



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD

CHICAGO, IL 60604-3590

DEC 04 2013

REPLY TO THE ATTENTION OF:

Mr. Scott J. Nally
Director
Ohio Environmental Protection Agency
50 West Town Street, Suite 700
P.O. Box 1049
Columbus, Ohio 43216-1049

Dear Mr. Nally:

The U.S. Environmental Protection Agency is pleased to enter into our second Environmental Performance Partnership Agreement (EnPPA) with Ohio Environmental Protection Agency. The enclosed signed EnPPA outlines our mutual agenda for continuing environmental progress in the State of Ohio and clearly delineates both agencies' expectations for the state and federal relationship.

I look forward to working with you and your dedicated staff on program-specific and joint priorities, which represent long-term strategic investment opportunities for our agencies. I believe this EnPPA will provide many opportunities to be innovative, achieve environmental progress and foster new ways for our agencies to work together.

If you have questions or wish to discuss the contents of the EnPPA, please contact me at (312) 886-3000 or your staff may contact Allen Melcer, Land and Chemicals Division, at (312) 886-1498.

Sincerely,


Susan Hedman
Regional Administrator

Enclosure

2013 — 2015



Environmental
Protection Agency

Performance Partnership Agreement



Ohio Environmental Protection Agency
U.S. Environmental Protection Agency

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

Authorizing Signatures

The Ohio Environmental Protection Agency and U. S. Environmental Protection Agency, Region 5 2013-2015 Environmental Performance Partnership Agreement is approved on the date of the last signature received.

For the State of Ohio:



Scott J. Nally, Director
Ohio Environmental Protection Agency

11/1/13

Date

For the U.S. Environmental Protection Agency, Region 5:



Susan Hedman, Regional Administrator
U.S. Environmental Protection Agency, Region 5

12-4-13

Date

Table of Contents

Purpose of the PPA	4
Development and Elements of the PPA	5
Roles of Ohio EPA and USEPA Region 5	5
Enforcement and Compliance Assurance	6
Quality Management Plans	6
Reporting	7
Joint Priorities and Action Items	8
Joint Planning and Evaluation Process	9
Mutual Accountability	9
Dispute Resolution Process	10
Environmental Conditions in Ohio	10
Air	
Division of Air Pollution Control	16
Water	
Division of Drinking and Ground Waters	24
Division of Surface Water	32
Land	
Division of Environmental Response and Revitalization	44
Division of Materials and Waste Management	51
Office of Compliance Assistance and Pollution Prevention	56

Environmental Performance Partnership Agreement (PPA)
Between
Ohio Environmental Protection Agency
And
U.S. Environmental Protection Agency Region 5
October 1, 2013 – September 30, 2015

Purpose of the PPA

The Ohio Environmental Protection Agency (Ohio EPA) and the United States Environmental Protection Agency (USEPA), Region 5 have entered into an Environmental Performance Partnership Agreement (PPA). This biennial agreement identifies program specific priorities and program specific joint priorities between the two (2) agencies. The purpose of this agreement is:

1. To determine a specific list of program elements for primary focus;
2. To develop a general plan of action for each element listed;
3. To describe the roles and responsibilities of each agency in addressing each element;
4. To set the term of this agreement from October 1, 2013, to September 30, 2015.

The PPA is a product of the National Environmental Performance Partnership System (NEPPS), a joint initiative of the USEPA and Environmental Council of States (ECOS). The PPA, formed under NEPPS, is designed to provide states and USEPA with flexibility in achieving environmental results and to enhance accountability in achieving environmental progress. The Performance Partnership Grant (PPG) is the Federal grant used to fund many of the PPA activities.

Scope of the PPA

The PPA, including the general work plans, primarily focuses on activities that are funded by PPG dollars and matched by state dollars. Where there is a conflict between work plans that were submitted with the categorical grants and the work plans included in this PPA, Ohio will implement and report on the work plans associated with the categorical grant awards. The scope of the PPA by no means fully encompasses the entire work load of each agency, but is intended to compliment Ohio EPA's strategies and USEPA's regional work plan. It is designed to be a concise strategic document to be used to focus limited resources on specific outcomes. In addition to the general work plans described within the PPA, Ohio EPA has more detailed work plans to be used internally to address and complete the elements committed to within this agreement.

Grants Covered Under the PPA

Ohio EPA in keeping with recent national trends is including the use of a Performance Partnership Grant (PPG) structure as part of its Performance Partnership Agreement (PPA). The PPG structure will provide Ohio EPA more flexibility in the use of Federal financial resources to address environmental issues using a multifaceted approach. It will also reduce the administrative burden of having numerous specific categorical grants tied to work plans. USEPA's application review, grant award and distribution of PPG funding is based on Ohio EPA's PPG application, activity and reporting for those categorical grants that have monetary awards included in the PPG. The PPG allows for the continuance of key resource investments that have already been determined to be priority activities. The proposed general categories are as follows:

1. Clean Water Act (CWA) Section 106-activities under Catalog of Federal Domestic Assistance (CFDA) 66.419;
2. Public Water System Supervision (PWSS) annual formula grant under CFDA 66.432;
3. Clean Air Act (CAA) Section 105 activities under CFDA 66.001;
4. Resource Conservation and Recovery Act Subtitle C (Hazardous Waste Management State Program Support) CFDA 66.801; and,

5. Underground Injection Control (UIC) activities under CFDA 66.433.
6. CERCLA 128 (a) Brownfields, under CFDA 66.817

Non-PPG grant activity covered in the PPA includes components from the following sources:

1. Operator Training 104(g) activities under CFDA 66.471;
2. Title V permitting and compliance activities under the Clean Air Act Amendments.
3. Diesel Emissions Reduction Act, CFDA 66.040;
4. American Recovery and Reinvestment Act; CFDA 66.040;
5. Resource Conservation Recovery Act Non-Hazardous Waste.
6. Auto Body Environmental Project State Innovation Grant (SIG).

Fiscal Responsibility

With the receipt and use, of Federal funds towards an endeavor, comes the responsibility of the recipient to track the success of the program and to show results. To achieve the goals of transparent grants management, Ohio EPA has incorporated standard operating procedures (SOPs), a grants management policy and a grants data tracking system to track the receipt, use and closeout of all grants funding the Agency receives. This approach will provide for easy fiscal information sharing and interaction between the awarding agencies and Ohio EPA.

Development and Elements of the PPA

The development process:

1. **Initial List:** An initial list of PPA priorities began with Ohio EPA team members discussing and listing the past, present and future goals of each program area.
2. **Draft Priority List:** The draft priority list was developed from the initial list, focusing on those priorities that were funded primarily by USEPA grants.
3. **Draft PPA:** The draft PPA was developed from the priority list and presented to USEPA R5.
4. **Program Work Group Discussion:** Program groups from both agencies met jointly to discuss work plans, goals and PPA priorities.
5. **Final PPA:** The final PPA was a result of shared discussions and mutual agreement between the agencies.

The elements:

1. The elements of the PPA provide a framework for accountabilities by clearly identifying Ohio EPA and USEPA actions, roles and specific program area contacts.
2. The elements of the PPA require a joint assessment. The joint assessment will be an annual discussion between Ohio EPA and USEPA at the end of year one. The joint assessment will highlight successful program achievements; identify areas that need improvement and/or additional resources; provide a mechanism for discussions and adjustments in specific program directions or approaches.
3. The reporting elements of the PPA will be interpreted into a formal closure report.
4. The PPA is viewed as a “living document” that is flexible and can be modified, upon agreement, to reflect changes in Ohio EPA and USEPA needs.

Roles of Ohio EPA and USEPA

This agreement defines the roles that both Ohio EPA and USEPA R5 will undertake to meet the program commitments. Ohio EPA and USEPA recognize the primary role of Ohio EPA in administering Federal environmental programs delegated to the state under Federal law and in carrying out State programs prescribed under State law. USEPA R5’s role in assisting Ohio EPA includes: addressing multi-state or national issues directly; implementing programs not delegated to Ohio EPA; and working on targeted sectors, watersheds or air regions in conjunction with Ohio EPA. Several activities are common to both Ohio EPA and USEPA R5, such as permitting, compliance, enforcement, monitoring and outreach.

Enforcement and Compliance Assurance

Program specific compliance and enforcement activities accomplished during the term of this PPA are included in the detailed branch level priorities and the State program specific plans. The following tenets serve as the foundation for Ohio EPA-USEPA relationships with respect to compliance and enforcement activities:

- Utilize the most effective application of compliance tools to encourage regulated facilities to maintain and, where possible, exceed compliance with environmental laws (e.g., compliance assistance, compliance assurance, administrative/civil enforcement and criminal prosecution).
- Utilize joint preplanning to coordinate priorities, maximize agency resources, avoid duplication of efforts, eliminate “surprises” and institutionalize communication.
- Manage for internal and/or external environmental results.

In addition to providing guidance to Ohio EPA, USEPA has a continuing role in environmental protection in the State of Ohio. USEPA carries out its responsibilities in a variety of ways, including:

- Acting as an environmental steward, ensuring that national standards for the protection of human health and environment are implemented, monitored and enforced consistently in all states.
- Assisting in conducting inspections and enforcement actions.
- Providing compliance and technical assistance to the State and its regulated entities.
- Providing science based information to the State and its regulated entities.

Under this PPA agreement, Ohio EPA and USEPA retain their individual authorities and responsibilities to conduct enforcement and compliance assistance. Enforcement will be accomplished in the spirit of cooperation and trust. Specific Federal enforcement and compliance assistance responsibilities include, but are not limited to, the following:

- Working on National and Regional Priorities.
- Ensuring a level playing field and national consistency across State boundaries.
- Addressing interstate and international pollution (e.g., watersheds and ambient air).
- Addressing criminal violations.
- Conducting enforcement to assure compliance with Federal consent decrees, consent agreements, Federal interagency agreements, judgments and orders.
- Conducting State reviews in accordance with the National State Review Framework.

