

**BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY**

**Public Notice
Proposed Rulemaking Governing
Section 401 Water Quality Certification Program**

Notice is hereby given that the Director of Environmental Protection, under the authority of Section 6111.03 of the Ohio Revised Code and in accordance with Chapter 119. of the Ohio Revised Code, proposes to adopt amendments to the following rule of the Ohio Administrative Code:

Rule #	Rule Title	Action
3745-32-05	OAC Chapter 3745-32 Section 401 Water Quality Certification Criteria for decision by director.	Amend

Proposed revisions include amendment to provide the director the ability to prohibit open lake disposal of dredged material from harbor or navigation maintenance activities in Lake Erie if the dredge material could result in higher levels of a chemical in fish that bioaccumulates throughout the food chain, such as PCBs, or if the disposal of dredge material would violate any international treaties or compacts. Minor formatting revisions and reference citations are also included.

The public comment period will run until **5:00 p.m. on May 5, 2015**. A public hearing on these proposed rule amendments will be held to consider public comments in accordance with Section 119.03 of the Ohio Revised Code. This hearing will be held in **Conference Room A at the Ohio EPA Central Office, 50 West Town Street, Suite 700, Columbus, Ohio at 10:30 a.m. on May 5, 2015**. 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 facilitate the scheduling of oral presentations, persons intending to give testimony at the hearing should notify the Ohio EPA Public Interest Center, P.O. Box 1049, Columbus, Ohio 43216-1049, (614) 644-2160. Prior registration will ensure that registrants are heard ahead of those individuals who register at the hearing. Oral testimony may be limited to five minutes, depending on the number of persons testifying. All interested persons are entitled to attend or be represented and to present oral and/or written comments concerning the proposed rule.

Written testimony should be sent to the attention of Rule Coordinator at the Ohio EPA Division of Surface Water, P.O. Box 1049, Columbus, Ohio 43216-1049. Written comments may also be submitted to the Hearing Officer at the public hearing. Written testimony will receive the same consideration as oral testimony. All testimony received at the hearing or by **5:00 p.m. on May 5, 2015**, will be considered by Ohio EPA prior to final action on this rulemaking. Written comments submitted after this date may be considered as time and circumstances permit.

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The proposed rule and a fact sheet explaining the rule revisions are posted on the Ohio EPA website at www.epa.ohio.gov/dsw/dswrules.aspx. The proposed rule is also available on the Register of Ohio website at www.registerofohio.state.oh.us. If you are unable to access the websites or have questions about the proposed rule, contact Karl Gebhardt, Division of Surface Water, at (614) 644-2001 or karl.gebhardt@epa.ohio.gov.