

---

**RESPONSE SUMMARY TO PUBLIC COMMENTS  
ON THE DRAFT TMDL REPORT**

**UPPER MAHONING RIVER WATERSHED**



## **Upper Mahoning River Watershed TMDLs**

---

The draft Upper Mahoning River Watershed Total Maximum Daily Load Report was available for public review from June 15 through July 18, 2011. One set of comments was submitted by Mr. Jeff Cox of the Sierra Club's Central Ohio Group on July 31, 2011.

This appendix contains the comments received and responses to those comments. Please note that references to page numbers in the draft report may not correspond to the same page numbers in the final report.

### **Comment**

*Non-point source (NPS) pollution typically refers to non-wastewater treatment plant phosphorus pollution, and in the TMDL calculations and report, NPS referred to phosphorus pollution caused by any source other than WWTPs. Since the issuance of the MS4 permit, it has been argued that stormwater discharge from discreet conveyances also could be considered point source pollution.*

*The reduction in phosphorus from some of the measures such as "Point source reductions" can be easily quantified. The reductions in phosphorus from other measures, such as "septic systems", need further guidance from OEPA to quantify the anticipated reductions.*

*No phosphorus reductions have been allocated to non-traditional MS4's. Non-traditional MS4's also generate phosphorus and should be required to adjust their stormwater plans to reduce phosphorus reductions. Providing additional guidance is of critical importance to MS4s to determine how best to adjust their stormwater management programs.*

*Guidance should be included as to how the regulated MS4s can meet the requirements, including specificity on the pollutant removal efficiencies that can be applied for various management practices, both structural and non-structural.*

*Provides funding sources to help support the costs associated with the Implementation Plan. Without understanding the cost to local municipalities and agencies, and the full cost of providing sufficient phosphorus reductions needed to address the TMDLs for phosphorus, it cannot be determined whether the funding sources provided will be adequate, or are woefully inadequate.*

*The TMDL Plan does not discuss nor fully meet the eight implementation plan components laid out in the EPA Phase II TMDL implementation.*

*The eight components are:*

*1) For each upstream waterbody, quantification of additional load reductions above those required to meet the TMDL for that waterbody, that will result in achieving standards in downstream reservoirs.*

*2) Identification of management practices specific to the land use areas within each basin that may be implemented to meet the more stringent of either the TMDL for that waterbody or the reduced load necessary to achieve downstream standards.*

*3) A list of municipalities, and other storm sewer systems, by basin, that should be designated under the Phase II Stormwater Rule.*

## **Upper Mahoning River Watershed TMDLs**

---

- 4) *For each reservoir, management practices that will be implemented to achieve standards in that waterbody and achieve standards in downstream reservoirs.*
- 5) *A description of the implementation mechanism and institutional framework.*
- 6) *The time frame for implementing the actions.*
- 7) *Funding sources for implementation.*
- 8) *A plan for evaluating/monitoring the effectiveness of the management practices.*

## **Response**

TMDLs quantify pollution reductions needed to be made to a waterbody to meet water quality standards. Calculating needed reductions from the relevant sources is an important step in improving water quality, and these calculations are documented in the draft TMDL report. The sources, including those mentioned in the comments, have estimates of their existing load and an allocation of pollutant load that would be consistent with meeting water quality standards. Specifically, septic systems and MS4s have these values quantified for the total phosphorus in Tables 5-10, 5-20, and 5-46 and for *E coli* bacteria in Tables 5-1, 5-2, 5-3, 5-5, 5-13, 5-15, 5-17, 5-18, 5-24, 5-26, 5-27, 5-28, 5-30, 5-32, 5-36, 5-38, 5-40, 5-42, 5-43, and 5-45.

Non-traditional MS4s are explained in part in OAC 3745-39-02, where it is clarified that MS4s also constitute all parts of storm water drainage systems including open conveyances and pipes that are owned or operated by public entities, and not merely the separate storm sewer systems associated with a respective municipality. Examples may include publicly owned hospitals, prisons, universities and road systems (e.g., interstate storm water infrastructure). These drainage systems require NPDES coverage if they fall within areas needing MS4 coverage, which are delineated based primarily on population density. Load reductions for the non-traditional MS4s in the basin are provided in this document insofar as they are a part of an MS4 area with a loading analysis.

Guidance for achieving the load reductions called for in this report can be found in Chapter 6 of the report as well as Appendix E. Guidance specifically for storm water can be found in Sections E3 and E4 in the Appendix. The guidance provided here is not comprehensive; however, many references are provided for technical documents that more fully guide specific actions to take to improve water quality.