USEPA R5 has recently reviewed Ohio EPA's Clean Air Act (CAA), Clean Water Act (CWA), and Resource Conservation and Recovery Act (RCRA) enforcement programs under the State Review Framework. The final State Review Framework (SRF) document was issued on August 6, 2013. The final report contains several recommended actions to be taken by Ohio EPA. Ohio EPA will consider each of the recommendations and will implement those specific items that the state has agreed to in the state response to the SRF findings.

Quality Management Plan

The Ohio EPA Quality Management Plan (QMP) reflects the Ohio EPA's organizational structure. The QMP addresses those Quality Assurance (QA) issues that are organized, documented, planned, implemented, assessed, or improved in the same manner Agency-wide. It documents Ohio EPA's quality program for environmental data operations which is common to all of the divisions.

Ohio EPA has recently updated the Agency-wide QMP and was approved by Region 5 on February 28, 2013. The QMP will be effective through February 27, 2018. This document covers overall quality

processes as well as documents the division-specific QA processes and serves as an umbrella document for the Agency.

Ohio EPA and Region 5 have agreed that Ohio EPA will continue to approve project-level Quality Assurance Project Plans (QAPPs) under this performance partnership agreement except for Superfund pre-remedial and remedial programs and the Superfund removal program. Ohio EPA will submit program-level QAPPs to Region 5's Land and Chemicals Division for the Leaking Underground Storage Tank (LUST) and Resource Conservation and Recovery Act (RCRA) Subtitle C inspection programs. U.S. EPA competitive assistance agreements under, but not limited to, the Great Lakes Restoration Initiative (GLRI) and Exchange Network Programs shall require the submission of project-level quality documentation for U.S. EPA review and approval as specified in the assistance agreement terms and conditions.

Region 5 is required to assess the implementation of the approved quality systems as well as extramural agreements which U.S. EPA provides financial assistance. Beginning with the approval of the revised Ohio EPA QMP, Ohio EPA shall submit complete signed electronic (i.e. pdf) copies of all self-approved QAPPs to Region 5 on a quarterly basis to facilitate these assessments. In addition, Ohio EPA will submit an annual letter (by January 31 of each year beginning in 2014) to Region 5 each year which:

- identifies any minor revisions needed and/or incorporated into the QMP during the preceding year;
- confirms that the QMP approved by Region 5 is still in effect; and
- lists all QAPPs, by environmental program, which were self-approved by Ohio EPA during the preceding year.

Reporting

Ohio EPA will continue to report to USEPA the necessary information as required and agreed upon, including required timelines. It is recognized that reporting requirements beyond those specifically mentioned in this agreement do exist. Those requirements often relate to populating national databases or to tracking performance against priority activities identified in the internal Ohio EPA work plans. These requirements may be embodied in a variety of existing agreements and are not reiterated in this agreement. Ohio EPA will reference its Web site and other existing reports as supporting documentation for the PPA and the PPG. Both Ohio EPA and USEPA will report through the Joint Assessment Process.

Reporting through the Joint Environmental Conditions and the Final Conditions Report the following status tools for each performance measure are used:

1. Complete. The performance measure elements have been completed.
2. In Progress. The performance measure is progressing towards a specific goal or objective.
3. Ongoing. The performance measure is progressing and will be a continuing measure in the next PPA cycle.
4. Incomplete. The performance measure has not been adequately addressed.
5. Project Withdrawn. The performance measure has been withdrawn due to the stated reasons or fiscal constraints.

For States that administer authorized programs under Title 40 and receive or wish to receive reports or documents electronically, under those authorized programs, as it pertains to non-Title V sources, must ensure the designated program system meet and comply with the Cross-Media Electronic Reporting Regulation (CROMERR), Part 3, Title 40 effective 01/11/06. In accordance with the CROMERR regulation, before the implementation the designated State program system must be approved by USEPA.

If Ohio EPA is presented with a funding shortfall for any performance measure funded by Federal dollars agreed upon in the Performance Partnership Agreement (PPA), or negotiated in the PPA, both parties reserve the right to renegotiate and discuss removal of performance measures from the PPA.

Joint Priorities and Action Items

Joint priorities represent a subset of environmental program responsibilities that Ohio EPA and USEPA R5 agree represent investment priorities for the PPA period for various reasons, for example:

1. The program is an important, newly developing initiative that requires the attention of both Ohio EPA and USEPA R5 to adequately develop.
2. The program area is at risk of inadequately functioning, and the deficiency represents a significant vulnerability to the integrity of the environmental protection program.
3. The program represents a long-term strategic investment opportunity.

Ohio EPA and USEPA Region 5 have identified the following Joint Priorities:

1. Water and Wastewater Quality Program Priorities
 - a. Establish and implement a comprehensive nutrient reduction strategy
 - i. USEPA will work with and support OEPA to adopt the Trophic Index Criterion (TIC) into Ohio's water quality standards and associated implementation procedures for NPDES permits and TMDLs.
 - ii. Implementation of the strategy should include a focus on Lake Erie, particularly the Western Lake Erie Basin. Actions should include, but not be limited to:
 - Continuing work on Concentrated Animal Feeding Operations.
 - Regulation of nutrient and thermal discharges to protect and improve water quality, focusing on direct discharges and watersheds in the Western Lake Erie Basin at the outset,
 - Support binational Great Lakes Water Quality Agreement for Annex 4 - Nutrient Objectives.
 - b. Municipal wastewater initiatives including CSO communities and LTCP implementation, as well as SSO communities
Focus on Combined Sewer Overflow Long Term Control Plans; Sanitary Sewer Overflows and Municipal Separate Storm Sewer Systems. Ongoing work statewide will continue, but future work will take focus on the Western Lake Erie Basin.
2. Land Quality Program Priorities
 - Upland Use of Dredge Materials
 - Oil and Gas Waste
 - Landfill Odors

Ohio EPA and USEPA Region 5 will identify action items that can be worked on during the term of this agreement.

Joint Planning and Evaluation Process

Ohio EPA and USEPA R5 both agree that it is important to clearly articulate how all the components of the performance partnership are evaluated. In order to evaluate this agreement, both agencies will participate in a joint planning and evaluation process. The process timeline is as follows:

<u>Actions</u>	<u>Deadlines</u>
Senior Management Planning Meeting (2013-2015 PPA)	June 2013
Ohio EPA/USEPA Program-to-Program Meetings (2013-2015 PPA)	August 2013
Workplan Negotiation (2013-2015 PPA)	August 2013
Draft PPA Finalized (2013-2015 PPA)	September 2013
2013-2015 PPA Begins	October 1, 2013
Joint Assessment Process Meeting	July 2014
Joint Assessment Process Conditions Report	December 30, 2014
USEPA R5's Evaluation of Report	February 2015
2013-2015 PPA Final Environmental Conditions Report	December 2015
Senior Management Planning Meeting (2015-2017 PPA)	April 2015
Ohio EPA/USEPA Program-to-Program Meetings (2015-2017 PPA)	April/May 2015
Workplan Negotiation (2015-2017 PPA)	April 2015
Draft PPA Finalized (2015-2017 PPA)	June 2015
2015-2017 PPA Begins	October 1, 2015
Joint Assessment Process Meeting	July 2016
Joint Assessment Process Conditions Report	December 30, 2016
USEPA R5's Evaluation of Report	February 2017
2013-2015 PPA Final Environmental Conditions Report	December 2017

The joint assessment process for this agreement will:

- Allow for a check in at the mid-term Joint Assessment Process Meeting to determine if revisions or additions to the document are necessary to reflect changes in Ohio EPA and USEPA needs;
- Provide general discussion, measurements of outcomes and analyze the environmental and programmatic results of each element;
- Identify emerging issues, environmental trends and strategies for improvement;
- Provide flexibility in both form and substance, as warranted by program performance;
- Seek to eliminate duplicative or unnecessary efforts and reporting;
- Respond with appropriate solutions, including redirecting goals and resources;
- Encourage Ohio EPA to find innovative program implementation alternatives, as long as the desired result is able to be measured and achieved.

The success of each outcome of this agreement relies on clear, constructive communication and the commitment of Ohio EPA and USEPA R5 to work together to implement Ohio EPA's **Plan-Do-Check-Improve** model (**now Quality Services through Partnership model**), to solve problems and improve the programs. If any differences exist on specific issues or problems, Ohio EPA and USEPA R5 should move quickly to resolve them at the staff level or elevate the issue through the dispute resolution process in order to gain resolution.

Mutual Accountability

The approach from direct oversight to mutual accountability and joint assessment is a shift from the traditional approach. Ohio EPA and USEPA R5 will jointly assess each program element and determine the appropriate course change, as needed. USEPA R5 will review and act on new regulations in program areas that impact Ohio's authorization or where Federal statute or regulation requires USEPA review and approval of State actions (e.g., water quality standards).

Dispute Resolution Process

Ohio EPA and USEPA R5 will use the following agreed-upon dispute resolution process to handle the conflicts that may arise as we execute this agreement. We will treat the resolution process as an opportunity to improve our joint efforts and not as an indication of failure. For the purpose of this agreement, the following definitions will apply:

Dispute: Any disagreement over an issue that prevents a matter from going forward.

Resolution Process: A process whereby the parties move from disagreement to agreement over an issue.

Informal Dispute Resolution Guiding Principles

- Recognize conflict as a normal part of the State/Federal relationship;
- Approach disagreement as a mutual problem requiring efforts from both agencies to resolve;
- Approach the conflict as an opportunity to improve joint efforts;
- Aim for resolution at the staff level, while keeping management informed;
- Disclose underlying assumptions, frames of reference and other driving forces;
- Clearly differentiate positions and check understanding of content and process with all appropriate or affected parties;
- Document discussions to minimize future misunderstandings;
- Pay attention to time frames and/or deadlines and escalate quickly when necessary.

