



2008 Annual Report

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Ted Strickland, Governor
Chris Korleski, Director

Division of Air Pollution Control

Air Quality

Ohio EPA operates one of the country's most extensive air pollution monitoring networks, comprised of 245 ambient air monitors, including 49 ozone monitors. During SFY08, six counties in the Dayton-Springfield and Toledo areas were upgraded to attainment status for the federal ozone standard.

Efficient Permitting

Ohio EPA continued to streamline permit issuance. The division issued 1,003 air permits-to-install (PTIs) in SFY08. It completed more than 94 percent of permit application completeness reviews within 14 days, and issued more than 90 percent of the permits within 180 days. Ohio EPA maintains an ongoing workload of approximately 250 PTI applications.

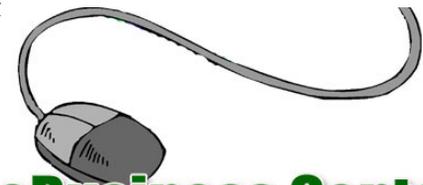


Stack testing

Continuous Improvements in Efficiency

On June 30, 2008, the division made a new service available on the Agency's eBusiness Center called "Air Services." The Web-based software replaced the STARShip software and includes additional functionality. Regulated facilities can submit Title V applications; permit-to-install (PTI) and permit-to-install and operate (PTIO) applications; Title V annual compliance certifications; quarterly, semi-annual, annual and other reports; Title V fee emissions reports; and more. Ohio EPA staff use the new system to process permit applications, and review and process the reports identified above. The first permits were issued using the new system on June 30, 2008.

The division also improved efficiency in SFY08 by developing regulations and new internal processes to implement the new permit-to-install and operate (PTIO) program. Non-major facilities (those not requiring a Title V permit) began receiving PTIOs in late June 2008. Previously, non-Title V facilities were required to obtain a PTI and PTO for each air contaminant source. The PTO contained about 95 percent of the same requirements as the PTI. Combining the PTI and PTO simplified permitting obligations, lessened paperwork by 50 percent and reduced confusion for regulated entities. Ohio EPA believes the PTIO program will lead to improved statewide compliance. The first PTIO was issued on June 30, 2008.



eBusiness Center

Compliance and Enforcement

In SFY08, Ohio EPA determined that the compliance rate of 1,685 high-priority facilities (those that operate large sources of air pollution) was 89.1 percent. The division resolved 99 enforcement cases, which included issuing 68 final administrative orders.

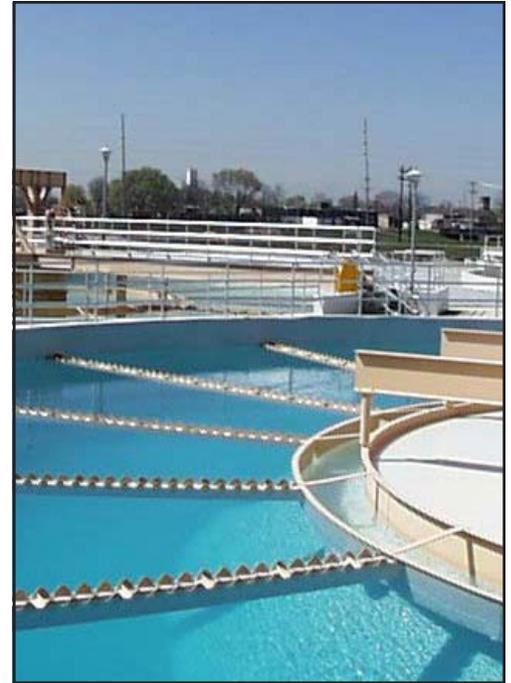


1.

Division of Drinking and Ground Waters

The Division of Drinking and Ground Waters continued to collaborate with public water systems to advance the protection of the water resources being used as a source of public drinking water. During 2008, the division conducted more than 100 technical assistance meetings or workshops and endorsed 32 drinking water source protection plans submitted by public water system officials who provide drinking water to more than 200,000 Ohioans.

In cooperation with Division of Surface Water, the division completed an assessment of the public water supply beneficial use for half of Ohio's 120 public water systems using surface waters. Water quality impairments were identified in four watershed assessment units for eight public water supply intakes (six for the nitrate indicator and two for the atrazine indicator).



Ground Water Quality

To characterize the nature and extent of chemical releases to ground water resources in Ohio, the division developed and populated a database summarizing ground water quality monitoring information submitted to the Agency. A summary of the information, included in the 2008 305(b) Ground Water Quality Report, identified more than 400 entities or locations with ground water monitoring where chemical releases to ground water resources have occurred. Volatile organic chemicals were the most frequently identified contaminants and 75 percent of the contamination was limited to the upper 30 feet of the aquifer or significant zone of saturation.

Funding Water Systems

Thirty-one binding loan commitments totaling \$66,671,673 were entered into in SFY08 from the Water Supply Revolving Loan program. Of the 31 loans, 18 were for small water systems with a population under 10,000; they totaled \$23,035,916, which was 35 percent of the funds awarded. The loans were for improvement activities related to planning and design, distribution and transmission lines, storage, treatment or plant facilities and source.

Water System Security

The division continued efforts to increase security at public water systems. The division participated in an effort to develop a Water/Wastewater Agency Response Network (WARN) in Ohio. The mission of the WARN is to support and promote statewide emergency preparedness, disaster response and mutual assistance matters for public and private water and wastewater utilities. Staff continued outreach efforts to public water systems and first responders by: working with U.S. EPA to have a Water Sector Incident Command Structure Workshop; coordinating a workshop on message mapping and risk communication; and development of the final three of four in a series of emergency preparedness guides for water system owners and operators.



Underground Injection

The division approved permit applications related to the subsurface injection of carbon dioxide into various formations beneath the First Energy Berger Power Plant in Belmont County. This climate change project is a pilot demonstration funded by the federal Department of Energy to evaluate the ability of geologic formations in eastern Ohio to safely store carbon dioxide for a prolonged period of time.

Skilled Operators

The division continued emphasizing the importance of having competent individuals operating public water systems in Ohio. In an effort to receive better Class IV examinations and debunk some of the common myths and rumors regarding the Class IV exam, the operator certification unit initiated a training program titled “Demystifying the Class IV Examination.” Courses were provided in the Northeast, Northwest and Central Districts for more than 200 potential Class IV operators. During SFY08, 1,750 water system operators applied to take certification examinations.

Compliance and Enforcement

In SFY08, the division continued to emphasize compliance at small public water systems. The division finalized 35 enforcement actions that included \$90,450 in civil penalties and environmental projects valued at \$57,820. Twelve public water systems achieved compliance with their enforcement actions.



Children's Water Festival

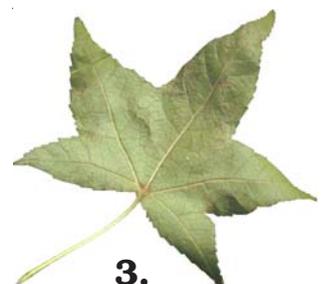
Children's Water Festival

To celebrate Drinking Water Week 2008, the division partnered with 13 other Central Ohio organizations to host the first Central Ohio Children's Water Festival. The event educated fourth and fifth graders about all aspects of drinking water and its relationship to numerous other resources, including ground water, surface water wetlands, wildlife and more. Plans were made to make this an annual event. Ohio EPA also co-sponsored the 12th Annual Children's Water Festival in Dayton in May.

