



Environmental
Protection Agency

2010 Annual Report



Introduction

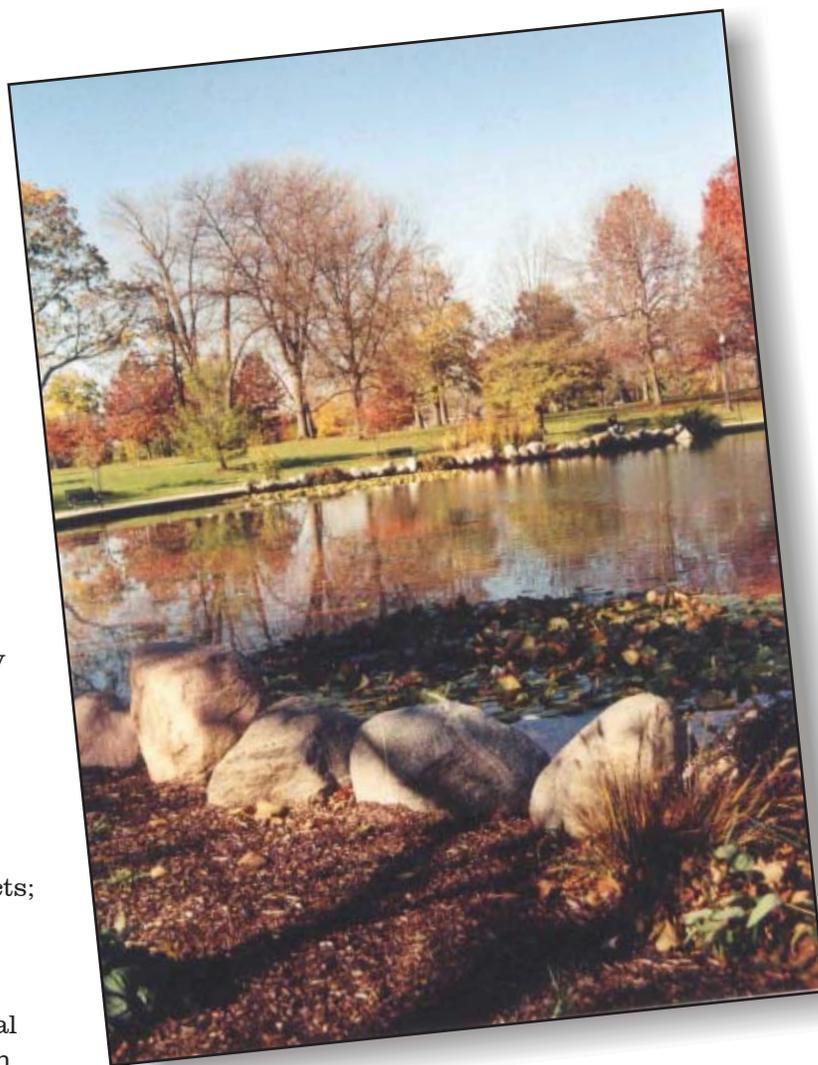
The Ohio Environmental Protection Agency (Ohio EPA) protects the environment and public health by ensuring compliance with environmental laws. Those laws and related rules outline Ohio EPA's authority — what we can and can't do, and what we can consider when making decisions about facility operations.

Ohio EPA establishes and enforces standards for air, water and waste management, and cleanup of hazardous waste sites. We issue permits to facilities to ensure their operations do not harm public health or the environment. We offer assistance to help facilities comply with environmental regulations and may take enforcement action against businesses or individuals that violate these standards.

In addition to enforcing Ohio's environmental laws, we manage some federally funded pollution control projects; help communities and businesses obtain technical and laboratory services; investigate environmental complaints; provide information about environmental programs; fund environmental education programs; and help businesses save money by minimizing the amount of waste they produce.

Ohio EPA's Central Office is located in Columbus. We also have district offices located in Columbus, Twinsburg, Bowling Green, Logan and Dayton.

This report documents the Agency's activities in State Fiscal Year 2010 (SFY10), which ran from July 1, 2009, through June 30, 2010.



American Recovery and Reinvestment Act of 2009

On Feb. 13, 2009, Congress passed the American Recovery and Reinvestment Act of 2009 (ARRA) at the urging of President Obama, who signed it into law four days later. A direct response to the economic crisis, ARRA had three immediate goals:

- create new jobs and save existing ones;
- spur economic activity and invest in long-term growth; and
- foster unprecedented levels of accountability and transparency in government spending.



While many Recovery Act projects focused more immediately on jump-starting the economy, others, especially those involving infrastructure improvements, were expected to contribute to economic growth for many years. The law provides for additional funding for drinking water and water pollution control infrastructure projects and the National Clean Diesel Campaign in Ohio.

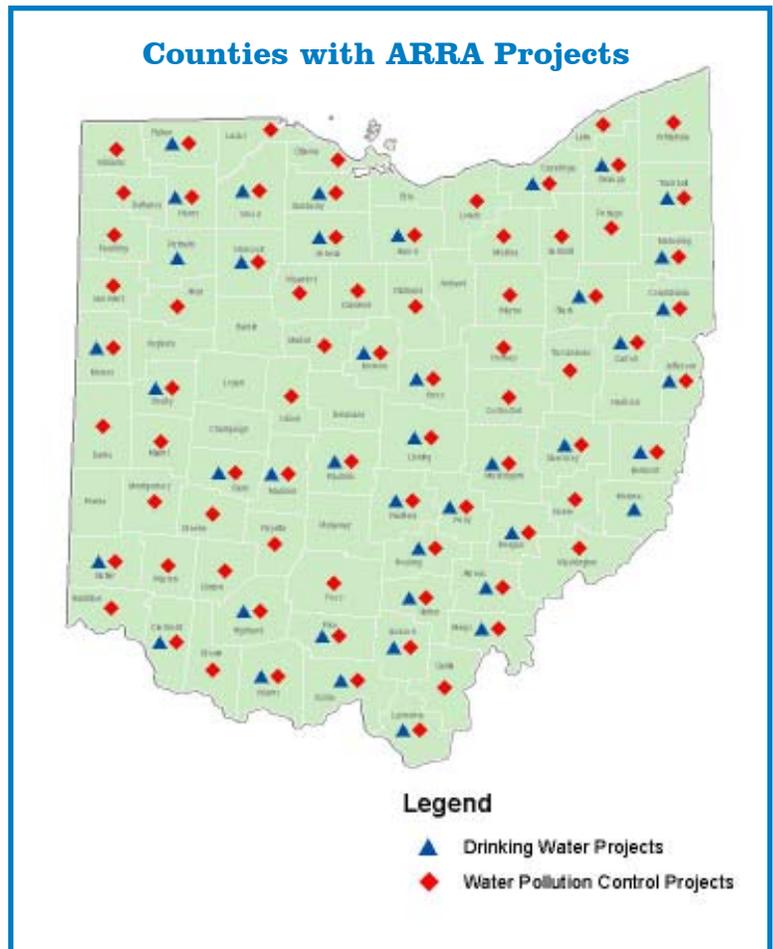
Ohio EPA was one of the recipients of ARRA funding. The Agency's goal was to finance infrastructure improvements to ensure clean, safe drinking water and improve the treatment capacity and quality of wastewater facilities throughout the state. Ohio also used some of the financing to ensure the safety of Ohio's school children by financing school bus retrofits through the National Clean Diesel Campaign.

In all, ARRA funding supported 274 water pollution control projects in 180 communities; 62 drinking water projects in 150 communities; and 22 grants to install pollution controls onto 422 school buses.

Drinking Water Improvements

In 2010, Ohio EPA received \$58.46 million in ARRA funds and \$44.6 million annual grant funds for drinking water infrastructure improvements. Ohio's drinking water program ranked third in the nation for funding the most ARRA drinking water projects, and second for providing 39.7 percent of its total ARRA funding allotment for green projects.

When completed, ARRA-funded drinking water projects will help ensure that 1.2 million Ohioans in 150 communities have access to adequate and safe supplies of drinking water and have already created more than 300 jobs.



Jobs and Economic Activity

These projects resulted in contracts with 119 companies and numerous subcontractors, subsequently leading to additional community economic stimulus. Southeastern Ohio has some of the more economically challenged communities in the state. Not surprisingly, therefore, half of the ARRA drinking water projects and approximately 46 percent of the funding went to this area.

Saving Ohioans Money

Ohio communities will save an estimated \$85 million in interest costs when compared to market loan rates thanks to the combination of stimulus funds and low-interest loans.

Public Health/Water Quality Benefits

In total, nearly 34 miles of leaking and failing water lines will be upgraded or replaced, preventing about 177 million gallons in water loss annually. Additionally, 14 public water systems under enforcement for exceeding drinking water standards will return to compliance.

One of the success stories of the funding program involved the village of Buckeye Lake in Licking County. After more than 20 years of public meetings, public participation and coordination with other divisions and state and federal agencies, the Central District Office's Division of Drinking and Ground Waters finally achieved its goal of ensuring a reliable and safe water supply system for the village. When the project is completed, the village will be connected as a satellite system to the village of Millersport drinking water system.

Pollution Control Projects

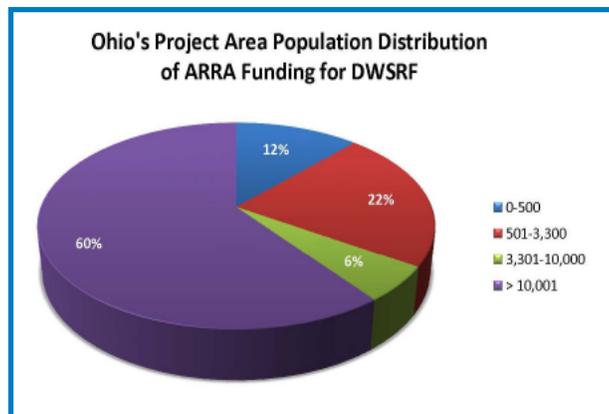


U.S. EPA Administrator Lisa Jackson joined Ohio EPA Director Chris Korleski in Columbus on Feb. 18, 2010, to announce program successes on the one-year anniversary of ARRA.

Ohio received \$220.6 million in stimulus funds to finance pollution control projects throughout the state. Funds were administered by Ohio EPA's Division of Environmental and Financial Assistance (DEFA). The division combined \$220.6 million ARRA funds with \$134.7 million in non-stimulus Water Pollution Control Loan Fund (WPCLF) loans for a total of \$355.3 million in assistance to Ohio stimulus projects. The Ohio Water Development Authority assisted Ohio EPA in the administration of the WPCLF.

In all, the Agency received more than 2,000 requests for funding from 536 communities. Of those, Ohio EPA funded 274 water pollution projects for planning, design and construction of projects to protect or improve the quality of Ohio's rivers, streams, lakes and other water resources for approximately 5.6 million Ohioans in 187 communities.

Ohio ranked first in the nation for funding the most ARRA water pollution control projects and assisted more ARRA projects than the four other top-funded states combined. Ohio also ranked first in the nation for financing 79 "green" projects. By the end of the period to award stimulus funds, Ohio led the nation in the number of ARRA construction starts with more than 200 projects.



Jobs and Economic Activity

For the final three months of SFY10, stimulus funds were responsible for creation or retention of the equivalent of 766 full-time jobs. Including the WPCLF non-stimulus funding, that number rose to 896. Not including subcontractors, 327 different construction companies and equipment/material suppliers received direct contracts for ARRA projects and 143 contractors worked on home sewage installations.

Saving Ohioans Money

Ohio chose to provide a zero percent interest rate for all \$220.6 million in ARRA funds as “free money” through principal forgiveness loans. Ohio communities receiving ARRA and WPCLF loan awards will save nearly \$352 million in interest expense.

Public Health/Water Quality Benefits

Through ARRA, Ohio EPA provided funding for:

- 215 miles of new sanitary sewers;
- 15 miles of new storm sewers;
- 110 miles of rehabilitation of existing sewers;
- improvement of 9.7 stream miles of aquatic habitat;
- improvement of 100 acres of wetlands habitat;
- elimination of 5,472 failing home sewage treatment systems through the construction of new sewers; and
- replacement or improvement of 460 failing home sewage treatment systems.

In addition, enforcement actions were resolved or avoided for 35 systems and sewer overflows and basement backups were eliminated or reduced for 26 projects.

Home Sewage Treatment Systems

Ohio was one of only two states to devote a portion of its stimulus funds, \$3.4 million, to replace or upgrade failing home sewage systems. This pilot project was completed in partnership with the Ohio Department of Health and counties, cities and villages. In all, 460 homeowners replaced or improved their septic systems.

National Clean Diesel Campaign Projects



Fleet Maintenance Supervisor Mike Zombory with some of the 56 buses retrofitted by the Mentor Exempted Village School District in Lake County.

Keystone Local Schools in Lorain County held a student coloring contest to celebrate their Clean School Bus project.

Ohio EPA applied to U.S. EPA and received \$1.73 million in ARRA funds to add to the existing Ohio Clean Diesel School Bus Fund grant program. Public school districts and county developmental disability programs in Ohio can apply to Ohio EPA for grants from this fund to install pollution control equipment onto their buses. These equipment retrofits will reduce student and driver exposure to the harmful pollutants in diesel exhaust. This program has application deadlines March 1 and September 1 each year, with approximately \$900,000 available annually in funding from other state and federal sources, in addition to these new stimulus dollars.

By the end of SFY 2010, 237 school buses were retrofitted with stimulus funds, out of a total of 463 that are expected to be completed by the end of December 2010. Ohio EPA estimates that the clean diesel stimulus funds will remove more than 8 tons of pollutants from Ohio skies every year that these buses continue to operate.

Division of Air Pollution Control

The 1970 federal Clean Air Act and its 1990 amendments require U.S. EPA to set clean air standards to protect public health and welfare. The division ensures those standards are met throughout Ohio by issuing permits to emissions sources and monitoring outdoor air quality.

Attaining Air Quality Standards

The Clean Air Act Amendments of 1990 require U.S. EPA to periodically review and update the air quality standards as needed. U.S. EPA has clean air standards for six contaminants: sulfur dioxide; carbon monoxide; nitrogen oxides; lead; particulate matter; and ozone. To measure air quality, Ohio EPA operates one of the country's most extensive air pollution monitoring networks, comprised of 245 ambient air monitors, including 48 ozone monitors.

Once U.S. EPA adopts a revised standard, Ohio EPA must determine if areas of the state are meeting the new standard, and, if not, develop plans to bring the area into attainment. States have three years to submit plans and five years to attain the standard, with extra time available if the state is making good faith efforts to meet the standards.

Although the air quality in 33 Ohio counties did not meet the 8-hour ozone standard adopted by U.S. EPA in 1997, the division successfully developed and implemented programs to improve air quality. In May 2010, with the redesignation of the Cincinnati area, all Ohio counties were designed attainment for the 1997 ozone standard.

The entire state is currently attaining the standards for carbon monoxide and ozone. At the close of SFY10, Ohio had 27 nonattainment counties for fine particulates (PM_{2.5}). U.S. EPA anticipates adopting a new standard for ozone in SFY11, and PM_{2.5} in 2012.



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Monitoring Air Toxics

As a result of a *USA Today* article about student health risks associated with emissions from various facilities in the United States, U.S. EPA organized air toxics monitoring projects near selected schools. Six Ohio schools, listed below, were selected for short-term sampling to collect air samples for targeted pollutants. Ohio EPA operated the monitors, which collected 10 samples on a 1-in-6 day schedule. Ohio EPA air toxicologists worked with U.S. EPA staff members to distribute risk analysis results to the media and public.

- Whitwell Elementary (Ironton, Ohio);
- Warren Elementary (Marietta, Ohio);
- Ohio Valley Ed. Service Center (Marietta, Ohio);
- Life Skills of Trumbull County (Warren, Ohio);
- La Croft Elementary (East Liverpool, Ohio); and
- Elm Street Elementary (Wauseon, Ohio).

Efficient Permitting

Each year, the division reviews approximately 240 permit applications, and continues to streamline the permit issuance process. In SFY10, the division:

- issued 683 installation permits;
- completed more than 82 percent of permit application completeness reviews within 14 days; and
- issued more than 84 percent of the permits within 180 days.