Formal Conflict Resolution

There are several formalized programmatic conflict resolution procedures that may need to be invoked if the informal route has failed to resolve all issues. Examples include:

- 40 CFR 31.70 (outlines the formal grant dispute procedures); and,
- National Pollutant Discharge Elimination System (NPDES) conflict resolution procedure.

For matters involving this agreement, the following procedures will be utilized:

1. Principle: Disputes should be resolved at the front line or staff level, when feasible.
2. Time frame: Disputes should be resolved as quickly as possible but within two (2) weeks of the issue arising at the staff level. If unresolved at the end of two (2) weeks, the issue should be raised to the next level of each agency.
3. Escalation: When there is no resolution of the issue and the two (2) weeks have passed, there should be comparable escalation in each agency, accompanied by a statement of the issue and a one-page issue paper. A conference call between the parties should be held as soon as possible. Disputes that need to be raised to a higher level should again be raised in comparable fashion in each agency, until resolution is obtained.

Environmental Conditions in Ohio

To put the elements of this agreement into context, it is useful to review the progress achieved in each program area in Ohio EPA. A summary of Ohio's environmental conditions are as follows and are used as the basic elements listed in each area work plan:

Division of Air Pollution Control

The Division of Air Pollution Control ensures compliance with the federal Clean Air Act and the Emergency Planning and Community Right-to-Know Act as part of its mission to attain and maintain the air quality at a level that will protect the environment for the benefit of all. The division reviews, issues and enforces permits for installation and operation of sources of air pollution and operates an extensive ambient air monitoring network. The division also oversees an automobile emission testing program, to minimize

emissions from mobile sources. There are 267 air monitors across the state of Ohio. As of September 1, 2013, all counties are designated in attainment for NO₂ and CO. Nineteen counties are designated nonattainment for PM 2.5, five counties are designated nonattainment for SO₂, nineteen counties are designated nonattainment for the 2008 ozone standard and three partial counties are designated nonattainment for lead. Ozone season begins in April and runs through October, all counties are considered in attainment for the 1997 Ozone standard.

Division of Drinking and Ground Waters

The mission of the Division of Drinking and Ground Waters' (DDAGW) is to protect human health and the environment by characterizing and protecting ground water quality and ensuring Ohio's public water systems provide adequate supplies of safe drinking water. The Division pursues this mission through the program areas as follows:

Public Drinking Water Supply Supervision: DDAGW is responsible for oversight of Ohio's public water systems to ensure they comply with all federal and State drinking water laws and provide adequate supplies of safe drinking water.

There are approximately 4,900 public water systems in Ohio including about 1,250 community public water systems serving cities, villages, rural communities, and mobile home parks, 750 non-transient non-community systems such as schools, factories, and 2,900 transient non-community systems such as restaurants, campgrounds, and churches. Ninety-eight percent of Ohio's public water systems maintained compliance with all drinking water requirements in SFY 2011. More non-community water systems struggle to maintain compliance, particularly transient non-community. Statewide, about 93% of these systems meet water quality standards, but only about 83% conduct all required monitoring.

A few of the specific activities completed as part of this program include: conducting over 2,000 inspections of public water systems annually; reviewing and processing approximately 100,000 water quality sample reports every year to ensure Ohio's public water systems are providing water that meets chemical and bacteriological standards; reviewing and approving approximately 750 engineering plans for design of new public water systems and upgrades to existing systems; providing technical assistance to thousands of public water systems to maintain compliance with requirements; issuing approximately 50 enforcement actions to return recalcitrant water systems to compliance; and responding to emergency situations affecting public water systems.

Ground Water and Drinking Water Protection: DDAGW collects and analyzes water quality data, conducts studies to characterize ground water quality, and identifies areas of known ground water contamination. Additional effort is made to assess and identify impacted and threatened public water systems. A water quality data management system and other available technologies, including Geographic Information System technology, are used to analyze and summarize information on a statewide, regional, and site-specific basis. DDAGW collaborates with the Clean Water Act Program to support the evaluation of the public water supply beneficial use as part of the Integrated Water Quality Report and related water quality programs.

Underground Injection Control Program: Ohio EPA has been delegated primary enforcement authority for the regulation of Class I, Class IV, and Class V underground injection control (UIC) wells. There are 10 Class I wells in Ohio used to inject hazardous and non-hazardous fluids into geologic formations thousands of feet below ground. There are over 32,000 Class V wells (including 13 permitted industrial injection wells and over 6000 remediation wells) used to place a variety of non-hazardous fluids typically just below the ground surface. All Class IV wells are prohibited as they inject hazardous materials into or above an underground source of drinking water.

Division of Surface Water

Ohio is water rich state with more than 23,000 miles of named and designated rivers and streams, including 24 stream and river designated as State Wild, Scenic, or Recreational Rivers (800+ cumulative miles). Ohio also includes a 451 mile border on the Ohio River, 447 publicly owned lakes, ponds, and reservoirs > 5 acres, and 290 miles of Lake Erie mainland and islands shoreline. It is estimated that there are about 500,000 acres of wetlands in Ohio. Ohio's ground water resources are abundant and include three major aquifer types.

The Division of Surface Water is responsible for restoring and maintaining the quality of Ohio's rivers, streams, lakes and wetlands. The goal of Ohio's surface water program, restoration and maintenance of Ohio's water resources, reflects the national water quality objective as contained in the Federal Clean Water Act (CWA). The Division of Surface Water utilizes many tools in working to achieve its goal:

Regulation

- National Pollutant Discharge Elimination System (NPDES) permits are issued to municipal and industrial wastewater and stormwater dischargers. Ohio has over 4,000 regulated facilities.
- Permits-to-Install (PTI) are issued for construction of new or expanded wastewater facilities and sewers and for the disposal of sludge from wastewater treatment facilities. Over 2,000 PTIs are issued annually.
- Indirect Discharge Permits are issued to discharges of industrial wastewater into public sewer systems.
- Section 401 Water Quality Certifications are issued for the discharge of dredge and fill material to waters of the state.
- Testing is conducted and certification is awarded to operators of water and wastewater treatment facilities to ensure baseline proficiency in various aspects of drinking water treatment and distribution and wastewater collection and treatment.

Technical Assistance

- Operator assistance is provided to small community wastewater treatment plants experiencing compliance problems.
- Pass-through funds for nonpoint source demonstration projects are provided.

Partnering

- The pretreatment program is a partnership among USEPA, Ohio EPA and local communities for controlling the discharge of industrial wastewater into public sewer systems.
- Lake Erie Remedial Action Plans (RAPs), which promote community based decision making for the correction of water quality concerns, are coordinated by the division.
- Programmatic technical support is provided to the Division of Drinking and Ground Water and Division of Emergency and Remedial Response.
- The division works together with the Ohio Department of Natural Resources to implement the nonpoint source and wetlands programs.

Measuring

- Biological and chemical water quality monitoring is conducted to assess quality of Ohio's lakes and streams.
- Sampling of wastewater discharges is performed to monitor compliance with permit limits.

- Inspections at regulated facilities are performed to ensure compliance with environmental regulations.

Planning

- Water quality standards for Ohio are developed.
- The Division has begun the process of shifting away from a traditional programmatic way of thinking (enforcement, permits, nonpoint planning, etc.) toward an ecosystem based approach. This approach, focusing on watersheds, will facilitate the creation of partnerships with local government and the general public resulting in community-based environmental management.
- The Lake Erie Lakewide Area Management Plan (LaMP), which incorporates an ecosystem approach to the protection of Lake Erie and considerable public involvement, is coordinated by the division.

Division of Environmental Response and Revitalization

Ohio's response program is the comprehensive cleanup program in the Division of Environmental Response and Revitalization (DERR) at Ohio EPA. Ohio's response program includes the traditional Remedial Response program (RR) that requires investigations and cleanup of Ohio's hazardous waste sites created prior to 1980. RR includes oversight activities in support of USEPA at CERCLA sites and oversight of state-only cleanup sites. The response program also includes the Voluntary Action program (VAP) that allows volunteers to remediate sites contaminated with hazardous substances and petroleum to health-based standards. Volunteers may use the so called "classic" track VAP and receive a covenant-not-to-sue from the state or use the "MOA" track VAP and also receive assurance that the federal government will not ask for more cleanup. Many, but not all, of the VAP cleanups are brownfield sites. The response program also includes an Emergency Response program (ER) that responds to and cleans up spills and sudden releases of hazardous materials and petroleum. The final component of the response program is the Site Assistance and Brownfield Revitalization program (SABR) that assesses the sites in Ohio's database to determine if a cleanup is needed and evaluates the site for purposes of queuing the site toward the best-fitting cleanup program. SABR also provides community revitalization support (CRS) by helping local governments find opportunities for funding brownfields, by providing free technical assistance and site assessment work, and by determining the best cleanup program for their contaminated sites.

Collectively, these programs work on sites contaminated, or perceived to be contaminated, with hazardous substances, petroleum or hazardous materials. Ohio's database¹ of sites currently includes **2,806** sites. Of those **2,806** sites, approximately **1,390** have been or are currently in the RR program, **419** have received covenants not to sue (CNS) from the VAP, approximately **362** sites are in some phase of VAP assessment or cleanup receiving Ohio EPA technical assistance, and approximately **404** have or are pursuing Clean Ohio Fund money for assessment or cleanup. Ohio EPA has done some work at hundreds of other sites, but the work, including a cleanup if necessary, has not been completed and is not currently underway. Finally, **30,068** suspected or confirmed releases of petroleum from regulated underground storage tanks have occurred. Of those releases, **27,492** have been assessed and cleaned up, leaving **2,576** potential UST

¹This database includes any site for which Ohio EPA has some information. The sites may or may not be contaminated. The existing database does not represent the universe of contaminated sites in Ohio, certainly more exist.

brownfields; however, jurisdiction for these sites is under the State Fire Marshal located in Ohio's Department of Commerce. The number of these sites that are brownfields fluctuates as economic opportunities for reuse and redevelopment change. Essentially, any one of these sites could hold the promise of reuse and generating economic growth for a community.

