and industrial wastes. Such general supervision shall apply to all features of construction, operation, and maintenance of the works or means that do or may affect the proper treatment and disposal of sewage and industrial wastes.”

3. Does the regulation implement a federal requirement? Is the proposed regulation being adopted or amended to enable the state to obtain or maintain approval to administer and enforce a federal law or to participate in a federal program?

If yes, please briefly explain the source and substance of the federal requirement.

Yes, these rules enable Ohio EPA to administer the Safe Drinking Water Act (SDWA), as well as retain primary enforcement authority from the Federal Government. Ohio EPA’s operator certification program which includes these rules has been approved by US EPA. If Ohio were to “back slide” or eliminate these rules, US EPA may withhold twenty percent of the Ohio EPA’s SDWA funds. These funds are utilized to assist in ensuring the public is protected. Ohio EPA believes the specific requirements in these rules are part of our multibarrier approach to protecting human health, safety, and the environment from potential contaminants found in drinking water as outlined in the SDWA.

4. If the regulation includes provisions not specifically required by the federal government, please explain the rationale for exceeding the federal requirement.

U.S. EPA does not have direct counterparts to these rules. However, they do require Ohio EPA to have an established program for certifying operators. The specifics of our rules are necessary to protect human health, safety, and the environment. Failure to have a U.S. EPA approved program would result in Ohio EPA losing 20% of the money the federal government provides the state for Ohio’s Revolving Fund Loan program.

5. What is the public purpose for this regulation (i.e., why does the Agency feel that there needs to be any regulation in this area at all)?

The purpose for adopting such regulations is to ensure the availability of a safe and adequate supply of public drinking water and protect public health and the environment from untreated/poorly managed sewage. These rules help achieve this purpose by ensuring PWSs, treatment works and sewerage systems have the appropriate staffing with the technical expertise to operate and oversee the system.

6. How will the Agency measure the success of this regulation in terms of outputs and/or outcomes?

The Agency will base success of all of the rules in this package on compliance rates, which are typically discovered through reported data, during sanitary surveys and by reviewing certified professional operator log books.

Development of the Regulation

7. Please list the stakeholders included by the Agency in the development or initial review of the draft regulation.

If applicable, please include the date and medium by which the stakeholders were initially contacted.

Stakeholders include owners and operators of PWSs, treatment works and sewerage systems, industry consultants, environmental organizations, other state agencies and in general, the public at large. The only measure someone has to take to be notified of DDAGW's potential rule activity is to request to be added to our electronic or hard-copy mailing list.

Stakeholders were notified of DDAGW's plans to revise these rules on April 8, 2016 by electronic or regular mail in accordance with their request. An internal review period, held from June 8 to July 8, 2016, allowed staff in DDAGW and DSW to view the proposed rules and provide comments. Ohio EPA invited interested parties to comment on this rule between April 25 and May 25, 2017. A list of interested parties will be furnished upon request.

8. What input was provided by the stakeholders, and how did that input affect the draft regulation being proposed by the Agency?

Comments were received during the early stakeholder outreach, internal review and interested party review periods. All comments were considered and appropriate revisions were made to the rules package.

The division met with members of Ohio AWWA, AOMWA and CORD to discuss controversial items in the rules including the modified operating experience definition, minimum staffing requirements, revised degree requirements for class A certification, revisions to the recordkeeping requirements, operator in training provisions and revised due date of renewal applications. The groups submitted proposed modifications to the rules.

The division held a teleconference and a webinar to discuss the revisions made in response to the group members' comments.

9. What scientific data was used to develop the rule or the measurable outcomes of the rule? How does this data support the regulation being proposed?

The federal rules, which include the SDWA Amendments of 1996, are the foundation for these rules. Statutory authority for these rules is established in Section 6109. of the Revised Code. Ohio EPA promulgated these rules under OAC Chapter 3745-7. References used include U.S. EPA's "Operator Certification Guidelines, Implementation Guidance" and the latest revisions to 40 CFR Parts 141 and 142.

10. What alternative regulations (or specific provisions within the regulation) did the Agency consider, and why did it determine that these alternatives were not appropriate? If none, why didn't the Agency consider regulatory alternatives?

In order to retain primary enforcement authority, Ohio EPA is required to develop and implement a federally-approved operator certification program. Ohio EPA considered what other states developed and this rule as first adopted in the OAC.

