



Public Interest Center | P.O. Box 1049 | Columbus, OH | 43216-1049

FOR RELEASE: February 7, 2012
MEDIA CONTACT: Linda Fee Oros, (614) 644-2160
CITIZEN CONTACT: Mary McCarron, (614) 644-2160

Ohio EPA Proposes Water Quality Certification for Nationwide Permits

Ohio EPA is revising its water quality certifications that regulate several categories of similar dredge and fill-type activities that can be covered under a single, nationwide permit.

Ohio EPA will hold a public information session and hearing to discuss permit related issues regarding lowering of water quality on Feb. 27, 2012, at 3:30 p.m. at the Center for Excellence, Ohio EPA, 50 West Town Street, Suite 700, Columbus. The public hearing will end when all interested attendees have had an opportunity to provide testimony. Visitors to the building must present a photo I.D.

Nationwide permits are federal actions designed to reduce the regulatory and administrative burdens for projects that will result in minimal water quality impacts. Each state must certify each nationwide permit, and may include terms specific to the needs of each state. Examples of these types of permits that Ohio certifies include temporary construction, access and dewatering, utility line activities, maintenance activities, bank stabilization, linear transportation projects, aquatic habitat restoration, residential development and commercial and institutional developments. Ohio EPA water quality certifications remain in place for five years.

Changes to the draft certification for Ohio include:

- simplifying eligibility for coverage by adding stream and wetland limitations to every nationwide permit;
- revising limits on linear footage of stream impacts that may be authorized to match federal permit limits of 300 linear feet;
- allowing a project that meets the U.S. Army Corps of Engineers definition for emergency permit coverage to be automatically authorized under Ohio's nationwide permit;
- requiring applicants to coordinate their project with the Ohio Department of Natural Resources to determine whether it impacts a state threatened or endangered species if a project is located in the emergency management zone of a public water supply intake;
- allowing mitigation to be at the discretion of the U.S. Army Corps of Engineers project manager if the mitigation exceeds one-tenth of an acre for streams. Mitigation for wetlands would follow Ohio EPA mitigation ratios, while projects less than one-tenth of an acre would be at the discretion of the U.S. Army Corps of Engineers;

- allowing Ohio EPA to exempt projects with minor impacts from obtaining individual water quality certifications if a project exceeds 300 linear feet of impacts to streams or lake shorelines; and
- restricting allowable impacts for coal mining activities to one-half acre for category one and two wetlands, and to 300 linear feet for streams to be consistent with the proposed U.S. Army Corps of Engineers requirements.

Approved activities would result in lowering of water quality and surface waters of the state, including lakes, wetlands and streams. In order to receive a nationwide permit, the applicant must demonstrate activities will not violate Ohio's water quality standards or create adverse impacts to water quality as required in the federal Clean Water Act. Anyone who discharges dredged or fill material into Ohio waters is required to obtain a water quality certification from Ohio EPA and then a water quality permit from the U.S. Army Corps of Engineers.

Ohio EPA inspectors will be authorized through the state certifications to oversee activities to ensure they are progressing according to terms and conditions of the water quality certification.

Ohio EPA will accept written comments on the draft water quality certifications through close of business March 5, 2012. Comments may be sent to Ohio EPA-DSW, Permits Processing Unit, P.O. Box 1049, Columbus, Ohio 43216-1049., or emailed to chris.bowman@epa.ohio.gov.

For more information on the [Draft Nationwide Water Quality Certification](#) that authorizes U.S. Army Corps of Engineers nationwide permits, visit the above link for Ohio EPA's website, or contact Tom Harcarik at tom.harcarik@epa.ohio.gov.