

Ohio Environmental Protection  
**Agency** **AGENDA**



*A summary of  
significant  
ongoing and  
upcoming Ohio EPA  
activities*

*July 2001*



The following is a summary of significant ongoing and upcoming Ohio EPA activities.  
To obtain additional information, contact the person listed for each issue.

## **AGENCY-WIDE INITIATIVES**

### **Improving Quality and Customer Service**

The Director's Office of Quality, Accountability & Customer Service focuses on improving customer service by encouraging all employees to continually look for ways to improve how the Agency operates, and serving as a contact point/liason for the regulated community and major environmental organizations. The office also participates in the Agency's overall strategic management planning process. The office will be developing accountability activities related to this process. *Contact: Al Franks, (614) 644-2782.*

### **Coordination with Ohio Department of Natural Resources (ODNR)**

The Director's Office and several of the programs (surface water, solid waste, drinking and ground waters) are working with ODNR to improve areas of mutual concern, such as mining, stormwater, animal feeding operations and wetlands issues. *Contact: Bob Knipmeyer, (614) 644-2782.*

### **Local Health Department Coordination**

A joint committee of Ohio EPA staff, Ohio Department of Health (ODH) staff and local health department representatives meets regularly to identify ways to improve coordination/communication on environmental issues. The workgroup is currently investigating items of mutual concern within the areas of wastewater treatment, solid waste disposal and consistent state-wide application of practices. *Contact: Bob Knipmeyer, (614) 644-2782.*

### **Areawide Planning Organization/Ohio EPA Workgroup**

Ohio EPA staff and representatives of six municipal planning organizations meet regularly to discuss and share information on a variety of issues covering the waste, water and air programs. The participating organizations include the Eastgate Regional Council of Governments (ERCOG), Miami Valley Regional Planning Commission, Northeast Ohio Areawide Coordinating Agency, Northeast Ohio Four-County Regional Planning and Development Organization, Ohio-Kentucky-Indiana Regional Council of Governments and Toledo Metropolitan Area Council of Governments. *Contacts: Bob Knipmeyer, (614) 644-2782, or Gail Hesse (614) 644-2001.*

## **DIVISION OF HAZARDOUS WASTE MANAGEMENT**

### **Rule, Policy and Program Development**

### **Compliance Assurance**

A comprehensive compliance assurance program supported by effective enforcement is critical to fulfilling the Division's mission of ensuring compliance with Ohio's hazardous waste laws. The Division uses many tools to help the regulated community understand what the hazardous waste laws require, including a newsletter, Web page, fact sheets and many other resources. The division uses inspections to assure companies are applying rules properly, and administers a strong enforcement program.

### **Cessation of Regulated Operations Program**

The division recently completed an effort to rewrite the Cessation of Regulated Operations (CRO) program rules (ORC Chapter 3752/OAC Chapter 3745-352) in "plain language." These became effective February 20, 2001. These new rules are in an easily understood format and eliminate the need for the regulated community and the public to read both the statute and rules to determine regulatory requirements. *Contact: Ralph McGinnis, (614) 644-3065.*

### **Integration of Pollution Prevention**

The division continues to work on a pollution prevention integration initiative that began several years ago. Full implementation of the strategy and plan began just over one year ago. The goal is to fully integrate pollution prevention activities into the hazardous waste management program. The division hopes to see a reduction in the amount of waste generated by helping hazardous waste generators identify pollution prevention opportunities and implement pollution prevention practices. Currently, the division is working on the development of evaluation methods to assist in measuring and reporting progress. *Contact: Pamela Allen, (614) 644-2980.*

### **RCRA Corrective Action and Post-Closure Goals**

The division has adopted U.S. EPA's Government Performance and Results Act (GPRA) near-term Environmental Indicator goals for a subset of the total number of Ohio hazardous waste facilities subject to facility-wide RCRA corrective action investigation and cleanup requirements. By 2005, the division and U.S. EPA will verify and document that 95 percent of the 85 Ohio corrective action facilities will have "current human exposures under control" and 70 percent of these facilities will have "migration of contaminated ground water

under control.” The division will assume responsibility for verifying and documenting the Environmental Indicator goals at approximately one half of those 85 Ohio facilities. The division has also adopted U.S. EPA’s GPRA goal that 80 percent of the Ohio hazardous waste treatment, storage and disposal facilities which operated at least one land-based hazardous waste management unit (but did not implement and complete clean closure of that unit by October 1, 1997) will need to have approved controls in place to prevent dangerous releases to air, soil and ground water by 2005. *Contact: Dave Sholtis, (614) 644-2937.*

## **Information Technology Developments**

The division is progressing toward the completion of a two-year project to develop a new comprehensive information management system that will be linked to the information management systems of other Ohio EPA divisions and Ohio EPA’s core database. This system, called DRUMS (Data Retrieval Utility and Management System), will enable the division to more accurately track compliance, enforcement, permitting, closure and annual report data. It will also serve as an important tool in automating numerous day-to-day tasks, such as the preparation of letters, which will enhance our ability to be timely and efficient. It also has a feature that allows annual report filers to file their reports electronically. *Contact: Pamela Allen, (614) 644-2980.*

# **OFFICE OF RIGHT-TO-KNOW**

## **Electronic Tracking System**

Ohio EPA’s Office of Right-to-Know provides administrative staff for the State Emergency Response Commission (SERC). The office will be working with the Ohio Department of Natural Resources, Division of Mineral Management, and the Bureau of Underground Storage Tank Regulations, to coordinate chemical inventory information exchange between the three state programs. The SERC program is moving toward an electronic tracking system that will be able to accept electronic regulatory submission reports from the regulated community. *Contact: Jeff Beattie, (614) 644-2269.*

## **Inspector Training Course**

The program will coordinate with U.S.EPA to develop a two-to three-day Emergency Planning and Community Right-to-Know Act inspector training course for the county-level Local Emergency Planning Committees. *Contact: Jeff Beattie, (614) 644-2269.*