Ohio EPA has extensive experience using grants to develop cleanup capacity and build programs. Ohio EPA has used Superfund site assessment, CORE and support funding to establish the management expertise, technical expertise, data management capability, and program guidance and policy necessary for implementing state and federal cleanup programs in Ohio. The core RR program addresses sites that are driven into cleanup because of threats to human health or the environment. Over time, Ohio EPA has also used federal brownfield grants to establish similar kinds of tools and expertise to address sites that are driven into cleanup because of economic opportunity. USEPA brownfield grants enabled Ohio EPA to add the VAP MOA track, provide free technical assistance and site assessment work to pilot communities and develop VAP program guidance and procedures.

The funding requested in this proposal builds on Ohio EPA's response program. The grant funds will pay for either establishing or enhancing program components. The activities in this proposal fall largely into two main categories: 1) building capacity to address more sites with the existing two core program areas, or 2) enhancing public access to existing information about Ohio's contaminated sites including brownfields.

Division of Materials and Waste Management

The Division of Materials and Waste Management (DMWM) ensures proper management of 1.4 tons of hazardous waste stored, treated or disposed in Ohio and 33 million tons of solid waste and 1.3 million tons of hazardous waste generated in Ohio. DMWM regulates waste at 55 operating solid waste landfills and 60 solid waste transfer facilities; 427 composting facilities; and 56 construction and demolition debris (C&DD) landfills. DMWM also regulates 33 scrap tire facilities and 62 scrap tire transporters. DMWM also regulates the management and treatment of infectious waste from more than 3,490 generators, 83 transporters and 106 treatment facilities. Regulated hazardous waste facilities include 44 permitted hazardous waste treatment, storage and disposal facilities; approximately 1,100 large quantity generators; 9,700 small quantity generators; approximately 7,580 conditionally exempt small quantity generators; and 368 used oil handlers. More than 640 facilities are required to conduct some type of corrective action to clean up a portion of their property, with DMWM oversight. DMWM's Cessation of Regulated Operations (CRO) program makes sure that hazardous substances are responsibly handled and removed when businesses close or are abandoned. DMWM's CLOSER (Closed Landfills and Orphaned Site Evaluation and Rating) program addresses problems (i.e., through erosion control, cap placement or repair, off-site landfill gas migration monitoring, leachate controls) at abandoned solid waste and C&DD landfills. Ohio EPA continues to receive national recognition of its CLOSER Program approach and successful achievements. DMWM's scrap tire abatement program uses fees collected from the sale of tires to clean up scrap tire sites. The funds are also used to pay for disposal costs to help local governments throughout the state who provide the manpower to collect scrap tires dumped along public road right-of-ways and take them to a central collection staging point. Ohio EPA also transfers up to \$500,000 to the Ohio Department of Natural Resources (ODNR), who in turn issue grants for scrap tire amnesty collection events and targeted scrap tire cleanup events.

More than 90 percent of the scrap tires collected in Ohio continue to be recycled and reused in numerous ways, primarily as aggregate substitute for civil engineering projects and for the production of many rubber products. ODNR also issues grants private and public sector parties in developing new markets and demonstrating new uses for scrap tire products through its Market Development Grant Program. The division shares solid waste and C&DD compliance monitoring and enforcement authority with 74 local health districts that can demonstrate an adequate program. Finally, the division is responsible for preparing

the State's Solid Waste Management Plan that establishes goals for waste reduction, recycling and reuse, and overseeing local solid waste districts that develop and implement local plans.

Outlook

Ohio, in partnership with USEPA and other stakeholders, can be proud of its environmental record, but must be ready for continuing challenges. This agreement, addressing near-term focus points and program specific elements and corresponding work plans, is designed to outline those commitments. The outcomes are intended to improve environmental conditions in the State of Ohio and provide a mechanism to track the improvement.

Division of Air Pollution Control

Strategic Goal 1– Taking Action on Climate Change and Improving Air Quality

Ohio EPA Contact: Bob Hodanbosi	USEPA Contact: George Czerniak	Due Date: See Below
USEPA Role: Provide technical and programmatic support.		Status:
Funding Source FFY 2014-2015: Section 105 Grant/PPG, MCDI separate grant		

Objective 1.1: Address Climate Change. Reduce the threats posed by climate change by reducing greenhouse gas emissions and taking actions that help communities and ecosystems become more resilient to the effects of climate change.

USEPA 2011- 2015 Strategic Measures (Outcomes) - Address Climate Change

- By 2015, the light-duty vehicle greenhouse gas rule will achieve reductions of 99 MMTCO₂Eq.
- By 2015, additional programs from across USEPA will promote practices to help Americans save energy and conserve resources, leading to expected greenhouse gas emissions reductions of 740.1 MMTCO₂Eq. from a baseline without adoption of efficient practices. This reduction compares to 500.4 MMTCO₂Eq. reduced in 2008.
- By 2015, USEPA will integrate climate change science trend and scenario information into five major scientific models and/or decision-support tools used in implementing Agency environmental management programs to further USEPA’s mission, consistent with existing authorities.
- By 2015, USEPA will account for climate change by integrating climate change science trend and scenario information into five rule-making processes to further USEPA’s mission, consistent with existing authorities.
- By 2015, USEPA will build resilience to climate change by integrating considerations of climate change impacts and adaptive measures into five major grant, loan, contract, or technical assistance programs to further USEPA’s mission, consistent with existing authorities.

Air Toxics – Toxics and Global Atmosphere State Commitments

- Ohio EPA will continue to participate in activities such as education/outreach on stratospheric ozone, Title VI. Activities will also include discussions with USEPA on climate change, possible collaboration on energy efficiency programs, participation in conference calls and meeting, etc. (Due Date: Ongoing through September 30, 2015)

Objective 1.2: Improve Air Quality. Achieve and maintain health-based air pollution standards and reduce risk from toxic air pollutants and indoor air contaminants.

USEPA 2011 – 2015 Strategic Measures (Outcomes) - Reduce Criteria Pollutants and Regional Haze

- By 2015, the population-weighted average concentrations of ozone (smog) in all monitored counties will decrease to 0.073 ppm compared to the average of 0.078 ppm in 2009.
- By 2015, the population-weighted average concentrations of inhalable fine particles in all monitored counties will decrease to 10.5 µg/m³ compared to the average of 11.7 µg/m³ in 2009.
- By 2015, reduce emissions of nitrogen oxides (NO_x) to 14.7 million tons per year compared to the 2009 level of 19.4 million tons emitted.

Division of Air Pollution Control

- By 2015, reduce emissions of sulfur dioxide (SO₂) to 7.4 million tons per year compared to the 2009 level of 13.8 million tons emitted
- By 2015, reduce emissions of direct particulate matter (PM) to 3.9 million tons per year compared to the 2009 level of 4.2 million tons emitted.

Federal Vehicle and Fuels Standards and Certification – Control Strategies State Commitments

- Ohio EPA will continue to operate a vehicle I/M program for the Cleveland/Akron area using ASM for pre-1996 vehicles and OBD II for 1996 and newer vehicles until July 1, 2015. Ohio EPA will implement program changes as required by the Ohio legislature. (Due Date: Ongoing through September 30, 2015)
- Ohio EPA will continue to conduct anti-tampering inspections. (Due Date: Ongoing through September 30, 2015)
- Ohio EPA will continue to review general conformity determinations and provide comments and/or concurrence. Ohio EPA will continue to review and provide input to metropolitan planning organizations on conformity analyses and provide letters of comment to USEPA. (Due Date: Ongoing through September 30, 2015)
- Ohio EPA will continue to develop and submit control strategy SIPs and maintenance plans with motor vehicle emission budgets based on MOVES. (Due Date: Ongoing through September 30, 2015)
- Ohio EPA will work on deletion of old state conformity MOUs and replacement conformity consultation MOUs, so that states can use the flexibility and be consistent with federal transportation conformity rules. (Due Date: Ongoing through September 30, 2015)
- Ohio EPA will continue to implement mobile source programs as required by the Clean Air Act. (Due Date: Ongoing through September 30, 2015)
- Ohio EPA will continue to support the Midwest Clean Diesel Initiative including the management of state clean diesel grants, active involvement in state clean diesel coalitions, Smartway, and the promotion, generation, and implementation of clean diesel funding, programs, projects, and policies. (Due Date: Ongoing through September 30, 2015)

NAAQS Ambient Air Monitoring State Commitments

- Ohio EPA will continue to operate a comprehensive air quality monitoring network in accordance with the regulations specified in Title 40 Code of Federal Regulations (CFR) Part 58, as well as with USEPA guidelines. (Due Date: Ongoing through September 30, 2015)
- DAPC will submit site information to AQS as soon as it is received from the reporting organizations. In addition, DAPC will periodically review the data that is in the system for accuracy. (Due Date: Ongoing through September 30, 2015)
- Ohio EPA will continue the air toxics monitoring program consistent with guidance to be provided by USEPA and will submit the data to the AQS national database as soon as it is available. (Due Date: Ongoing through September 30, 2015)
- Ohio EPA will work with USEPA to transition to submission of AQS data through USEPA's node by the end of 2013. (Due Date: By the end of 2013)
- Ohio EPA will submit the annual network plan required by 40 CFR § 58.10, by July 1, 2014 and July 1, 2015. The plan will include any updates to the ozone monitoring network, the SO₂