11. Did the Agency specifically consider a performance-based regulation? Please explain. *Performance-based regulations define the required outcome, but don't dictate the process the regulated stakeholders must use to achieve compliance.*

The rules in this package are not performance-based because they either do not specify an outcome or they dictate a process for achieving compliance with a specific outcome.

12. What measures did the Agency take to ensure that this regulation does not duplicate an existing Ohio regulation?

Ohio EPA reviewed current regulations and determined there are no duplications.

13. Please describe the Agency's plan for implementation of the regulation, including any measures to ensure that the regulation is applied consistently and predictably for the regulated community.

Ohio EPA implementation of this rule includes the following:

- Seeking input from staff on implementation problems and developing solutions.
- Involving staff in developing the rule amendments.
- Developing internal procedures and guidance documents for staff to use in implementing rules.
- Regularly notifying staff of rule changes.
- Giving presentations on rule updates.

Adverse Impact to Business

14. Provide a summary of the estimated cost of compliance with the rule. Specifically, please do the following:

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CSIOhio@governor.ohio.gov

a. Identify the scope of the impacted business community;

The impacted business community includes owners of PWSs, treatment works and sewerage systems, professional operators, individuals applying for certification as professional operators, training providers, exam providers, entities applying to become exam providers, contract operations companies and contracted professional operators.

b. Identify the nature of the adverse impact (e.g., license fees, fines, employer time for compliance); and

- OAC rule 3745-7-01: This rule contains mostly definitions so there is little adverse impact. To combat the adverse impact of section (O)(2)(b), Ohio EPA suggests that as a good practice, utilities should implement cross-training programs which expose all employees to all of the disciplines necessary to ensure the proper operations of a facility. This type of system will assist utilities in succession planning and ensuring that all staff are ready to step in and operate the facility.
- OAC rules 3745-7-02, 3745-7-03 and 3745-7-04: The cost of complying with these rules is the cost of employing professional operators. The proposed changes to these rules do not affect the cost of compliance. OAC rule 3745-7-02 requires PWSs, treatment works and sewerage systems to have an appropriately certified professional operator. The cost of having a certified professional operator varies based on system classification and minimum staffing requirements, which are described in OAC rules 3745-7-03 and 3745-7-04. Additionally, the cost to comply with OAC rules 3745-7-03 and 3745-7-04 depend on the operator's wage.
- OAC rule 3745-7-05: This rule only lists the classifications for which professional operators can be certified. There are no adverse impacts associated with this rule.
- OAC rule 3745-7-06: The cost of compliance with this rule includes the cost of the examination fee and certification fee.
- OAC rule 3745-7-07: There are no adverse impacts because there are no additional costs beyond the examination fee and certification fee, which have been accounted for in OAC rule 3745-7-06.
- OAC rule 3745-7-09: The cost of compliance with this rule will be the cost of whatever technology the facility chooses to utilize for the purposes of maintaining accurate and authentic operation and maintenance records as required by this rule. This includes the cost of a hard bound book or computer log. An associated cost may be the cost of a place to house the hard bound

book on-site at the facility. Labor costs for complying with the recordkeeping requirements in this rule are already accounted for in the fiscal analyses for OAC rule 3745-7-03 and 3745-7-04.

- OAC rule 3745-7-10: There are no adverse impacts associated with this rule because it does not place any requirements on the regulated community.
- OAC rule 3745-7-11: There are no adverse impacts associated with this rule because it does not place any requirements on the regulated community.
- OAC rule 3745-7-12: The only direct cost of compliance with this rule are the costs associated with submitting a request for reinstatement of a suspended license and submitting information regarding work activities during the period of suspension. There may be some indirect costs associated with unemployment of the operator or during the suspension or revocation, or a cost to the employer to replace and retrain the suspended employee. These indirect costs are difficult to predict and quantify. In addition, during the period of suspension, the professional operator must acquire contact hours and pay all renewal fees. The costs associated with these requirements are accounted for in the fiscal analyses of OAC rules 3745-7-15 and 3745-7-17.
- OAC rule 3745-7-13: The cost of compliance with this rule is the reciprocity fee, which includes a one-time certification fee and one-time examination fee for the level of classification for which reciprocity is granted. Due to the uniqueness of Ohio's class IV exam, it is unlikely that many applicants will qualify for reciprocity at the class IV level and be required to pay the class IV examination fee.
- OAC rule 3745-7-15: This rule affects certified professional operators and training providers. For certified professional operators, the cost of compliance with this rule includes the renewal fee, the cost of obtaining the required contact hours and the value of the professional operators' time when spent in the training. The cost of compliance for training providers includes the cost for all training providers to electronically prepare and submit the required paperwork and the cost of non-approved training providers to submit course approval paperwork.
- OAC rule 3745-7-17: Several of the fees referenced in this rule are for requirements established in other rules in this package and are therefore addressed in the fiscal analysis portions of those rules. The examination and certification fees have been addressed in the analysis for OAC rule 3745-7-06, the reciprocity fee has been addressed in the analysis for OAC rule 3745-7-13 and the renewal fee has been addressed in the analysis for OAC rule 3745-7-15. The only fee pertinent to this fiscal analysis is the fee for replacement of a

