



Early Stakeholder Outreach — Operator Certification for Public Water Systems and Wastewater Treatment Works

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 the proposed rule package (OAC 3745-7) cover?

The Division of Drinking and Ground Waters (DDAGW) has reviewed Chapter 3745-7 of the Ohio Administrative Code (OAC) to satisfy the five-year rule review requirements of section 106.03 of the Ohio Revised Code. OAC Chapter 3745-7 sets forth the requirements of public water systems (PWS), wastewater treatment works and sewerage systems classification and staffing. The rules within this Chapter also establish the requirements for the State of Ohio's professional operator certification program.

Why are these rules 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The first step in the rule-making process is for Ohio EPA to identify that a rule needs to be amended, rescinded, or created. This additional early stakeholder outreach notification and request for information will allow for early feedback before the rule language has been developed by the Agency.

What changes are being considered?

DDAGW is seeking input from the regulated community on potential changes to the OAC Chapter 3745-7 and following initial stakeholder meetings a list of potential changes for consideration will be developed. As a starting point, DDAGW is proposing the following:

- Adding a provision to allow treatment facilities for secondary disinfection to reduce minimum staffing time by demonstrating automation and continuous monitoring
- Alternatives for calculating populations at small systems (less than 250)
- Alternatives to appropriately define the classification of satellite sewerage systems in OAC Rule 3745-7-04
- Removal of references to rules that have been rescinded and removal of dates no longer pertinent to compliance
- Minor language corrections to improve clarity and continuity and eliminate redundancy throughout the chapter

How can I provide input?

The Agency is seeking stakeholder input on the Operator Certification for Public Water Systems and Wastewater Treatment Works found in OAC Chapter 3745-7. 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 **January 30th, 2023**. In addition to written comments, the Agency is seeking representatives from varying sizes of water systems, certified operators, training providers, and professional organizations to participate in round table discussions on how to improve these rules and requirements. Please submit input to:

DDAGW_RULECOMMENTS@epa.ohio.gov Please include "Operator Certification ESO" in the subject line of the email.

What if I have questions?

Questions on this rules package and the process for submitting comments may be forwarded by email to Zach.Winoker@epa.ohio.gov or by phone at (614) 644-3387. You can find the most current draft and proposed rules, as well as currently effective rules on DDAGW's rulemaking web page at <https://epa.ohio.gov/DDAGW/DDAGWrules>

Early Stakeholder Outreach — OAC Chapter 3745-7 Rules

Who will be regulated by these rules?

Owners of Public Water Systems, wastewater treatment works, sewerage systems and professional certified operators covered under OAC Chapter 3745-7 will be regulated by these rules.

What is the rulemaking schedule?

DDAGW will evaluate feedback from the early stakeholder outreach process and then prepare a draft version of the rules for interested party review. After incorporating interested party comments, Ohio EPA will start the rule filing process required by the Joint Committee on Agency Rule Review (JCARR). Visit JCARR's website for meeting dates and agenda items at <http://www.jcarr.state.oh.us>.

What input is the Agency seeking?

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

- Is the general regulatory framework proposed the most appropriate? Should the Agency consider any alternative framework?
- What options are available for improving an identified concept? What options are available for improving the existing rules?
- Are there considerations the Agency should take into account when updating the existing rules? Are there considerations the Agency should take into account when developing a specific concept?
- Is there any information or data the Agency should be aware of when developing program concepts or rule language?

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

Ohio EPA would especially like to hear information regarding the following from stakeholders who may be impacted by the program.

- Would this regulatory program have a positive impact on your business? Please explain how.
- Would this regulatory program have an adverse impact on your business? If so, please identify the nature of the adverse impact (for example, license fees, fines, employer time for compliance).

Contact

For more information, contact Zach Winoker at Zachary.Winoker@epa.ohio.gov or (614)-644-3387.