Division of Air Pollution Control

- monitoring network, and the new roadway NO₂ monitoring requirements, as resources allow. (Due Date: July 1, 2014 and July 1, 2015)
- Ohio EPA will ensure adequate, independent QA audits of NAAQS monitors are performed. (PEP and NPAPA audits are conducted by USEPA contractors.) (Due Date: Ongoing through September 30, 2015)
 - Ohio EPA will provide current ozone and PM_{2.5} data to AirNOW. (Due Date: Ongoing through September 30, 2015)
 - Ohio EPA will continue to operate lead monitoring at source-oriented and non-source oriented locations as required (Due Date: Ongoing through September 30, 2015)
 - DAPC staff will request permission from DAPC management and the Director's Office to send one representative to the AQS conference and other regional and State meetings which pertain to the management of monitoring data. (Due Date: Prior to the AQS conference)

NAAQS - Attainment Planning and Maintenance State Commitments

- Ohio EPA will review air quality reports and take appropriate actions dealing with new violating attainment areas with any of the NAAQS. (Due Date: Ongoing through September 30, 2015)
- Ohio EPA will, as appropriate, submit redesignation requests including maintenance plans for areas with clean air quality data. (Due Date: Ongoing through September 30, 2015)
- Ohio EPA will continue to implement 8-hr ozone SIPs. (Due Date: Ongoing through September 30, 2015)
- All areas in Ohio have been designated attainment for the 1997 8-hr ozone standard and all SIP elements were fulfilled. Ohio EPA will consult with USEPA, as necessary, to finalize area designations for PM_{2.5}. (Due Date: September 30, 2015)
- Ohio EPA will prepare recommendations on designations for the revised 2012 PM_{2.5} NAAQS. (Due Date: December 2013)
- Ohio EPA will facilitate implementation of NO_x and SO₂ requirements under the Clean Air Interstate Rule. Ohio EPA will work with USEPA regarding future plans to address interstate transport as a result of the vacation of the Cross State Air Pollution Rule. (Due Date: Ongoing through September 30, 2015)
- Ohio EPA will consult with USEPA, as necessary, to finalize area designations for the SO₂ primary NAAQS. (Due Date: Ongoing through September 30, 2015)
- Ohio EPA will continue to implement SIPs for the 2008 lead, 2006 PM 2.5, 1997 PM 2.5 and 1997 ozone NAAQS. (Due Date: Ongoing through September 30, 2015)
- Ohio EPA will explore working with USEPA to develop and implement local ozone reduction programs to help achieve attainment of 2008 8-hour ozone NAAQS. (Due Date: Ongoing through September 30, 2015)
- As resources allow, Ohio EPA will support local efforts to conduct public notification and education efforts, including reporting air quality forecasts and current conditions for ozone and particle pollution. (Due Date: Ongoing through September 30, 2015)
- As resources allow, Ohio EPA will work with local area stakeholders to support innovative, voluntary, early action. (Due Date: Ongoing through September 30, 2015)
- Ohio EPA will submit a criteria emissions inventory according to the Air Emissions Reporting Rule. (Due Date: Annually)

Division of Air Pollution Control

Regional Haze - Attainment Planning and Maintenance State Commitments

- Ohio EPA will continue to work with USEPA R5 on issues related to submitted regional haze SIPs. (Due Date: Ongoing through September 30, 2015)
- Ohio EPA will continue to implement BART requirements. (Due Date: Ongoing through September 30, 2015)

Permitting State Commitments

- For PSD sources that are covered by the Tailoring Rule, Ohio EPA will include a review for BACT for GHGs. (Due Date: Ongoing through September 30, 2015)
- Ohio EPA commits to monitor the percent of installation permits that meet the 180 Agency-day goal. The results shall be compiled annually. (Due Date: Annually)
- Ohio EPA, DAPC will continue to hold monthly calls with USEPA to discuss any USEPA comments concerning any permits. Ohio EPA, DAPC will respond as needed to address any concerns. (Due Date: Ongoing through September 30, 2015)
- DAPC will enter BACT/LAER determinations in the RACT/BACT/LAER Clearinghouse (RBLC) on a quarterly basis. (Due Date: Quarterly)
- When entering BACT/LAER determinations in the RBLC, Ohio EPA, DAPC shall enter the “application accepted date” and “permit issuance date” as part of the information entered in to the RBLC national database. . (Due Date: Quarterly)
- Ohio EPA will provide the following to USEPA: (Due Date: Ongoing through September 30, 2015)
 - A. For major NSR and PSD and netting permits submitted,
 - i. draft permit (transmitted electronically within 2 business days of issuance)
 - ii. technical support document (transmitted electronically within 2 business days of issuance of the draft permit)
 - iii. copy of application (hard copy mailed or transmitted electronically prior to issuance of the draft permit)
 - iv. final permit (transmitted electronically within 2 business days of issuance)
 - B. For Synthetic Minor Sources
 - i. draft permit (transmitted electronically within 2 business days of issuance)
 - ii. technical support document (transmitted electronically within 2 business days of issuance of the draft permit)
 - iii. final permit (transmitted electronically within 2 business days of issuance)
 - C. Controversial Sources
 - i. items listed in a or b
 - ii. response to comments document
 - iii. notification of controversial sources through hearing notices transmitted electronically within 2 business days of the issuance of the notice
- Ohio EPA will send USEPA copies of the permit-to-install applications for any PSD/Nonattainment or controversial permits that are for facilities located near the U.S./Canada border (generally the upper third of the state). In addition to the copy of each application, Ohio EPA will work with USEPA to provide the relevant information about the facility to the office of Air Quality and Planning Standards (OAQPS), so that the information can be uploaded onto the U.S./Canada

Division of Air Pollution Control

Bulletin Board located on the OAQPS Technology Transfer Network. (Due Date: Ongoing through September 30, 2015)

USEPA 2011-2015 Strategic Measures (Outcomes) - Reduce Air Toxics

- By 2015, reduce emissions of air toxics (toxicity-weighted for cancer) to 4.2 million tons from the 1993 toxicity-weighted baseline of 7.2 million tons.

Air Toxics State Commitments

- Prepare and submit Criteria and HAP data to the National Emissions Inventory (NEI) per USEPA's NEI schedule. Submit Criteria data as required by AERR in 2013, 2014, 2015. Submit HAP data for the 2014 NEI by Dec. 2015. Quality assure and revise NEI data during review periods. Participate in Regional and National inventory workgroup conference calls. (Due Date: Ongoing through September 30, 2015)
- Ohio EPA and USEPA have signed an agreement to delegate MACT implementation and enforcement authority by means of a state permit mechanism. Ohio EPA will maintain an active MACT program in DAPC. (Due Date: Ongoing through September 30, 2015)
- Ohio EPA will implement delegated or approved section 112, 111(d) and 129 standards, as appropriate, for major sources residual risk, and area sources. Work on GACT sources is limited to those sources that are required to obtain a permit from DAPC. (Due Date: Ongoing through September 30, 2015)
- Ohio EPA will participate in the quarterly State/Region 5 risk assessment conference calls, and if approved for travel, participate in annual State/Region 5 air toxics meeting. (Due Date: Ongoing through September 30, 2015)
- Ohio EPA will continue to conduct environmental assessments based on monitoring data and emission data. Ohio EPA will assist USEPA, as resources allow, to address concerns raised by NATA, with the understanding that NATA will not be used to direct the efforts of Ohio EPA's air toxics program. (Due Date: Ongoing through September 30, 2015)
- As resources allow, Ohio EPA will participate in research projects, policy issues and task forces that address identification and reduction of persistent bio-accumulative air toxic pollutants. (Due Date: Ongoing through September 30, 2015)
- As resources allow, Ohio EPA will work with communities to develop and implement voluntary air toxics programs that address outdoor and mobile sources with emphasis on areas with potential environmental justice concerns. As resources allow, Ohio EPA will work with the Ohio Department of Health as needed to support indoor air outreach programs. (Due Date: Ongoing through September 30, 2015)
- Ohio EPA will continue coordinating with the Ohio Department of Health to cooperate in the development and implementation of initiatives to address indoor air quality. Ohio EPA diligently informs citizens of indoor air information, provides information materials, and responds to citizen requests. Ohio EPA is providing assistance for special projects involving VOC sampling and risk analysis to the Ohio Department of Health and other Ohio EPA divisions as requested. Ohio EPA staff participate on State and local asthma coalition committees. (Due Date: Ongoing through September 30, 2015)
- As resources allow, Ohio EPA will look for opportunities to reduce risk from air toxics through voluntary programs and continued support of the Ohio Department of Health's programs to address

Division of Air Pollution Control

- indoor air (e.g. opportunities to integrate indoor air programs such as Tools for Schools, Asthma-ETS). (Due Date: Ongoing through September 30, 2015)
- Ohio EPA will continue efforts focused on monitoring and reduction activities related to sources that emit mercury and products that contain mercury and Ohio EPA will continue to advocate necessary tools to reduce and/or eliminate the use and/or release of mercury to the environment. DAPC will also continue to participate in the Ohio Mercury Reduction Workgroup. (Due Date: Ongoing through September 30, 2015)
 - Great Lakes Air Deposition Program: Ohio EPA will continue to address the deposition of persistent bioaccumulative toxics (PBTs) in the waterways of the Great Lakes Region, through the operation of a mercury monitor on Lake Erie. (Due Date: Ongoing through September 30, 2015)
 - The Ohio EPA has not been and will not be delegated any authorities to regulate or enforce the Radionuclide NESHAPs found at 40 CFR 61, Subparts B, H, I, Q, R, T, or W. (Due Date: Ongoing through September 30, 2015)

Strategic Goal 5– Enforcing Environmental Laws

Ohio EPA Contact: Bob Hodanbosi	USEPA Contacts: Rochelle Marceillars, Brian Dickens, and Debra Flowers	Due Date: See Below
USEPA Role: Provide technical and programmatic support.		Status:
Funding Source FFY 2014-15: Section 105 Grant, PPG		

Objective 5.1: Enforcement Environmental Laws. Pursue vigorous civil and criminal enforcement that targets the most serious air hazards in communities. Assure strong, consistent, and effective enforcement of federal environmental laws nationwide.