Division staff members continue to process high-priority, complex permits for new facilities or for major expansions of existing facilities to retain and support Ohio business opportunities. For example, the division issued a final air permit for Middletown Coke in Middletown Ohio. This new facility, currently under construction, will produce metallurgical coke for AK Steel's nearby steelmaking facility.



In recent years, the division has issued other high-priority, complex permits including a major expansion of the V&M Star facility in Youngstown; a proposed greenfield facility for New Steel International, a large steelmaking facility in Franklin Furnace; and a proposed coal-to-liquid fuels plant for Ohio River Clean Fuels in Wellsville. Although the project was cancelled prior to construction, the Agency also issued a permit to AMP-Ohio for a new coal-fired power generation facility located in Racine. The companies all expressed appreciation for the efficient processing of the permits.

Ensuring Compliance

The compliance rate for 1,612 high-priority facilities (those with large sources of air pollution) was 92.5 percent at the end of SFY10.

Division of Drinking and Ground Waters

The division implements the 1974 federal Safe Drinking Water Act and its amendments to assure Ohio's citizens have an adequate supply of safe drinking water. The division regulates approximately 4,000 public water systems, serving about 10.3 million Ohioans daily, which have at least 15 service connections or serve 25 or more people at least 60 days per year. Private drinking water systems, including residential wells, are under the jurisdiction of local health departments.

Source Water Protection

To further protect water resources that supply public drinking water, the division provided technical assistance and endorsed 24 protection plans submitted by public water systems that together provide drinking water to more than 125,000 Ohioans. More than a fifth of Ohio's cities and villages now have endorsed source water protection plans.

New Public Water Supply Well Siting Criteria

During SFY10, updated rules took effect to prevent contamination and ensure long-term protection of water used by public water systems. For example, updated rules require community public water systems that provide water to a political subdivision of Ohio and serve a minimum of 250 people to develop or update a drinking water source protection plan within two years of receiving plan approval for use of a new well.

Revised rules also required proposed new public water supply wells to observe specific setbacks from waste management facilities or practices such as landfills; monofills; confined animal feeding operations; construction and demolition debris; composting; large-capacity septic systems; and land application of sludge or manure.

Guidance Helps Communities Determine Capacity

The division, in close coordination with the Ohio Section of the American Water Works Association, developed a framework for determining the approved capacity of a public water system including the water-supply sources and drinking water treatment plant.

Community water systems are required to develop and submit water production projections when requesting a change in the approved capacity of the public water system. The projections help to ensure a public water system is prepared to continue providing an adequate quantity of quality finished-water to meet its customers' future demands.

Source water protection plans endorsed by Ohio EPA in SFY10 include:

- Knox County Water and Wastewater
- Village of Utica
- Berlin Water Company
- Village of Chagrin Falls
- City of Columbiana
- Village of Garrettsville
- Village of Lodi
- City of North Canton
- Village of Convoy
- Village of Payne
- Adams County Regional
- Village of Beverly
- Village of Gnadenhutten
- Leading Creek Conservancy District
- City of Logan
- Village of Lowell
- Village of Manchester
- Village of Middleport
- Putnam Community Water
- Tri-County Rural Water and Sewer
- City of Greenfield
- Village of Lynchburg
- Village of Phillipsburg
- City of Trenton

Laboratories Required to Begin Electronic Reporting

Certified laboratories were required to begin reporting drinking water sample data electronically using the division's new web-based reporting system, eDWR, by July 1, 2010. To help laboratories and public water systems prepare for this transition, the division hosted more than 50 online training sessions for more than 800 people; provided several in-person presentations; and responded to many technical assistance calls.

eBusiness Center

Tests Given to More than 2,100 Potential Operators

During SFY10, the division's operator certification unit tested more than 2,100 potential water and wastewater operators. Using U.S. EPA grant funds, the operator certification unit provided 426 free exams to operators of small public water systems.

Monitoring Underground Injection of Waste

The division's Underground Injection Control (UIC) unit investigated 42 Class V injection wells that were potentially located in source water protection areas to determine their potential impact on the drinking water source. Class V wells are used to inject non-hazardous fluids underground. Fluids are injected either into or above an underground source of drinking water. Examples of Class V wells include, among others, surface water runoff drainage wells; septic systems; dry wells; motor vehicle waste disposal wells; and industrial, commercial and utility disposal wells. In SFY10, the UIC unit facilitated the closure of 22 Class V wells that posed a danger of contaminating a drinking water source.

Staff also reevaluated the status of Class V injection wells used for ground water contamination remediation to better understand their location, what was being injected and whether they were active or closed. The results of this evaluation were entered into a database for easier tracking of this type of Class V injection well.



The Agency uses dye testing to determine the direction and rate of ground water flow and potential for contaminant migration. In this investigation, fluorescein dye poured into a sinkhole in Clark County traveled through the ground and into a nearby spring in less than an hour. The results showed the importance of expanding drinking water source protection areas in the region and will also help ensure timely emergency response efforts.

Protecting Ground Water

To ensure a consistent and effective approach to protecting Ohio's ground water, the division's ground water specialists completed 3,051 projects in support of the regulatory divisions including:

- hazardous waste management (819);
- surface water (51);
- solid and infectious waste management (1,539); and
- emergency and remedial response (642).

One example of field work completed by staff to support ground water and drinking water source protection includes an investigation in Gibsonburg, Ohio. Division staff conducted tests to determine the direction and rate of ground water flow in the carbonate bedrock in and around Gibsonburg. Dye trace results from dye injected into monitoring wells confirmed the presence of a highly interconnected network of bedding planes and fractures capable of quickly transporting water. The data has better characterized the potential for migration of contaminants in carbonate bedrock, and enables Ohio EPA to better assist the community as it defines contamination in the ground water and plans future efforts to protect the village well fields.



Ground water simulator models are a good way to demonstrate ground water movement and potential impacts from sources such as malfunctioning septic systems and underground injection wells.

Gaining Expertise in Carbon Sequestration

The division was involved in research and regulatory efforts related to injection of carbon dioxide into deep saline formations. This disposal technology is an alternative to releasing this major greenhouse gas into the atmosphere. Ohio EPA continues to comment on draft federal underground injection control rules and facilitated closure of a pilot project to inject carbon dioxide at the First Energy Burger Power Plant.

Assessing Ground Water Conditions

An overview of Ohio ground water quality conditions was incorporated into the Agency's 2010 Integrated Water Quality Report. Statewide, nitrate is the most commonly identified contaminant that has impacted ground water in Ohio. Naturally occurring contaminants such as arsenic, iron and manganese are also frequently detected at concentrations that require treatment by public water system operators. At facilities with site-specific ground water monitoring programs, the most commonly detected contaminants were volatile organic chemicals (such as trichloroethylene, vinyl chloride, cis-1,2 dichloroethylene, benzene, tetrachloroethylene) and metals.

Ensuring Compliance

The division continued to work with U.S. EPA to reduce the number of Ohio public water systems identified as significant non-compliers. Since July 2008, there has been a 90 percent reduction in the number of such systems, a result of Ohio EPA's technical assistance, enforcement actions and data verification.

DDAGW finalized 39 enforcement actions in SFY10. The finalized enforcement actions included seven referrals to the Attorney General's office; 11 bi-lateral compliance agreements; 15 director's Findings and Orders; and six conditioned licenses-to-operate. For the first time, conditional operating licenses were used as an enforcement tool as a way to encourage public water systems to return to compliance quickly. As part of these enforcement actions, DDAGW assessed \$62,850 in penalties, \$9,055 of which were used for supplemental environmental projects.

Division of Environmental and Financial Assistance

The Water Pollution Control Loan Fund (WPCLF) and the Water Supply Revolving Loan Account (WSRLA) support major Ohio EPA priorities to protect public health and improve water quality. In 2010, in addition to ARRA projects, the division awarded nearly \$243 million in WPCLF low-interest loans and almost \$10 million in WSRLA low-interest loans. WPCLF awards included 32 loans for \$231 million for wastewater treatment improvements, five Water Resource Restoration Sponsor Program (WRRSP) projects for almost \$5 million to restore and permanently protect stream and wetland habitat, and 125 linked deposit loans for nearly \$7 million to fund agricultural best management practices and septic system improvements. The WSRLA awards were made to seven systems for improvements to ensure that the treatment plants continue to provide safe drinking water.

Preservation Parks of Delaware County - North Big Run Preserve

Preservation Parks of Delaware County received a \$3 million WRRSP loan for an eight-year term to fund the acquisition of conservation easements on 101 acres of high-quality riparian and headwater areas for the creation of the North Big Run Preserve. This financing will save Preservation Parks an estimated \$164,000 when compared to market-rate financing. The proposed preserve includes a 4,200-foot corridor of Big Run, a high-quality primary headwater habitat stream that contains aquatic organisms indicative of cold water habitat. The addition of North Big Run Preserve will extend Preservation Parks' protection of Big Run to 12,700 linear feet of stream corridor, and 166 acres that include Big Run and its tributaries. North Big Run Preserve contains old growth forest that the Ohio Department of Natural Resources considers one of the highest quality remaining woodlands in the greater Columbus area, meriting state nature preserve status. The proposed preserve supports a diverse assemblage of terrestrial plants and animals, including at least 40 species of birds and 160 plant species. The potentially-threatened round-leaved dogwood (*Cornus rugosa*) is also located on the site. Protection of Big Run, its tributaries and riparian zones will also benefit the Olentangy River, which is designated a State Scenic River at its confluence with Big Run.

City of Canton – Northeast Water Treatment Plant Upgrade

The City of Canton received a \$9 million WSRLA loan at a 2 percent interest rate for 20 years to fund upgrades to worn and dated plant components at the Northeast Water Treatment Plant. Canton will save more than \$2.5 million over the life of the loan when compared to market-rate financing. The improvements will ensure that the treatment plant continues to provide a safe source of drinking water for Canton water customers.

Fulton County - Riviera Mobile Court Sanitary Sewer

Sampling from the existing Riviera Mobile Court wastewater treatment plant shows unacceptable levels of bacterial contamination entering the receiving stream, causing a nuisance and threat to human health. Fulton County received a \$40,086 interest-free WPCLF loan for 20 years to fund abandonment of Riviera's failing wastewater treatment plant and construction of its replacement with facilities that allow connection to the Village of Fayette's wastewater treatment system. The county will save \$65,000 over the life of the loan when compared to market-rate financing. Completion of this project will eliminate the discharge of poorly treated sewage to a tributary to Stag Run, a warmwater habitat stream.

Trumbull County – West Bolindale Sanitary Sewer

Trumbull County received a \$149,380 interest-free 20-year WPCLF loan to fund the West Bolindale Sanitary Sewer project, which will eliminate failing septic systems. Trumbull County will save \$76,000 over the life of the loan when compared to market-rate financing. The project involves construction of a sanitary sewer in southwest Howland Township to serve 77 homes. Wastewater from the project will be treated by the City of Warren. The project will eliminate the public health risk posed by the failing septic systems and will protect water quality in the Mahoning River.

Division of Emergency and Remedial Response

The division oversees investigation and cleanup of hazardous substances and wastes that present a threat to human health and the environment, provides initial time-critical response to these threats, and oversees cleanup of unplanned releases of pollutants due to spills, accidents and other events.

Responding to Emergencies

The Emergency Response (ER) program received approximately 10,000 calls on the toll-free emergency spill hotline in SFY10, plus an unrecorded number of non-emergency calls. Duty officers completed 3,886 initial pollution incident reports for incidents involving releases of hazardous substances, oil and other pollutants. Approximately one fourth of these reports were received after regular business hours.

On-scene coordinators responded to 1,011 emergency incidents to investigate, clean up and provide technical assistance to local and federal first responders. They also provided technical assistance by phone for an additional 386 incidents.

In SFY10, duty officers received 119 reports regarding mercury, responded to 84 mercury spill incidents and provided technical assistance by phone for 12 more. The program collected more than 759 pounds of mercury for disposal at Bowling Green State University's Elemental Mercury Collection and Reclamation Program.

Addressing Abandoned Waste

The Orphan Drum Program received 63 complaints of abandoned drums on the toll-free emergency spill hotline in SFY10, plus an unrecorded number of non-emergency and technical assistance calls.

As a result of the recorded complaints, division staff members investigated and characterized 42 drum sites containing unknown wastes and ensured that they were properly cleaned up. The sites cleaned contained 149 containers, one compressed gas cylinder and a 250-gallon tote for a total of approximately 4,000 gallons of hazardous materials.



Ohio EPA maintains a team of approximately 45 staff members who are designated as HAZMAT-qualified responders. To remain qualified, each employee must undergo rigorous training throughout the year and complete the Agency's annual HAZMAT qualification training.

Promoting Property Reuse

Through the Voluntary Action Program (VAP), the division issued 40 covenants not to sue to properties deemed protective of human health and the environment and available for productive reuse. Since the inception of the program, more than 7,500 acres of Ohio land have been made available for reuse.

The program provided technical assistance to 68 property owners or volunteers to facilitate voluntary action activities. Pass-through brownfield grants from U.S. EPA financed free assistance for 19 municipalities. The assistance allowed the municipalities to make significant progress with their site assessments and cleanups.

The Site Assistance and Brownfield Revitalization (SABR) section assists local governments with the cleanup and marketing of contaminated and potentially contaminated properties, at conferences, through the web and other venues by:

- coordinating targeted brownfield assessments (TBAs);
- overseeing brownfield programs;
- marketing cleanup programs;
- maintaining the brownfield inventory;
- coordinating the VAP professional and laboratory certification and training programs;
- overseeing the VAP environmental insurance program; and
- providing outreach and training to local governments.

SABR assists the Ohio Department of Development with management of the Clean Ohio Fund, providing technical assistance to applicants and reviewing grant applications. The division conducted 16 TBAs during SFY10 to determine if contamination exists at properties around the state. To date, Ohio EPA has used TBAs to assess more than 1,187 acres at 65 properties. TBAs are conducted free of charge at the request of local governments. The results of these assessments can help communities plan for cleanup and redevelopment of brownfield properties.

Assessing Environmental Conditions

Ohio EPA performs site assessments where there is suspected contamination to determine whether additional investigation or remedial action is needed to address threats to human health or the environment. During SFY10, division staff members completed 12 state site assessments and 10 federal site assessments to begin this evaluation.

Site Investigation, Cleanup and Enforcement

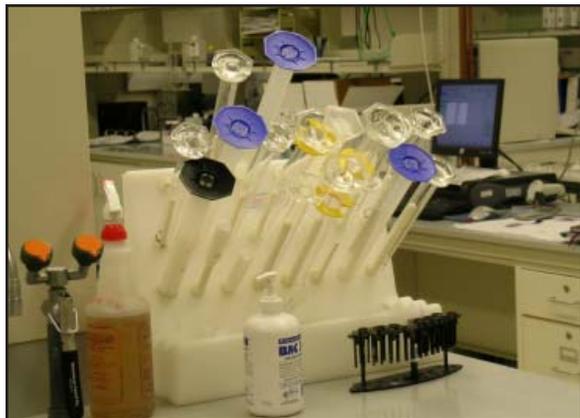
During SFY10 the Remedial Response program, a part of DERR's Assessment, Cleanup and Reuse (ACRE) section, oversaw investigation and cleanup activities at more than 80 sites across the state. A total of six new administrative orders were successfully negotiated in SFY10, while four additional orders remained in negotiation.

Additional SFY10 remedial response activities included:

- continued negotiation of six Natural Resource Damage Assessment (NRDA) cases;
- development of preferred cleanup plans and final decision documents for six sites;
- ongoing enforcement actions in 12 cases; and
- bankruptcy settlement negotiations in seven cases involving 17 sites.

Division of Environmental Services

The Division of Environmental Services (DES) is the Agency's analytical laboratory. In SFY10, the laboratory received 9,185 samples for analysis. Sample analysis resulted in approval of 131,118 inorganic and 129,791 organic test results.



Water Quality

Included in the analyzed samples were fish tissue samples for Ohio EPA's ongoing environmental investigation in the village of Clyde. To analyze these samples, the division reinstated analysis for volatile organic compounds (VOCs) — a method which had not been used since SFY95. The division also reinstated Quantitray tests for *E. coccus*, *E. coli* and total coliform for the Division of Drinking and Ground Waters, and began to research and develop methods to analyze algal toxins in drinking water.

The division evaluated and extended holding times to accommodate a request from the Division of Surface Water to increase lab capacity for analysis of nutrient parameters in sediment samples.

