

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

**PUBLIC NOTICE**  
December 9, 2008

**Request for Comment on Draft Rules**

Notice is hereby given that the Ohio Environmental Protection Agency, Division of Drinking and Ground Waters (DDAGW) is proposing revisions to Chapters 3745-81 and 3745-96 of the Ohio Administrative Code (OAC), which sets forth the primary drinking water standards and requirements for consumer confidence reports. The draft rules are, in part, a result of the five year rule review requirements of Section 119.032 of the Revised Code.

This rulemaking package includes revisions to Chapters 3745-81 and 3745-96 of the Administrative Code to incorporate the 2007 Lead and Copper Rule Short-Term Revisions and Clarifications promulgated by U.S. Environmental Protection Agency (EPA). The rulemaking also includes corrections to the lead and copper rules in Chapter 3745-81 of the OAC, previously identified by U.S. EPA. Additionally, some provisions of the federal Stage 2 Disinfectants/Disinfection Byproducts Rules (Stage 2) and the Long Term 2 Enhanced Surface Water Treatment Rules (LT2) which affect rules 3745-81-01, 3745-96-01 and 3745-96-02 are consolidated in this rulemaking package.

The drafted revisions to the Administrative Code incorporating the Lead and Copper Rule Short-Term Revisions and Clarifications include the following major revisions:

- Requirements for all community and non-transient non-community public water systems (PWS) to provide notice of tap water lead monitoring results to all served by the sampling site, regardless of whether the sample exceeds the lead action level. This notice is referred to as “consumer notification of tap water lead results” and is different from public notification and public education.
- All community PWSs will be required to include specific information in their consumer confidence reports regardless of lead sample levels.
- Mandatory language, content and delivery of public education, which are required when the lead action level is exceeded, are all changing in the rule revisions. Mandatory language has been shortened to consist of an opening statement, new health effects language and sources of more information.
- Additional changes and or clarifications are also being made in lead line replacement reevaluation, notification requirements for treatment and source

changes and monitoring revisions for systems with less than five taps for human consumption.

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.

To obtain a copy of the proposed rules, contact Flo Sellu at Ohio EPA at (614) 644-2916 or email at [flo.sellu@epa.state.oh.us](mailto:flo.sellu@epa.state.oh.us) or write to "Ohio Environmental Protection Agency, Division of Drinking and Ground Waters, 50 West Town Street, Suite 700, Columbus, Ohio 43215, Attn: Flo Sellu". Please request the "draft lead and copper short-term revisions" and be sure to include your name, telephone number, and complete mailing address. There is no charge to receive a copy of these draft rules. The draft rules will be available on the Agency web page until their adoption or withdrawal. The address is: <http://www.epa.state.oh.us/ddagw/oac.html#drafrules>.

Questions concerning these draft rules, other than obtaining copies of the proposed rules, may be addressed to Susan Baughman at the above address or by phone at (614) 644-2752. Comments can be submitted in hard copy to the following address: "Ohio Environmental Protection Agency, Division of Drinking and Ground Waters, 50 West Town Street, Suite 700, Columbus, Ohio 43215, Attn: Susan Baughman" or by email to [ddagw\\_rulecomments@epa.state.oh.us](mailto:ddagw_rulecomments@epa.state.oh.us). **Comments should be received at the above address by close of business January 12, 2009.**