



**BEFORE THE  
OHIO ENVIRONMENTAL PROTECTION AGENCY  
February 6, 2020  
Public Notice: Proposed Rulemaking Governing  
Disadvantaged Community Loan Rules**

Notice is hereby given that the Ohio Environmental Protection Agency, Division of Drinking and Ground Waters (DDAGW) has drafted minor revisions to Disadvantaged Community Loan rules in Chapter 3745- 88 of the Ohio Administrative Code (OAC). The draft amendments are a result of the five-year rule review requirements of Section 106.03 of the Revised Code (ORC).

Proposed revisions to the rules include the following:

- Revising the definition of “Disadvantaged assistance” in OAC Rule 3745-88-01 to clarify that maximum term is consistent with what is allowed in the Safe Drinking Water Act.
- Changing “Pre-application” to “Nomination” in OAC chapter 3745-88.
- Removing the requirement to submit a complete application separate from the WSRLA loan application for designation as a disadvantaged community in OAC Rule 3745-88-02.
- Clarifying that the poverty rate in the area served by the applicant is determined by the most recent data of the US Census Bureau in OAC Rule 3745-88-02.
- Clarifying the percentage of capitalization grant that may be available to provide subsidies to disadvantaged communities in OAC Rule 3745-88-02. This revision is proposed to make the rule consistent with the federal requirement.

As part of the rulemaking process, the Agency is required by Section 121.39 of the ORC to consult with organizations that represent political subdivisions, environmental interests, business interests, and others affected by these rules. Additionally, the Agency is working with the Common-Sense Initiative (CSI) Office. The Agency is offering you and your organization the opportunity to comment on the draft rules and CSI Business Impact Analysis (BIA) Form, before the division formally proposes them.

If you require a hard copy of the proposed rules, contact Emma Brown at Ohio EPA at (614) 728 - 1219 or email at [Emma.Brown@epa.ohio.gov](mailto:Emma.Brown@epa.ohio.gov). Please request the "Disadvantaged Community Loans – Amended Rules" and be sure to include your name, telephone number, and complete mailing address. There is no charge for the copies. Electronic copies of the proposed rules can be found at <http://epa.ohio.gov/ddagw/rules.aspx> on the “Interested Party Review” tab. The draft rules will be available on the Agency web page until it is formally proposed with the Joint Committee on Agency Rule Review (JCARR).

Comments can be submitted in hard copy to the following address: "Ohio Environmental Protection Agency, Division of Drinking and Ground Waters, P.O. Box 1049, Lazarus Government Center, Columbus, Ohio 43216-1049, Attn: Emma Brown" or by email to [ddagw\\_rulecomments@epa.ohio.gov](mailto:ddagw_rulecomments@epa.ohio.gov). Comments should be received at the above address by close of business, March 5<sup>th</sup> 2020.