DES also conducted inspections at eight wastewater laboratory facilities, including municipal wastewater treatment plant and commercial wastewater laboratories, and issued six performance audit reports under the auspices of U.S. EPA's Discharge Monitoring Report Quality Assurance program.



Air Pollution

At the request of the Division of Air Pollution Control, lab staff conducted a degradation study. For the study, the same set of air canister samples were analyzed four times over a period of three weeks, and the scientists determined that VOCs do not degrade over time.

Increased Efficiency

As part of the laboratory's continuing effort to increase efficiency through the use of the Environmental Laboratory Information Management System (ELIMS), data management was expanded to include the integration of quality assurance/quality control components for metals and nutrients analysis; this decreased the amount of time required to review the sample data for accuracy. DES also developed and implemented electronic paperless data reporting, which also includes real-time data retrieval, for the benefit of its customer divisions.

Drinking Water

DES is Ohio's designated primacy laboratory to perform analysis of drinking water samples. The laboratory successfully passed an audit by U.S. EPA to maintain its certification to perform analysis of drinking water samples.

DES participated in annual water supply and wastewater performance evaluation studies. These studies are used to assess the proficiency of the laboratory in the analysis of drinking water and wastewater samples. DES passed both with acceptable scores. All drinking water laboratories in Ohio are inspected and certified by DES staff as having proper equipment and facilities as well as trained staff employing proper analytical techniques in order to ensure the safety of water obtained from public water systems.



Staff working in the division's Drinking Water Laboratory Certification program conducted 345 chemistry and 126 microbiology inspections of drinking water laboratories, and reviewed 312 applications for analyst and facility certifications, 14 plans for construction or remodeling of drinking water laboratories, and 85 correction statements provided by the laboratories in response to deficiencies discovered during the on-site inspections.

Site Cleanup

One DES employee worked in the Voluntary Action Program Laboratory Certification program. During the first quarter of SFY10, the employee reviewed eight laboratory documents, audited two laboratories, and issued one certification action for the program.

Technical Assistance

In addition to the laboratory analysis work conducted for Ohio EPA, staff members also responded to 2,576 technical assistance requests from individuals outside Ohio EPA; 1,030 technical assistance requests from Ohio EPA staff; and 1,799 sample submission coordination calls. Laboratory employees provided training or presentations at 12 non-Ohio EPA events with more than 240 participants, as well as 14 Ohio EPA events with more than 40 participants.

Division of Hazardous Waste Management

The division monitors hazardous waste from creation to final disposal. This includes evaluating compliance and issuing permits to facilities that generate, treat, transport, store or dispose of hazardous waste; providing technical assistance; and ensuring that facilities follow established laws and rules when ceasing operations.

Providing Technical Assistance and Outreach

During SFY10, division employees provided technical assistance and educational outreach to the public and regulated community through 826 phone calls, faxes, e-mails, letters and the Agency's frequently asked question application, the Answer Place. They also spoke to nearly 500 people with four presentations and three sessions at the annual compliance conference; and wrote 18 newsletter articles. In addition, staff members chaired a national association's program information and exchange subcommittee and served as a representative for the Ohio Lead Prevention committee. Staff also regularly provided expertise in national discussions regarding the definition of solid waste.

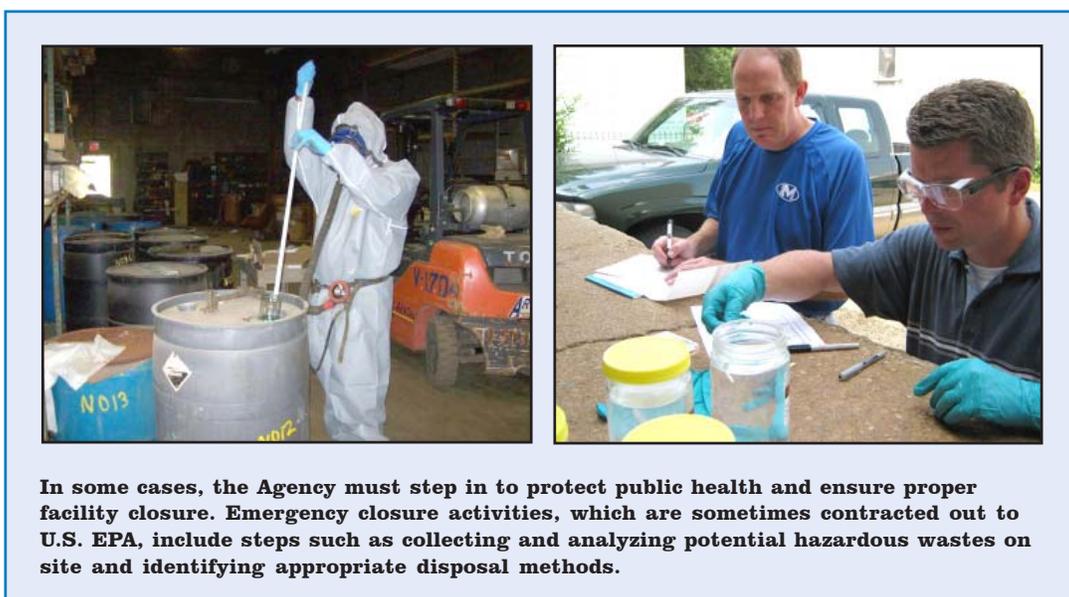
Ensuring Safe Closure of Facilities Containing Hazardous Waste

Through the Cessation of Regulated Operations (CRO) program, when a facility permanently ceases regulated operations, the owner or operator must remove all regulated substances from the property to avoid threats to human health or the environment posed when materials are irresponsibly abandoned. The division saw a decrease in the number of facilities subject to the CRO program during SFY10.

Staff members inspected 50 facilities and received certifications from 47 companies that completed CRO activities, resulting in the removal and proper disposal of millions of gallons and pounds of regulated substances.

For example, the Delphi facility in Moraine removed approximately 140,000 pounds of regulated substances — including hydrochloric acid, gasoline, ammonia, and lubricating and heating oils — to comply with the CRO program.

The Chemix Corporation facility in Berea removed more than 400 different types of regulated substances including barium chloride, calcium nitrate, dipotassium phosphate and sodium tripolyphosphate.



Hazardous Waste Generation Drops Significantly

During SFY10, division staff reviewed 986 annual hazardous waste generator reports, which show that Ohio's waste generation is lower than it has been since 1996 (more than 1.3 million tons).

Approximately 72 percent of the filers submitted their reports through Ohio EPA's eBusiness Center via the division's eDRUMS web-based annual report service. This new service provided report filers with a more efficient way to submit reports, and division staff with a more efficient way to review them. The reports help ensure appropriate waste management and environmental protection.

eBusiness Center

Ensuring Compliance

Staff members conducted 656 compliance evaluation inspections, including 115 at large quantity hazardous waste generators and 56 at hazardous waste treatment, storage and disposal facilities. They also completed 110 financial record reviews and 406 focused compliance inspections.

The division investigated 335 citizen complaints to determine compliance with hazardous waste rules. In addition, the program issued 25 enforcement orders that assessed \$880,170 in civil penalties and required six companies to clean up areas where hazardous waste was not managed properly.

Division of Solid and Infectious Waste Management

The division regulates the disposal of solid waste (including municipal, industrial and residual wastes and scrap tires); infectious waste; composting; and construction and demolition debris waste.

State Plan Updated to Address Recycling and Waste-to-Energy

Ohio EPA finalized a new state solid waste management plan that establishes reduction and recycling goals for Ohio and its 52 solid waste management districts. The plan focuses on improving the effectiveness of community recycling and outreach programs.

The plan also supports the use of technologies that use waste to produce energy. To fulfill this strategy, Ohio EPA will investigate streamlining regulation of waste-to-energy facilities and continue to explore ways to reduce landfill gas emissions and increase recovery of landfill gas for energy. Ohio EPA will work to monitor and evaluate the impact Ohio landfills have on greenhouse gas emissions, particularly methane.

Finding New Options for Food Waste Disposal

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, the division continued to expand the Ohio Food Scraps Recovery Initiative. This environmentally progressive project continues to gain interest and momentum, resulting in the development of Ohio's food scraps composting facility infrastructure and the permanence of commercial and residential programs.

Participating businesses include supermarkets, restaurants, conference centers, stadiums, amusement parks, hospitals, zoos and universities. The Kroger Company, which piloted stores in its Columbus division in 2008, has since expanded the program to 44 locations (one-third of the Columbus Division). Through SFY10, The Kroger Company has diverted more than 3,500 tons of waste from Ohio landfills and converted this material into a nutrient-rich resource.



In SFY10, Cleveland venues — including Browns Stadium, Cleveland Metroparks Zoo, Progressive Field and Quicken Loans Arena — began collecting and sending food scraps to area composting facilities. Colleges, universities and other organizations continue to compost on site, when available as an option.

The city of Huron launched Ohio's first residential curbside food waste collection program in 2009. In 2010, the village of Luckey (Wood County), Fairborn (Greene County), West Milton (Miami County) and Miami Township (Montgomery County) followed suit to offer residents food scrap collection to supplement existing yard waste collection programs. Collectively, residential and commercial food scraps collection programs have resulted in a 25 percent increase in recovered food scraps from 2008 to 2009.

In 2009, food scraps composted by licensed composting facilities resulted in the reduced emissions of the equivalent of 26,374 metric tons of carbon dioxide. This reduction of greenhouse gas emissions is equivalent to removing 5,043 passenger vehicles from roadways, conserving nearly three million gallons of gasoline or providing annual electricity needs to 3,201 homes.

New Electronic Disposal Fee Reporting System

On July 1, 2009, the division made a new service available on the Agency's eBusiness Center called DSIWM Disposal Fees. This web-based software is the first step of an overall effort to improve efficiency and reduce costs associated with report and application processing and submission.

eBusiness Center

With this new system, the regulated community can electronically file municipal solid waste and construction and demolition debris disposal fee reports, eliminating the need for a notary signature and reducing a portion of mailing costs.

System updates planned for SFY11 will allow facilities to pay disposal fees through electronic funds transfer, further reducing costs by eliminating the need for producing and mailing paper checks. An added benefit of the new system is the ability for the regulated community to review past monthly disposal fee submittals for all of their facilities in one convenient, web-based location.

Preventing and Eliminating Scrap Tire Dump Sites



Ohio EPA contractors removed 294,498 passenger tire equivalents (more than 2,945 tons) of tire material from 89 sites in 32 of Ohio's 88 counties. 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.

SFY10 scrap tire cleanups included two enforcement sites (nearly 139,000 passenger tire equivalents) and 87 other sites (nearly 156,000 passenger tire equivalents) remediated under consensual agreements, which are not subject to cost recovery. Consensual agreements are used for sites with fewer than 2,000 tires where the scrap tires were inherited with the property or open dumping has occurred without the property owner's knowledge or consent.

The majority of consensual agreement cleanups are sites that developed during the decades without scrap tire regulations rather than recent dump sites. Continuing program activities also included operation of a toll-free hotline to report tire dumps and the Ohio West Nile Virus Prevention Program.

Other sites, which are the result of open dumping by individuals and unregistered scrap tire transporters, are being cleaned up by local governments. The local government provides the manpower to collect the tires and the State's Scrap Tire Fund then pays for processing at an approved scrap tire recovery facility. This is an excellent example of state and local government cooperation.

In SFY10, Ohio EPA partnered with the Ohio Department of Natural Resources to initiate the Tire Amnesty Grant. The program, created in October 2009, provides for the transfer of up to an additional \$500,000 dollars to the scrap tire grant fund for scrap tire amnesty events and scrap tire cleanup events.

The grant program, which funded 28 projects in SFY10, provides financial assistance to Ohio's local governments, businesses, schools, state colleges or public universities, health districts, soil and water conservation districts and non-profit organizations to:

- design a program to promote sustainable scrap tire collection drives;
- sponsor a drop-off effort during a specified period of time; and
- engage in targeted clean-up events.

Addressing Abandoned Landfills

Ohio EPA's orphaned landfill program, funded by site-specific trust funds and penalties collected in other solid waste enforcement cases, addresses problems at abandoned landfills. To qualify for inclusion in the program, all enforcement actions against responsible parties must be complete and the director of Ohio EPA must determine that a significant threat to public health, public safety or the environment exists.

Remediation at the Scioto Sanitation Landfill in Wheelersburg began in August 2009. This 93-acre landfill operated from 1962 to 1989. Following an enforcement action in which Ohio EPA obtained a small amount of financial assurance, the owners and operators abandoned the facility. Twenty years of neglect had resulted in significant erosion. Leachate and solid waste were being washed off site and across a public road. The erosion was also threatening to cause a slope failure at the landfill; this could have exposed a significant amount of solid waste. Nearly \$245,545 of financial assurance was used to repair the access road and eroded areas, improve surface water drainage and create a sedimentation pond. Additional work planned for SFY11 will extend runoff controls.

Closure of the Mercomp closed landfill was initiated in September 2009. Ten years after the Brooklyn, Ohio landfill was closed through an enforcement action, the blower motor on an active landfill gas extraction system failed. To prevent off-site migration of explosive landfill gases to neighboring buildings, Ohio EPA used \$31,748 of financial assurance money to convert the active system to a passive vent system and add additional gas interception trenches and vents. The Cuyahoga Health Department continues to monitor landfill gases at this site to verify that there is no off-site migration.

Cleanup of the Kerns open dump removed 7,430 tons of solid waste from this open dump in Scioto County and properly disposed of it in a landfill.

Exit C&D Landfill is a closed construction and demolition debris landfill facility in Stark County. In 2009, the north slope of the landfill began to show evidence of a subsurface heating event including significant cracking, odors, development of a sinkhole, and high field readings of carbon monoxide, volatile organic compounds and hydrogen sulfide. The landfill owners walked away from the site and the health department was financing maintenance of the facility. The health department, however, did not have the resources to deal with the issues associated with the subsurface heating event.

Ohio EPA contracted with a company to address the issues at the site. Work began in March 2010 and was completed in June 2010.



At Exit C&D landfill, considerable subsidence and cracking revealed the rapid deterioration of site conditions.

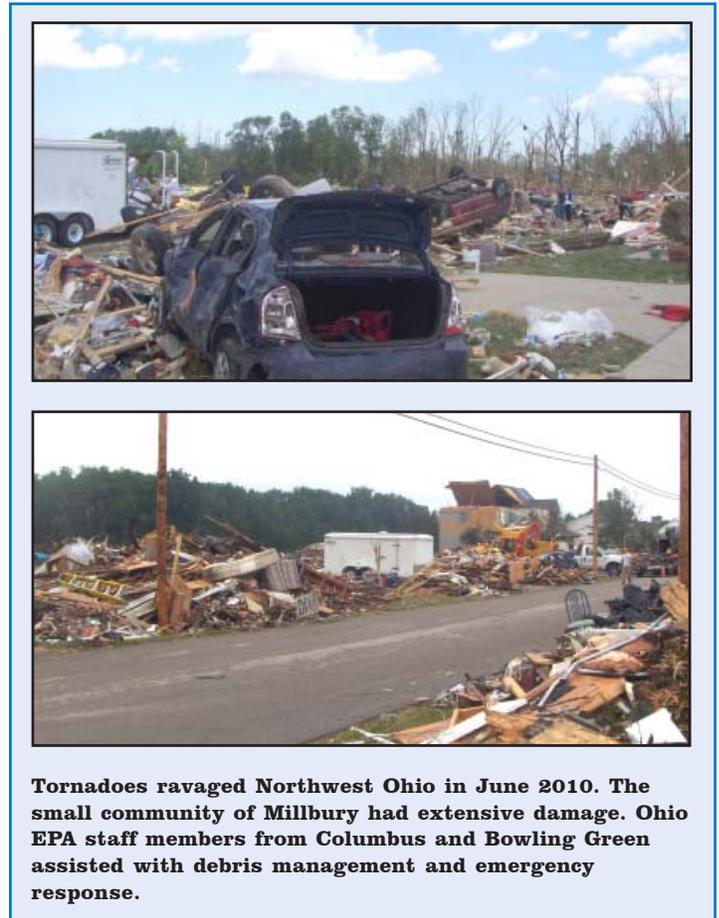
A&L Salvage CDD Landfill, a construction and demolition debris landfill in Columbiana County. A&L Salvage stopped disposing of waste in February 2009, but never capped and closed the facility as required under Ohio law. In subsequent months, Ohio EPA inspectors and residents living around the landfill reported periods of intense hydrogen sulfide odors. The landfill's owners agreed to forfeit more than \$4 million in financial assurance bonds so the money could be used to cap and care for the landfill.