certificate. Pursuant to Ohio Revised Code section 3745.11(O), the cost of a replacement certificate is \$25 and the agency typically replaces fewer than five per year.

- OAC rule 3745-7-18: This rule describes acceptable conduct during the application and examination process. There are no adverse impacts associated with this rule.
- OAC rule 3745-7-19: Businesses wanting to become examination providers will have to pay an application fee and an annual fee.
- OAC rule 3745-7-20: This rule affects professional operators who pass an examination from an approved examination provider and are now applying for certification and the utilities who pay for their operators to take exams may be impacted by this rule. The financial impact includes the cost of the exam and the cost of the certification fee. The cost of the exam is dependent on the exam provider.
- OAC rule 3745-7-21: For contract operations companies and contracted professional operators, the cost of compliance with this rule includes the cost associated with preparing the application for approval and a sample contract. Labor costs for complying with the other requirements of this rule are already accounted for in the fiscal analyses for OAC rules 3745-7-03 and 3745-7-04.

c. Quantify the expected adverse impact from the regulation.

The adverse impact can be quantified in terms of dollars, hours to comply, or other factors; and may be estimated for the entire regulated population or for a “representative business.” Please include the source for your information/estimated impact.

- OAC rules 3745-7-02, 3745-7-03 and 3745-7-04: The costs of complying with OAC rule 3745-7-02 are tied to OAC rules 3745-7-03 and 3745-7-04. The main cost of complying with these rules is the cost of employing professional operators.

Based on the cost breakdowns in Attachments A and B, the total estimated statewide cost per year for complying with OAC rule 3745-7-03 is \$26,920,404.42 and the total estimated statewide cost per year for complying with OAC rule 3745-7-04 is \$50,489,693.54. Please note that these estimates do not take into account the provisions that allow for reductions in the amount of time the professional operator of record is required to be onsite. Should those provisions be taken advantage of, the overall cost of compliance could be much less.

- OAC rule 3745-7-06: The cost of compliance with this rule includes the cost of the examination fee and certification fee. These costs are set by Ohio Revised Code section 3745.11(O). The cost of the examination fee depends on the level of examination being completed. The cost by classification is: class A = \$80, class I = \$105, class II= \$120, class III = \$130 and class IV = \$145. Operators that take a third-party certification exam, in accordance with OAC rule 3745-7-20, are required to pay a \$45 certification fee to Ohio EPA. These fees apply to both water and wastewater examinations and certifications. These fees are also accounted for in OAC rule 3745-7-17.
- OAC rule 3745-7-09: The cost of compliance with this rule will be the cost of whatever technology the facility chooses to utilize for the purposes of maintaining accurate and authentic operation and maintenance records. The least costly option would be a hard bound log book, which based on a review of costs from major office supply stores, cost between \$10 and \$20.
- OAC rule 3745-7-12: The direct cost of compliance with this rule is \$100 at most. This includes the costs associated with submitting a request for reinstatement of a suspended license and submitting information regarding work activities during the period of suspension.
- OAC rule 3745-7-13: The cost of compliance with this rule is the reciprocity fee, which includes a one-time certification fee and one-time examination fee for the level of classification for which reciprocity is granted. These costs are set by Ohio Revised Code section 3745.11(O). The certification fee is \$45. The cost of the examination fee depends on the level of examination being completed. The cost by classification is: class A = \$80, class I = \$105, class II= \$120, class III = \$130 and class IV = \$145. Due to the uniqueness of Ohio's class IV exam, it is unlikely that many applicants will qualify for reciprocity at the class IV level and be required to pay the class IV examination fee. These fees are also accounted for in OAC rule 3745-7-17.
- OAC rule 3745-7-15: Based on the cost breakdown in Attachment C, the total estimated statewide cost of compliance for certified professional operators is \$9,941,707.65 per year. This includes the total statewide renewal fees, total cost of obtaining the required contact hours and the total value of the professional operators' time when spent in the training. This estimate is based on a salary information from a Water and Sewer Rate study (adjusted with Bureau of Labor Statistics Inflation Calculator), information from contact hour providers, and agency information.