Technical Assistance

To ensure a consistent and effective approach to protecting Ohio's ground water, the division completed 2,985 projects in support of the Division of Hazardous Waste Management (759), Surface Water (163), Solid and Infectious Waste Management (1,468), and Emergency and Remedial Response (595).

Staff continued efforts to ensure that Agency technical guidance for ground water investigations remains up to date. During SFY08, the division finalized updates to the Ohio EPA Technical Guidance Manual for Hydrogeologic Investigations and Ground Water Monitoring, including chapters on monitoring well placement, monitoring well design and installation, and ground water modeling.



Division of Emergency and Remedial Response

Emergency Response

Ohio EPA's Emergency Response (ER) program received 10,704 calls on the spill hotline in SFY08.

ER completed 5,482 initial pollution incident reports and 308 additional reports on previously reported incidents. Staff responded to the scene to investigate 1,242 incidents and provided technical assistance by phone regarding an additional 479 incidents.

In SFY08, the ER program collected more than 1,500 pounds of mercury for disposal at Bowling Green State University's Elemental Mercury Collection and Reclamation Program.

The Agency recorded 204 reports regarding mercury. Staff responded to 129 of these incidents and provided technical assistance by phone in 32 more.

Ohio EPA participated in an evaluated exercise with the Beaver Valley Nuclear Power Station. The exercise was evaluated by the Nuclear Regulatory Commission at the power plant and Department of Homeland Security, Federal Emergency Management Agency at state and county locations. Federal evaluators found no deficiencies in the performance of any state participant.



Site Assessment and Brownfield Revitalization Program (SABR)

The SABR program oversees Ohio's brownfield programs, coordinates site assessments, markets Ohio's cleanup programs, maintains the Ohio Brownfield Inventory and provides information and training to local governments concerning brownfield issues. Staff assist the Ohio Department of Development with management of the Clean Ohio Fund, providing technical assistance to applicants, reviewing applications and reviewing completed cleanups for compliance with applicable standards.

Ohio EPA assesses sites where there is suspected contamination to determine whether there is a threat to human health or the environment requiring a remedial action. During SFY08, Ohio EPA conducted site assessments at 17 federal-lead sites to evaluate whether they are eligible for cleanup by U.S. EPA under the federal Superfund program.

Ohio EPA conducts targeted brownfield assessments at the request of local governments at no cost to the communities. The results of these assessments can aid communities in planning for the cleanup and redevelopment of brownfield properties. Staff completed 10 assessments in 2008 to determine if contamination exists. To date, Ohio EPA has assessed more than 1,100 acres at 42 properties.



Remedial Response Program

In February 2008, Ohio EPA issued orders to Hancock Manufacturing Company, Inc., and Dallas Properties, Inc. requiring investigation and cleanup of soil and ground water contamination at the former Hancock Manufacturing site in Toronto, Ohio. The orders require the companies to design, install and operate a soil vapor extraction system; maintain ground water pumping to prevent further migration of contamination; and remove additional soils as needed to meet cleanup standards.

In December 2007, Ohio EPA issued orders to Exxon Mobil Oil Corporation and Rhodia Inc. requiring implementation of an interim action on a portion of the Mobil Mining and Minerals Site. On the 10-acre parcel that houses the Purified Phosphates plant near Fernald in Hamilton County, the parties must excavate contaminated soil in the arsenic-contaminated area and then dispose of or treat the contaminated soil. The order also requires payment of past and future Ohio EPA response costs.

In December 2007, Ohio EPA issued orders to Newmark, Inc. to study and clean up contamination at the former Van Dyne Crotty facility in Dayton. The company must: identify and remediate sources of volatile organic compound (VOC) ground water contamination; delineate and remediate the ground water contaminant plume(s); evaluate the vapor migration exposure pathway associated with the VOC source area(s) and any VOC ground water plume located at or that has emanated from the site; and reimburse Ohio EPA's past and future response costs.

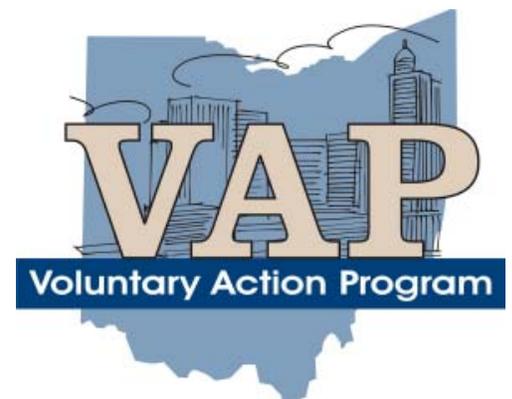
In December 2007, Ohio EPA ordered Union Tank Car to study and clean up its facility in Marion County. The company must: investigate the nature and extent of releases of contaminants at the site; assess the risk to human health and the environment; implement interim actions if necessary to address substantial threats; collect sufficient data to support decisions regarding a remedial action for the site; and develop and evaluate potential remedial alternatives.

In November 2007, Ohio EPA ordered the Inland Corporation to study and clean up its property in Summit County. The company must: investigate the nature and extent of releases at the site; assess risk to human health and the environment; implement interim actions if necessary to address substantial threats; collect sufficient data to support decisions regarding a remedial action; develop and evaluate potential remedial alternatives; design, construct, operate and maintain the remedy selected by Ohio EPA; and reimburse Ohio EPA's past and future response costs.

Voluntary Action Program

Ohio EPA's Voluntary Action Program (VAP) allows someone to voluntarily clean up contaminated property in Ohio without the risk of state civil liability. Under VAP, a certified professional must review the cleanup to verify that it meets VAP standards before Ohio EPA issues a covenant not to sue, releasing the organization from state civil liability. In SFY08, Ohio EPA issued 22 covenants not to sue covering approximately 445 acres of land. Since the inception of the VAP, at least 4,265 acres of Ohio land have been made available for reuse.

The program provided technical assistance to 77 property owners or volunteers to facilitate voluntary action activities. This included 18 municipalities that received assistance free of charge through a pass-through brownfields grant from U.S. EPA. Ohio EPA's assistance allowed the municipalities to make significant progress with their site assessments and cleanups.



Division of Environmental and Financial Assistance

The Water Supply Revolving Loan Account (WSRLA) and the Water Pollution Control Loan Fund (WPCLF) support major Ohio EPA priorities to protect public health and improve water quality. In 2008, WSRLA loans for drinking water improvements totaled \$66,671,673 and WPCLF loans to address water pollution totaled \$209,656,268. The following are some examples of loan program benefits.

Eliminating Unsafe Wells

A top Ohio EPA priority is for all Ohioans to have safe drinking water. The WSRLA funded three projects for more than \$1.8 million to extend water service to eliminate unsafe home wells.

For example, the Jefferson County Water and Sewer District over the years received numerous requests from residents along Rush Run, a small tributary to the Ohio River, to help solve problems with their drinking water wells. Many of the private wells are contaminated by failing on-lot septic systems and surface water pollution, including acid mine drainage. The provision of central water service through a \$1.2 million, 2 percent interest rate WSRLA loan will eliminate significant health hazards for the 134 homes in this area.