Ohio EPA contracted with a company to address the issues at the site. The multi-million dollar project is expected to provide residents relief from landfill odors.

Responding to Northwest Ohio Tornadoes

The division assisted local efforts in Fulton, Wood and Ottawa counties as communities responded to the devastation left by tornadoes that rolled through northwestern Ohio in June 2009. Ohio EPA issued a temporary increase to the Hoffman Road Landfill's acceptable daily limit of solid waste and a first-of-its-kind fee waiver. This waiver, in conjunction with the city's offer to waive its tipping fee, allowed solid waste to be disposed in the landfill at no cost.

Staff members were present in the field at the three main sites of devastation over a two- to three-week period. In addition to providing technical assistance to local responders regarding the appropriate ways to segregate and manage waste, staff members assisted emergency management officials with communication; helped direct volunteer efforts to the locations with the greatest need; staged propane tanks and batteries; and assessed debris areas to target with volunteer clean-up crews. Local officials all concurred that Ohio EPA's presence benefitted the clean-up effort.



Tornadoes ravaged Northwest Ohio in June 2010. The small community of Millbury had extensive damage. Ohio EPA staff members from Columbus and Bowling Green assisted with debris management and emergency response.

Ensuring Compliance

The division issued 20 enforcement orders, assessed more than \$154,414 in cash penalties and secured more than \$39,464 toward implementation of supplemental environmental projects.

In cooperation with the division, the Ohio Attorney General's Office secured six judgments that included \$8.1 million in cash penalties and \$3 million toward supplemental environmental projects.

Division of Surface Water

The division's programs are aimed at making Ohio's lakes, rivers and streams fishable and swimmable, as required by the federal Clean Water Act. Many of the program activities, such as stream surveys, permitting and the development of watershed restoration plans are directed along watershed boundaries.

Financing Water Quality Projects

The division awarded nine federal subgrants to local governments, watershed groups and others totaling more than \$3.2 million. Projects to be completed under these grants include restoration of more than 27,370 linear feet of streams and 33 acres of riparian forests and habitat; restoration of 28 acres of wetlands and vernal pools; reclamation of 29 acres of previously unreclaimed abandoned mine land; removal of four low-head dams and more than 650 linear feet of levees; and protection of more than eight acres under conservation easements. Through the new Surface Water Improvement Fund, the division awarded 16 grants totaling more than \$888,000 to fund local restoration and innovative storm water management projects. The grant funds came from a variety of sources, primarily Supplemental Environmental Projects (SEPs) and contributions.

The division participated in the development of the Great Lakes Restoration Initiative (GLRI). Ohio EPA received approximately \$4.2 million to support five projects including: the development of an Ohio Lake Erie nearshore monitoring program; habitat restoration in the Ashtabula River area of concern; development of a Total Maximum Daily Load (TMDL) report for the Ottawa River near Lima; support of a variable rate technology program to improve nutrient application on agricultural land in northwest Ohio; and support of a grant program to fund surface water improvement projects in Cuyahoga County. Ohio EPA also received a \$1 million grant to continue support of Ohio's Remedial Action Plan program and the implementation of the Lake Erie Lakewide Management Plan.



Addressing Water Quality Concerns

After three years of assessment and discussion, the Ohio Lake Erie Phosphorus Task Force — chaired by Ohio EPA — released its recommendations report in April 2010. The primary finding was that increasing dissolved phosphorus concentrations in Lake Erie tributaries appear to be directly related to the timing, amount and method of application of phosphorus fertilizer and manure to agricultural lands. The report highlighted best management practices and additional research needed to better identify sources and methods to further reduce dissolved phosphorus loads.

The division conducted water quality monitoring in the following water bodies: middle Great Miami River; upper Scioto River; Sandusky Bay tributaries; lower Sandusky River; central Ohio River tributaries; and Killbuck Creek.

A Total Maximum Daily Load (TMDL) report is a written, quantitative assessment of water quality problems in a waterbody and contributing sources of pollution. It specifies the amount a pollutant needs to be reduced to meet water quality standards, allocates pollutant load reductions, and provides the basis for taking actions needed to restore a waterbody. The division received approval from U.S. EPA on TMDL reports for the following watersheds: Swan Creek; Blanchard River; Tuscarawas River; Hocking River; Nimishillen Creek; Mad River; White Oak Creek; Twin Creek; Yellow Creek; and Walnut Creek.

Harmful Algal Blooms

In 2007, Ohio EPA participated in a national study of water quality conditions in lakes across the United States by collecting one day of sampling data in 19 Ohio lakes. Water samples taken by Ohio EPA in Grand Lake St. Marys contained microcystin levels almost 4 times above the World Health Organization benchmark criterion for moderate risk for recreational contact.

Sampling of Grand Lake St. Marys continued on a regular basis in 2009 and 2010. In 2009, results showed an ongoing problem with *Planktothrix*, a blue-green algae that can produce microcystin toxin. The toxin can potentially cause skin rashes from dermal (skin) contact; sore throat, runny eyes and nose or allergic reactions from inhaling water droplets; and gastro-intestinal distress (vomiting, diarrhea) from swallowing the water. It can be toxic to the liver and kidneys if ingested in significant quantities and can sometimes cause death in small animals, such as dogs. *Planktothrix* can also produce neurotoxins that can cause weakness or dizziness, breathing difficulty and convulsions.



Harmful algal blooms include blue-green algae, which are actually a type of photo-synthesizing bacteria called cyanobacteria. Harmful algal blooms occur when excess nitrogen and phosphorus are present in lakes and streams. Such nutrients can come from runoff of over-fertilized fields and lawns, malfunctioning septic systems and livestock pens. The color of the blooms varies and in addition to the blue-green color seen here, can also be white, brown, purple or black.

Based on the sampling results, Ohio EPA, the Ohio Department of Natural Resources and Ohio Department of Health began sampling the lake's water weekly throughout the summer of 2009 to monitor levels of microcystin. When sampling results continued to show the increasing presence of microcystin, the three agencies posted advisories urging people to be cautious and minimize their contact with the lake's water during recreational activities such as boating, skiing and swimming. Ohio EPA created a webpage to keep the community updated on the latest sampling results and advisory information.

Due to the issues found at Grand Lake St. Marys, Ohio EPA and ODNR worked together during the summer of 2009 to gather and assess microcystin information from Lake Loramie, Indian Lake and Buckeye Lake which have physical characteristics in common with Grand Lake St. Marys. Samples from those lakes ranged from no detection to low levels of microcystin and no advisories were issued.

Because algal toxins are an emerging issue in the scientific community, Ohio EPA will have ongoing communication with scientists and laboratories that are studying this topic. Sampling of inland lakes continued throughout the summer of 2010, with much higher and more wide-spread instances of positive microcystin sampling results. In addition, other types of cyanobacteria, including *Aphanizomenon*, another liver toxin and two nerve toxins were detected in Grand Lake St. Marys and in other lakes in 2010.

Celebrating Water Quality Improvements

The division released and received U.S. EPA's approval on the final 2010 Integrated Report, which highlights the accomplishment of Ohio's goal for large rivers – achieving 89 percent aquatic life use attainment by 2010. The report also announced two new goals for 2020: achieving 100 percent aquatic life use attainment for large rivers and 80 percent aquatic life use attainment at wading and principal stream and river sites (sites more than 20 square miles and less than 500 square miles).

In June 2010, the division released a report summarizing the water quality improvements resulting from the Olentangy River Restoration Project within the city of Delaware. Nearly three miles of previously non-attaining river are now fully attaining the designated warmwater habitat aquatic life use. Highlights of the project include: removal of four low-head dam structures; replacement and/or repair of 126 failing household sewage treatment systems; acquisition of 60 acres of very high quality riparian and headwater areas; acquisition of conservation easements on 175 acres of high-quality riparian and headwater areas; enrollment of more than 10,000 agricultural acres in Scioto River Conservation Reserve Enhancement Program; and development and implementation of the Olentangy River construction storm water permit.



To highlight the success of the Olentangy River restoration project, Ohio EPA biologists sampled for fish near the former site of the Central Avenue Dam in Delaware, Ohio, and shared details about the species collected, and importance of restoring and maintaining water quality.

Regulating Wastewater Discharges

The division met discharge permit issuance goals for the seventh straight year, renewing more than 440 permits and conducting more than 2,400 compliance inspections at regulated facilities. Compliance assistance staff members also provided on-site technical assistance to more than 30 wastewater treatment plants.

Staff members continued to work with Ohio's combined sewer overflow (CSO) communities to meet U.S. EPA's national compliance goal through methods such as issuance of discharge permits and consent decrees. Ohio met U.S. EPA's goal when, at the end of SFY10, 72 of Ohio's 89 CSO communities complied with the requirements.

Ensuring Compliance

The division issued 41 enforcement orders, assessed approximately \$210,316 in cash penalties and secured \$37,816 toward implementation of supplemental environmental projects. In cooperation with the division, the Attorney General's Office secured six consent orders that included \$177,903 in cash penalties and \$510,000 toward supplemental environmental projects.

Office of Special Investigations

The Office of Special Investigations specializes in investigating complex criminal activity and has the flexibility to cross program boundaries in the course of its investigations. Their investigation of environmental crime allegations can result in criminal, civil and administrative enforcement.

The activities below are examples of situations that may warrant investigators' involvement:

- illegal disposal or abandonment of hazardous waste, solid waste or construction and demolition debris;
- burial of waste at unpermitted locations;
- unpermitted discharges into waters of the state;
- unpermitted emissions of toxic air pollutants;
- open burning;
- bypassing treatment systems;
- filling of wetlands;
- rip and tear asbestos projects;
- falsification of documents such as manifests, waste receipt logs and monthly operating reports; and
- making false statements to regulatory personnel.

Ensuring Compliance

In SFY10, staff members conducted 165 investigations, obtaining 28 convictions that resulted in 31 felony counts and 27 misdemeanor counts. These convictions resulted in approximately \$253,150 in fines; \$458,910 in restitution; 205 days of jail time; 47 years of probation; 22 months of home arrest; and 650 hours of community service. Additionally, \$150,000 was donated to three local soil and water conservation districts. In addition, members of OSI serve on Ohio EPA's Counter-Terrorism Response Team and are trained to work as first responders in hazardous environments (chemical, biological and radiological).

Largest Egg Producer in Ohio Guilty of Water Pollution Violations

During recent years, Ohio EPA has an average of approximately 30 reports of manure releases from agriculture facilities per year. One of these cases involved Ohio Fresh Eggs (OFE), a concentrated animal feeding operation located in Marseilles, Ohio. OFE is the largest egg producer in the State of Ohio, with several operations in northern and central Ohio. The Marseilles facility houses approximately three million egg-laying chickens.

At the facility, eggs are washed prior to shipment and the resulting wastewater, which contains broken eggs, soap and a minor amount of manure, is collected in a large lagoon. OFE has a permit to properly apply the wastewater to a nearby field under specified conditions.

OFE's contractor directed a crew that over-applied hundreds of thousands of gallons of the wastewater to a frozen field. As a result, the contaminated water flowed off of the field and through a series of drainage tiles, into Kreisel Ditch and subsequently into Tymochtee Creek.

As a result of the investigation, OFE and its contractor pled guilty to a misdemeanor charge of negligently violating the Clean Water Act. The company received a \$150,000 fine and \$150,000 in community service donations to the following organizations: Wyandot County Soil and Water Conservation District (\$50,000); Marion County Soil and Water Conservation District (\$50,000); and the Sandusky River Watershed Coalition (\$50,000). The contractor was sentenced to 50 hours of community service and three months of probation.

Investigative Coordination Uncovers Illegal Burial of Trash Truck, Tons of Garbage and Scrap Tires

In SFY10, the office participated in a coordinated investigation with The Solid Waste Authority of Central Ohio (SWACO), the Franklin County Sheriff's Department and the Franklin County Prosecutor's Office. The case involved the discovery of an illegally buried trash truck, tons of trash and thousands of tires.

A criminal search was executed and crews dug for two days to recover evidence and clean up the site. Staff members oversaw the excavation of the truck and tires and coordinated a contractor to clean up and properly dispose of 31 tons of mixed solid waste; 29 tons of recyclable waste (metal wheel rims); and 180 tons of tires. Investigators worked closely with the Division of Solid and Infectious Waste Management, which distributed more than \$48,000 from Ohio's Scrap Tire Management Fund to remove, shred and dispose of the tires.

The man responsible for the illegal burial pled guilty to seven felonies (five charges of operating a solid waste landfill without a license and two charges of open dumping) as well as a misdemeanor water pollution charge. Sentencing resulted in six months incarceration; \$120,000 restitution; 40 hours of community service removing trash from Franklin County roadways; and three years of probation.



OSI oversees the excavation of the illegal tire dump and buried garbage truck.

Office of Compliance Assistance and Pollution Prevention



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

Technical Assistance Efforts

In SFY10, the office helped more than 2,100 Ohio businesses and 634 other customers with pollution prevention and compliance needs, and conducted 240 site visits to help Ohio companies develop and complete compliance and pollution prevention projects.

Staff members conducted 56 presentations and training events, reaching more than 1,900 individuals. In northeast Ohio, staff members coordinated a series of training events to help communities and businesses prepare for new municipal storm water requirements and provide certification for storm water personnel. The office also distributed 17,195 publications; developed 38 new publications; and published four issues of the *Compliance and Prevention Quarterly* newsletter for distribution to more than 5,200 people.

Helping Businesses Succeed

OCAPP completed a 2.5-year sustainability initiative with Worthington Industries to survey nine of the company's Ohio facilities to identify opportunities to improve operating efficiency, enhance economic performance and reduce its environmental impacts.

The office continued to lead Ohio EPA's participation in a multi-state Environmental Results Program to help auto body shops comply with federal air rules for paint stripping and surface coating. The program is an innovative way to help small businesses assess compliance with environmental regulations by using surveys, compliance assistance, self-certification and statistical analysis. Office staff members completed 38 site visits and completed a number of other activities to support this program in SFY10.

To reduce the impact of mercury on the environment, OCAPP worked with the Ohio Dental Association and other partners to develop the Ohio Good DEED (Dedicated to Environmental Excellence in Dentistry) recognition program. The program encourages dental offices to install mercury amalgam separators to reduce the amount of mercury going to local wastewater treatment plants.

OCAPP coordinated the Awards for Outstanding Achievement in Environmental Stewardship and recognized six Ohio companies and other organizations for their commitment to being outstanding stewards of Ohio's environment.

Office of Legal Services

The Legal Office provides legal counsel to Ohio EPA divisions and offices and provides support functions for certain legal requirements. The legal work generated by the Agency can be grouped into four categories.

- **General counsel activities**
 - researching and drafting legal opinions;
 - review of rules and proposed legislation;
 - legal reviews of public records requests; and
 - advice on day-to-day issues that may arise.
- **Enforcement activities**
 - development, negotiation and resolution of administrative enforcement activities;
 - development of unilateral Findings and Orders;
 - preparation of referrals to the Attorney General's Office;
 - litigation support in complex cases; and
 - advice in preparing enforcement cases.
- **Adjudication hearings**
 - conducted for proposed actions of the director where a hearing is requested.
- **Support staff activities**
 - collection and filing of certified records at the Environmental Review Appeals Commission;
 - maintenance of the director's journal room;
 - publication of the *Weekly Review*; and
 - publication of public notices for director's actions.

Office of Equal Employment Opportunity

In SFY10, the Office of EEO investigated five formal complaints of discrimination and provided counseling on eight informal complaints. In addition to investigation and counseling, EEO also sought out and arranged for employee awareness training to increase knowledge of Hispanic culture, Americans with Disabilities Act and the Islamic faith/Muslim community.

EEO staff members organized the annual Black History Month celebration during February. EEO's regional program administrators completed coursework from the Ohio Department of Administrative Services and OSU's Office of Continuing Education to earn their Executive EEO Practitioner status.

The office is also involved in the Agency's diversity council, a group of 13 Agency employees dedicated to promoting diversity awareness. In SFY10, the council sponsored the Agency-wide International Day event. The council continued to develop and distribute information to employees through e-mail and bulletin board postings.