USEPA 2011-2015 Strategic Measures (Outcomes) - Maintain Enforcement Presence

- By 2015, conduct 105,000 federal inspections and evaluations (5-year cumulative). (FY 2005–2009 baseline: 21,000 annually)
- By 2015, initiate 19,500 civil judicial and administrative enforcement cases (5-year cumulative). (FY 2005–2009 baseline: 3,900 annually)
- By 2015, conclude 19,000 civil judicial and administrative enforcement cases (5-year cumulative). (FY 2005–2009 baseline: 3,800 annually)
- By 2015, maintain review of the overall compliance status of 100 percent of the open consent decrees. (Baseline 2009: 100 percent)
- By 2015, increase the percentage of criminal cases with charges filed to 45 percent. (FY 2006–2010 baseline: 36 percent)
- By 2015, maintain an 85 percent conviction rate for criminal defendants. (FY 2006–2010 baseline: 85 percent)
- By 2015, reduce, treat, or eliminate 2,400 million estimated pounds of air pollutants as a result of concluded enforcement actions (5-year cumulative). (FY 2005–2008 baseline: 480 million pounds, annual average over the period)

Division of Air Pollution Control

Enforcement – Monitoring State Commitments

- Ohio EPA will submit the draft Compliance Monitoring Strategy (CMS) plan for review and negotiation with USEPA (Due Date: August 31, 2013 and August 31, 2014). Implementation of the final CMS plan will begin the upcoming federal fiscal year (Due Date: October 1, 2013 and October 1, 2014). Written correspondence to be submitted to Ohio EPA to approve or disapprove the CMS plan (Due Date: January 1, 2014 and January 1, 2015).
- The CMS source category and frequency flags in AFS will be completed for synthetic minor 80 source universes by October 1st. (Due Date: October 1, 2013 and October 1, 2014)
- Asbestos demolition/renovation sources and landfills will be inspected in accordance with the USEPA's "Implementation Strategy for Revised Asbestos NESHAP" dated 3/88. All "top priority" jobs and all jobs involving citizen complaints will be inspected. Records will be maintained to document the use of the asbestos targeting system. Each inspection will be conducted in accordance with the "Asbestos NESHAP Strategy." (Due Date: Ongoing through September 30, 2015)
- Ohio EPA will respond to citizen complaints including those referred from USEPA. Inspections will be conducted where necessary. (Due Date: Ongoing through September 30, 2015)
- Ohio EPA will track and update USEPA on recommendations made during the State Review Framework until completion. (Due Date: Monthly Compliance Calls)

Enforcement – Reporting State Commitments

- Ohio EPA will submit compliance and enforcement information to meet USEPA's Minimum Data Requirements (MDRs) within the sixty (60) day standard required for reporting by the current Air Facility System (AFS) Information Collection Request (ICR). Ohio EPA will ensure data is complete, accurate and timely consistent with USEPA policies and ICR. Such language should be included in the written agreement between the State and USEPA. (Due Date: 60 day reporting as required by ICR)
- Asbestos notification information, compliance evaluations and enforcement activities, will be reported alphabetically by owner or operator to USEPA. Penalties assessed will be provided separately with the report. (Due Date: Annually)
- Ohio EPA will submit electronically to USEPA updates of CEM inventory and summaries of all EER and FSA reports and any CEM quality assurance reports from facilities required to report to Ohio EPA. (Due Date: Quarterly)

Enforcement – State Commitments

- Ohio EPA will conduct scheduled conference calls with USEPA to discuss their efforts to resolve known violators. During these conference calls, newly discovered violators will be identified and discussions on the date, case lead, evidence, timeline for resolution and status of case for both USEPA cases and Ohio EPA cases. For State lead HPV cases unaddressed over the 270 day timeframe, USEPA and Ohio EPA will determine which agency is best suited to take or maintain the lead for the case. In addition, data management, reporting and any data related issues with Ohio EPA staff responsible for data reporting will be discussed on the call. (Due Date: Monthly)

Division of Air Pollution Control

- Ohio EPA will provide to USEPA the status code and explanation for HPV sources listed on Headquarters Watch List. The Watch List ensures timely and appropriate response to significant non-compliers or longstanding violators through better data analysis and routine discussions between USEPA HQs OECA, USEPA R5 and/or Ohio EPA. (Due Date: Quarterly)
- The DAPC will continue to conduct its enforcement activities in accordance with the “Timely & Appropriate Enforcement Response to High Priority Violations (HPVs) policy, 12/98”, “Clean Air Act Stationary Source Civil Penalty policy, 10/91” and the “Revised Asbestos NESHAP Strategy, 3/88” and will continue to try to address State lead significant violators within 270 days. (Due Date: Ongoing through September 30, 2015)

Strategic Goal 1– Taking Action on Climate Change and Improving Air Quality

Ohio EPA Contact: Bob Hodanbosi	USEPA Contact: Genevieve Damico	Due Date: See Below
USEPA Role: Various		Status:
Funding Source FFY 2014 and 2015: Title V Fees		

Objective 1.2: Improve Air Quality. Achieve and maintain health-based air pollution standards and reduce risk from toxic air pollutants and indoor air contaminants.

Title V Permitting – State Commitments

- DAPC will continue to work on issuing backlogged renewal power plant and refinery Title V permits. (Due Date: Annual)
- DAPC will process and issue 60 Title V permits annually (Due Date: Annual)
- DAPC will prepare and send via e-mail to USEPA Ohio’s TOPs report. (Due Date: Semi-annually)
- DAPC will issue new Title V permits and significant permit modifications within 18 months of application completeness determined. Ohio EPA will also follow Director Nally’s plan to reduce the Title V renewal backlog. (Due Date: Ongoing through September 30, 2015)
- DAPC will cooperate with USEPA and set agreed-to targets to respond to any Title V permit program evaluations. (Due Date: as needed through September 30, 2015)

Division of Drinking and Ground Waters – Public Water System Supervision

Strategic Goal 2 – Protecting America’s Waters

Ohio EPA Contact: Mike Baker	USEPA Contact: Tom Poy	Due Date: See Below
USEPA Role: Provide program and technical assistance, as requested. Assist with enforcement referrals, enhanced data exchange, analysis, data clean up, or other joint efforts as requested by state. Conduct work plan and report technical reviews, and prepare an end-of-year report and participate in a joint evaluation. Review primacy applications. Conduct lab audits; provide guidance and support, as requested.		Status:
Funding Source FFY 2014: PPG		FFY 2015: PPG

SubObjective 2.01: Water Safe to Drink

- Ninety-five (95) percent of the population served by community water systems (CWSs) receives drinking water that meets all applicable health-based drinking water standards. (SDW-211)
- Ninety-four (94) percent of community water systems meet all applicable health-based standards. (SDW-SP1.N11)
- Ninety-six (96) percent of "person months" (i.e., all persons served by community water systems times 12 months) during which community water systems provide drinking water that meets all applicable health-based drinking water standards. (SDW-SP2)
- Ninety (90) percent of community water systems will have undergone a sanitary survey within the past three years. (SDW-01a)
- Ninety (90) percent of non-community water systems (NCWSs) will have undergone a sanitary survey within the past five years. (state measure)
- Sixty-four (64) percent of the population served by community water systems where risk to public health is minimized through source water protection. (SDW-SP4b)
- Forty-three (43) percent of community water systems where risk to public health is minimized through source water protection. (SDW-SP4a)

Supporting Activities: The following outlines activities to be completed by Ohio EPA in support of the Water Safe to Drink Subobjective 2.01. These work activities are detailed in the Annual Resource Deployment Plans (ARDPs) for FY 2014 and FY2015.

Maintain Compliance Oversight, Assistance and Enforcement Programs

- Notify public water systems of their regulatory requirements.
- Review results of required sampling and operating data to determine compliance with drinking water requirements.
- Determine and issue violations for Safe Drinking Water Act (SDWA) regulations.
- Follow up on violations in an expedient manner (as outlined in the ARDP on a rule-by-rule basis) to ensure public health protection.
- Use the Safe Drinking Water Information System/state version (SDWIS/STATE) to target compliance assistance and enforcement activities to return systems to compliance in a timely fashion.

Division of Drinking and Ground Waters – Public Water System Supervision

- Take enforcement actions in accordance with the Ohio EPA enforcement strategy for Enforcement Response Policy (ERP) priority systems
- Participate with Region 5 in compliance and enforcement planning actions including referrals, enforcement verification audits and file reviews, and state compliance and enforcement strategy updates
- Update standard operating procedures and provide training to staff as necessary to ensure proper compliance determinations are being made

Conduct and report sanitary surveys at public water systems as outlined in the ARDP

Promote and assist development of local source water protection (SWP) plans

Provide adequate operator and laboratory certification program

- To retain primacy, the state must have available laboratory facilities capable of performing analytical measurements for all of the federally mandated contaminants specified in the state drinking water regulations (40 CFR 142.10(b)(4)). This laboratory or laboratories are considered the Principle State Laboratory system and must be certified by USEPA every three years.
- If all required drinking water analyses are not performed in the Principle State Laboratory system, the state must have a Laboratory Certification Program to ensure all labs that produce results for compliance with the SDWA are certified at least every three years in compliance with 40 CFR 141 and 142.
- Annually provide documentation to show on-going implementation of the Operator Certification Program.