## **State Emergency Response Commission Web Page**

The Right-to-Know program will maintain the Ohio SERC Web page. *Contact: Jeff Beattie, (614) 644-2269.*

# **DIVISION OF SOLID AND INFECTIOUS WASTE MANAGEMENT**

## **Rule, Policy and Program Development**

### **Building Stronger Relationships**

The division continues to regularly participate in workgroups with the Association of Ohio Health Commissioners (AOHC), the Ohio Environmental Health Association (OEHA), the Ohio Department of Health and also with various Solid Waste Management Districts. The meetings are useful for improving communication and developing working relationships. *Contact: Sharon Gbur, (614) 728-5333 regarding the health district workgroup and Kevin Shoemaker, (614) 728-5370 regarding the solid waste management district workgroup.*

The division is also assisting the Ohio Emergency Management Agency (OEMA) in providing classes to local organizations on disaster-related debris management. *Contact: Greg Keller, OEMA, (614) 799-3669.*

### **Information Management Improvements**

The division has completed a comprehensive data management system called SIIMAN (Solid and Infectious Waste Information Management System), which will enable the division to more accurately track compliance data, authorizing requests for information such as applications for per-

mits, registrations, licenses, etc.), and various other data. The system also will provide access for health districts, solid waste management districts, and regulated facilities for electronic submission and tracking of information such as waste receipts and fees. *Contact: Scott Wilson, (614) 728-5342.*

## **Pending Legislation**

The division continues to work with interested parties regarding several pending bills affecting the program. Senate Bill 15 proposes to move regulatory control of lime mining waste from Ohio EPA to the Ohio Department of Natural Resources and for the Division of Mineral Resources Management to adopt rules governing the beneficial use of lime mining wastes. Senate Bill 37 and House Bill 83 propose to require arbitration prior to withdrawal of a county from a joint solid waste management district and to revise the requirements for withdrawal. Senate Bill 41 proposes a two-year moratorium on new construction and demolition debris facilities that are planning to accept out-of-state waste. Senate Bill 71 and House Bill 166 propose a moratorium on solid waste landfills and House Bill 177 applies to private sanitary landfills certain arbitration procedures related to the siting or modification of landfills and changes the definition of “affected community” as it relates to those arbitration procedures. *Contact: Dan Harris, (614) 728-5377, or Laura Powell, (614) 644-2782.*

## **Rule Review Process**

Ohio law requires divisions to review and make appropriate revisions to program rules according to a staggered five-year schedule. The purpose of rule review is to identify areas where rules can be altered to reduce compliance costs, increase flexibility at the local level, and reduce paperwork requirements. The division’s rule review schedule can be seen on the division’s Web page. The schedule shows when rule packages will be under review, how interested parties can offer suggestions, and a team leader/contact person for each package. The following rule packages are to be filed with the Joint Committee on Agency Rule Review (JCARR) in 2001:

**Closure/Post-Closure Care:**  
*Peter Clingan, (614) 728-5325.*

**Composting:**  
*Angel Arroyo-Rodriguez, (614) 728-5336*

**Construction & Demolition Debris:**

Peter Clingan, (614) 728-5325

**Design & Construction:**

Vladimir Cica, (614) 728-5361

**Fees:**

Andrew Booker, (614) 728-5355

**Financial Assurance:**

Fanny Haritos, (614) 728-5343

**Ground Water Monitoring:**

Lindsay Taliaferro III, (614) 644-2752

**Infectious Waste:**

Angela Evans, (614) 728-5338

**Miscellaneous Rules:**

Annette DeHavilland, (614) 728-5373

**Operations:**

Carl Mussenden, (614) 728-5341

**Permit-to-Install:**

Annette DeHavilland, (614) 728-5373

**Scrap Tires:**

Bob Large, (614) 728-5347

**Siting Criteria:**

Vladimir Cica, (614) 728-5361

**Waste Characterization:**

Peter Clingan, (614) 728-5325.

DSIWM continues to develop and review new and existing guidance documents.

DSIWM is developing new variance rules for OAC Chapters 3745-27 and 3745-29. The division is also developing its own Permit-to-Install chapter to replace the current OAC Chapter 3745-31.

If there are any questions on rule review procedures or schedules, *Contact: Peter Clingan, (614) 728-5325.*

**Scrap Tire Abatement**

The state-funded scrap tire abatement program has focused exclusively on the Kirby scrap tire site in Wyandot County for state fiscal year (SFY) 2001. This is the sixth state-funded scrap tire cleanup. Plans to start a seventh scrap tire cleanup were placed on hold for 2000/2001 when a major scrap tire fire occurred at the Kirby site in August 1999. All funds available in the Scrap Tire Management Fund for SFY 2001 were used to accelerate creation of fire lanes at the Kirby site. In addition, more than \$3 million from the solid waste fund has been spent treating contaminated water draining from the buried scrap tire fire residuals at the site. Additional funding has been requested in the budget bill for SFY 2002/2003 in the form of a fee increase on tires sold in Ohio from \$0.50/tire to \$1.00/

tire at the wholesale level. An estimated 20 to 40 million tires remain at Kirby. With the existing fee, Ohio EPA had projected a 15-year time frame to remove them. The fee increase will allow a cleanup in fewer than 10 years. The additional funding would also cover the costs of water treatment at the Kirby site and allow for the creation of fire breaks in a shorter time frame at this site. In addition, it would enable the Agency to pursue other priority scrap tire cleanups in the state. *Contact: Bob Large, (614) 728-5347.*

**Solid Waste Capacity Tracking**

The division continues to track available solid waste disposal capacity, out-of-state waste imports, domestic waste flows, and recycling and waste reduction activities. This is done on an annual basis. *Contact: Andrew Booker, (614) 728-5355.*