Office of Information Technology Services

Easing Electronic Reporting

The Office of Information Technology Services worked closely with the Division of Hazardous Waste Management to implement the eDRUMS portion of the eBusiness Center. The application enables facilities to electronically submit reports, greatly reducing the number of paper submittals and enhancing regulated facilities ability to conduct business with Ohio EPA.

eBusiness Center

To assist with the allocation and tracking of grants and loans issued by the Division of Environmental and Financial Assistance, IT staff developed the Assistance Information Management System. Coinciding with the allocation of federal stimulus funds, this new system will greatly improve the ability of staff members to report on fund usage and status.

Securing Security of Computer Systems

To protect the security of information on Ohio EPA's computer network, the office implemented a process that sets up specific steps to take when employees are hired; leave the Agency through retirement or resignation; or are dismissed due to personnel matters. In a related project, staff members began to conduct and design a comprehensive disaster recovery system for the Agency's information systems.

Saving Money and Resources

To reduce costs, improve quality and share enterprise IT resources, the office is collaborating with the Department of Administrative Services and other state agencies. Office staff members participated in enterprise storage and server consolidation; agreed to host the Ohio Department of Insurance's production infrastructure; and established a strategy of effectively re-using computer equipment from other state agencies.

In an effort to reduce operating costs and environmental impacts, the office began transitioning from the use of large individual servers to more flexible virtual servers; introduced fiber optics to improve communications and computing abilities of district offices; and implemented video conferencing. Ohio EPA's data center is now connected to the building generator, ensuring up to 24 hours of operation in case of an extended power outage.

Office of Environmental Education

During SFY10, the Ohio Environmental Education Fund (OEEF) awarded \$980,094 in grants for education projects targeting pre-school through university students and teachers, adult learners and the regulated community.

OEEF grants for the regulated community are helping businesses understand new federal greenhouse gas reporting requirements, and more easily report hazardous material releases. A grant to the Ohio Hospital Association will help create pharmaceutical takeback and disposal programs, to keep discarded medicines out of local waterways.

Grants Guarantee Environmental Learning Opportunities

Leave No Child Inside! (LNCI) is a nationwide effort to increase the amount of time children spend outdoors, exercising and connecting with nature. Local LNCI collaboratives have organized in a number of Ohio cities to promote this goal, and the OEEF provided numerous grants for these efforts during SFY10.

OEEF grants helped to equip outdoor learning centers for schools and youth groups in Allen and Portage Counties. Grants to the Miami County Park District and Five Rivers MetroParks in Montgomery County supported family programs for unstructured outdoor nature play, and structured nature education programs to complement science education requirements by grade level.



Brown County's Soil and Water Conservation District received a grant to train pre-kindergarten and Head Start teachers in new outdoor education programs for early childhood, from Project Learning Tree and Project WILD.

Eight additional grants will bring middle and high school students and citizen volunteers outside and into local streams in Carroll, Columbiana, Cuyahoga, Lake, Lorain, Medina, Meigs, Ottawa, Tuscarawas, Summit, Wayne and Wood Counties to study macro-invertebrates and sample water quality.

Building Environmental Literacy and Capacity

The office is working with representatives from the LNCI collaboratives, the Ohio Parks and Recreation Association, Environmental Education Council of Ohio and the Ohio Departments of Education and Natural Resources to develop an environmental literacy plan for Ohio.

To help local agencies and organizations struggling in tough economic times, the office offered 16 grant-writing workshops and presentations around the state, with 670 people attending. The workshops teach participants how to secure grant funds by writing effective applications.

Greening School Buses

The office assists the Division of Air Pollution Control in administering the Ohio Clean Diesel School Bus Fund, using civil penalty dollars collected for pollution violations to install control equipment onto buses to reduce emissions of the harmful pollutants in diesel exhaust. This year Ohio EPA was able to retrofit 270 school buses with these penalty dollars, and leverage a federal grant under the Diesel Emission Reduction Act to install controls onto an additional 149 buses. Still more buses were cleaned up with federal ARRA dollars, described at the beginning of this report.

Office of Employee Services

Processing Personnel Actions

The Office of Employee Services (OES) provides 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.

The office created, updated and/or reclassified 273 electronic position descriptions; provided temporary clerical support to seven divisions, three support offices and Central District Office; and coordinated the Agency's college intern program, hiring 80 interns for the 2010 field season. Staff also processed 6,459 applications for 66 vacant positions; 14 resignations; and 44 retirements.

Other administrative tasks include maintenance of the Agency's table of organization and performance of task analysis reviews; development, formulation, revision and implementation of Agency employment policies; and coordination of the Agency's Ohio Performance Review System (OPRS) employee evaluation process.

Managing Workforce Benefits and Policies

Office staff members also administer the Agency's benefits program, including health, dental, vision and life insurance.

During SFY10, the office processed 81 disability claims and 101 Family and Medical Leave Act requests; reviewed and responded to working out of class grievances and job audits; and provided technical advice regarding civil service, employment law and human resources policies and/or programs, classification and pay range issues.

The office also served as the intake office for the Agency's participation in the State of Ohio Workplace Mediation Program administered by the Ohio Commission on Dispute Resolution and Conflict Management; coordinated Bring Your Child to Work Day; and managed the Agency's Healthy Ohioans Wellness Program.

Office of Fiscal Administration

The Office of Fiscal Administration manages the Agency's \$210 million operating budget. During SFY10, office staff processed 1,714 purchase orders and 20,742 payments to vendors for goods and services; deposited 33,700 fee payments to provide cash to support the Agency's operations; processed payroll for 1,211 permanent employees; provided cash management and financial reporting services for federal assistance totaling \$522 million; and completed 88 evaluations to determine a company's ability to pay penalties in environmental enforcement cases.

The office also provided accounting and reporting assistance to program divisions that received more than \$279 million in American Recovery and Reinvestment Act (ARRA) funding, most of which was passed through to local governments. Additional information about Agency funding and expenditures is located at the end of this report.

Office of Safety

Ohio EPA maintains a safe environment through a combination of training, communication and hazard identification. Due to its low number of accidents and injuries, the Agency's worker's compensation rates were reduced by 16 percent to a low of \$0.1677 per \$100 of payroll. Similar agencies have rates ranging from \$0.93 to \$2.40 per \$100 of payroll.

In SFY10, 290 field employees completed Occupational Safety and Health Administration (OSHA) refresher training and 62 employees successfully completed the National Safety Council's defensive driving class. All field interns received safety orientation training to meet specific environmental sampling needs.

Frequent visits to work locations helped ensure compliance with the Agency's safety policies and procedures. Safety concerns and suggestions raised by local safety and labor management committees were promptly addressed.

To support the Agency's efforts in response to chemical emergencies, bio-terrorism and pandemic flu readiness, office staff members provided HAZMAT certification training to 46 employees. Respirator-trained staff members are prepared to perform designated essential duties in the event of a pandemic.

Office of Operations and Facilities

The Office of Operations and Facilities strives to ensure that employees have a safe, comfortable work environment while managing financial expenditures related to facility maintenance, telecommunications and lease agreements.

During SFY10, the office worked with the Agency's energy committee, entering data into the Energy Star portfolio management system, an online database which gathers information to track and assess energy consumption. With this management tool, the office continues to monitor our annual energy consumption efficiency. When energy use increases, the office is able to find trends and make adjustments, for example, updating space temperature sensors.



The building owner of the Lazarus Government Center in Columbus, home to the Agency's central and central district offices, installed an energy control system and added space temperature sensors throughout the building to more accurately monitor consumption. According to the Energy Star portfolio manager, changes made to these sensors are conserving energy and helping the building owner make decisions for future asset management and infrastructure upgrades which directly affect Ohio EPA's utility costs.

Annual visits to each of the district offices, in partnership with the Department of Administrative Services, ensured that building owners maintained facilities in alignment with lease contracts.

Through a cost-savings program established in 1998, a portion of rental monies for the Lazarus building is set aside each quarter to pay for carpet and other flooring materials. Operations managed the program over a two-year period and, in SFY10, used the money to finance installation of new carpet which should last at least 10 to 12 years. Future savings will be earmarked for facility painting.

Encouraging Alternate Commuting Options

Recognizing the need to provide a secure location for employees to store bikes used for commuting to and from work, the office worked with building owners of the downtown Columbus Lazarus Building to identify a designated bike parking area. The office coordinates participation in the program by registering users of the area and ensuring that the area is properly maintained. Employees from the Ohio Departments of Insurance and Jobs and Family Services also use the area.

Public Interest Center

During SFY10, Ohio EPA's public involvement coordinators moderated 109 public meetings or informational sessions attended by nearly 3,000 people. They sent out more than 15,827 citizen advisories and responded to about 2,586 calls, letters and e-mails from the public, plus 1,440 information requests or website questions submitted via the Ohio EPA website. Employees also helped set up and staff Agency displays at the Ohio State Fair and Earth Day events, and participated in community events and speaking engagements. They mentored high school students at Buckeye Boys and Girls States.

The Public Interest Center enhanced communication in communities with environmental issues of significant concern. Staff members made additional visits to the community, created site-specific websites and distributed information more frequently for the Clyde Environmental Investigation and Grand Lake St. Marys harmful algal bloom.

In SFY10, the media relations staff issued 386 news releases; responded to 2,107 media inquiries; and organized and secured coverage of numerous media events around the state. Employees also arranged numerous field trips with reporters to educate them about stream and lake sampling. Staff members also began creating online media kits to provide an economical way to distribute information, photos and audio clips in support of news conferences and media events.

The office coordinated and assisted in the Agency's website redesign project, and coordinated webmaster training on new web development software. The new website, launched in August 2009, reflects a common look shared by all cabinet agencies and features a more consistent presentation of information.

Public Interest Center staff members also developed graphic standards and templates featuring the Ohio brand, and coordinated incorporation of the new Ohio EPA logo into standard documents. Employees also reviewed and/or formatted newsletters for three divisions and numerous other articles for outside publication; wrote and designed 26 issues of the employee newsletter; took photographs to document Agency events; and updated the most frequently requested publications.



Media coverage, educational displays and events help inform the public about Agency programs and projects within the community.

Ohio EPA District Offices

Ohio EPA has district offices in Columbus, Twinsburg, Bowling Green, Logan and Dayton. In coordination with Central Office, staff members in the district offices have the following general responsibilities:

- review permit applications and/or plans for pollution sources; pollution control facilities; waste management and disposal facilities; and public drinking water systems;
- investigate citizen complaints and investigate and oversee cleanups of spills and releases that threaten human health or the environment;
- monitor compliance with environmental standards;
- provide technical assistance to help regulated facilities understand and comply with environmental laws and permit requirements;
- provide environmental information and other assistance to the public through a variety of outreach venues including: direct contact; review of Agency files and public records; seminars and other public presentations; and public hearings; and
- initiate enforcement action for facilities that do not comply with environmental laws and permit requirements.

Central District Office

Cleanup Creates City Sanctuary

District staff members remained involved in the ongoing development of the Scioto-Audubon Metro Park on the Whittier Peninsula in Columbus. In August 2009, the park district celebrated the opening of the Grange Insurance Audubon Center, which was built on a portion of the property that received a Voluntary Action Program (VAP) covenant not to sue from Ohio EPA in 2008.

The division issued two additional VAP covenants for the property in SFY10. In honor of Earth Day, Ohio EPA held a signing ceremony for the covenant for the Northern Tier of the Whittier Peninsula on April 22, 2010. The three covenants cover about 57 acres, which in addition to the nature center support hiking/biking trails, a climbing wall, a playground with a Neos (an interactive electronic game), sand volleyball courts and wetlands. Additional covenants are expected to be issued for the rest of the park in coming years.



The Whittier Peninsula has been transformed from an old industrial area into an environmental and recreational area for visitors to connect with nature.

Ensuring Clean Air

In addition to protecting the environment, Ohio EPA realizes the need to ensure that Ohio businesses can continue to grow and prosper. During SFY10, district staff coordinated the review of air permits for two well-known companies in the central Ohio area. These two permit efforts required a great deal of coordination with the companies and teamwork within the division.

Due to higher-than-anticipated demand for its new EZ Seed product, The Scotts Company in Marysville needed an air permit in a very short time frame. District office staff members processed the new production line permit in less than 45 days, allowing the company to expand its business and meet customer demand.

Circleville's E.I. DuPont De Nemours & Company needed a permit to manufacture components of solar panels. District staff members issued the complicated permit within the company's requested timeframe.

Coordination Closes Chronic Cause of Odors

Ohio EPA and the Ohio Attorney General won a Magistrate's Decision against Inland Products, an animal rendering plant located on the south side of Columbus in Franklin County, in great part due to the credible testimony of district staff members in the divisions of drinking and ground waters, emergency remedial response and surface water.

One of the significant violations cited in the court decision involved the practice of Inland Products allowing industrial contaminated storm water to collect into a pit near the facility, which then allowed the pollutants to enter the waters of the State. The court decision ordered Inland Products to pay a \$100,000 fine for this violation and other violations related to industrial waste and wastewater handling.

Hazardous Waste Contamination Cleaned Up

The district's Division of Hazardous Waste Management completed the review and approval of corrective action at the Scotts Company, including remediation of two streams, six ponds, four landfills and two very large open fields. The district also issued approval of interim measures for removal of buried sludge in the west field area at Ranco Plain City. As part of these projects, more than 11,000 tons of contaminated material were properly disposed.

National Survey Seeks Information on Water Quality

In early SFY10, the district's Division of Surface Water staff, in conjunction with staff from the Division of Surface Water's Ecological Assessment Section and Central Office, volunteered to perform a statewide physical, chemical and biological survey of streams in Ohio. This work, funded by a U.S. EPA grant, was part of the National Rivers and Streams Assessment program — a survey of the status of the nation's streams. The ultimate purpose of the stream assessment is to help U.S. EPA assess the condition of different classifications of streams throughout the nation and report this information to Congress.



A city of Shelby utility worker noticed a fuel oil odor coming from a storm sewer and traced it back to the former AMF-Voit factory. Since the bowling pin manufacturing plant closed in 1987, it had been used periodically for warehousing. Working with the local fire department, Ohio EPA determined the source was two 20,000 gallon stand-by fuel oil underground storage tanks. Approximately 10,000 gallons of fuel were removed and more than one foot of product was found in the backfill. A heavy rain on April 27, 2010, flushed additional fuel to the storm sewer, necessitating installation of a sump pump to lower the water table and recover fuel from the backfill.

Northeast District Office

Outreach and Training

District staff provided eight technical assistance workshops for about 930 people during the past year. This training included workshops on: Storm Water Post-Construction Best Management Practices; Developing and Implementing Effective Long-Term Maintenance Programs for Post-Construction Best Management Practices; Pollution Prevention and Good Housekeeping for Municipal Operations; Green Infrastructure; Hazardous Waste Training for Small and Large Quantity Generators; Guidance on Maintaining Regulatory Compliance; and Wastewater Permit-to-Install Requirements.

Ashtabula River Habitat Remediation

In May 2010, Ohio EPA helped celebrate the Ashtabula River habitat remediation effort at the 24-acre 5 ½ Slip peninsula. The peninsula is centrally located in the two-mile Ashtabula River Area of Concern. The remediation effort included construction of approximately 1,300 feet of underwater fish habitat and restoration of natural stream banks and riparian plantings. In addition, the State of Ohio learned in June 2010 that it would receive an additional \$1.5 million in Great Lakes Restoration Initiative funds to complete the restoration, providing aquatic and near shore habitat sufficient to restore two or three beneficial use impairments and bring the Ashtabula River closer to complete restoration.

Stimulating Economic Development

To promote redevelopment of brownfield sites, district staff members provided significant technical assistance to volunteers, certified professionals and cities throughout northeast Ohio. During SFY10, 12 northeast Ohio properties received Voluntary Action Program covenants and 10 properties received Clean Ohio Revitalization Funds awards to complete site cleanups.

Cleaning Up Historical Pollution

Lockheed Martin, located in Akron, completed an \$8 million removal of polychlorinated biphenyl (PCB)-contaminated sediments from Haley's Ditch. Lockheed Martin offered to conduct the cleanup after it was discovered that PCBs had washed into the ditch from storm sewers around the former Goodyear Airdock, a Clean Ohio Revitalization Fund project. More than 31,000 tons of soil and other debris were removed from a 1,800-foot section of Haley's Ditch. The cleanup included a stream restoration project creating a new stream bed that meanders through the property, new trees, landscaping and a walking path.