Maintain database and submit all required reports

- Maintain the Public Water Supply Supervision (PWSS) Program by maintaining a database management system (SDWIS/STATE) that accurately tracks the inventory (including routine updates of system information), violations and enforcement, sampling information and compliance determination for all safe drinking water contaminants.
- Electronically report maximum contaminant level (MCL), treatment technique (TT) and Tier 1 public notice (PN) violations, state enforcement actions, return to compliance dates, and deactivation dates to SDWIS/federal version (SDWIS/FED) on quarterly basis.
- Use the latest version of FedRep to validate and correct errors prior to data submittal.
- Submit end-of-year report through the ARDP.
- Prepare and submit annual compliance report.
- Review draft PWSS program assessment report and participate in annual program review.

Adopt needed rules, policies and legislation

- Adopt new Federal safe drinking water rules within two-year extension period including re-codifying State rules as outlined in the ARDP.
- Submit Attorney General Certifications as they are received.
- Submit primacy applications and revisions as needed.

Division of Drinking and Ground Waters – Ground Water Quality and Drinking Water Protection (CWA Section 106)

Strategic Goal 2 – Protecting America’s Waters

Ohio EPA Contact: Michael Eggert	USEPA Contact: Tom Poy	Due Date: Annual Basis
USEPA Role: Provide guidance and support, as requested; conduct technical review of work plans and annual reports.		Status:
Funding Source FFY 2014: PPG		FFY 2015: PPG

Objective 2.2: Protect and Restore Watersheds and Aquatic Ecosystems

SubObjective 2.03: Improve Water Quality on a Watershed Basis

- Provide assistance to the Division of Surface Water on measures that relate to public water supply beneficial use and public water supply water quality standards.

Administrative Support

- Complete annual grant reporting, budget tracking and accounting.
- Provide adequate administrative, safety and technical training to staff.

Provide Information and Data Management Support

- Update and maintain the Ground Water Quality Impacts database.
- Maintain and update Ground Water Quality Characterization Program database.
- Per the Trading Partnership Agreement, provide semi-annual ground water data to upload to National STORET/WQX data warehouse.
- Develop and maintain GIS applications to support Division Programs.

Ground Water Quality Monitoring and Special Water Quality Studies

- Sample up to 200 Ground Water Quality Characterization Monitoring Program (GWQCP) wells semi-annually.
- Develop and implement a plan to enhance the GWQCP.
- Develop semi-annual sampling GWQCP quality assurance reports.
- Update the GWQCP Operation Procedures Guidance document to reflect sampling and data management protocols and procedures including a Quality Assurance Program Plan. Align with the National Ground Water Monitoring Network Guidance.
- Sample three GWQCP wells associated with Ohio Department of Natural Resources Well Level Monitoring Network.
- As requested, conduct studies (1-3 per year) in cooperation with other Ohio EPA programs and Ohio agencies (e.g., Ohio Department of Health) to evaluate impacts to local ground water quality. Includes planning, scheduling, sample collection and analysis and preparation of a summary document.
- Assist Division of Surface Water in conducting TMDL and water quality monitoring to support the assessment of the public water supply beneficial use.

Division of Drinking and Ground Waters – Ground Water Quality and Drinking Water Protection (CWA Section 106)

- Coordinate algal monitoring at lakes/reservoirs used by public water supplies.

Protection and Evaluation of Sources of Drinking Water

- Review and comment on up to 50 CWA 401 Water Quality Certifications annually.
- Review environmental related rules, policy and legislation to recommend ground water and drinking water protection considerations.

Promote a Comprehensive Ground Water Protection and Management Program in Ohio

- Coordinate with Division of Surface Water on USEPA CWA/SDWA integration initiatives as necessary.
- Administer the State Coordinating Committee on Ground Water (SCCGW). Conduct six meetings, manage web page updates and prepare meeting summaries. Participate in or lead workgroups to prepare technical or regulatory guidance documents.
- Complete review and update of Ohio Water Well Standards, OAC 3745-9
- Develop non-potable water well guidance document.
- Participate in SCCGW workgroup to update the Well Abandonment and Sealing Guide.
- Continue participation on the Ohio Water Resource Council for development and implementation of Ohio's Water Resource Strategic Plan.
- Maintain and provide updates to the ground water quality and source water protection sections of the division's web page.
- Continue participation with other water management organizations (e.g. GWPC, AWWA, WMAO, USGS, MCD) to protect/manage the state's ground water and drinking water resources.

Evaluate, Assess and Measure Environmental Conditions.

- Complete the Ground Water and Public Water Supply Beneficial Use Assessments for the 2014 Integrated Water Quality Report.
- Develop four contaminant-specific ground water quality technical summary reports or fact sheets annually.
- Complete up to 25 Hydrogeologic Sensitivity Assessments to support implementation of the SDWA Ground Water Rule annually.
- Evaluate proposed waste treatment facilities' potential to impact ground water and sources of drinking water (e.g., land application of sewage sludge and wastewaters) as requested by the Division of Surface Water.
- Continue to coordinate with Division of Surface Water to implement the Public Water Supply Beneficial Use Assessment Methodology and complete assessments.
- Verify stream segments identified as public water supply use and ensure consistency between water quality standards and drinking water MCLs.
- Incorporate a proposed methodology for drinking water beneficial use for nuisance substances (e.g., harmful algae).

Division of Drinking and Ground Waters – Underground Injection Control Program

Strategic Goal – Protecting Underground Sources of Drinking Water

Ohio EPA Contact: Lindsay Taliaferro III USEPA Contact: Valoria Robinson

Due Date: Per schedules established in workplan
Status:

USEPA Role: Review and assess mid-year reports by May 30th and end-of-year reports by October 30th. Provide technical assistance and updates to the state on policy and program implementation issues as needed including input on state rule development. Review and approve state program revisions and updates to the state primacy agreement. Coordinate on those Federal multi-media inspections involving Ohio injection wells as they occur. Coordinate with the state during the Federal permitting process for new Class VI well permit applications. Hold joint meetings where feasible on issues of national and regional significance. Provide technical assistance to the state on development of a state database that is capable of flowing data into the National UIC database. Coordinate with the state on land ban facilities including during the Federal petition process and throughout monitoring and compliance evaluations of existing facilities. Notify the state of new petition applications, petition permitting schedules, and other updates.

Funding Source FFY 2014: PPG

FFY 2015: PPG

SubObjective 2.04: Water Safe to Drink

- SDW-08: Identify endangering high priority Class V injection wells (cesspools, motor vehicle waste disposal wells, and industrial wells) and close or permit them.
- SDW-07: Return to compliance within 180 days all Class I injection wells that lose mechanical integrity.
- SDW-19a: Volume of CO₂ sequestered through injection as defined by the UIC Final Rule.
- SDW-19b: Number of permit decisions during the reporting period that result in CO₂ sequestered through injection as defined by the UIC Final Rule.

Administer Underground Injection Control Program

- Ensure compliance rates of at least Ninety percent (90%) for permitted Class I injection wells and Class V injection wells
- End-of-year reports will be prepared using USEPA approved forms, and will be submitted by October 31st annually
- Adopt any new federal regulations pertaining to Class I, Class IV, or Class V wells within 270 days from the date of promulgation in the Federal Register.
- Update the primacy agreement documentation as appropriate including revising the program description, the Ohio Attorney General's statement and the memorandum of agreement between USEPA and Ohio EPA.
- Seek opportunities to integrate pollution prevention, wellhead protection, and source water assessment initiatives into the Program.
- Mid-year reports will be submitted by April 30th.

Division of Drinking and Ground Waters – Underground Injection Control Program

- Notify USEPA of substantial and non-substantial program revisions as defined in USEPA UIC Guidance #34 that are within the scope of the UIC program and submit necessary documentation as required under Code of Federal Regulations Title 40 Section 145.32

Ensure Regulatory Compliance

- Identify violations of permit or regulatory requirements, issue notices of violation, and take formal enforcement action as necessary.
- Conduct a total of ten (10) formal Class I well field inspections (one for each permitted well), ten (10) Class I well compliance reviews (one per well), and at least five (5) additional site visits annually. Ohio EPA will witness annual mechanical integrity tests performed on each Class I well. Approval or failure of Class I injection well mechanical integrity tests will be tracked for each well.
- Witness MI tests for all Class I injection wells; ensure USEPA approved test methods are used by all Class I well operators; and review MI testing plans required by permit to be submitted prior to testing, to assure planned testing methods are appropriate.
- Witness any temporary or permanent closure of any Class I wells.
- Conduct up to 50 inspections of reported or suspected Class V wells during FFY2014. Facilities with active, individually permitted Class V wells will be inspected annually. Facilities with Class V area permits may be inspected based on the environmental impact of the Class V operations.
- Large capacity cesspools and motor vehicle disposal Class V wells located within source water protection areas, along with complaint investigations, will be the top priorities for Class V inspections.
- Coordinate with the Ohio EPA Division of Surface Water (DSW) to ensure that all large capacity residential, industrial or commercial septic systems are properly permitted and inventoried.
- Ensure any identified Class IV wells are properly plugged and abandoned and take appropriate enforcement actions. Review plugging and abandonment plans for all Class V wells required to be closed.
- As staffing resources allow, closure of Class IV and V wells will be witnessed by DDAGW staff. USEPA will notify the UIC Unit Supervisor in writing of any reports of identified or suspected Class IV wells received by Region 5 staff to allow appropriate State investigation.
- Field inspections, complaint investigations, follow-up inspections, administrative orders and other enforcement actions will be documented on a quarterly basis.
- Inspection reports are required for all field inspections, and appropriate follow-up action will be taken after each inspection. Track all violations closely, and document the actions taken. Ohio EPA will utilize the USEPA definition of SNC contained within UICP Guidance 81 (March, 1995), and will place wells in violation on the exceptions list when appropriate. Ohio EPA will continue to implement the 1993 approved UIC Program Compliance and Enforcement Agreement.
- Track the number of NOVs issued for Class I wells, and will track the number of well violations returned to compliance in each quarter. The Agency will track and report Class I SNCs.
- Report the number of civil and criminal actions referred to the Ohio Attorney General.