Eliminating Disinfection By-Products

The WSRLA financed treatment facilities for five public water systems, for more than \$12 million, to remove disinfection by-products from finished drinking water. These compounds, formed when drinking water is disinfected with chlorine, may pose a cancer risk.

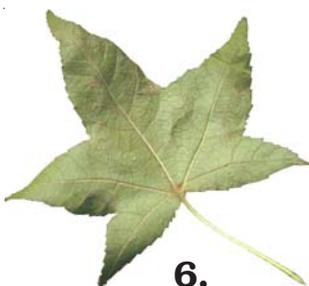
The city of Celina was one community that received assistance. Celina's water source is Grand Lake St. Marys, which has high levels of organic carbon that react with chlorine during disinfection, causing ongoing violations of the disinfection by-product limit. In May 2003, Ohio EPA issued orders requiring Celina to address this problem. Celina received a \$6.6 million, 3.25 percent interest rate WSRLA loan to construct a granular activated carbon adsorption system to remove disinfection by-products from its finished drinking water, eliminating this health risk for its residents.



Eliminating Failing Septic Systems

A major priority for both Ohio EPA and the Ohio Department of Health is eliminating failing septic systems, either by upgrading systems so they work, or replacing systems with sewers and centralized wastewater treatment. Failing septic systems pose a public health risk, due either to direct contact with poorly treated sewage or contamination of drinking water supplies. The WPCLF funded 15 projects, for more than \$34.4 million, which either eliminated or fixed failing septic systems.

For example, Mercer County received an interest-free WPCLF loan for more than \$1.1 million to construct sewers that will eliminate more than 100 failing septic systems in the West Jefferson area. This will be done by constructing 23,000 feet of sewers to serve these homes. There have been odor complaints for years from this area, and improperly treated sewage has posed a health risk, both from ponding of raw sewage and contamination of private drinking water wells.



Eliminating Sewage Overflows

Another Ohio EPA priority is eliminating overflows of untreated sewage, either from separate sanitary sewers or combined sewers (pipes that carry both storm water and sanitary sewage) into streams, rivers, and lakes in Ohio. The WPCLF funded 26 loans, for over \$67.9 million, which included improvements to reduce and eliminate sewage overflows.

St. Marys, although it earlier made improvements to its sewer system, found they were insufficient to eliminate wastewater overflows, both at the wastewater treatment plant and in its sanitary sewer system. In 2003, Ohio EPA issued orders to St. Marys requiring overflow elimination. St. Marys received a \$12.4 million, 3.36 percent interest rate WPCLF loan to construct a new wastewater treatment plant and correct deficiencies in its sewer system.

Division of Environmental Services

In SFY08, the Agency's analytical laboratory analyzed 8,726 chemistry and bioassay samples, including samples from surface water (5,295), drinking water (1,020), ground water (774), air (766), fish tissue (568) and sediment (303). They reported 108,992 inorganic and 114,979 organic test results.



The lab revised and added methods for oil and grease extraction, analysis of Bromide and quantification of bacteria. Each method enhanced the analysis of samples.

Staff reviewed 427 laboratory documents, audited eight laboratories and issued 28 certification actions and three suspensions for the Voluntary Action Program laboratory certification program.

The lab conducted 303 chemistry and 142 microbiology lab surveys and reviewed 268 applications, 23 plans and 96 correction statements for the drinking water laboratory certification program.

The division issued 13 performance audit reports from inspections conducted at wastewater laboratories participating in U.S. EPA's Discharge Monitoring Report -

Quality Assurance program. It reviewed five documents for the surface water Credible Data program and four technical documents and six policies for the Division of Emergency and Remedial Response.

Staff responded to 3,353 technical assistance requests from individuals outside Ohio EPA; 1,055 technical assistance requests from Ohio EPA staff; and 1,739 sample submission coordination calls. The lab also provided training or presentations at 11 non-Ohio EPA events and issued a newsletter on drinking water laboratory policies and procedures to 375 laboratories.

In June, the lab participated in U.S. EPA Region V's functional exercise to test the effectiveness of the Laboratory Response Plan for Drinking Water. As a mutual support lab, it received 10 samples that required analysis for carbamates. Staff successfully completed the analysis and reported the results the same day. The lab met all requirements of the exercise.



Division of Hazardous Waste Management

Outreach

The Division of Hazardous Waste Management provided technical assistance and educational outreach to the public and the regulated community through 749 phone calls/faxes/e-mails/letters, 169 Answer Place requests, 13 presentations to several hundred industry representatives and over 600 students, and 12 newsletter articles.

Permits and Reports

The division issued three hazardous waste operating permit renewals for treatment, storage, and/or disposal facilities, and processed 193 hazardous waste permit modifications. Staff completed the review of 1,073 Hazardous Waste Annual Reports submitted by large hazardous waste generators and commercial treatment and disposal facilities for calendar year 2007. Fifty-eight percent of these reports (621) came to Ohio EPA electronically, saving the reporters time and money and enabling the division to review and process them more efficiently. The information helps Ohio EPA track hazardous waste generation and movement within, into and out of Ohio.



Compliance and Enforcement

The division conducted 515 compliance evaluation inspections, including comprehensive inspections, at 32 hazardous waste treatment, storage and disposal (TSD) facilities and 214 large quantity hazardous waste generators. Additionally, 108 financial record reviews were completed at TSD facilities.

The division issued 31 administrative enforcement orders that included \$376,386 in civil penalties and \$80,284 in environmentally beneficial projects. Through the Attorney General's Office, the program also executed one judicial consent order that included \$13,000 in civil penalties.

Site Closures and Cleanup

In administering Ohio EPA's Cessation of Regulated Operations program, staff inspected 41 facilities to verify that all regulated substances were removed from closed facilities and managed properly. Fifty-two certifications of completion of CRO activities were received.

Staff approved 10 closure/cleanup plans for hazardous waste management areas at facilities undergoing cleanup and certified the completion of six closure/cleanups of such areas. The completion of these closures resulted in nearly 7,000 tons of waste or contaminated media being diverted for proper treatment, disposal or containment in place.

The division made four final remedy decisions at facilities required to investigate potential contamination under the division's corrective action program. These decisions required active cleanup measures to be implemented through plans approved by Ohio EPA. Staff also verified 11 active cleanup measures were implemented in accordance with approved plans at facilities undergoing cleanup.



Division of Solid and Infectious Waste Management

The Division of Solid and Infectious Waste Management administers programs to ensure the proper planning and management of Ohio's annual generation of 33 million tons of solid waste and disposal of almost 6 million tons of construction and demolition debris.

The division oversees 55 operating solid waste landfills; 60 solid waste transfer facilities; 433 composting facilities; 56 construction and demolition debris landfills; 35 scrap tire facilities; and 69 scrap tire transporters.

The division also regulates the management and treatment of infectious waste involving 3,542 generators, 82 transporters and 102 Ohio treatment facilities. Primary activities include reviewing permit applications and other types of documents (e.g. registrations, licenses, etc.), inspecting facilities for compliance with applicable regulations and pursuing enforcement for violations of regulations when warranted. A significant portion of the compliance monitoring and enforcement activity is shared with regulatory partners at 81 approved local health districts.