**State Solid Waste Management Plan Update**

The division will work on a revision to the State Solid Waste Management Plan. The plan, which was last adopted in 1995, is intended to provide a state-wide strategy to reduce Ohio's reliance on landfills for the management of solid waste. One of the key components of this strategy is the establishment of state recycling goals. The plan also provides statewide direction for the siting of solid waste facilities, the establishment of disposal restrictions, and the management of certain waste streams such as scrap tires and household hazardous waste. The revised plan should be complete in June of 2001. *Contact: Andrew Booker, (614) 728-5355.*

**Process Improvements**

The division continues to work on process improvement activities to increase statewide consistency and efficiency. Efforts include: development of a guidance document detailing a method to analyze a site or waste unit for stability; development of more efficient methods for landfill permit reviews; the use of pre-printed forms to reduce paperwork and errors in information submittals; improved coordination on multi-media projects such as Integrated Alternative Waste Management Program (IAWMP) approvals and enforcement actions. *Contact: Annette DeHavilland, (614) 728-5373.*

# DIVISION OF EMERGENCY AND REMEDIAL RESPONSE

## Rule, Policy and Program Development

**Issue 1 Program Development**

Ohio EPA is evaluating program implementation needs for potential legislative approaches to Issue 1, also known as the Clean Ohio Fund. Ohio EPA is working with the Departments of Development, Agriculture and Natural Resources as House Bill 3, the implementing legislation, is developed by the legislature. *Contact: Cindy Hafner, (614) 644-2924.*

**Site Assessment**

Ohio EPA is developing procedures and guidance for DERR's site assessment program. A workgroup has been established to develop the tools necessary to rebuild a strong assessment program to help prioritize DERR's remediation work. *Contact: Heidi Sorin, (614) 644-2315.*

**Voluntary Action Program - Memorandum of Agreement with U.S. EPA**

For the past year, VAP has been negotiating a memorandum of agreement (MOA) with U.S. EPA to provide federal comfort for its voluntary cleanup program. U.S. EPA has reviewed several drafts of our proposed MOA and, on January 26, 2001, a final draft of the MOA and supporting documentation was prepared. A public information session was held in Columbus on March 1, 2001, to give stakeholders an opportunity to hear the details of the agreement and offer comments and questions. U.S. EPA Region 5 has provided a final briefing memo to the senior management staff at U.S. EPA Headquarters. After Headquarters approval, the MOA will be signed by Ohio EPA's director and the Administrator of U.S. EPA Region 5. *Contact: Amy Yersavich, (614) 644-2285.*

**Voluntary Action Program - Five Year Rule Review**

VAP has recently completed a five-year review of H.B. 473 administrative rules, which govern the program. The suggested

rule revisions have been presented to external stakeholders, comments have been received and responses to comments have been prepared and finalized. These rules are expected to be filed with the Joint Committee on Agency Rule Review (JCARR) this Spring. The technical rules governing VAP will be reviewed over the next year by both internal Agency staff and external stakeholders in anticipation of filing revised rules with JCARR in March 2002. *Contact: Amy Yersavich, (614) 644-2285.*

## **Radiation Safety**

The Radiation Safety Program is coordinated with the Utility Radiological Safety Board (URSB) that is chaired by the Ohio Emergency Management Agency. Funding is provided through grants to Ohio EPA and the other individual agencies. Ohio EPA facilitates the URSB Citizen Advisory Council (CAC), which is a public group that helps monitor radiological issues of importance to Ohio citizens. Changes to the membership and meeting requirements go before JCARR for review this year, and the CAC is modifying its by laws to reflect these changes. Ohio EPA participates in annual exercises with nuclear plants and Radiation Safety coordinates a sampling team to respond in the event of a release. This year, the sampling team is participating in a two-day exercise at the Davis-Besse Nuclear Power Station. This program also works with Ohio EPA's Office of Federal Facilities Oversight at Department of Energy facilities. *Contact: Zack Clayton, (614) 644-3066 or zack.clayton@epa.state.oh.us*

# **DIVISION OF AIR POLLUTION CONTROL**

## **Rule, Policy and Program Development**

### **DAPC Program Efficiency Study**

Under House Bill 283, the director was required to study the operations of the Division of Air Pollution Control and the Division of Surface Water. The purpose is to review permitting operations of both divisions, identify areas where efficiency can be improved and make recommenda-

tions to implement the improvements. The ultimate goal of the study is to improve the overall efficiency of the permitting operations. A report was recently submitted to the governor and select members of the legislature. *Contact: Mike Hopkins, (614) 644-3611.*

### **Nitrogen Oxide Regulations to Address Ozone Transport**

The Ozone Transport Assessment Group (OTAG) finalized recommendations to U.S. EPA on interstate strategies to help the Northeastern states achieve their air quality goals. U.S. EPA finalized these recommendations by establishing state emission budgets, and requiring states to submit implementation plans to reduce nitrogen oxide emissions to meet the emission budget. Ohio and other states appealed this final rule. A federal court upheld U.S. EPA's requirement for states. Ohio EPA is developing a plan to reduce nitrogen oxide and an emission trading program. *Contact: Bob Hodanbosi, (614) 644-2270.*

### **Risk Management Program**

Legislation (S.B. 219) was adopted in 1998 to allow Ohio EPA to administer the risk management planning requirements of the Clean Air Act. Facilities were required to submit these plans in June 1999. Ohio EPA is working with facilities and assisting them with interpreting the risk management planning requirements. *Contact: Sherri Swihart, (614) 644-3594.*

### **Title V Implementation/ Permit Issuance**

Ohio EPA continues to issue the first round of Title V permits and has set a goal to issue all Title V permits by December 31, 2001. Stakeholders continue to have the opportunity to discuss the ongoing federal changes to the Title V requirements during periodic permit advisory group (PAG) meetings. *Contact: Tom Rigo, (614) 644-3626.*

### **Toxic Release Inventory**

The Toxic Release Inventory is a national reporting requirement under which facilities report their releases of toxic chemicals to the air, land, water, deepwell injection and transfers offsite. U.S. EPA expanded the scope of the Toxic Release Inventory to include non-manufacturing

facilities, which reported for the first time in 2000. Ohio EPA continues to work with these facilities to improve toxic release inventory reports. Ohio EPA will be modifying the Ohio Toxic Release Inventory rules to include these non-manufacturing facilities. Ohio EPA recently released a report on the data submitted for 1999 releases. *Contact: Cindy DeWulf, (614) 644-3606.*

