

Removal Recommendation for the Degradation of Aesthetics Beneficial Use Impairment in the Black River Area of Concern

Ohio EPA and Ohio Lake Erie Commission is recommending the removal of the Degradation of Aesthetics Beneficial Use Impairment in the Black River Area of Concern.

State of Ohio Restoration Target and Impairment Removal Criteria

State of Ohio Listing Guideline

This beneficial use shall be listed as impaired if human activity routinely causes any of the following persistent conditions:

- Sludge deposits
- Oil sheens, scum and other objectionable materials
- Materials that produce color, odor, or other nuisances.

State of Ohio Restoration Target

This beneficial use will be considered restored when the following conditions are met:

If there are no observed ongoing occurrences of sludge deposits, oil sheens, scum and other objectionable materials; specifically, materials that produce color, odor, or other nuisances, then this BUI may be considering restored. OR

If there are observed ongoing occurrences and Combined Sewer Overflows (CSOs) are a significant cause of aesthetic impairments but the CSOs are being addressed under an approved long-term control plan or other legally-binding document, then this BUI may be considered restored. Where long-term remedies may take several years to be fully implemented, it may be necessary to develop short-term control strategies. AND/OR

If there are observed ongoing occurrences and Municipal Separate Storm Sewer Systems (MS4s) are a significant cause of aesthetic impairments but the MS4 is regulated.

Background and Evaluation of Beneficial Use Impairment

The Black River was designated as an Area of Concern under Annex 1 of the Great Lakes Water Quality Agreement. This is a result of historical conditions and activities that were likely a consequence of a legacy of contaminated sediments, mainly polynuclear aromatic hydrocarbons derived from steel production. In response, through extensive partnerships over the years with federal, state and local entities, substantial remediation activities have occurred in the lower Black River. Nine beneficial use impairments (BUI) were initially identified for the Black River AOC by the RAP Advisory Council. Now seven BUIs remain impaired. Oil/grease and litter/trash are the only previously identified causes of impairment that are still applicable to the Black River AOC today for the Aesthetics BUI. Available data indicate that historic sources of oil/grease and litter/trash no longer regularly degrade the aesthetics of the Black River AOC. Additionally, other federal and state programs will address any future sources of oil/grease and litter/trash.

Conclusion

Redevelopment and recreation along the Black River today are a distinct contrast from the industrial pollution of the past. The cities of Lorain and Elyria are historically, rustbelt towns that are revitalizing for the 21st Century. The Black River was once plagued by industrial pollution that was considered hazardous to human life and wildlife. Residents avoided the river and tourists

traveled to other locales (e.g., the neighboring Vermillion River). But over the past two decades significant progress has been made in restoring the Black River. Fish and other wildlife have returned. Residents and tourists now canoe and kayak the Black River and take boat tours to see wildlife. The banks of the lower Black River now support parks and concert venues, instead of industrial debris, toxic residues, and garbage. Without the hard work of stakeholders to improve water quality and the aesthetics of the Black River, the redevelopment and revitalization that has begun would not have been possible.

Removal Statement

Based upon the documented data and information associated with the degradation to aesthetics and application of Ohio's BUI restoration targets, human activities in the Black River AOC do not result in persistent sludge deposits, oil sheens, scum, other objectional material, or materials that produce color, odor, or other nuisances. Waterways in the Black River AOC meet Ohio's BUI restoration targets for the degradation to aesthetics.

To view the draft removal document, go to epa.ohio.gov/Portals/35/lakeerie/Black-Aesthetics-Draft.pdf. Comments will be accepted through December 21, 2020. Comments can be emailed to Ohio EPA – DSW Northeast District Office, Attn: Melanie Barbis, at melanie.barbis@epa.ohio.gov