Solid Waste Planning

The division is also responsible for preparing a State Solid Waste Management Plan that establishes objectives for solid waste reduction, recycling, reuse and minimization. Local solid waste management districts (SWMDs) prepare plans that will incorporate the objectives of the state plan. Ohio EPA provides ongoing technical assistance to 52 local SWMDs for plan development and implementation.

The division reviewed 11 draft solid waste management plans and approved five plans during SFY'08. Staff also continued to work closely with the City of Urbana to develop and implement a curbside recycling program. Urbana is part of the North Central Solid Waste Management District, which is operating under a solid waste plan written by Ohio EPA (completed in SFY07). Implementation of the curbside program was one of the new programs required by the plan. Urbana's city council passed a resolution establishing the program on March 11, 2008, and collection began in June.

Food Scrap Reuse

During SFY08, the Division of Solid and Infectious Waste Management, in collaboration with Ohio EPA's Office of Compliance Assistance and Pollution Prevention and Ohio Department of Natural Resources' Division of Recycling and Litter Prevention, launched the Ohio Food Scraps Recovery Initiative. This environmentally progressive project was developed to divert food scraps and other organics from Ohio's landfills and identify innovative waste management alternatives. In the first year of the program, Ohio EPA and ODNR have focused on education and collaboration efforts. Ohio EPA created a Web page to allow others to learn more about food scraps diversion.

Construction and Demolition Debris

During SFY08, the division spent considerable time revising its construction and demolition debris (C&DD) disposal rules in response comments received on draft rules released in 2006. The division also evaluated leachate data from Ohio's C&DD landfills to respond to comments received on the draft rules and as part of an effort to determine whether additional engineered components are necessary to protect ground water and surface water.



Scrap Tire Program

The division also administers a program to regulate the transportation and management of scrap tires and the cleanup of illegal tire dumps. In April 2008, Ohio EPA contractors completed the massive cleanup at the Kirby Tire Recycling facility in Wyandot County. In 1999, the site contained about 25 million tires and Ohio EPA estimated it would take up to 15 years to clean the property. However, nine years later, the site is clear of tires.

During SFY08, private contractors funded by the program removed more than 1.5 million scrap passenger tire equivalents from the Kirby site and from 29 other sites. A passenger tire equivalent is 20 pounds of tire material, so this represents more than 15,000 tons of tire materials. More than 80 percent of this material continues to be recycled and reused in civil engineering projects, as tire-derived fuel and for the production of many rubber products.

Other SFY08 scrap tire cleanups included five enforcement cases and 25 other sites. Each of these other sites had fewer than 2,000 tires and was remediated under consensual agreements, which are not subject to cost recovery. The consensual agreements apply to sites that were inherited with tires on them or sites where open dumping has occurred without the property owner's knowledge or consent. Continuing program activities also included a toll free "Citizens Turn In A Tire Dump Hotline" (1-877-371-2621) and the Ohio West Nile Virus Prevention Program.

Compliance Issues

During SFY08, the division continued to devote significant resources to address issues at the Countywide Landfill, where a subsurface fire is burning in the waste mass. Staff continued to work toward a final remediation plan to suppress the combustion. In addition, staff devoted considerable resources to address issues at the City View Center, a shopping and retail complex in Garfield Heights, where the developer did not redevelop two closed landfills in accordance with Ohio EPA requirements and had problems with uncontrolled methane gas and leachate.

Division of Surface Water

Actions to Improve Water Quality

During SFY08, progress was made toward achieving Ohio's surface water quality goal, which is to achieve 80 percent aquatic life use attainment by 2010. Large rivers have almost met the goal. Water quality in smaller rivers and watersheds is also improving but at a slower pace. Watershed scores are based on a compilation of Ohio data collected from roughly 220 subwatersheds.

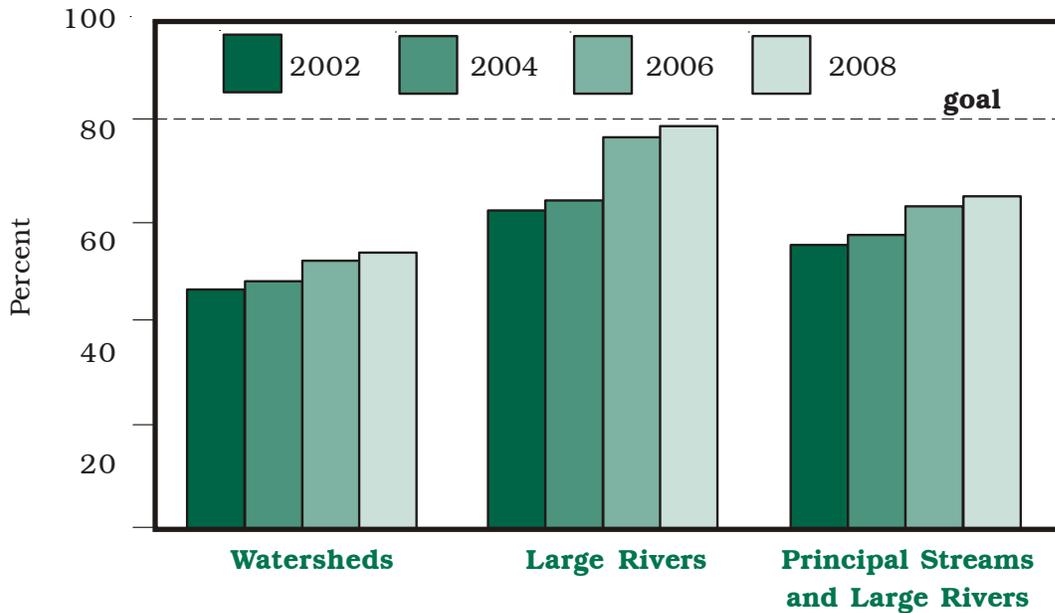
In association with U.S. EPA and Environment Canada, the biennial update to the Lake Erie Lakewide Management Plan was released in April 2008. The focus over the next two years will be on developing a management plan to further reduce the impact of nutrients, particularly phosphorus, on the lake.

An additional 133,000 cubic yards of contaminated sediments were dredged from the Ashtabula River downstream of the Great Lakes Legacy Act project that was completed last year. The focus is now on habitat restoration and enhancement. Monitoring will be done over the next several years to determine if and when the river has been restored and can be delisted as a Great Lakes Area of Concern.



10.

Status and Trend of Ohio's Aquatic Life Use Attainment Goal



The division awarded 10 subgrants to local governments, watershed groups and others totaling more than \$3.1 million. These grants will be used to restore more than four miles of streams and 24 acres of riparian wetlands; remove three lowhead dams; build 12,000 linear feet of livestock exclusion fencing; and protect more than 45 acres under conservation easements.

In SFY08, the division began the first year of water quality sampling in inland lakes. Eight lakes were sampled in watersheds being evaluated through the Total Maximum Daily Load (TMDL) program. TMDLs are either completed or in progress in more than half of Ohio's watersheds (completed TMDLs in 73 of Ohio's 331 watershed assessment units and work is underway in an additional 110 units).

Enforcement Program

The division issued 49 enforcement orders, assessed approximately \$660,000 in cash penalties and secured \$927,000 toward implementation of supplemental environmental projects. In cooperation with the division, the Attorney General's Office secured seven consent orders that included \$620,000 in cash penalties and \$69,000 toward supplemental environmental projects.