### **U.S. EPA's Air Quality Standards for Ozone and Particulate Matter**

In March 2001, the U.S. Supreme Court decided U.S. EPA must reconsider its implementation strategy for the ozone and particulate matter standards. Ohio EPA cannot speculate on the impact to Ohio at this point. *Contact: Bob Hodanbosi, (614) 644-2270.*

# **DIVISION OF SURFACE WATER**

## **Rule, Policy and Program Development**

### **Antidegradation Rules (Water Quality Standards)**

Ohio EPA's revised antidegradation rule has been in effect since October 1, 1996, and has successfully been used in evaluating several hundred projects. However, during that time, the rule has been criticized by both the regulated and environmental communities. In light of these concerns, the Agency formed an external advisory group to aid in addressing appropriate revisions to the rule. The group completed this evaluation. Revised rules are proposed to be developed by the end of 2001. *Contact: Paul Novak, (614) 644-2035.*

### **DSW Program Efficiency Study**

Under House Bill 283, the director was required to study the operation of the Division of Air Pollution Control and the Division of Surface Water. The purpose is to review permitting operations of both divisions, identify areas where efficiency can be improved and make recommendations to implement the improvements. The ultimate goal of the study is to improve the

overall efficiency of the permitting operations. A report was recently provided to the Governor and selected members of the legislature. These initiatives include rule modifications, program restructuring, fee assessments and information management improvements. *Contact: George Elmaraghy, (614) 644-2041.*

## **General NPDES Permit Development**

General permits are currently in use for discharges of non-contact cooling water, petroleum-related corrective action, small sanitary wastewater plants and several storm water categories. In 1999, the division renewed general permit for non-contact cooling water and in 2000 renewed the industrial activities storm water general permit. Development of additional general permits, such as landfill runoff, coal strip mining, and hydrostatic test water are on hold while changes to the antidegradation rules are under consideration. *Contact: Mark Mann, (614) 644-2023.*

## **Headwater Stream Management**

The issue of how best to manage headwater streams is a key strategy necessary for continued progress toward restoring degraded waters throughout the state. Although each individual headwater is very small (drainage areas are from three square miles to less than one square mile), collectively, these waterways comprise 80 percent of the 61,000 miles of waterways in the state. The condition of the headwaters in a watershed will greatly influence the water quality and biological health of downstream streams, rivers and lakes. The Agency currently lacks the tools to separate or classify the very small waterways throughout the state. The division has completed a two year field project to address the issue. This technical foundation is needed before any possible rule changes are drafted. In November 2000, external stakeholders were invited to comment on an Agency action plan regarding possible applications of the water quality standards, the Section 401 water quality certification program and other program areas. Further materials will be shared with interested parties in 2001. The objective is a simple, streamlined regulatory framework that takes appropriate steps in protecting headwaters and the downstream water resource. *Contact: Dan Dudley, (614) 644-2876.*

## **Industrial Storm Water General Permitting**

The expired industrial activity storm water general permit was reissued on August 1, 2000. The Group Applicant Industrial Storm Water General Permit expired in October 1999. Those group applicant facilities formerly covered under the expired permit are covered under the reissued industrial general permit. *Contact: John Morrison, (614) 644-2259.*

## **Industrial Storm Water No Exposure Certification**

The Phase II storm water regulations published on December 8, 1999, formalized the procedures required for determining there is no exposure of industrial activity to storm water and no NPDES general permit is required. Ohio EPA implemented the No Exposure Certification exemption procedure in September 2000, using the U.S. EPA form. The forms need to be completed and mailed to Ohio EPA. Copies of the forms and instructions are available on the Storm Water Program Web page, at [www.epa.state.oh.us/dsw/storm/index.html](http://www.epa.state.oh.us/dsw/storm/index.html).

## **Lake Erie Lakewide Management Plan (LaMP)**

The division has taken a lead role in working with U.S. EPA, Environment Canada, Michigan, Pennsylvania, New York, Ontario and a binational public forum in developing and implementing a plan to restore and protect the chemical, physical and biological integrity of the Lake Erie ecosystem. The LaMP is being produced as a working document to be updated every two years. The first version was released in April 2000. To date, the LaMP has: identified impairments to beneficial uses of the lake; adopted action agendas for reducing PCBs and mercury; assessed existing databases for possible use in calculating pollutant loads or tracking down pollutant sources; and delineating four improved future Lake Erie ecosystem states that can be achieved based on selection of management actions and with consideration of socioeconomic values. *Contact: Julie Letterhos, (614) 644-2871.*

## **Lake Erie Protection and Restoration Plan**

The Ohio Lake Erie Commission has developed the Lake Erie Protection and Restoration Plan, which is a detailed strategic plan to direct Ohio's future efforts to protect and restore Lake Erie and its watershed. This plan maps out a long-term strategy for achieving goals and future improvements as set out in the 1998 Lake Erie Quality Index Report. The Lake Erie Protection and Restoration Plan was released in August 2000. Currently, the Lake Erie Commission is working on an implementation plan. *Contact: Jeff Busch, (419) 245-2514.*

## **National Pollutant Discharge Elimination System (NPDES) Permit Backlog Reduction**

Ohio EPA developed a backlog of expired wastewater discharge permits over the last two years. Although the percentage of permits expired had been minimal prior to 1998, various factors impacted the Agency's ability to renew NPDES permits. The primary impacts were the development and adoption of rules for the federal Great Lakes Water Quality Guidance and resource allocation to address competing priorities. The division developed a strategy to gradually reduce the backlog over the next three to four years and exceeded its goal for the first year. *Contact: Paul Novak, (614) 644-2035.*