Also during SFY10, Ohio EPA assisted the U.S. Army in remediating areas of past contamination at the Ravenna Army Ammunition Plant in Ravenna. The site, an important training facility for the Ohio National Guard, is used to train soldiers for duty overseas. The project included cleanup of land to allow for construction of an additional firing lane and removal of munitions from various sites.

Protecting Drinking Water

To assist communities in developing a preventive plan to protect drinking water systems from potential future threats of contamination, the district sponsored 13 source water protection workshops for communities in Ashtabula, Carroll, Columbiana, Geauga, Mahoning, Medina, Stark, Summit and Wayne counties.

Ohio EPA worked diligently with City of Canton to provide \$9 million of funding through the ARRA stimulus funding program. The project included improvements to the Northeast Water Treatment Plant and Well #12.

School Children in Northeast Ohio Breathe Easier

In response to concerns about the potential for some school children in urbanized industrial areas being more exposed to air toxic pollutants, Ohio EPA began sampling at several schools in Warren and East Liverpool. Sampling was conducted in conjunction with U.S. EPA.

Ohio EPA continued to monitor for manganese near the SH Bell facility in East Liverpool, where elevated manganese air levels have exceeded recommended standards. Additional emission control equipment was installed to control the particulate emissions as required by orders issued by Ohio EPA. Ohio EPA is tracking the progress and effectiveness of these improvements.

Helping Hazardous Waste Generators

The district's Division of Hazardous Waste Management staff began an initiative to inspect more than 2,800 small-quantity generators of hazardous waste. The purpose of the initiative was to conduct compliance inspections, provide compliance assistance and to ensure the accuracy of information contained in Agency records.



On June 19, 2010, the emergency response section responded to a release of 8,300 gallons of gasoline into part of the city of Akron's water supply system, the lake at Punderson State Park in Geauga County. An overturned fuel tanker truck released the fuel down a steep embankment and gasoline vapors created a potential for an explosive atmosphere causing a limited evacuation of nearby homes and cabins. The release impacted the tail waters of the lake, which consisted of a heavily vegetated wetland area. Cleanup included removal of free product enhanced by air stripping and natural attenuation.

Northwest District Office

Ottawa River Remediation

District staff members worked with U.S. EPA, a consortium of industrial entities and the City of Toledo to clean up contaminated sediments in the Ottawa River and Sibley Creek. The goal of the project is to reduce impacts to human health and the environment and to restore ecological functioning of the Ottawa River.

Ohio EPA staff members expeditiously reviewed and issued all the necessary permits and provided extensive technical and administrative resources in an effort to facilitate implementation the project. At an estimated cost of \$49 million, the project included dredging, dewatering and disposal of approximately 250,000 cubic yards of contaminated sediment.

In concert with the contaminated sediment removal, district staff members issued a permit to Hoffman Road Landfill to accept most of the sediments for disposal.



Hydraulic dredges removed contaminated sediments from the Ottawa River. The sediment was then treated and pumped into large dewatering bags at the Hoffman Road Landfill.

Assisting Communities Hit by Tornadoes

In June 2010, tornadoes swept through northwest Ohio, leaving a path of destruction. District staff members assisted local efforts in Fulton, Wood and Ottawa Counties as communities responded to the devastation.

Staff members were on-site to help respond to ongoing releases; address debris and waste management concerns; and give guidance on demolition and open burning regulations and concerns. Staff members assisted in many ways including providing suggestions to local responders regarding appropriate ways to segregate and manage waste; assisting EMA officials with communication; and assessing debris areas.



In July 2009, the Beaverdam Fire Department and Allen County Emergency Management Agency received a report of diesel fuel in a tributary to Little Riley Creek. Ohio EPA emergency responders tracked the fuel upstream to the Pilot Travel Center. During the course of the investigation, Agency staff members determined that the fuel spill had entered the creek through the facility's storm sewer system and flowed into ground water monitoring wells around the fueling island area. When questioned about the spill, the facility's environmental consultant revealed that, in the past year, the facility had four prior releases. The facility hired companies to collect the fuel; remove contaminated debris from the creek; excavate contaminated soil from the drainage swale; and begin to determine the extent of fuel migration. In the first month of the project, cleanup efforts resulted in the removal of 52 boxes of contaminated soil/debris and collection of five tanks of liquid waste. The incident has been referred to the State Fire Marshal's Bureau of Underground Storage Tanks Program and to the Agency's Division of Surface Water and Office of Special Investigations.

Southeast District Office

Protecting Drinking Water and Ground Water

District staff members worked on the Putnam Community Water Association's special study to help identify the source of nitrate contamination found in the drinking water supply.

The ground water program provided hydrogeologic assistance for a pilot project to remove trichloroethylene in ground water at the Penn-Michigan site in West Lafayette. In addition, the program collected more than 100 samples from monitoring wells to evaluate the ground water quality impacts at other facilities.

Educating Ohioans about Water Quality

The Division of Surface Water conducted dozens of electro-fishing demonstrations and gave other water quality and technical presentations attended by more than 1,250 students, consultants, watershed organizations and citizens.

Cleaning Up for Reuse

The Division of Emergency and Remedial Response negotiated and finalized enforcement orders for decontamination and decommissioning of the U.S. DOE Portsmouth Uranium Gaseous Diffusion Plant near Piketon. The multi-billion dollar process involves demolishing contaminated buildings and clearing the way for future redevelopment and employment opportunities.

Remediation activities, including ground water cleanup, also began at former industrial facilities in Caldwell and McConnelsville. Cleanup activities under the Voluntary Action Program set the stage for reuse of brownfield sites in Logan, Chillicothe and Ironton.

Handling Hazardous Waste

In response to large quantities of abandoned hazardous waste at a closed manufacturing facility in Jackson County, the district asked for assistance from U.S. EPA to complete a time-critical waste removal. Other notable clean-up activities include facility investigations conducted at AK Steel Cambridge and Barber Spring in Chillicothe. Both facilities are working with the district cooperatively and voluntarily to address contaminated areas at the sites. Also, hazardous waste staff members worked closely with the Dow/Americas Styrenics Hanging Rock facility to review and approve the company's comparable fuels demonstration, negating the need for issuance of a permit to burn hazardous waste.

Addressing Air Issues

District staff worked on major projects associated with Severstal's facility operations in Steubenville; Glatfelter's coal-fired boiler operations at the Chillicothe Mill; Ohio Edison's Burger Plant biomass project; and the Shelly Liquid Division's Middleport Terminal.

After American Municipal Power announced that it would shut down the R.H. Gorsuch Generating Station by the end of the calendar year, staff members assisted several companies in the area to either permit their own power-generating sources or to obtain power from another external supplier.

Staff members also worked with other divisions to secure clean-up operations for asbestos-contaminated sites at Wheeling Brake Block (Belmont County) and the former Weirton Steel facility (Jefferson County).

Solid Waste Successes

The solid waste program oversaw the cleanup of more than 90 solid waste and scrap tire open dumps. These projects required coordination with local health departments, landowners, solid waste management districts and Central Office's Scrap Tire Unit. Solid waste staff also coordinated with U.S. EPA and its consultant to evaluate all coal ash impoundments in southeastern Ohio for potential slope or dam failure.

Cost-Effective Renovations

District operations staff members oversaw two major building renovations, which were completed without expenditure of any taxpayer money. The district also worked with the building owner to oversee replacement and retrofit of all HVAC rooftop units with high-efficiency units. As a further cost-saving measure, the district is also investigating possible installation of solar panels to help supply green power to the building.



On April 6, emergency response staff members responded to a tractor trailer crash on I-70 westbound in Muskingum County. A fully loaded car carrier veered off the highway into a guardrail/concrete abutment. Fuel and oil from the overturned tractor trailer and cars forced the closure of the west-bound lane of the highway for more than eight hours to complete removal and cleanup of the spill. Although there was no impact to local waterways, a significant amount of impacted soil had to be excavated after the wreckage was removed.

Southwest District Office

Remedying Rumpke

District solid waste staff spent significant time during SFY10 responding to a subsurface reaction at the Rumpke Sanitary Landfill in Colerain Township, Hamilton County.

In August 2009, the 500-acre facility reported elevated temperatures and poor gas quality in some of its gas extraction wells. Excessive settlement on the surface in this area was reported in late 2009. These conditions were indications of a subsurface reaction involving waste buried in this area of the landfill.

Rumpke began working on a response plan with Ohio EPA, the Hamilton County Department of Environmental Services, Hamilton County Public Health, Colerain Township Fire and U.S. EPA. The formalized plan, implemented on March 18, 2010, outlined monitoring requirements and response actions.

Monitoring Landfill Gas Migration

In September 2009, Ohio EPA entered into consensual orders with the City of St. Bernard to remediate landfill gas migrating from the closed St. Bernard Landfill. Gas sampling was conducted beneath the slabs of the homes adjacent to the landfill to determine if landfill gas was present at levels dangerous to health and safety of the occupants. A gas extraction line is being installed between the landfill and the homes located immediately adjacent to the landfill and could be complete by the end of 2010.

Contamination Cleaned Up at Veolia

District hazardous waste and surface water staff spent significant time in SFY10 coordinating cleanup and restoration efforts with Veolia Services in West Carrollton, a permitted commercial hazardous waste storage and recycling facility. The facility suffered a major explosion and fire in SFY09 that damaged a large portion of the facility and caused ground water and soil contamination at the site.

Remediation efforts in the tank farm area (the area most impacted by the explosion) included the demolition of the tank farm and the removal of approximately 44 tons of contaminated soil.

Surface water staff coordinated with the company on interim water management activities until discharge to the regulated storm water outfalls resumes. Hazardous waste staff members worked with Veolia to ensure proper construction of the tank and container storage areas.



On May 4, 2009, highly flammable vapor, released from a waste recycling process, ignited and violently exploded at Veolia Environmental Services Technical Solutions, LLC. Multiple subsequent explosions significantly damaged every structure on the site. Residences and businesses in the surrounding community also sustained considerable damage.

Fighting Franklin Fire

In May 2010, a major fire occurred at the Franklin Iron and Metal facility near downtown Dayton. The fire involved more than 3,000 scrap cars piled 40-to 60-feet high and created a plume that was visible for several miles. Odors from the fire were also reported as far as 25 miles away.

For the majority of the day, the plume blew into an area that includes Dayton Children's Hospital. As a precaution, residents and businesses located within the plume were ordered to shelter in place. District emergency response and air pollution control staff worked with U.S. EPA, Dayton/Montgomery Public Health Department and Regional Air Pollution Control Agency to set up air monitoring routes. Monitoring continued until the fire was under control and the plume had significantly decreased.

Salt Pile Storage and Water Quality

Since July 2009, district Drinking and Ground Water and Surface Water staff members have worked to address ground water contamination at Convey It, a large, privately owned road salt storage and distribution facility located near the city of Springfield in Clark County.

The facility is located approximately 6,000 feet upgradient of the Springfield public water supply's source water protection area and 13,000 feet upgradient of the city's production wells. Surface water contaminated with salt drained directly into the sand and gravel aquifer that underlies the facility.

In March 2010, Convey It found that the ground water at the site was severely contaminated with road salt. In June 2010, Convey It voluntarily removed the salt piles from the site. The company has agreed to determine the full extent of ground water contamination associated with the facility.



Convey It installed curbs around the site and put tarp over the more than 40,000 tons of salt at the facility after high levels of sodium were detected in a nearby drinking water well. In June 2010, Convey It voluntarily removed the salt piles from the site and agreed to determine the full extent of ground water contamination associated with the facility.

Exceptional Lower Little Miami River

Ohio EPA released the Biological and Water Quality Study of the Lower Little Miami River, Ohio's largest Exceptional Warmwater Habitat (EWH) stream, in October 2009. The study indicated that the entire main stem of the river was in full attainment of the EWH criteria. Much of the improvement is attributed to overall improvements to wastewater treatment — including phosphorus removal — at facilities throughout the watershed.

Historically, the Little Miami River has had extensive impairment to the fish community. However, in 2007, the river showed remarkable improvement, with 95 percent of the fish communities meeting EWH criteria. This turnaround in biological integrity represents one of the biggest comebacks of a large river system in the sampling history of Ohio EPA.

In 1969, the Little Miami River was the first to be designated as a State Scenic river. The river is popular for recreation, including boating and fishing. In 2007, more than 38 percent of the sites sampled failed to meet water quality standards for the recreation use due to high levels of bacteria. Suspected sources of bacteria include sewer overflows, inadequately treated wastewater and storm water runoff.

Todd Fork, the largest and most extensively sampled of all of the lower Little Miami River tributaries, also realized extensive improvement to its fish community. Much of this improvement was attributed to reduced silt loads in the stream. However, much like the Little Miami River, Todd Fork is also threatened by increasing nutrient inputs, particularly from Lytle Creek and Second Creek. These two streams alone accounted for the highest phosphorus and nitrate levels in the entire survey, respectively.

The Clean Water Act requires cleanup plans for watersheds that do not meet water quality goals. The cleanup plan, known as a total maximum daily load (TMDL) report, specifies how much pollution must be reduced from various sources and recommends specific actions to achieve these reductions.

As the Little Miami River watershed continues to grow in population, it remains to be seen whether the river will be able to continue to assimilate increased pollutant loadings. For more information, go to www.epa.ohio.gov/dsw/tmdl/index.aspx.



Overseeing Cleanups at Federal Facilities

District staff in the federal facilities section continued to provide expertise and oversight of U.S. Department of Defense and U.S. Department of Energy (DOE) sites across the state. Specialized expertise in munitions response and radioactive waste and materials management proved to be an invaluable asset for safe and effective decisions. Staff also took the lead at the national level representing Ohio in discussions regarding environmental management at federal facilities.

The U.S. DOE completed the physical cleanup of the DOE Mound Facility near Miamisburg with district oversight. The Miamisburg Mound Community Improvement Corporation (MMCIC) continues to market the facility and currently has 18 businesses and approximately 300 employees. MMCIC has also partnered with Dayton Power & Light to develop a 60.8 kilowatt solar power station that supplies a portion of the electricity needed for an onsite office building.



In March 2010, staff members responded to a report of reddish-pink creek water in Plum Run, just above the confluence with the Little Miami River in Warren County. Although first observations of the soluble reddish material were similar to a water-soluble latex paint, the quantity was too great for simple paint wash-outs. Ohio EPA employees, along with the Hamilton Township fire department and Ohio Department of Natural Resources' Parks and Wildlife Division, tracked the source of the material, which changed from a water-soluble condition to large sheets of red and white rubbery substance, to a gravel pit owned by the township. With no other potential sources, Ohio EPA's Division of Surface Water examined the material and determined it was a naturally occurring cyanobacteria (toxic algae). Due to its location, the substance was not readily available to the public and no warnings were issued.

Fiscal Summary

SFY10 Expenditures and Revenues		
Division/Office	Expenditures	Revenues
Division of Air Pollution Control	\$48,251,976	\$23,422,600
Division of Emergency and Remedial Response	\$17,066,371	\$13,944,289
Division of Hazardous Waste Management	\$13,687,588	\$ 9,128,437
Division of Solid and Infectious Waste Management	\$16,417,329	\$29,058,920
Division of Drinking and Ground Waters	\$17,498,921	\$ 9,033,254
Division of Surface Water	\$28,020,869	\$ 9,054,910
Division of Environmental Services	\$ 4,128,255	\$ 871,117
Office of Compliance Assistance and Pollution Prevention	\$ 1,160,654	-----
Division of Environmental and Financial Assistance	\$ 5,203,964	\$ 4,341,798
Office of Special Investigations	\$ 1,238,655	-----
Office of Environmental Education	\$ 2,035,419	\$ 2,858,614
Administration	\$17,606,457	\$30,291,710
Total	\$172,316,458	\$132,005,638

Five-Year Rule Review – 2010 Summary

Section 121.24 of the Revised Code states “Each agency shall annually report to the governor and general assembly, with regard to each of its rules that have been reviewed under this division during the preceding calendar year, the title and administrative code rule number of the rule, a brief summary of the content and operation of the rule, and a brief summary of the results of the review.”