Improved Customer Service and Efficiency

The division deployed the first service in the Agency's new eBusiness Center in October 2007. The new system, called e-DMR for Electronic Discharge Monitoring Reports, allows National Pollutant Discharge Elimination System permittees to submit their required monthly data online. In general, the e-DMR system will streamline data processing for Ohio EPA and improve accuracy and ease of use for permittees.

To address concerns regarding the timeliness of permit reviews, five staff positions were added to the Section 401 certification and isolated wetland permitting program.

Rules

The Division of Surface Water finalized the review of eight rule packages. Updated packages included those dealing with connection bans and permit-to-install applicability. The division also finalized a new rule in the storm water program to incorporate federal requirements pertaining to industrial activity and large and medium municipal separate storm sewer systems.



Permits

The division issued a timely renewal of the statewide Storm Water General Permit for Construction Activity. Highlights include more prescriptive design requirements for sedimentation basins to insure adequate treatment of sediment-laden storm water and encouraging the use of “green” practices.

Staff continued to work with Ohio’s combined sewer overflow (CSO) communities to meet U.S. EPA’s national goal for CSO communities to come into compliance with the National CSO Strategy via an appropriate enforceable mechanism (discharge permit, consent decree, etc.). At the end of SFY08, 58 of 89 CSO communities met this goal.

To address concerns about the time needed to review applications, the division added five positions to the Water Quality Certification and Isolated Wetlands Permitting program. Other steps were also taken to eliminate the backlog of coal-related project permits.

Outreach

Compliance assistance staff provided technical and compliance assistance to more than 30 wastewater treatment plants. More than half of them achieved compliance with their permits by the end of the fiscal year.

Working with the Ohio Department of Natural Resources and the Ohio Federation of Soil and Water Conservation Districts, the division provided content for a report, *Rural Drainage Systems – Agencies and Organizations Reach Consensus on Ways Forward*. This innovative strategy for assessing and managing water quality in agricultural watersheds where drainage improvements must be made will help solve stream habitat and nutrient enrichment problems that plague some agricultural watersheds. Steps are underway to implement the strategy.

Office of Compliance Assistance and Pollution Prevention

The Office of Compliance Assistance and Pollution Prevention (OCAPP) is an independent office within Ohio EPA that provides information and resources to help businesses achieve compliance with environmental requirements. Another primary goal of the office is to help its customers identify and implement pollution prevention measures that can save money, increase business performance and benefit the environment. OCAPP is not a regulatory program; information obtained by the office is not shared with Ohio EPA inspection or enforcement staff.



In SFY08, the office helped more than 2,100 Ohio businesses and 1,031 other external customers with their pollution prevention and compliance needs, and conducted 243 site visits to help Ohio companies with compliance and pollution prevention projects.

They conducted 51 presentations and training events to help educate Ohio businesses and organizations about pollution prevention and environmental compliance, reaching more than 2,400 individuals. Staff also distributed 39,325 publications; developed 49 new publications to show companies how to prevent pollution and comply with environmental requirements; and published four editions of the Compliance and Prevention Quarterly for distribution to more than 5,700 people.

The office helped coordinate Ohio EPA’s Compliance Assistance Conference, “Successfully Navigating Reporting, Permitting and Inspections,” on May 28 in Columbus. This full-day event included four tracks with multiple sessions covering a wide range of environmental topics.

To reduce the impact of mercury on the environment, OCAPP coordinated Ohio’s voluntary mercury switch collection/incentive program for auto recyclers. During SFY08, 18,560 switches were collected and Ohio EPA awarded \$55,680 in incentive funds.



Encouraging voluntary pollution prevention efforts, the Agency launched the Tox-Minus Initiative to encourage Ohio companies to take additional steps to reduce their emissions of chemicals reported under the Toxic Release Inventory. OCAPP staff also helped establish the Ohio Green Fleets program to recognize Ohio companies who have made efforts to use more environmentally friendly transportation alternatives. Finally, OCAPP launched the Governor's Awards for Outstanding Achievement in Environmental Stewardship to recognize Ohio companies and other organizations for their commitment to being outstanding stewards of Ohio's environment.



Displaying involvement in a wide variety of issues, staff coordinated efforts to identify options for addressing concerns on how pharmaceutical wastes are impacting Ohio's environment. They also helped coordinate 12 focus groups to develop an environmental insurance program for Ohio EPA's Voluntary Action Program. In addition, staff coordinated a series of training events to help northeast Ohio communities and businesses prepare for new municipal storm water requirements. And they coordinated Ohio's Food Scrap Management Initiative to develop ways to manage and beneficially reuse food scrap waste in Ohio.

Office of Special Investigations

The Office of Special Investigations investigates environmental crime allegations which can result in criminal, civil and administrative enforcement. This is the only group within Ohio EPA that was expressly formed to handle complex criminal investigations and has the flexibility to cross over program boundaries in the course of its investigations.



The Office of Special Investigations coordinated a successful investigation and prosecution of midnight dumpers in the Toledo area. A long, complex investigation led to criminal prosecution of two companies and two individuals for violating Ohio's hazardous waste laws. Sentencing included \$26,800 in restitution; a \$10,000 donation to The Nature Conservancy; and a \$5,000 contribution to both the Midwest Environmental Enforcement Association and the Northeast Environmental Enforcement Project.

In SFY08, staff conducted 164 investigations, obtaining 17 convictions that resulted in 12 felony counts and 9 misdemeanor counts. These convictions resulted in approximately \$69,000 in fines; \$350,000 in restitution; 90 days of jail time; 20 years of probation; 18 months of home arrest; and 1,078 hours of community service. Additionally, \$10,000 was donated to The Nature Conservancy; \$5,000 was donated to the Northeast Environmental Enforcement Project; and \$5,000 was donated to the Midwest Environmental Enforcement Project.

Ohio EPA's criminal investigations result in a variety of violations and convictions. In SFY08, the office obtained convictions relating to illegal activity involving hazardous waste, open burning, water pollution and scrap tires. The various offenses charged included open burning; false statements; criminal endangering; conspiracy; obstruction of an investigation; illegal storage and disposal of hazardous waste; failure to manifest; and pollution to waters of the state.



Office of Environmental Education

High school students and adult volunteers are getting wet, collecting benthic bugs and water samples from local lakes and streams, thanks to grants from the Ohio Environmental Education Fund (OEEF) and training in the *Healthy Water, Healthy People* curriculum coordinated by the Office of Environmental Education. Ohio EPA uses the *Healthy Water, Healthy People* program to certify Level One credible data collectors.



Grants

Statewide the OEEF awarded \$985,075 in grants for education projects targeting pre-school through university students and teachers, the adult general public and the regulated community.

Programs funded in 2008 are helping business and government motor vehicle fleet operators reduce emissions and improve energy efficiency; providing demonstrations of rain gardens and storm water management practices; training schools and health departments implementing Jarod's Law to improve safety; and teaching high school students to measure the performance of biodiesel and alternative fuels. Grants are funded from civil penalties Ohio EPA collects for pollution violations.

