



Early Stakeholder Outreach – Permit To Install Land Application Rules (OAC 3745-42-01 and -13)

What do OAC 3745-42-01 & -13 cover?

A Permit-to-Install (PTI) is required for any installation or modification of wastewater treatment, conveyance, or disposal system. The PTI program rules are in Ohio Administrative Code (OAC) Chapter 3745-42. Rule OAC 3745-42-01 covers the definitions used in the chapter, and OAC 3745-42-13 currently covers the requirements of land application of treated effluent and liquid industrial waste for agronomic benefit.

Why are these rules being sent out for Early Stakeholder Outreach?

The first step in the rule-making process is for Ohio EPA to identify that a rule needs to be amended, rescinded, or created. Ohio EPA has added an additional step to ensure stakeholders are brought into the rule process as early as possible. This additional interested party notification and request for information will allow for early feedback before the rule language has been developed by the agency.

What changes are being considered?

The agency is conducting the five-year review of OAC 3745-42-13. The major change considered at this time is to split the content of this rule into two rules. Rule 3745-42-13 will continue to cover treated effluent used for irrigation, which is wastewater that has gone through adequate treatment before being used for irrigation. The new rule, to be added as OAC 3745-42-14, will be for the application of liquid industrial byproducts for agronomic benefit. "Liquid industrial byproducts" means materials that are generated as a result of industrial wastewater treatment or residual materials from industrial or manufacturing processes that meet the limits and best management practices established to be protective of human health and the environment prior to land application. "Agronomic benefit" means organic or nutrient enrichment of soil for plant growth. Examples of liquid industrial byproducts include materials from food production such as dairy wastes, brewery wastes or food washwater, compost leachate, and non-biosolids digestate. Rule OAC 3745-42-01 will also be opened to include definitions related to the changes in OAC 3745-42-13 and addition of the OAC 3745-42-14.

Changes the Agency is considering include:

- Updates to reference citations and rule format, including adding clarifying language, adding new definitions, reorganization, and improvements in the efficiency and consistency of the rules
- Dividing 3745-42-13 as follows:
 - Existing rule -13 will cover general requirements for irrigation of treated effluent.
 - New rule -14 will cover the land application of liquid industrial byproducts for agronomic benefit.
- Updates to limits for treated effluent and classifications of what is being applied.
- Revised limits for liquid industrial byproducts used for agronomic benefit.
- Inclusion of monitoring of soil health.
- Updated application and permitting process.
- Updating groundwater monitoring requirements.

Who is regulated by these rules?

Government entities, businesses, industries, and organizations that land apply treated effluent or liquid industrial waste are subject to these rules. The rules verify that the treated effluent and liquid industrial waste meet the limits

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and best management practices established to be protective of human health and the environment prior to land application.

What is the rulemaking schedule?

Depending upon feedback provided during this comment period, the agency is planning to release a draft version of these rules for interested party review and comment during fall of 2026.

How can I provide input?

The agency is seeking stakeholder input on these rules. When preparing your comments, be sure to:

- explain your views as clearly as possible;
- describe any assumptions used;
- provide any technical information and/or data used to support your views;
- explain how you arrived at your estimate for potential burdens, benefits or costs;
- provide specific examples to illustrate your views; and
- offer alternatives.

Written comments will be accepted until 5 p.m. on July 1, 2026.

There are two options for submitting your comments:

- Electronically through [SmartComment](#)
- Via postal mail to Rule Coordinator, Ohio EPA – Division of Surface Water, PO Box 1049, Columbus, Ohio 43216-1049

What input is the agency seeking?

The following questions may help guide you as you develop your comments.

- Is the general regulatory framework proposed the most appropriate? Should the agency consider any alternative framework?
- What options are available for improving the existing rules?
- Are there considerations the agency should take into account when updating the existing rules?
- Is there any information or data the agency should be aware of when developing program concepts or rule language?

How can I get more information?

Information is available on the Ohio EPA Division of Surface Water website:

- [A copy of this fact sheet](#)
- [The existing rules](#)
- [Additional information on the PTI program](#)

Contact

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