The attached table contains those rules which were reviewed under the five year rule review provision of paragraph (D) of section 121.24 of the Revised Code. This does not include all rules adopted, amended, and rescinded in 2010, only those that were done as a five year review. This table includes those rules of the Ohio Environmental Protection Agency and the State Emergency Response Commission.

Environmental Protection Agency			
Rule Number	Rule Title	Brief Summary of the Content	Type
3745-77-01	Definitions.	Contains the definitions for the Title V program.	Amendment
3745-77-02	Prohibition and applicability.	Contains the applicability for the Title V program.	Amendment
3745-77-03	Content of a permit application.	Establishes the requirements for a Title V permit application.	Amendment
3745-77-04	Transition and application filing dates.	Identifies when a facility subject to this Chapter is required to submit a permit application.	Amendment
3745-77-05	Application completeness determination.	Identifies requirements for the Director in evaluating the completeness of submitted Title V applications.	Amendment
3745-77-06	Application shield.	Shields the applicant from enforcement for failure to have a Title V permit if a complete and timely application is received, but a final permit has not been issued to the facility.	Amendment
3745-77-07	Permit content.	Establishes the content requirements for a Title V permit.	Amendment
3745-77-08	Permit issuance, modifications, revisions, revocations, and reopenings.	Contains the procedural requirements for issuing, modifying, revoking, and terminating Title V permits.	Amendment
3745-77-09	Permit review by the administrator and affected states.	Requires the Director to notify and solicit review of proposed Title V permits.	Amendment
3745-77-10	State law applicability.	Provides procedures for differentiating between state and federal requirements in Title V permits.	Amendment
3745-80-01	Definitions.	Contains the definitions for the Statewide Motor Vehicle Anti-Tampering Program.	Amendment
3745-80-02	Tampering prohibitions.	Contains descriptions of acts of tampering which are prohibited in the state of Ohio.	Amendment
3745-80-03	Anti-tampering inspection procedures and requirements.	Contains requirements for training and procedures to be followed for performing inspections.	Amendment
3745-81-11	Maximum contaminant levels and best available technologies for inorganic contaminants.	Describes the maximum contaminant levels for inorganic contaminants found in drinking water.	Amendment
3745-81-19	Use of bottled water and point-of-use or point-of-entry treatment devices.	States that bottled water may not be used to achieve compliance with requirements of this chapter and bottle water may only be used on a temporary basis to avoid risk to public health with the approval of the director.	Amendment
3745-81-26	Radionuclide monitoring requirements.	Describes the monitoring requirements for radionuclide contaminants in drinking water provided by community public water systems.	Amendment
3745-108-01	Hg budget trading program general provisions.	Contained the general provisions of Ohio's mercury budget trading program including definitions and applicability requirements.	Rescission

Environmental Protection Agency

Rule Number	Rule Title	Brief Summary of the Content	Type
3745-108-02	Hg designated representative for Hg budget sources.	Outlined the requirements of designated representatives for mercury sources.	Rescission
3745-108-03	Permits.	Outlined the permitting requirements for affected parties.	Rescission
3745-108-04	Hg allowance allocations.	Outlined the procedures for the determination and distribution of mercury allowances from the state's budget to affected parties.	Rescission
3745-108-05	Hg allowance tracking system.	Outlined procedures for designated representatives to follow concerning the holding and transfers of allowances in the general accounts assigned to a facility or affected party.	Rescission
3745-108-06	Hg allowance transfers.	Outlined the procedures that will be used by US EPA for the transfer of mercury allowances into and out of facility accounts of affected parties.	Rescission
3745-108-07	Monitoring and reporting.	Outlined the requirements for monitoring and reporting for sources subject to the requirements of Ohio's CAMR.	Rescission
3745-91-02	Application for approval of plans.	Establishes requirements for submittal of plans for construction or installation of public water systems or substantial changes to existing public water systems and establishes associated fees.	Amendment
3745-91-03	Requirements for plan drawings.	Establishes requirements for plan drawings for construction or installation of public water systems or substantial modifications to existing public water systems.	Amendment
3745-91-08	Procedure for approval; changes.	Outlines the procedure for approving plans for public water systems and the procedure whereby changes to those plans will be requested.	Amendment
3745-38-01	Definitions.	Contains the definitions for the Ohio NPDES General Permits program.	Amendment
3745-38-02	Requirements for general national pollutant discharge elimination system (NPDES) permits.	Includes: the prohibition of a point source discharge without an NPDES permit; the coverage of a general permit; the individual or general permit requirements; alternative NPDES permit authorization; the notification of general permit coverage; the criteria for issuing and reviewing a general permit coverage; the modification of a general permit; the transfer of general permit coverage; the applicability of rules of procedure; the revocation of a general permit; and the termination of general permit coverage.	Rescind & New (more than 50% change)
3745-38-03	General permits coverage.	Defined a general permit's coverage, with respect to the geographic or political boundaries, as well as the sources the general permit may regulate.	Rescission
3745-38-04	Individual or alternative general permit requirements.	Included the requirements for when an individual permit or alternative general permit coverage may be required.	Rescission
3745-38-05	Alternative NPDES authorization.	Included those requirements, should any person who has obtained coverage under a general permit request to be excluded from the coverage of the general permit by applying for an individual permit or alternative general permit coverage.	Rescission
3745-38-06	Notification of general permit coverage.	Contained the notification requirements in order to receive general permit coverage.	Rescission
3745-38-07	Criteria for issuing and renewing general permits.	Contained the criteria for issuing and renewing general permits.	Rescission
3745-38-08	Modification of general permits.	Contained the requirements for modifying general permits.	Rescission
3745-38-09	Transfer of general permit coverage.	Contained the requirements associated with the transfer of general permit.	Rescission
3745-38-10	Applicability of rules of procedure.	Contained the requirements regarding the "Rules of Procedure," Chapter 3745-47 of the Administrative Code.	Rescission
3745-38-11	Revocation of general permits.	Contained the requirements for the revocation of general permits.	Rescission
3745-38-12	Termination of general permit coverage.	Contained the requirements for terminating general permit coverage.	Rescission

Environmental Protection Agency

Rule Number	Rule Title	Brief Summary of the Content	Type
3745-50-01	General information.	Provides the general structure of OAC Chapter 3745-50.	No change
3745-50-20	Petitions to amend Chapter 3745-273 of the Administrative Code to include additional hazardous wastes.	Sets the procedures and standards one must meet in order to have a hazardous waste added to the universal waste rules.	No change
3745-50-36	Annual hazardous waste permit fees.	Provides the annual fee structure for permitted hazardous waste management facilities, including those for treatment, storage, and disposal.	No change
3745-50-54	Duration of permits.	Provides requirements regarding the duration of a hazardous waste management permit, and the permit review interval.	No change
3745-50-56	Continuation of expiring permits.	Provides information as to the continuation of expiring permits under differing situations of the expiration.	No change
3745-53-10	Applicability.	Provides the standards for those transporting hazardous waste within the state of Ohio, and describes what transport is and is not subject to this chapter.	No change
3745-54-94	Concentration limits.	Provides requirements regarding the concentration limits in the ground water for hazardous constituents, and provides the director the ability to set alternate concentration limits when the itemized factors are considered.	No change
3745-65-92	Sampling and analysis.	Provides requirements for sampling and analysis of the ground water monitoring system, including where the samples must be taken from, their frequency, and what must be tested for.	No change
3745-266-105	Standards to control particulate matter.	Provides standards to control particulate matter for boilers or industrial furnaces, and specifies which other rules apply to different types of devices; and provides references to other rules' requirements and exemptions for qualifying low-risk wastes.	No change
3745-266-200	Applicability- military munitions.	Provides the applicability of the military munitions rules, including information on when those munitions become a waste, and when they are hazardous wastes and subject to additional requirements.	No change
3745-273-20	Exports- standards for small quantity handlers of universal waste.	Describes the requirements for small quantity handlers of universal waste that is being exported to a foreign destination.	No change
3745-273-40	Exports- standards for large quantity handlers of universal waste.	Describes the requirements for large quantity handlers of universal waste that is being exported to a foreign destination.	No change
3745-273-56	Exports- standards for universal waste transporters.	Contains the standards for universal waste transporters that transport a universal waste to a foreign destination.	No change
3745-273-70	Imports of universal waste.	Provides requirements for those who manage universal waste that is imported from a foreign country into Ohio.	No change
3745-279-81	Disposal of hazardous and of nonhazardous used oils.	Contains information as to which rules are applicable to the disposal of hazardous used oils, and to the disposal and nonhazardous used oils.	No change
3745-50-10	Definitions and computation of time.	Contains definitions used in the hazardous waste management program.	Amendment
3745-50-11	Incorporated by reference.	Provides the particular edition or version, with date, of specific items incorporated by reference in the hazardous waste management rules.	Amendment
3745-50-19	Petitions to amend rules 3745-51-30 to 3745-51-35 of the Administrative Code to exclude a waste produced at a particular facility.	Sets the procedures and standards one must meet in order to have a listed hazardous waste excluded (i.e., delisted) from regulation.	Amendment
3745-50-21	Draft permits.	Provides the requirements regarding draft permits, including numerous requirements upon the director for the preparation of a draft permit after an application has been received.	Amendment
3745-50-29	Inspection of public records.	Provides procedures for the inspection of public records.	Amendment

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Rule Number	Rule Title	Brief Summary of the Content	Type
3745-50-30	Trade secrets- request for confidentiality.	Provides requirements for trade secrets and requests for confidentiality.	Amendment
3745-50-38	Contents of the "Siting Criteria Document".	Contains the siting criteria document information requirements.	Amendment
3745-50-39	Specific public notice procedures applicable to hazardous waste management permits.	Provides procedures for public notice of hazardous waste permits.	Amendment
3745-50-41	Application for a permit.	Provides the requirements regarding an application for a hazardous waste management permit.	Amendment
3745-50-42	Signatories to permit applications and reports.	Provides the requirements for signatories of permit applications, reports, and changes to authorization, and provides the required certification language.	Amendment
3745-50-43	Contents of "Part A" of the permit application.	Describes the information required on Part A of the hazardous waste permit application.	Amendment
3745-50-44	Contents of "Part B" of the permit application.	Describes the information required on Part B of the hazardous waste permit application.	Amendment
3745-50-45	Special inclusions and exclusions for hazardous waste permits.	Describes the activities involving hazardous waste that require someone to obtain a hazardous waste permit; and provides exclusions for certain people who may not be required to get a permit.	Amendment
3745-50-51	Permit modifications.	Explains the several classes of modifications and the procedures required to accomplish these modifications.	Amendment
3745-50-53	Permit revocation.	Provides causes for revocation of a permit.	Amendment
3745-50-58	Conditions applicable to all permits.	Provides conditions applicable to all permits, including proper operation and maintenance, inspection and entry, monitoring and records, and reporting requirements.	Amendment
3745-50-62	Trial burn.	Provides criteria, parameters, and procedures for trial burns at hazardous waste incinerators; and provides an exemption from its requirements for incinerators that have conducted equivalent testing under the air pollution laws.	Amendment
3745-51-02	Definition of waste.	Provides the criteria to determine what is a waste, and includes information regarding reclamation, recycling, accumulation, storage, treatment, burning for energy recovery, inherently waste-like materials, speculative accumulation, and several other categories of materials that may be wastes.	Amendment
3745-51-03	Definition of hazardous waste.	Provides criteria on waste listings that define what wastes are hazardous wastes.	Amendment
3745-51-04	Exclusions.	Identifies substances that are not wastes, and provides exemptions for specific wastes from being hazardous wastes.	Amendment
3745-51-05	Special requirements for hazardous waste generated by conditionally exempt small quantity generators.	Describes which wastes must be counted toward the calculation of the generation rate of a generator; and provides conditional exemption from regulation for generators of less than 220 pounds of hazardous waste in a calendar month.	Amendment
3745-51-06	Requirements for recyclable materials.	Describes special regulatory requirements for specific types of hazardous wastes that are recycled in certain ways.	Amendment
3745-51-23	Characteristic of reactivity.	Provides the characteristics of a waste that define it as a reactive hazardous waste.	Amendment
3745-51-31	Hazardous waste from non-specific sources.	Provides the hazardous waste numbers, descriptions, and hazard codes for hazardous wastes from non-specific sources, as well as listing-specific definitions.	Amendment
3745-52-10	Applicability- generator standards.	Describes the applicability of the hazardous waste regulations for generators of hazardous waste; and provides specific exemptions for farmers who dispose of pesticides, and for those responding to emergencies involving explosives or munitions.	Amendment
3745-52-11	Hazardous waste determination.	Provides the methods one must use to determine whether their waste is hazardous waste.	Amendment

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Rule Number	Rule Title	Brief Summary of the Content	Type
3745-52-12	Generator identification numbers.	Requires that a generator of hazardous waste must obtain a U.S. EPA identification number prior to treating, storing, disposing of, transporting, or offering for transportation any hazardous waste, and it includes information as to how to obtain a number.	Amendment
3745-52-34	Accumulation time of hazardous waste.	Provides to the generators an exemption to the requirement to obtain a hazardous waste permit for storage and treatment of their on-site hazardous waste.	Amendment
3745-52-53	Notification of intent to export to a foreign country.	Provides the requirements regarding notification to U.S. EPA of a primary exporter's intent to export hazardous waste to a foreign country.	Amendment
3745-52-56	Annual reports.	Provides the requirement for primary exporters of hazardous waste to submit an annual report, and it provides the addresses to send it to for both U.S. mail and for hand-delivered mail.	Amendment
3745-53-11	Registration of hazardous waste transporters.	Provides requirements for those who transport hazardous waste that originates or terminates in Ohio.	Amendment
3745-54-01	Purpose, scope, and applicability of Chapters 3745-54 to 3745-57 and 3745-205 of the Administrative Code.	Outlines the purpose, scope, and applicability of the new facility standards of the hazardous waste rules.	Amendment
3745-54-03	Relationship to facility standards.	Sets out the dates of operation and permitting status that determine whether a facility is regulated by the "interim standards" or by other standards in the hazardous waste management program.	Amendment
3745-54-11	EPA identification number.	Requires that facility owners or operators must apply for a U.S. EPA identification number, and it indicates how to do that.	Amendment
3745-54-12	Required notices.	Provides the requirements for notices that a facility owner or operator must provide.	Amendment
3745-54-15	General inspection requirements.	Provides general inspection requirements, including what must be inspected, how frequently, the disposition of the inspection record, and remedies where necessary.	Amendment
3745-54-56	Emergency procedures.	Requires emergency procedures and indicates what those procedures are and when they must be followed.	Amendment
3745-54-73	Operating record.	Requires the owner or operator of a hazardous waste management facility to keep an operating record, and it specifies what information must be entered in the log and the log's disposition.	Amendment
3745-54-77	Additional reports.	Lists additional reporting requirements for a hazardous waste facility owner or operator.	Amendment
3745-54-100	Corrective action program.	Describes the corrective action program, its general responsibilities, and where in the rules these responsibilities are provided in detail.	Amendment
3745-55-42	Cost estimate for facility closure.	Requires a cost estimate for facility closure, and provides details as to what it must contain, how it must be updated over time, and where and for how long it must be maintained.	Amendment
3745-55-43	Financial assurance for facility closure.	Provides the financial assurance requirements for hazardous waste facility closure.	Amendment
3745-55-45	Financial assurance for post-closure care.	Provides requirements regarding financial assurance for post-closure care of hazardous waste management units.	Amendment
3745-55-51	Wording of the instruments.	Contains the exact wording of the required financial documents.	Amendment
3745-55-93	Containment and detection of releases.	Describes the tank containment types and requirements for each, and the requirements regarding the detection of releases of hazardous waste or hazardous constituents.	Amendment
3745-55-95	Inspections.	Requires the owner or operator to inspect overfill controls, to develop and follow an inspection schedule, and to document the results of those inspections and keep that documentation in the operating record.	Rescind & New (more than 50% change)