Diesel School Bus Fund

Students on 268 school buses are breathing easier, and 431 pounds of particulates, 4,972 pounds of carbon monoxide, and 2,769 pounds of hydrocarbons were removed from the air, thanks to the Ohio Clean Diesel School Bus Fund. Fifteen school districts received grants totaling \$599,870 to retrofit their buses with equipment to reduce emissions from diesel exhaust. The grants are funded from civil penalties collected by Ohio EPA for violations of Ohio's pollution control laws. Since the program began in 2006, Ohio EPA has awarded \$1.6 million to install pollution controls on 642 school buses statewide, and remove more than 9.5 tons of pollutants from the air, earning it a Leadership Award from U.S. EPA's Midwest Clean Diesel Initiative. Ohio EPA used these state funds to leverage an additional \$590,640 in federal grants to pay for more school bus retrofits in 2009-2010.

Scholarships

Twenty-two students at Ohio colleges and universities received Ohio Environmental Science and Engineering Scholarships to help them complete their degrees and enter professional practice in these fields. The Agency awarded a total of \$50,000.

Promoting Environmental Careers

To interest younger students in environmental careers, the Office of Environmental Education sponsors State Science Day, the Ohio Envirothon competition for high school students, and the National Engineers Week Future City Competition for middle school students. This year Ohio's winning team went on to take first place honors in Washington, DC, during National Engineers Week.



Office of Equal Employment Opportunity

The Office of Equal Employment Opportunity (EEO) pursues fair and equal treatment for all individuals employed by or seeking employment with Ohio EPA. In SFY 08, the EEO Office investigated seven complaints of discrimination, provided counseling on 10 informal complaints, trained 30 new employees in EEO Policies and Procedures and Sexual Harassment, and facilitated diversity awareness training for all Agency employees. The Office of EEO conducted EEO Policies and Procedures and Sexual Harassment refresher training for employees at four agency district offices.

The EEO Office developed a Diversity Council consisting of 14 Agency employees dedicated to promoting the enhancement and valuing of diversity at Ohio EPA. In SFY 08, the Diversity Council created a strategic plan that outlines goals for how it will develop and distribute information on diversity topics, hold events related to diversity, seek input and feedback from employees on diversity issues and educate staff by facilitating training.

Office of Fiscal Administration

The Office of Fiscal Administration led the Agency implementation of the Ohio Administrative Knowledge System (OAKS) Financials module beginning July 2007. Two employees took a lead role in providing information and training to employees throughout the Agency and worked with the OAKS Project Management Office to resolve many issues that came to light during the transition. Another employee became a self-taught expert in OAKS financial reporting. Many of his reports were adopted by other agencies.

In addition, the Fiscal Office continued to provide fiscal services including: processing 2,085 purchase orders and 14,000 payments to vendors for goods and services; depositing 34,000 fee payments to provide cash to support the Agency's operations; providing cash management and financial reporting services for federal grants with disbursements totaling \$478 million; completing 67 evaluations to determine a company's ability to pay penalties in environmental enforcement cases; and managing the Agency's \$202 million operating budget.

Office of Information Technology

During SFY08, ITS developed and rolled out the eBusiness Center. The eBusiness Center is the entry point for the regulated community and consultants to electronically complete and file reports and permit applications. This Web-based application provides privileged access, account management, integrated functionality and personalization and identity management. The Division of Air Pollution Control and the Division of Surface Water have business services available through the eBusiness Center. Other divisions are working to integrate their business services. Online payment of fees is also planned.



Office of Labor and Safety

The Office of Labor and Safety sponsors or arranges many types of training for Ohio EPA employees including new employee orientation, supervising union employees, field safety for new employees, respirator fit testing and use refresher, defensive driving, OSHA refresher and workplace violence. In SFY08, 64 seasonal and full-time employees completed the National Safety Council's defensive driving class, and 240 field staff completed OSHA refresher training. New field interns were also provided with safety orientation training to meet their specific needs for environmental sampling.

Specialized training was provided to the Agency's 40 HAZMAT-qualified staff members, the Confined Space Entry Team, and the 12-member Evidence Response Team. The safety programs instituted at the Division of Environmental Services ensured another successful year of laboratory operations.

Ohio EPA's Worker's Compensation rates are among the lowest of all state agencies; rates are \$0.22 per \$100 of payroll. Other similar agencies have rates ranging from \$0.93 to \$2.40 per \$100 of payroll. This is a tribute to the Ohio EPA's safety program and employees putting safety first in their work.

The Labor Relations Section works closely with the Office of Employee Services, Ohio Civil Service Employee Association, employees and managers to assure compliance with state and agency policies, procedures and the collective bargaining agreement. To assure compliance and consistency, the labor relations administrator responds to questions, provides training and direction and responds promptly to grievances and discipline issues.

The labor relations administrator also serves as the agency co-chair on the Labor Management Committee. This committee consists of management and labor members who meet monthly and use interest-based bargaining techniques to serve Agency employees and the citizens of Ohio. The committee strives to create a work environment that leads to improved communications, increased employee satisfaction and improved performance

Operations and Facilities

Actively participating on the Agency's Energy Committee, Operations is working to conserve energy in various ways, such as installing programmable thermostats at the Groveport Field Facility and assigning the E-85 pool cars to the Northwest District where access to E-85 fuel is readily available. In doing this, the Agency more than doubled its E85 quota. By joining ENERGY STAR, Ohio EPA has made a fundamental commitment to the continuous improvement of the organization's energy performance.

As a member of the Building Policy Committee, staff actively communicate building policy to and from the Agency as it affects our tenancy in the headquarters building. Since Operations staff agreed to manage the bike room, Ohio EPA bikers can now park their bicycles free of charge, supporting a more environmentally friendly mode of transportation.

The office worked with landlords to establish a mother's room at no additional cost to the Agency in the three remaining district offices without this amenity. By guaranteeing a private place for nursing mothers, Ohio EPA hopes to attract and retain talented women.



Office of Legal Services

The Office of Legal Services provided support to the divisions in their efforts to meet enforcement goals. During calendar year 2007, Ohio EPA issued 162 administrative orders resulting in \$3,573,174 in administrative penalties.

General counsel work for the divisions included generation of 32 formal opinions. The office also provided legal support on 89 administrative rule packages. Legal also provides invaluable daily informal assistance to each division.

Legal also regularly provides guidance to the Attorney General's Office on policy questions and pending enforcement cases. Attorneys also provide legal guidance to the Agency's new public records manager.

Public Interest Center

Ohio EPA's Public Interest Center (PIC) helps ensure that citizens and media receive information about the Agency's activities. During SFY08, PIC's public involvement staff moderated 109 public meetings or informational sessions attended by about 3,000 people. They responded to about 1,500 calls, letters and e-mails from the public and sent out more than 14,000 individual citizen advisories. The staff also helped set up Agency displays and provided information for the Ohio State Fair, Earth Day, Farm Science Review and other community events.

The media relations section issued 370 news releases, responded to 2,200 media inquiries and organized and secured coverage of numerous media events around the state. Field trips were arranged with reporters to attend wetland, stream and lake sampling, as well as observe low-head dam removals.

The print and communications section created 11 feature stories for the Agency's Web site, wrote and designed 24 issues of the employee newsletter, updated or edited dozens of publications prepared by the divisions and responded to almost 350 requests for information and assistance sent via the Web page.

Office of Employee Services

Staff provided hiring activities such as posting vacancies, recruiting and screening applicants, preparing applicant pools for management review, conducting background checks, offering employment and providing initial orientation. They processed 4,913 applications for 91 vacant positions, 18 resignations and 20 retirements. They also coordinated the college intern program, which included hiring 83 interns for the 2008 season.