The estimated cost of compliance to contact hour providers is \$43,500.00 per year. This includes the cost for all contact hour providers to prepare the required paperwork and the cost of non-approved training providers to submit course approval paperwork. This estimate is based on agency information.

- OAC rule 3745-7-17: The examination, certification, reciprocity and renewal fees referenced in this rule were addressed in the fiscal analyses of other rules. The only fee pertinent to this fiscal analysis is the fee for replacement of a certificate. Pursuant to Ohio Revised Code section 3745.11(O), the cost of a replacement certificate is \$25 and the agency typically replaces fewer than five per year.
- OAC rule 3745-7-19: Pursuant to Ohio Revised Code section 3745.11(O), businesses wanting to become examination providers will have to pay an application fee of \$500.00 and an annual fee that is equal to ten per cent of the fees that the provider assesses and collects for administering examinations during the calendar year.

Ohio EPA anticipates that applicants wanting to become approved water and wastewater operator certification examination providers will be professionals in this business who have experience meeting the standards that are established. We believe that an entity applying for the approval will be doing so with the belief the beneficial impacts on their business outweigh the adverse impacts.

- OAC rule 3745-7-20: The financial impact of this rule includes the cost of the exam from an approved exam provider and the cost of the certification fee. The cost of the exam is dependent on the exam provider. The current fees for a professional operator to take an Ohio EPA sponsored exam are as follows: class A = \$80, class I = \$105, class II= \$120 and class III = \$130. Ohio EPA would expect exam providers to charge approximately \$100.00 per exam. This rule does not implement a mandatory procedure, so operators will be able to determine whether the convenience associated with the location and frequency of the approved exam providers is worth any additional costs. Some parties affected by this rule will realize a savings due to the fact they will not have to expend funds on travel and lodging.

The certification fee is \$45.00. This cost is set by Ohio Revised Code section 3745.11(O).

- OAC rule 3745-7-21: The cost associated with preparing the application for approval and a sample contract is anticipated to be a maximum of \$100. Labor costs for complying with the other requirements of this rule are already accounted for in the fiscal analyses for OAC rules 3745-7-03 and 3745-7-04.

15. Why did the Agency determine that the regulatory intent justifies the adverse impact to the regulated business community?

The Agency considers the overall cost of complying with these regulations to be minor in comparison with ensuring the public is supplied with a safe and reliable source of drinking water and protected from untreated/poorly managed sewage.

Regulatory Flexibility

16. Does the regulation provide any exemptions or alternative means of compliance for small businesses? Please explain.

OAC rule 3745-7-02 includes an exemption for small PWSs to utilize an operator certified who holds a class A certificate and has passed the class I water supply certification examination but does not have the required experience be an operator of record for certain class I systems if specific conditions are met.

There are exceptions for minimum staffing requirements in OAC rules 3745-7-03 and 3745-7-04. In these rules, there are also provisions for PWSs, treatment works or sewerage systems to retain a backup operator with a lower certificate for a period of up to thirty consecutive days.

17. How will the agency apply Ohio Revised Code section 119.14 (waiver of fines and penalties for paperwork violations and first-time offenders) into implementation of the regulation?

Ohio EPA does not assign fines and penalties for first-time offenders, and prefers to obtain compliance through outreach first and, if needed, written notice of violations prior to any type of formal enforcement.

18. What resources are available to assist small businesses with compliance of the regulation?

For technical assistance, small business PWSs can turn to Ohio EPA's Office of Compliance Assistance and Pollution Prevention (OCAPP), their Ohio EPA District Office Inspector, or the Rural Community Assistance Program (RCAP). OCAPP is a non-regulatory program that can help small businesses comply with regulations. Ohio EPA contracts with RCAP to provide assistance for PWS with a population of 10,000 or less.