

**BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY**

**Public Notice
Proposed Rulemaking Governing
Laboratory Certification**

Notice is hereby given that the Director of Environmental Protection, under the authority of Sections 6109.23, 6109.121, 6109.04 of the Ohio Revised Code and in accordance with Chapter 119, proposes to amend the following rules of the Ohio Administrative Code:

Rule #	Title:
3745-81-27	Analytical techniques.
3745-81-28	Acceptability of analytical results.
3745-89-01	Laboratory certification definitions.
3745-89-02	Analyses requiring laboratory certification.
3745-89-03	Procedure for laboratory certification.
3745-89-03	APPENDIX.
3745-89-04	Renewal of laboratory certification.
3745-89-05	Maintenance of a laboratory certification.
3745-89-06	Director's actions for laboratory certification.
3745-89-07	Laboratory certificate property of state; display.
3745-89-08	Analysis and Reporting.
3745-89-09	Interim authorization for plant control tests or MMO-MUG (SM 9223 B) tests.
3745-89-10	Interim authorization for new contaminants and new methods.
3745-89-11	Certified laboratories for the "Long Term 2 Enhanced Surface Water Treatment Rule".
3745-89-12	Alternate acceptance of laboratory certification.

These rules have been reviewed pursuant to the five-year rule requirements set forth in ORC 119.032, and to update rules by reference, adopt new analytical methods and make other minor clarifications in Chapter 3745-89. Rule 3745-89-10 of the Administrative Code will be rescinded. Additional proposed revisions include adjusting terminology to match definition changes, as well as the following:

3745-89-01:

- Addition of definitions for "Recommendation" and "Survey".
- Removal of the definitions, "Interim authorization for new contaminants and new methods" and "On-site survey".

3745-89-02:

- Remove "initial" from (E).

3745-89-03:

- Add “Documentation that the laboratory has obtained acceptable results according to the “National Environmental Laboratory Accreditation Program” (NELAP) drinking water fields of proficiency testing concentration range and acceptance criteria, located at <https://www.nelac-institute.org/content/NEPTP/fopt.php>” .
- Change MMO-MUG, Membrane Filtration, and MPN to “total coliform and E. coli”.
- Add “Vinyl chloride. Applicants for laboratory certification for vinyl chloride shall hold laboratory certification for the twenty regulated volatile organic chemicals listed in rule 3745-81-12(C) of the Administrative Code and shall report PT analysis for this analyte in accordance with paragraph (A)(3)(d) of this rule with no unacceptable results”.

3745-89-03 Appendix:

- Add references 3 and 4.
- Update the microcystins reporting limit to 0.24 (µg/L).
- Add the reporting limits for PFAS analysis.
- Add the DBP acceptance limits in §141.131(b)(2)(iii) to the appendix.

3745-89-04:

- Change “onsite survey” to “a survey”.

3745-89-05:

- Change “onsite survey” to “a survey”.
- Change “MMO-MUG, Membrane Filtration, and MPN” to “total coliform and E. coli”.

3745-89-06:

- Change “onsite survey” to “a survey”.

3745-89-07:

- Add “(B) When an analyst leaves a laboratory, the agency’s laboratory certification section shall be notified and the analyst’s certificate shall be destroyed”.

3745-89-08:

- Remove “Beginning October 1, 2018” from (A).
- Update references in 89-08(C)(1) from 3745-81-14 and 3745-81-21 to 3745-81-51 and 3745-81-52 respectively.

3745-89-09:

- Change “onsite survey” to “a survey”.
- Change “must” to “shall” in (3)(e).

3745-89-10:

- Rescind.

3745-89-11:

- No Change.

3745-89-12:

- Add “per paragraph (A)(3)(d) of rule 3745-89-03 of the Administrative Code” to (A)(4) and (B)(3).
- Changed “onsite survey” to “survey”.
- Changed “onsite inspection” to “inspection”.

3745-81-27:

- Update references in (F) from 3745-81-14 and 3745-81-21 to 3745-81-51 and 3745-81-52 respectively.

3745-81-28:

- Change “they” to “the results”.

The public comment period will run until **May 9, 2025**. A public hearing on this proposed rulemaking will be held to consider public comments in accordance with Section 119.03 of the Ohio Revised Code. Ohio EPA will be holding an in-person and virtual public hearing on the rules on **May 9, 2025, at 10:30 am**. The in-person hearing will be at the same time and date and will be located at Ohio EPA, Suite 700, 50 W. Town Street, Columbus, Ohio 43215 in Conference Room Summer B. During the hearing, the public may submit written comments on the record about the proposed rules if participating virtually and verbally if participating in person.

Citizens who want to participate virtually must register in advance for the meeting at: <https://attendee.gotowebinar.com/register/728902988297462360>

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 rulemaking.

Written testimony may be submitted electronically through Smart Comment at <https://ohioepa.commentinput.com?id=YZQispGVc> or can be emailed to ddagw_rulecomments@epa.ohio.gov. 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 close of business on **May 9, 2025**, will be considered by Ohio EPA prior to final action on this rulemaking proposal. Written comments submitted after this date may be considered as time and circumstances permit.

Questions regarding this rule package should be directed to **Brooke McLoughlin** at the DDAGW at (614) 644-2316.

To receive a copy of the proposed rules, please contact the DDAGW receptionist at (614) 644-3386. In addition, full copies of all proposed rules are available for review at any Ohio EPA district office and at the Ohio EPA central office. The proposed rules are also accessible on the DDAGW web page at <https://epa.ohio.gov/ddagw/DDAGWrules>.

To request a reasonable accommodation due to a disability, visit <https://epa.ohio.gov/ada>