The office administered Ohio EPA's benefits program including health, dental, vision and life insurance. This included processing 86 disability claims and 166 Family and Medical Leave Act (FMLA) requests. Staff also coordinated Bring Your Child to Work Day and the Agency's Healthy Ohioans Wellness Program.

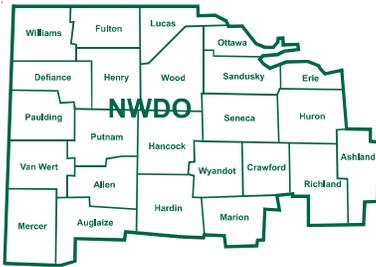
Staff created and updated 383 electronic position descriptions; maintained the Agency's table of organization; performed task analysis reviews; coordinated the Agency's employee evaluation process; and developed, formulated and implemented Agency employment policies.



District Offices

District office staff review permit applications to control pollution sources such as air emissions or wastewater discharges, monitor compliance with environmental standards, provide technical assistance to help regulated facilities understand and comply with environmental laws and permit requirements, initiate enforcement action against facilities that do not comply with environmental laws and permit requirements and investigate citizen complaints. The successes outlined below are just a few examples of the work done by Ohio EPA's district offices in SFY08.

Northwest District



During the flooding that occurred in August 2007, Northwest District Office staff helped local, state and federal officials respond to the needs of the citizens in the affected communities. Hard-hit communities included Findlay, Ottawa, Bucyrus, Carey and Upper Sandusky. Ohio EPA staff helped communities and government officials with drinking water, wastewater and solid waste management challenges. Several staff received special recognition from the affected counties for their outstanding customer service during the response to the flood.

Hazardous waste staff was instrumental in approving the installation of a leachate extraction system near the closed Millard Ave. landfill at Envirosafe. Site investigation activities found notable levels of liquids had collected on the bottom of these old dumps, which were constructed and operated before leachate collection systems became standard components for landfills. The installation of this system resulted in 1.7 million gallons of leachate being removed and properly treated from July 2007 through June 2008. This action helps protect Otter Creek and local ground water from contamination.

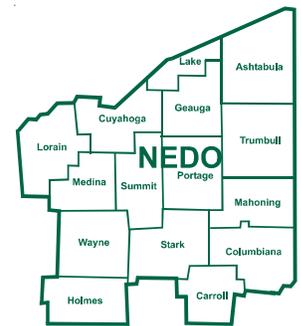
Northeast District

The Division of Air Pollution Control worked most of the year on the permit for the Ohio River Clean Fuels (Baard Energy) project slated for Wellsville, in Columbiana County. This project will convert coal into liquid jet fuel. There are 78 emissions units and the project is subject to numerous federal requirements.

Staff conducted special ambient air sampling for heavy metals in East Liverpool for a good part of the year. Manganese and chromium had been found in quantities exceeding risk-based health values. S.H. Bell Company was found to be handling these materials and was issued orders to reduce dust emissions.

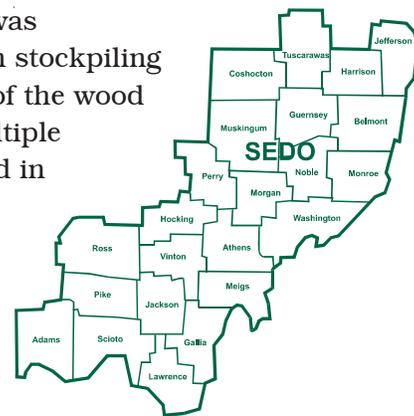
In October, district staff responded to a train derailment in Painesville. A CSX train containing hazardous materials derailed in an area surrounded by residential, commercial and industrial properties. Several of the tank cars containing ethanol immediately burst into flames. Emergency Response staff provided technical assistance to the fire department and CSX over the next several weeks in relation to the smoke plume, run-off from the firefighting effort, contaminated soil and sediment removal. CSX continues to address the site and receives Agency oversight through a technical assistance account.

The Division of Drinking and Ground Waters provided technical assistance to the following municipalities on setting up programs to proactively protect their sources of drinking water supply: Andover, Carrollton, Columbiana, Cortland, Cuyahoga Falls, Garrettsville, Holmes County, Kent, Lodi, Medina, North Canton, Rittman, Westfield Center, and Wooster. Staff also sponsored source water protection workshops in Mahoning, Medina, Portage, Trumbull and Wayne counties.



Southeast District Office

Removal of Miller Salvage's five-acre wood waste pile in Latham, Ohio, was completed in May. The Miller Family, owners and operators of the site, began stockpiling wood waste in 1993, with the stated intention of recycling. The sole source of the wood waste was from the Mill's Pride cabinet factory in Waverly, Ohio. Despite multiple consent orders, preliminary injunctions, and permits, the site never operated in compliance. The accumulation of excessive amounts of ground laminated particle board and failure to properly manage leachate at the site led to multiple massive releases of ammonia-rich leachate to Kincaid Creek over the past five years. These releases negatively impacted the operation of nearby Kincaid State Fish Hatchery and threatened its existence. After being consulted for an emergency removal action, U.S. EPA negotiated an agreement with Mill's Pride to conduct a cleanup. During the cleanup, 5,534 semi-truckloads of wood waste (138,036 tons) were landfilled, and approximately 2,600 tanker trucks totaling 16,940,850 gallons of leachate were hauled away for disposal.



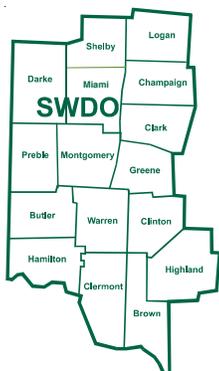
The Monday Creek Restoration Project constructed a unique treatment system to restore four miles of acid mine drainage impacted creek. Steel slag beds have been effective in neutralizing acidic stream water. The unique feature of this project is the use of treated effluent from the Village of Shawnee wastewater treatment plant as the source of water for the slag bed. This is likely the first use of wastewater effluent for a steel slag bed in the world. Funding for design, construction and monitoring came from Ohio EPA (\$ 228,725); Ohio Department of Natural Resources (\$99,000); and Office of Surface Mining (\$67,250).

In November 2007, Ohio EPA's remediation contractor completed the third and final phase of reagent injection to treat TCE-contaminated soils at the Ford Brothers site in Lawrence County. The contract activities under this state-funded cleanup were completed on-schedule and within budget under the direct oversight of district staff. During remediation, two rounds of soil injection delivered more than 10,000 pounds of oxidant approximately 25 feet below ground in the treatment zone. Nearly 8,000 pounds of biodegradation compound also were injected to treat the contaminated ground water. The remedial work cost approximately \$186,000.

In August 2007, the U.S. Department of Energy approved the Alternative Selection and Cost Range for the Decontamination and Decommissioning of the Portsmouth Gaseous Diffusion Plant. The approved cost range for this project is \$5-12 billion. This major milestone represents a federal government commitment in funds and effort to clean up and demolish the facility. This effort could take several decades to complete. Since August 2007, Ohio EPA has engaged U.S. DOE in negotiations of orders that will guide Ohio EPA oversight of these activities.