## **Ohio River Basin Water Quality Standards Initiative**

In 1998, the division began the process of reviewing water quality standards for the Ohio River Basin. An external stakeholder advisory group was formed to assist the division in the process. This advisory group provided recommendations to the director on whether or not rules previously adopted in the Lake Erie basin under the Great Lakes Water Quality Initiative also should be applied to the Ohio River Basin. The Agency released draft rules for comment in April 2001. Proposed and final rules are expected later in 2001. *Contact: Gary Martin, (614) 644-2141.*

## **Permits to Install (PTIs)**

The Agency has initiated efforts to develop or revise guidance documents and policies used to support the permit to install program. These efforts are designed

to clarify and improve the administrative (applications, transfers, modifications, etc.) and technical components of PTI submittals for waste treatment and handling systems. *Contact: Cathy Alexander, (614) 644-2021.*

## **Phosphorus vs. Nitrogen Policy**

Ohio EPA staff participated on a nutrient management committee formed to reassess the Natural Resources Conservation Service (NCRS) nutrient management policy in light of the national animal feeding operation strategy. The NCRS policy is now final and considers nitrogen and phosphorus soil test levels and/or a phosphorus index (which encompasses site specific information about topography, soils, fertilizer applications, etc.) in determining the application rate for organic materials. Ohio EPA has since begun to require more evaluation of phosphorus in the livestock waste management plans, or imposed a requirement in the permit to develop a Comprehensive Nutrient Management Plan that is in accordance with the NCRS policy. The proposed sewage sludge rules also contain requirements to consider phosphorus as outlined in the NCRS policy in determining land application rates. *Contact: Cathy Alexander, (614) 644-2021.*

## **Remedial Action Plans (RAPs)**

The Agency continues to support local, community-based efforts to target and remediate environmental problems in Ohio's four Lake Erie areas of concern (Ashtabula, Black, Cuyahoga and Maumee Rivers). Using an ecosystem approach and the combined resources provided by this multi-stakeholder process, remedial actions are being designed and implemented. Just a few of the actions underway are as follows: In the Ashtabula River, work progresses on dredging contaminated sediment from the river beginning in 2003, and a Natural Resource Damage Assessment is being pursued. In the Black River, sampling is underway to develop a model to address low dissolved oxygen levels in the lower river, and several innovative habitat restoration projects are underway near Lodi and in the harbor area. In the Cuyahoga River, several workshops are scheduled to assist riparian owners and elected officials in adopting the best streamside manage-

ment actions for habitat protection and reduction of nonpoint source runoff. Work also continues in addressing habitat and water quality issues in the navigation channel. In the Maumee River, many acres of land have been enrolled in buffer/filter strip programs and the acreage of conservation tillage has increased. Work continues on addressing and remediating contaminant issues in the most impacted streams within the area of concern, and a new project has begun to protect and enhance wetlands. *Contact: Jule Letterhos, (614) 644-2871.*

## **Review of GLI Water Quality Rules**

The Agency adopted rules pursuant to federal Great Lakes Water Quality Initiative in 1997. The rules covered water quality standards, implementation methods and changes to the NPDES permit rules. The division has begun its review of these rules according to the rule review schedule. The issues under consideration include the bioaccumulative chemicals and the reasonable potential test used in permitting whole effluent toxicity. Interested party consultation on these rules should occur in early 2002. *Contact: Bob Heitzman, (614) 644-3075.*

## **Section 401 Water Quality Certification Rules**

Ohio EPA will continue to work on revisions to the Section 401 Water Quality Certification rules that were last revised in September 1982. These rules outline how Section 401 Water Quality Certifications are applied. The rules are outdated in their present form and will be revised to reflect changes to Ohio EPA's revised antidegradation rule expected in 2001, the wetlands water quality standards adopted in May 1998, and to address stream mitigation requirements and headwater stream designations. Ohio EPA plans to begin working with external stakeholders to develop the rules in 2000. *Contact: Ric Queen, (614) 644-2872.*

## **Storm Water Program**

On December 8, 1999, U.S. EPA finalized Phase II storm water regulations for small municipalities, construction sites that are one to five acres, and the industrial nonexposure exemption. Ohio EPA is conducting educational activities with the regu-

lated community on the new regulations. The division is also developing rules and procedures to implement the Phase II stormwater program and will start developing general permits in late 2001. *Contact: Robert Phelps, (614) 644-2034.*

## **Surface Water Information Management System**

Implementation has begun of the division's new information management system that will automate many business activities and make information much more readily available. A new version of SWIMware will be available in mid 2001. SWIMware is a software package that allows the electronic submittal of surface water related permit applications and periodic reports by the regulated community. *Contact: Randy Crowell, (614) 644-2887.*

## **Total Maximum Daily Loads (TMDLs)**

The Clean Water Act requires states to identify and prioritize polluted water bodies, and then prepare plans to restore those water bodies. Ohio's 1998 list of impaired waters indicated 881 of 5,000 water body segments were impaired or threatened. Of the 326 watersheds in Ohio, 276 contain at least one listed segment. Ohio EPA has established a schedule for completing TMDLs for all impaired waterways in Ohio by 2013. The list of impaired waters and schedules will be updated in 2002.

The division is implementing a TMDL process that emphasizes local involvement and decision-making to accomplish the goals of TMDLs. Recommendations from an external advisory group on TMDL issues (approximately 80 people) were presented to the director in June 2000.