Environmental Protection Agency

Rule Number	Rule Title	Brief Summary of the Content	Type
3745-55-96	Response to leaks or spills and disposition of leaking or unfit for use tank systems.	Provides requirements regarding response to leaks or spills from tank systems or secondary containment systems, and the disposition of leaking or unfit for use tank systems.	Amendment
3745-55-98	Special requirements for ignitable or reactive wastes.	Provides special requirements for ignitable or reactive wastes with regard to being placed in tanks.	Amendment
3745-57-74	Staging piles.	Provides requirements for staging piles, including discussions of the definition of the term (and a cross-reference to the definition in the definitions rule), when a staging pile is used, how to obtain a staging pile designation, performance criteria, what types of waste may be managed in a staging pile, how long a staging pile may be operated and how to get an extension of that time, its closure requirements, and permit modification requirements regarding staging piles.	Amendment
3745-65-01	Purpose, scope, and applicability of Chapters 3745-65 to 3745-69 and 3745-256 of the Administrative Code.	Outlines the purpose, scope, and applicability of the interim facility standards of the hazardous waste rules.	Amendment
3745-65-11	Identification number.	Requires that facility owners or operators must apply for a U.S. EPA identification number, and it indicates how to do that.	Amendment
3745-65-15	General inspection requirements.	Provides general inspection requirements for hazardous waste management facilities.	Amendment
3745-65-56	Emergency procedures.	Provides requirements regarding emergency procedures.	Amendment
3745-65-73	Operating record.	Requires the owner or operator of a hazardous waste management facility to keep an operating record, and includes requirements for what must be in that record and how long the components of the record must be maintained.	Amendment
3745-65-90	Ground water monitoring; applicability.	Provides the applicability of the ground water monitoring requirements, including cross-references to rules that contain specific requirements for ground water monitoring systems, monitoring during the active life, closure, and post-closure care periods, and the specifics as to what requirements must be met in order to follow alternate requirements or to get a waiver from these requirements.	Amendment
3745-65-93	Preparation, evaluation, and response.	Requires the owner or operator of a hazardous waste management facility to prepare an outline of a ground water quality assessment program; and cross-references to other rules that contain specific ground water monitoring requirements that must be included in the program.	Amendment
3745-66-12	Closure plan: amendment of plan.	Requires each hazardous waste management facility to have a closure plan, and provides for mechanisms and time-frames for amendment of that plan.	Amendment
3745-66-42	Cost estimate for closure.	Requires a cost estimate for the closure of a hazardous waste management facility.	Amendment
3745-66-43	Financial assurance for facility closure.	Requires financial assurance for hazardous waste facility closure, including the coordination of a trust fund, surety bond, letter of credit, closure insurance, and a financial test and guarantee for closure in order to meet the requirements.	Amendment
3745-66-44	Cost estimate for post-closure care.	Requires the owner or operator of a hazardous waste disposal unit to have a cost estimate for post-closure care of the unit, and provides specific detail on how to develop it.	Amendment
3745-66-45	Financial assurance for post-closure care.	Provides the requirements for financial assurance for post-closure care of hazardous waste disposal units.	Amendment
3745-66-47	Liability requirements.	Provides the liability requirements for hazardous waste treatment, storage, or disposal facilities.	Amendment
3745-66-74	Inspections.	Requires weekly inspections of container storage areas.	Amendment
3745-66-93	Containment and detection of releases.	Provides requirements regarding containment and detection of releases of hazardous waste.	Amendment
3745-66-95	Inspections.	Provides requirements regarding inspections of various components of the facility and records, and documentation of those inspections.	Amendment

Environmental Protection Agency

Rule Number	Rule Title	Brief Summary of the Content	Type
3745-66-96	Response to leaks or spills and disposition of leaking or unfit for use tank systems.	Provides the requirements for response to leaks or spills and disposition of leaking or unfit for use tank systems, including, cessation of use, removal of the waste, containment of releases, notifications and reports regarding the release, secondary containment, and certification of major repairs to the tank system.	Amendment
3745-66-98	Special requirements for ignitable or reactive waste.	Provides requirements for ignitable or reactive wastes.	Amendment
3745-66-101	Special requirements for generators of between one hundred and one thousand kg/mo that accumulate hazardous waste in tanks.	Provides special requirements for small quantity generators of between one hundred and one thousand kilograms per month of hazardous waste that accumulate hazardous waste in tanks.	Amendment
3745-67-24	Response actions.	Requires owners or operators of certain surface impoundment units to submit a response action plan, and it indicates what must be addressed in the plan.	Rescind & New (more than 50% change)
3745-67-59	Response actions.	Provides the requirements for response action plans for owners and operators of waste pile units.	Amendment
3745-68-03	Response actions.	Provides the response action plan requirements for owners and operators of landfill units.	Amendment
3745-68-10	Closure and post-closure.	Discusses the cover, maintenance, and monitoring requirements for closure and post-closure requirements of landfills and landfill cells.	Amendment
3745-69-30	Underground injection applicability.	Provides the applicability requirements for underground injection of hazardous waste, and provides references to other rules that contain specific requirements for these entities.	Amendment
3745-205-100	Applicability-containment buildings rules.	Provides the applicability requirements for containment buildings, including dust controls, liquid containment, construction requirements, and references to other rules having specific requirements for these units.	Amendment
3745-205-101	Design and operating standards for containment buildings.	Provides design and operating standards for containment buildings, including design standards, containment and secondary containment systems for liquids (and the circumstances under which these may not be required), management practices, and required certifications.	Amendment
3745-205-200	Applicability- military munitions.	Provides references to the rules that apply to the storage of hazardous waste munitions and hazardous waste explosives.	Amendment
3745-205-201	Design and operating standards for military munitions.	Provides design and operating requirements for military munitions and hazardous waste explosives storage units, including construction, containment systems, controls, and monitoring, and including the packaging and inspection of the waste in storage.	Amendment
3745-256-101	Design and operating standards for containment buildings.	Provides design and operating requirements for containment buildings, including design standards, management practices, containment and secondary containment of liquids (and the opportunity for the director to waive certain of these requirements under certain conditions).	Amendment
3745-256-200	Applicability- military munitions.	Provides references to the rules that apply to the storage of hazardous waste munitions and hazardous waste explosives.	Amendment
3745-256-201	Design and operating standards for military munitions.	Provides design and operating requirements for military munitions and hazardous waste explosives storage units, including construction, containment systems, controls, and monitoring, and including the packaging and inspection of the waste in storage.	Amendment
3745-266-20	Applicability- recyclable materials used in a manner constituting disposal.	Describes what rules apply to recyclable materials that are used in a manner that constitutes disposal, discusses what that entails, and provides references to specific requirements in other rules.	Amendment
3745-266-80	Applicability and requirements. Spent lead-acid batteries being reclaimed.	Provides the applicability and reduced requirements regarding spent lead-acid batteries that are hazardous waste and that are being reclaimed.	Amendment

Environmental Protection Agency

Rule Number	Rule Title	Brief Summary of the Content	Type
3745-266-102	Permit standards for burners.	Specifies the permit standard for burners of hazardous waste in boilers and industrial furnaces, and indicates other applicable rules.	Amendment
3745-266-103	Interim standards for burners.	Establishes minimum standards for burners of hazardous waste who are already burning hazardous wastes that became subject to the boiler and industrial furnace (BIF) hazardous waste standards due to a regulatory change.	Amendment
3745-266-104	Standards to control organic emissions.	Provides standards to control organic emissions at boilers and industrial furnaces.	Amendment
3745-266-107	Standards to control hydrogen chloride and chlorine gas emissions.	Provides standards to control hydrogen chloride and chlorine gas emissions from boilers and industrial furnaces.	Amendment
3745-266-111	Standards for direct transfer.	Provides standards for direct transfer of hazardous waste from a transport vehicle to a boiler or industrial furnace. It defines the relevant terms, provides operating requirements, requirements regarding the area where the transfer occurs, and the equipment involved.	Amendment
3745-266-201	Definitions for the military munitions rules.	Provides definitions pertaining to military munitions.	Amendment
3745-266-202	Definition of waste for purposes of the military munitions.	Provides the definition of waste as it pertains to military munitions, including an explanation of when military munitions are wastes.	Amendment
3745-266-203	Standards applicable to the transportation of waste military munitions.	Provides standards for the transportation of waste non-chemical military munitions.	Amendment
3745-266-205	Standards applicable to the storage of waste military munitions.	Provides the standards applicable to the storage of waste military munitions, including criteria for the hazardous waste regulation of waste non-chemical military munitions in storage, notice requirements upon termination of waste storage, reinstatement of the conditional exemption from hazardous waste storage regulation, and what rules apply to waste chemical munitions.	Amendment
3745-266-210	Definitions that apply to the conditional exemption for LLMW storage and disposal rules.	Provides definitions that are used in the rules that pertain to conditional exemption for low level mixed waste storage and disposal rules.	Amendment
3745-266-260	LLMW storage unit closure.	Provides requirements for the closure of low level mixed waste storage units.	Amendment
3745-270-04	Treatment surface impoundment exemption.	Provides for an exemption from the land disposal prohibition, provided the requirements are met.	Amendment
3745-270-09	Special rules regarding wastes that exhibit a characteristic.	Provides requirements for wastes that exhibit a characteristic, and also indicate what to do if the waste is both a listed waste and a characteristic waste.	Amendment
3745-270-42	Treatment standards expressed as specified technologies.	Provides the descriptions of the wastes for which standards are expressed as a treatment method rather than a concentration level, and provides for the application to use an alternate treatment method.	Amendment
3745-270-48	Universal treatment standards.	Provides universal treatment standards for underlying hazardous constituents that certain hazardous wastes must meet before they can be land disposed.	Amendment
3745-273-60	Applicability-standards for destination facilities.	Provides the applicability of standards for universal waste destination facilities.	Amendment
3745-279-01	Definitions pertaining to used oil management standards.	Contains definitions of terms pertaining to the management of used oil.	Amendment
3745-279-42	Notification by used oil transporters.	Contains the notification by used oil transporters, including the requirement to obtain a U.S. EPA identification number, and the details of how to provide the notification and what information is required.	Amendment
3745-279-51	Notification by used oil processors and re-refiners.	Contains the notification by used oil processors and re-refiners, and provides the requirement to obtain a U.S. EPA identification number, as well as the details of how to provide notification and what information must be provided in the notification.	Amendment

Environmental Protection Agency

Rule Number	Rule Title	Brief Summary of the Content	Type
3745-279-62	Notification by used oil burners.	Provides the requirement of used oil burners to notify Ohio EPA and US EPA of their used oil management activities and obtain a US EPA identification number, and it provides specific information as to how to accomplish that.	Amendment
3745-279-73	Notification by a used oil fuel marketer.	Provides the requirement of used oil fuel marketers to notify Ohio EPA and U.S. EPA of their used oil management activities and obtain a U.S. EPA identification number, and it provides specific information as to how to accomplish that.	Amendment
3745-9-08	Well disinfection.	Requires well disinfection at the time of completion after construction, installation, development, alteration, or repair, and microbiological analysis before supplying water for human consumption.	Amendment
3745-81-01	Definitions.	Defines the terminology used in Chapter 3745-81 of the Administrative Code.	Amendment
3745-81-27	Analytical techniques.	Specifies analytical methods certified laboratories must use to test public water system water for compliance with maximum contaminant levels and other regulatory standards.	Amendment
3745-81-32	Public notification.	Sets forth requirements including the initiation, duration and level of advisory information provided to the public by public water systems during a time in which the quality of water may be inadequate in protecting the health of individuals served.	Amendment
3745-81-60	Sanitary surveys.	Provides for the conducting of a sanitary survey at a community and public water systems.	Amendment
3745-81-72	Disinfection of water from surface water sources.	Establishes specific requirements for disinfection of surface water used for public water supplies, including performance standards for deactivation of pathogens and minimum deactivation concentrations.	Amendment
3745-81-76	Water source designation.	Requires the director of Ohio EPA to designate the water source for each public water system as either surface or ground water.	Amendment
3745-89-03	Procedure for laboratory certification.	Explains the procedure for obtaining laboratory certification.	Amendment
3745-89-08	Reporting of analytical results.	Outlines the requirements for reporting analytical results; including the method, timing, and means of reporting.	Amendment
3745-96-02	Required report content.	Outlines the required content of the consumer confidence report.	Amendment
3745-96-03	Required additional health information.	Outlines the additional health information that is required for the consumer confidence report.	Amendment
3745-21-17	Portable fuel containers.	Specifies new volatile organic compound (VOC) performance standards to be met for new gasoline containers and spouts.	No change
3745-72-01	Applicability.	Specifies the applicability provisions in OAC Chapter 3745-72.	No change
3745-72-03	Gasoline volatility standards and general provisions.	Defines the gasoline volatility standards of low Reid vapor pressure gasoline as 7.8 pounds per square inch absolute.	No change
3745-72-04	Transfer documentation and recordkeeping.	Specifies the documentation and recordkeeping requirements.	No change
3745-72-07	Special provisions for alcohol blends.	Specifies the allowable increase in Reid vapor pressure when combining ethanol with gasoline.	No change
3745-72-08	Quality assurance and test methods.	Specifies the quality assurance procedures and test methods to be used for testing low Reid vapor pressure gasoline.	No change

State Emergency Response Commission

Rule Number	Rule Title	Brief Summary of the Content	Type
3750-15-01	Applicability.	Contains applicability of rules; governs procedures conducted by commission.	No change
3750-15-02	Construction of rules.	Contains rule construction requirements; to accomplish purpose of chapter 3750(ORC).	No change
3750-15-10	Severability.	Contains severability of the rule; each paragraph of the rules is declared an independent paragraph.	No change
3750-25-12	Determining notification requirements of mixtures or solutions.	Contains notification requirements; establishes reportable quantity guidelines for reporting releases of mixtures.	No change
3750-25-13	Release notification requirements for radionuclides and solid particles.	Contains release notification requirements for Radionuclides and Solid Particles; establishes release notification requirements and exemptions in this area.	No change
3750-25-20	Reportable quantities for oil including crude oil.	Contains reportable quantities for oil including crude oil; establishes reportable quantities (in pounds) for release reporting by responsible party.	No change
3750-30-15	List or material safety data sheets (MSDS) reporting requirements for subject facilities.	List of material safety data sheets reporting requirements; establishes guidelines and timelines for submission.	No change
3750-30-25	Identification of hazardous chemicals.	Requires identification of hazardous chemicals; outlines definitions of five (5) health categories.	No change
3750-30-27	Threshold quantities for hazardous chemical reporting.	Contains threshold quantities for hazardous chemicals; establishes quantities for being subject to the reporting requirements.	No change
3750-50-01	Annual inventory filing fees and form.	Contains filing fees and forms; establishes program filing fee schedule.	No change
3750-50-07	First time filer grant awards.	Contains first time filer grant awards; establishes a fiscal reimbursement of first year filing fees to local committees based on application to commission.	No change
3750-50-08	Committee responsibilities for first time filer grant application.	Establishes committee responsible for First-time filer grant; outlines committee administrative responsibilities to participate in first time filer program.	No change
3750-50-09	Commission responsibilities for first time filer grant awards.	Contains the commission responsibility for First-Time filer grant awards; outlines administrative procedures and steps need to determine program first time filers.	No change
3750-50-15	Reimbursement for costs incurred under Chapter 3750. of the Revised Code.	Contains reimbursement for costs incurred under Chapter 3750 of the Revised Code; committees may receive and accept grants and gifts; commission may make grants available to state agencies for administering and implementing 3750(ORC).	No change
3750-50-25	Grant application for funds in the emergency planning and community right-to-know reserve fund.	Contains grant application for funds in the EPCRA reserve fund; application on forms adopted by commission; committee must demonstrate need for additional funds.	No change
3750-80-01	Application for variance by local emergency planning committee.	Contains application for variance by local emergency planning committees; application contents and timelines.	No change
3750-80-02	Criteria for granting a variance to a local emergency planning committee.	Contains criteria for granting a variance for a Local Emergency Planning Committee; incorporates scientific evidence and consideration factors as outlined in rule.	No change
3750-80-03	Decision by emergency response commission.	Decision to grant or deny the application by the Emergency Response Commission; 120 days to make variance decision; sixty percent (60%) vote needed for variance issuance.	No change
3750-85-01	Application for variance by political subdivision.	Contains application for variance by political subdivision; application contents and timelines.	No change
3750-85-02	Criteria for granting a variance to a political subdivision.	Contains criteria for granting a variance to a political subdivision; incorporate scientific evidence and consideration factors as outlined in rule.	No change
3750-85-03	Decision by local emergency planning committee.	Requires decision by Local Emergency Planning Commission regarding a variance; 120 days to make variance decision; sixty percent (60%) approval vote needed for variance issuance.	No change