District air staff completed work on a project with U.S. EPA and Agency for Toxic Substances and Disease Registry (ATSDR) to operate, maintain, and collect data from ambient air monitoring systems in the Marietta area. The purpose of this effort is to assess potential health impacts from manganese emissions.

Southwest District Office



Ohio EPA and the Ohio Attorney General's Office reached a settlement with the federal government for natural resources damages at the U.S. Department of Energy (DOE) Fernald site near Cincinnati. The settlement guarantees that more than \$27 million in natural resources restoration work will occur at and near this former uranium processing facility. This is the largest natural resource damages settlement against the federal government in the nation's history. The settlement followed the extensive \$4.4 billion cleanup of the site conducted by DOE and overseen by Ohio EPA and U.S. EPA.



Ohio EPA and other state agencies worked with the Hamilton County Metropolitan Sewer District to develop “green” infrastructure projects in which major transportation improvements would be designed to reduce stormwater flow into combined stormwater/sanitary sewers.

District staff continued to coordinate the statewide efforts to clean formerly used U.S. Department of Defense sites. This involved obtaining adequate funding for state oversight and developing strategies to move projects from investigation to actual clean-up work.

District staff were key participants in a “full functional” pandemic flu response exercise. Working with other jurisdictions in the Dayton area, Ohio EPA was responsible for assessing the safety of drinking water systems and the effective management of solid and infectious waste under mock crisis conditions.

Recognizing the importance of the valuable ground water resources in the Great Miami/Little Miami Buried Valley Sole Source Aquifer system, district staff pursued multiple investigations of ground water contamination. These investigations resulted in enforcement action, referral to U.S. EPA or cooperative efforts with responsible parties to achieve necessary remedies to protect critical ground water resources.

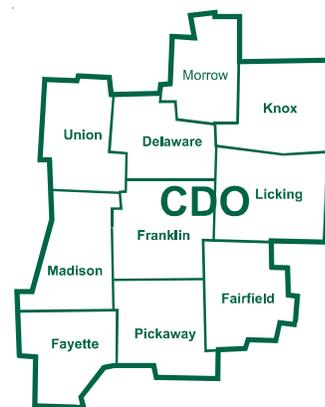
Central District Office

District air staff worked on a permit for Heartland Refinery Group’s proposed used oil re-refining facility. The proprietary process recycles used motor oil and industrial oils into useable products such as lubricating oil, fuel oil and a component in asphalt. This facility will be the only one of its kind in Ohio. Staff engaged in extensive pre-permit application communication with company personnel in order to move through this complex permit through the process within the company’s requested timeframe.

Drinking water staff provided significant technical assistance to the Village of Buckeye Lake, which in part, resulted in the Village’s successful development of a public water system. The majority of the Buckeye Lake residences utilize private wells that do not meet current Department of Health siting criteria and potentially contain arsenic above Ohio EPA standards. The creation of a public water system will provide access to safe drinking water for 3,050 residences in the Village. Coordination between different Ohio EPA offices, village officials, multiple funding agencies, Rural Community Assistance Program, consulting engineers and the public was critical in the success of this project. Construction on the water system is expected to be completed by the end of 2009.

With the cooperative efforts of Ohio EPA, the Bureau of Underground Storage Tank Regulations and the Ohio Attorney General’s office, criminal charges were filed against Mr. Dennis Smalley, an environmental professional certified by Ohio EPA’s Voluntary Action Program (VAP). District staff began to investigate Mr. Smalley’s work when discrepancies were noted in the environmental data he submitted for the Superior Fibers property in Bremen, Ohio. Upon further investigation, it was determined that much of the data had been falsified. This led to Mr. Smalley pleading guilty to four felony counts for defrauding three state entities. Mr. Smalley was sentenced to 60 days in jail, 22 months of electronic monitoring, ordered to pay \$300,000 in restitution and a possible \$40,000 fine.

District office staff participated in the National Lakes Assessment sponsored by U.S. EPA. The survey provides an assessment of the quality of the lake including aquatic life, chemical condition of the water, the habitat surrounding the lake, and suitability of the lake for swimming, fishing, and boating. The district participated in the assessment of five lakes during SFY08.



District Activities - SFY08

Permitting

Operating

Major air sources (draft Title V)	268
Wastewater discharge	660

Installation and Plan Approvals

Air PTIs	558
Wastewater PTIs	1,451
Drinking water plan reviews	937
Ground water reviews	2,796
Solid Waste PTIs, certifications, closure plans	312
Hazardous waste permit modifications, certifications	312

Inspections

Air	888
Wastewater and storm water	5,144
Drinking water	2,420
Solid waste facilities	670
Health department surveys (solid waste)	78
Hazardous waste	761

Monitoring

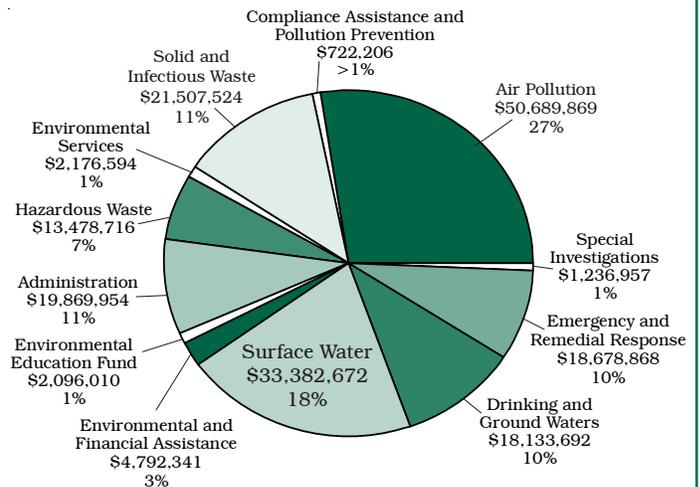
Air monitors checked	77
Surface water ambient sites checked monthly	77
Surface water survey samples collected	3,845
Ground water ambient wells sampled	233

Cleanups

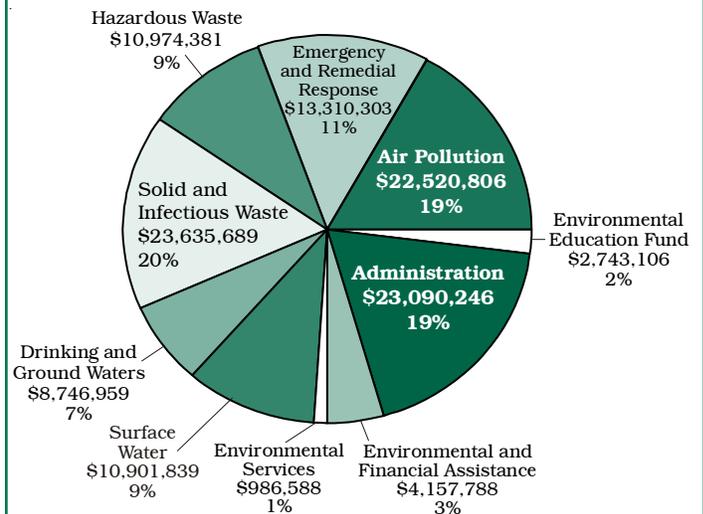
Active remedial response projects	729
Spill responses	1,762

Fiscal Summary

SFY08 Expenditures \$186,785,402



SFY08 State Special Revenues (Fees) \$121,067,704



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