Work is progressing on several TMDL projects. The Middle Cuyahoga River TMDL was approved by U.S. EPA in 2000. TMDLs will be submitted to U.S. EPA in 2001 for: Mill Creek (Cincinnati), Sugar Creek, Upper Little Miami River and Rocky River (TMDLs completed in late 2000); the Upper Stillwater River, Bokes Creek, Mill Creek (Marysville) and Raccoon Creek (TMDLs to be completed in 2001) the Upper Auglaize River, Lower Cuyahoga River, Duck Creek and Big Walnut Creek (TMDLs to be completed in 2002). *Contact: Trinka Mount, (614) 644-2140.*

## Water Quality Planning

For the past several years, the Agency has been developing revisions to its continuing planning process (CPP), which is the framework of mechanisms, procedures and methods used in the state to carry out a variety of inter-related programs of the Clean Water Act. An updated CPP document will be public noticed for comments from interested parties in 2001. Additional work has been finished, or is underway, on specific Areawide Waste Treatment Management Plans. Updates to plans prepared by areawide planning agencies and other Ohio EPA generated materials are periodically placed in the state's water quality management plan. Pursuant to the federal water quality planning regulations, the Division is reviewing these new materials and expects to recommend that the Governor certify an update later in 2001. *Contact: Dan Dudley, (614) 644-2876.*

## Water Quality Standards Use Designation Rule Revisions

Revisions to rules that assign beneficial uses to rivers and streams will be proposed in 2001. Revisions address aquatic life, water supply and recreation uses based on recent Ohio EPA field work. *Contact: Chris Skalski, (614) 644-2144.*

## Wet Weather Issues

Ohio EPA has formed an internal work group to improve consistency and timeliness of reviews of control documents required under Ohio's combined sewer overflow (CSO) strategy. These documents or plan submittals are for characterization of control of CSO discharges. Several plans have already been reviewed under this initiative and several more are underway. Also, as part of this workgroup, issues of compliance as well as policy issues identified during plan review will be addressed. Ohio EPA continues to work closely with U.S. EPA to address wet weather issues. *Contact: Renee Mason, (614) 644-4823.*

# OHIO EPA LEGISLATIVE INITIATIVES

## Special Sanitary Districts

Ohio EPA worked with Senator Doug White to enact legislation, S.B. 198, to abolish an outdated section of the Ohio Revised Code that established special sanitary districts for over 100 state land holdings. S.B. 198 took effect in September 2000. This action is consistent with the recommendations of an ad hoc committee of Ohio EPA, Ohio Department of Natural Resources and local health officials. The director transferred information on these areas to the appropriate local health department officials. Jurisdiction over home sewage disposal in the affected areas will revert to local health departments. *Contact: Paul Novak, (614) 644-2035.*

## Sludge Program

H.B. 197, which enables Ohio EPA to implement the federal sludge management regulations, took effect in March 2000. Draft rules were completed and released for public review and comment in September 2000. The revised rules will be submitted to JCARR in 2001. An application for delegation of authority for the federal sewage sludge program will be submitted to U.S. EPA Region V in 2001. The first annual sludge fee, enacted by House Bill 197, will be introduced in 2001. *Contact: Chris Bowman, (614) 644-2134.*

## Home Sewage Disposal Systems

Ohio EPA has worked with Ohio Department of Health and various local health departments to address the historically poor regulation and oversight of these systems and the problems that has created. These problems are often expensive and unaffordable to remediate. During the last legislative session, Senate Bill 105 was proposed to deal with this issue, but was not enacted. Ohio EPA will continue to work with the lead agency, the Ohio Department of Health, to address this issue in the legislature. *Contact: Paul Novak, (614) 644-2035.*

# DIVISION OF DRINKING AND GROUND WATERS

## Rule, Policy and Program Development

### Federal Rulemaking

Several important regulations resulting from the 1996 Amendments to the Safe Drinking Water Act are still being developed by U.S. EPA. These include Long Term 2 enhanced surface water treatment rule, Stage 2 disinfectants/disinfection by-products rule, and the radon rule. The division will continue to track and provide input to U.S. EPA on these rule developments. *Contact: Mark Sheahan, (614) 644-2752.*

### New and Revised Maximum Contaminant Levels

The division plans to incorporate a new maximum contaminant level for uranium and revised monitoring requirements for other radionuclides including radium-226, radium-228, gross alpha particle radioactivity, beta particle and photon radioactivity based on the Radionuclides Rule published by U.S. EPA on December 7, 2000. These requirements only apply to community water systems. *Contact: Wendy Sheeran, (614) 644-2752.*

### Operator Certification Program

Changes in the rules governing the certification of operators for public water systems became effective in February 2001. The changes, prompted by U.S. EPA requirements, expand the number of systems that are required to employ a certified operator. A new classification for small water systems was created and provisions were included for experienced operators of small systems to be certified without examination. Efforts to implement the new requirements will include classification of many more water systems; development of a new exam and application for the new operator classification; conducting regional training and exams; and other outreach efforts. *Contact: Julie Gillenwater, (614) 644-2752.*

## **Public Notification Rule**

The division will revise the general requirements for public water systems regarding the form, manner and content of public notice required when violations of drinking water standards occur. Revisions are needed to adopt changes in federal regulations that are intended to place emphasis on violations that present the greatest health risks, make required language more understandable and streamline notification for less serious violations. *Contact: Todd Kelleher or Holly Kaloz, (614) 644-2752.*

## **Source Water Assessment and Protection Program**

The Agency is in the final stages of completing its pilot phase of Ohio's Source Water Assessment and Protection (SWAP) Program that was approved by U.S. EPA in October 1999. The assessments include a delineation of a drinking water source protection area, an inventory of this area, a susceptibility analysis to determine the likelihood for the source water of a public water system to be contaminated at concentrations that would pose a concern, and development of a SWAP summary report including protection strategies. The Agency has completed SWAP process manuals to promote uniformity of the assessments. A SWAP summary report for each public water system in the pilot areas is being finalized and is available on Ohio EPA's web page, <http://www.epa.state.oh.us/ddagw/pdu/swap.html>. The pilot areas include all public water systems using ground water in five counties (Coshocton, Fairfield, Greene, Medina, and Sandusky), the watersheds upstream of the Marysville and Newark public water system surface water intakes, and the public water systems located in the karst geologic area of north-central Ohio. Following the completion of the pilot counties, the Agency will continue to complete SWAP assessments on a county-by-county basis for the remaining public water systems using ground water and on a watershed basis for the surface water based public water systems. *Contact: Michael Eggert or Barb Lubberger, (614) 644-2752.*

