



**BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY**

August 23, 2018

Public Notice: Proposed Rulemaking Governing Asset Management

Notice is hereby given that the Ohio Environmental Protection Agency, Division of Drinking and Ground Waters (DDAGW) proposed revisions to the rules in Chapters 3745-81, 3745-87, and 3745-92 of the Ohio Administrative Code (OAC). The proposed amendments based in part on the new and amended language in sections 6109.02, 6109.08 and 6109.24 of the Ohio Revised Code.

DDAGW is proposing asset management program requirements in OAC Chapter 3745-87 in response to the new and amended requirements of section 6109.24 of the Ohio Revised Code (ORC). Several revisions were made after the comment period ended, including the following:

- Removing the requirement that director shall determine the form and manner that the asset management program will be submitted.
- Clarifying that the asset management program will not need to be submitted, but that the Agency will need to be able to see that the public water system is able to demonstrate said program.
- Removing level of service goals.
- Revising the definition of an asset management program, non-revenue water and water loss.
- Revising the operating plan requirements to only requiring high-level table of organization that should include critical water personnel.
- Adding the requirement that training and documentation of training will be required by public water system governing bodies only if cited with significant deficiencies.
- Deleting the requirement in the rule to have maintenance schedules as recommended by the manufacturer or AWWA.
- Revisions to sections regarding Source Water Protection in rule 3745-87-03 to provide clarity.
- Revisions to the capital improvement plan requirements to have a detailed three to five-year capital improvement plan and a ten to twenty-year financial forecast for potential major projects.
- Revisions were made to the list of metrics that the public water system will be required to track.

A public hearing will be conducted on September 27, 2018 beginning at 10.30 am in Conference Room A 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 September 26, 2018, 500 pm. Persons who provide Ohio EPA with prior notice will be heard ahead of persons who register at the hearing. Oral testimony may be limited to five minutes, depending on the number of persons testifying. **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 Colin White by mail at Ohio EPA, DDAGW, Lazarus Government Center, 50 West Town Street, Suite 700, Columbus, Ohio 43215, or by phone at (614) 644-2759.

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 September 27, 2018. Written comments on the proposed rules may be given to the presiding officer during the hearing, sent by mail to Colin White at the address above, or sent by email to the following address: ddagw_rulecomments@epa.ohio.gov.

To obtain a copy of the proposed rules, contact Colin White at Ohio EPA at (614) 644-2759 or email at Colin.White@epa.ohio.gov. Please request the "Asset Management Rules" and be sure to include your name, telephone number, and complete mailing address. The proposed rules will be available on the Agency web page until their adoption or withdrawal. They can be found at <http://epa.ohio.gov/ddagw/rules.aspx> on the "Proposed Rules" tab.

Comments can be submitted in hard copy to the following address: "Ohio Environmental Protection Agency, DDAGW, P.O. Box 1049, Lazarus Government Center, Columbus, Ohio 43216-1049, Attn: Colin White" or by email to ddagw_rulecomments@epa.ohio.gov. Comments should be received at the above address by close of business, September 27, 2018.