## **Stage 1 Disinfectants and Disinfection Byproducts Rules and Interim Enhanced Surface Water Treatment Rules**

The division will begin implementing a set of rules adopted by Ohio during 2001 that will increase the number of water systems that are required to provide enhanced surface water treatment and are regulated for disinfection by-products. The rules will provide a lower maximum contaminant limit for total trihalomethanes and create new maximum contaminant levels for five haloacetic acids, bromate and chlorite. They also set maximum residual disinfectant limits for chlorine, chloramines and chlorine dioxide. By January 1, 2004, regulations for disinfection byproducts will apply to all community and nontransient non-community public water systems that treat their water with a chemical disinfectant. Transient public water systems that use chlorine dioxide will have to comply with the maximum residual disinfectant limits for this disinfectant. *Contact: Rich Ciotola for Disinfectants and Disinfection Byproducts Rules, (614) 644-2752, or Judy Hamill for Interim Enhanced Surface Water Treatment Rules, (614) 644-2752.*

## **Underground Injection Control (UIC) Class V Well Rules**

U.S. EPA issued new rules regulating Class V wells on December 7, 1999. The UIC program is revising Ohio's rules to reflect the new federal rules. These revisions will ban the use of cesspools for multi-family residences and for commercial or industrial entities. The rule revisions will phase out cesspool use, or require permitting of Class V wells used to dispose fluids associated with repairing motor vehicles, including automobiles, farm equipment, motorboats, motorcycles and airplanes. The UIC program issued the proposed Class V rule changes to interested parties in October 2000. The UIC program is revising the proposed rules to address interested party comments and anticipates filing the proposed Class V rules with the legislature during summer 2001. *Contact: Lindsay Taliaferro III, (614) 644-2752.*

## **UIC Program Primacy Update**

U.S. EPA has required Ohio EPA to update the agreement that allows the Agency to enforce federal rules for the UIC program. As part of updating the agree-

ment, the UIC program will be amending Ohio's rules to be as strict as federal rules. The UIC program issued the proposed rule changes to interested parties in October, 2000. The UIC program is revising the proposed rules to address interested party comments and anticipates filing the proposed rules with the legislature during summer 2001. *Contact: Lindsay Taliaferro III, (614) 644-2752.*

## **UIC Seismic Reflection Data Survey**

Ohio law requires Ohio EPA to create rules requiring a seismic reflection data survey be conducted for every site where a Class I UIC well is proposed to be installed and operated. The current UIC rules require this through a provision referencing the statute. The UIC program will clarify this requirement by creating a rule specifically requiring the seismic reflection data survey. The UIC program issued the proposed rule change to interested parties in October 2000. The UIC program is revising the proposed rule to address interested party comments and anticipates filing the proposed rule with the legislature during summer 2001. *Contact: Lindsay Taliaferro III, (614) 644-2752.*

## **Water Well Standards**

The division will continue efforts to revise rules governing public water supply wells. These rules have been in effect since 1975. A guidance document prepared by the State Coordinating Committee for Ground Water will be considered when revisions are prepared. *Contact: John Arduini, (614) 644-2752.*

# **DIVISION OF ENVIRONMENTAL AND FINANCIAL ASSISTANCE**

## **Rule, Policy and Program Development**

### **Water Pollution Control Loan Program (WPCLF)**

This program, which has been in operation since October 1989, has made over

\$1.7 billion in loans to Ohio municipalities for wastewater treatment system improvements, and to public and private entities for nonpoint source pollution controls, including agricultural best management practices, septic system improvements, landfill closures and brownfield remediation. Each year, this program makes loans at approximately \$200 million of below-market interest rate loan funds. *Contact: Greg Smith, (614) 644-3640.*

### **Water Resource Restoration Sponsor Program (WRRSP)**

This new WPCLF program feature provides funds for restoring Ohio's water resources, including streams, rivers, ponds, lakes and wetlands. This important new source of financing is provided through WPCLF loans.

Restoration activities can range from the preservation and protection of stream and other aquatic habitats, to intensive repair and recovery of impaired habitats. WRRSP projects must provide, either by themselves or in conjunction with other projects, complete protection or restoration of aquatic habitat sufficient to meet or protect the designated uses of the benefitted water resource.

Qualifying WPCLF loan recipients agree to sponsor restoration work as part of their standard WPCLF loan agreement. The restoration can be undertaken either by the loan recipient or by another group, such as a land trust or park district. The WRRSP sponsor funds the approved restoration project, with the cost of the project being fully subsidized through a reduced interest rate on the sponsor's loan from the WPCLF. *Contact: Bob Monsarrat, (614) 644-3655.*

### **WPCLF Linked Deposit Financing**

This WPCLF program provides below-market interest rate loans through local participating banks. Funds are available to projects in watersheds and counties where agricultural best management practices, and improvements to household septic systems in unsewered areas are encouraged. Borrowers now can receive even lower-cost WPCLF loans, often at approximately a four percent interest rate, for financing improvements to either farming operations or septic systems. This represents significant savings over typical loan interest rates. *Contact: Bob Monsarrat, (614) 644-3655.*

### **Water Supply Revolving Loan Fund**

The Division of Drinking and Ground Waters (DDAGW) and DEFA will continue to improve access to financial assistance for public water systems for construction improvements to address public health and Safe Drinking Water Act compliance needs. The process to accept project nominations for Water Supply Revolving Loan Account (WSRLA) funding throughout the year, as opposed to annually, will be more fully developed. This will allow, if funds are available, approved projects to be financed from the WSRLA as they are ready to proceed.

The DDAGW and DEFA will work together to develop and implement a program that would provide for subsidies, in addition to other available financial assistance, by the WSRLA to disadvantaged public water systems.

The DDAGW and DEFA will also begin development of a strategic business plan to improve the WSRLA as a tool to better address the needs of Ohio's public water systems. The plan is expected to result in the development of strategic goals and objectives and assessment of the capacity of the fund to address them. *Contact: Bob McDonald, (614) 644-3641.*

### **Blacklick Creek 208 Plan Update**

The Division of Surface Water and DEFA are developing an update to the Areawide Water Quality Plan (208 plan) for the Blacklick Creek watershed. This plan will determine wastewater service areas for municipalities in the watershed, as well as identify measures that will be used to manage storm water runoff. The planning process includes public participation. *Contact: Larry Korecko, (614)728-3846.*

### **Integration of Pollution Prevention**

The division is continuing its efforts to integrate pollution prevention into the design and construction of water pollution control activities. Starting this year, the division will identify program/project activities that can be considered pollution prevention activities which the agency wants to encourage, and will develop financial incentives. The division also will review its administrative structure to support and implement pollution prevention in the division. *Contact: Margaret Klepic, (614) 644-3665.*

### **2000 Clean Water Needs Survey**

The Clean Water Needs Survey (CWNS) provides a national inventory of the water quality improvement needs necessary to meet Clean Water Act goals. Ohio's participation in the CWNS is important because it helps to establish the amount of funds expected to be spent on water quality improvement activities, and provides Congress with an estimate of those needs. Data collection is underway, with completion estimated to be in June 2001. Counties, cities, villages, soil and water conservation districts, and others have been contacted to obtain information for the survey. *Contact: Margaret Klepic, (614) 644-3665.*

## **OFFICE OF POLLUTION PREVENTION**

### **Rule, Policy and Program Development**

### **Business Assistance**

The office provides an array of assistance services from onsite visits to phone consultations and helps an average of 780 companies each year. The office has the capability to research and identify pollution prevention opportunities for most manufacturing practices. *Contact: Jeff Lewis, (614) 644-2812.*

### **Department of Defense/ U.S. EPA/Ohio Pollution Prevention Partnership**

The office has completed a memorandum of agreement with the Department of Defense and U.S. EPA to help military facilities throughout Ohio develop and implement pollution prevention activities. *Contact: Howard Dong, (614) 644-2130.*

### **Environmentally Preferable Purchasing**

The office is developing a program to encourage more environmentally preferable purchasing by the State of Ohio. *Contact: Dave Foulkes, (614) 644-3118.*

## **Environmental Management Systems**

The office is working with business, trade associations and other organizations to provide information and promote the use of environmental management systems, including the use of ISO 14000. The office will provide training to agency staff to help them understand environmental management systems and how they can support business efforts in this area. *Contact: Mike Kelley, (614) 644-2930.*

## **Great Lakes Regional Pollution Prevention Roundtable**

The office helped establish the roundtable in 1994 and is currently serving on its steering committee. This roundtable helps coordinate pollution prevention activities throughout the Great Lakes Region. *Contact: Dave Foulkes, (614) 644-3118.*

## **Ohio Healthy Hospital Pollution Prevention Initiative**

The office is working with the Ohio Hospital Association to reduce mercury and solid waste at Ohio hospitals. This effort is expected to incorporate elements of U.S. EPA's and the American Hospital Association's "Hospitals for a Healthy Environment program." *Contact: Ellen Miller, (614) 644-2817.*

## **Ohio Material Exchange**

OPP is working with the Division of Solid and Infectious Waste Management to coordinate a waste exchange where businesses can exchange various industrial by-products to use as raw materials. A survey of waste exchange users will be employed to develop case studies and quantify the amounts of waste prevented. *Contact: Nancy Moore, (614) 644-2928.*

## **Ohio Prevention First**

The office will complete the final assessment of this program which encouraged voluntary participants to reduce waste by implementing pollution prevention plans. The program ran from 1993 through 2000. *Contact: Bill Narotski, (614) 728-1264.*

## **Outreach to Ohio Business**

The office provides outreach to businesses throughout Ohio to encourage and assist them in completing pollution prevention activities. The office distributes an average of 35,000 documents annually to business and other external stakeholders and a quarterly newsletter to over 3,400 businesses. The office has developed over 85 fact sheets to help business complete pollution prevention activities and provides an average of 120 presentations each year. The office continues to expand its Web site information; it receives over 30,000 hits per month and is acknowledged by U.S. EPA and others as one of the best places on the Web to obtain pollution prevention information. *Contact: Ron Smith, (614) 644-2813.*

## **Pollution Prevention Integration**

The office is helping other parts of Ohio EPA coordinate teams that will identify ways to incorporate pollution prevention into the Agency's air, water and waste programs and strategic management plans. *Contact: Mike Kelley, (614) 644-2930.*

## **Pollution Prevention Measurement**

The office will continue its efforts to measure pollution prevention activity throughout Ohio using hazardous waste, toxic release inventory and other environmental data with a focus on waste generation information. *Contact: Roger Hannahs, (614) 644-2082.*

## **Pollution Prevention of Mercury and Other Persistent, Bioaccumulative and Toxic Chemicals**

The office is investigating a number of alternatives to help reduce the amount of persistent, bioaccumulative and toxic chemicals generated and released in Ohio with a focus on mercury reduction. *Contact: Bill Narotski, (614) 728-1264.*

## **Pollution Prevention Supplemental Environmental Projects**

Ohio is recognized as a national leader in pollution prevention supplemental environmental projects where a portion of an enforcement penalty is reduced in exchange for completing some type of pollution prevention. The office has helped incorporate pollution prevention in over 85 enforcement settlements. *Contact: Jeff Lewis, (614) 644-2812.*

## **Southwest Ohio Local Government Pollution Prevention Collaborative**

The office helps coordinate a forum for local governments in southwest Ohio to develop and implement pollution prevention initiatives at the local level. *Contact: Howard Dong, (614) 644-2130.*

## **Statewide Environmental Network**

The network coordinates technical assistance activities among state and private organizations. The program links Ohio's business development efforts with environmental protection efforts. *Contact: Bill Narotski, (614) 728-1264.*

## **Sustainable Development**

The office is developing a program to encourage the adoption of sustainable development principles by Ohio government, businesses and communities. The initial emphasis will be on the adoption of sustainable building principles. A report on sustainable development activities in Ohio is being developed. *Contact: Ron Smith, (614) 644-2813.*