Division of Drinking and Ground Waters – Underground Injection Control Program

Issue Permits to Protect Underground Sources of Drinking Water

- Carry out permitting actions, including application review and permit writing, as necessary to ensure that wells meet the technical and regulatory standards to prevent potential USDW contamination. USEPA regional and national guidance will be considered in development of these permits.
- When feasible provide Region 5 with copies of draft permit actions for review prior to public issuance of draft decisions. Class I permits may be modified during the permit term, in accordance with established regulations.
- In the designated area of review for each Class I well, Ohio EPA will track the number of identified artificial penetrations (wells) that have been drilled to depths of concern, the number found to be deficient in closure, and the number for which corrective action was taken.
- Develop and issue any Class V permits consistent with applicable regulations, and based on site-specific waste and hydrogeologic information.
- Conduct compliance reviews of permit related monitoring reports and plans.

Provide Assistance to Business and the General Public

- Efforts will be made to provide information regarding UIC program requirements to the Class I and Class V well operators, interested public groups, and internally at Ohio EPA.
- Meet with regulated entities as necessary to discuss UIC rules, specific permit applications, site operation issues and compliance/enforcement programs.
- Respond to questions from local officials, consultants and the general public concerning UIC issues.
- Maintain UIC Internet site containing electronic copies of printed material (brochures, guidance documents, etc.) as well as a page devoted to information on any federal and Ohio Class V well rule changes.
- Respond to all citizen complaints concerning a Class I, Class IV or Class V injection facility in a timely manner.
- Participate in public hearings and informational meetings as determined to be necessary.

Data Management and Reporting Information to USEPA

- Per the Trading Partnership Agreement, provide bi-annual updates of the State UIC data to the National UIC database
- Work to improve data quality and provide timely and accurate information management.
- Continue development and maintenance of an efficient and effective data management system for Class I, IV and V wells.
- Report the total number of documented Class I and Class V wells in the State.
- Track the results of all MI tests and report number of wells that passed and number of wells that failed MI tests each quarter.

Division of Drinking and Ground Waters – Underground Injection Control Program

Mechanical Integrity Testing

- Mechanical Integrity Testing of Existing Class I Wells Annual mechanical integrity (MI) testing is required for all permitted Class I injection wells in Ohio, to detect potential leaks in the casing, tubing and/or packer (Part I MI). Additionally, the wells must be tested every three (3) years to assure that there is no fluid movement into an underground source of drinking water through vertical channels adjacent to the injection well bore (Part II MI). Approvable casing inspection logs are required to be conducted in Class I hazardous UIC wells at the time of a well workover, under conditions specified in Ohio's UIC regulations.

Coordinate with USEPA to Implement Land Ban Program

- If requested, Ohio EPA will assist USEPA R5 to ensure that actions necessary to meet the requirements of the 1984 Hazardous and Solid Waste Amendments (HSWA) to the Resource Conservation and Recovery Act (RCRA) are taken at Class I hazardous waste injection well sites in Ohio.
- Should new Class I hazardous injection well facilities be identified or planned in Ohio that would require extensive work under this task, Ohio EPA will coordinate with USEPA R5 to establish appropriate funding for the additional workload. Ohio EPA's workload under this item could include: review of the geology underlying the facility including the evaluation of cores and subsurface logs produced at the facility; review of the area of review including the calculations and documentation of artificial penetrations within the proposed area of review; the review of data from pressure fall off tests; and the inputs to any modeling performed to demonstrate containment of the hazardous waste.

Division of Surface Water

Strategic Goal 1 – General Administration & Data/Information Management

Ohio EPA Contact: Various	USEPA Contact: Various	Due Date: Ongoing
USEPA Role:		Status:
Funding Source FFY 2014: State Funded & PPG		FFY 2015: State Funded & PPG

Objective 3.1: Attend to management, supervision and personnel matters (Central Office & Districts)

- Complete routine administrative tasks including:
 - work plans;
 - periodic reports;
 - time cards;
 - personnel actions;
 - budgeting task; and
 - purchasing.
 - Leave/time off @ approximately 250 hours per FTE
- Program or project specific management including:
 - provide guidance to staff;
 - general program and project development, management and oversight

Training for staff (Central Office & Districts)

- Basic skill & program training
 - First aid and safety/field sampling techniques/software skills
 - Routine program training
 - Professional development
- Special training
 - Wetland rapid assessment methodology
 - Biocriteria/QHEI training – will be conducted as staffing and budget allows June-October
 - Headwater Habitat field procedures (as needed)
 - Train inspectors on proper implementation of SEVs
 - Other

Data management and information systems development

Data management

- Upload biological monitoring data to the Ecological Assessment and Analysis Application (EA3) database. Upload historical and current ambient water quality data to EA3. Send approved data in EA3 to the STORET warehouse utilizing the Ohio EPA Node and the Water Quality Exchange.
- Maintain assessment databases supportive of a watershed approach utilizing the Watershed 12-digit HUC, Lake Erie Shoreline (or to-be-defined Lake Erie units) and Large River assessment unit delineations. Continue to work with Region 5 to submit and incorporate Ohio assessment data into national databases in a format acceptable and useful to both parties. Region 5 and Ohio EPA will

Division of Surface Water

communicate periodically to discuss options for 2014 and beyond regarding reporting and the efficacy of future reporting using the ADB.

- Submit annual monitoring statistics
- Upload all required National Pollutant Discharge Elimination System (NPDES) data elements for permits, permit compliance and Discharge Monitoring Report (DMR) data for all major and minor facilities to USEPA utilizing the Ohio EPA Node and the Integrated Compliance Information System (ICIS)-NPDES data exchange
- Ohio EPA will add Single Event Violation (SEV) fields to its NPDES Compliance and Inspection Tracking Database. Ohio EPA will also modify the XML Interface between the tracking database and ICIS-NPDES to incorporate SEVs in monthly reporting.
- Provide technical support to electronic DMR users
- Process all DMR data by 20th of following month
- Maintain a GIS tracking system and log for sewage sludge land application sites
- Utilize the NPDES permit Quality Assurance application
- Issue Preliminary Compliance Reports to NPDES permitted facilities based on their submitted DMR data
- Maintain Compliance and Inspection tracking database to track number of compliance inspections conducted and their results
- Maintain major NPDES permitted facility schedule
- Maintain appeals tracking
- Maintain CSO Plan tracking
- Maintain Pretreatment Program modification tracking
- Maintain newly created volunteer monitoring database under the credible data program

Information systems development

- Replace SWIMS (NPDES permit management software) with a customizable off the shelf software solution.

Division of Surface Water

Strategic Goal 2 –Protecting America’s Waters (Joint State/USEPA Clean Water Act Action Plan Permitting and Enforcement Work Plan)

Ohio EPA Contact: Paul Novak, Mark Mann	USEPA Contact: Rhiannon Dee, Barbara VanTil, Quintin White	Due Date: Annual basis
--	---	------------------------

Status:

USEPA Role: Ensure coordinated and integrated planning across permitting and enforcement programs as part of the Section 106 grant work plan development process. Coordinate the development of a Joint Work Plan. Lead, assist or workshare as specified in the annuals Work Plan. R5 will submit a summary report to headquarters annually on behalf of the state.

Funding Source FFY 2014: State Funded & PPG

2015: State Funded & PPG

Objective 3.2: Protect and Restore Watersheds and Aquatic Ecosystems

Working together, USEPA and Ohio EPA will annually conduct a CWA planning process to identify national, regional and state priorities consistent with the CWA Action Plan guidance. The resulting collaborative annual Work Plan will use all available mechanisms to accomplish its stated goals including federal and state work sharing, innovative approaches to monitoring facilities or addressing violations, etc.

- Cooperate in the development and implementation of the annual Joint State/ USEPA R5 CWA Enforcement and Permitting Work Plan.
 - Participate in annual planning meetings to develop collaborative annual Work Plans.
 - Participate in regular quarterly meetings to discuss progress towards meeting annual permitting and enforcement priorities outlined in the Work Plan.
- Track established priorities for each FFY.

Strategic Goal 3 – Grants

Ohio EPA Contact: Jennifer Martin	USEPA Contact: Dan Cozza and/or Kristen Faulhaber	Due Date: June 30. 2014
-----------------------------------	--	-------------------------

USEPA Role:

Status:

Funding Source 2014: State Funded & PPG

2015: State Funded & PPG

Objective 3.3: 106 Grant Management

- Prepare grant, work plan and reporting documents

Division of Surface Water

Strategic Goal 4 – Compliance and Inspections, Compliance Monitoring Strategy (CMS) for Core National Pollutant Discharge Elimination (NPDES) Programs and Wet Weather Sources

Ohio EPA Contact: Paul Novak	USEPA Contact: Rhiannon Dee, Barbara VanTil	Due Date: Annual basis (required midyear and end of year reporting) Status:
USEPA Role: USEPA will provide program assistance as necessary. Additionally, USEPA will be the lead on certain CSO communities, working in partnership with Ohio EPA, to reach agreement on approvable long term control plans and implementation schedules.		
Funding Source FFY 2014: State Funded & PPG		2015: State Funded & PPG

Objective 3.4: Implementation of state-specific CMS for Core NPDES Programs and National Wet Weather Priorities

USEPA's national CMS began on October 1, 2009 and ends September 30, 2013, with implementation over five annual inspection cycles. For the purposes of this PPA, Ohio's state-specific CMS runs from October 1, 2011 through September 30, 2013. Its goal is to maintain an adequate enforcement and compliance assistance program which ensures NPDES violations are prevented and if violations occur, they are addressed in a timely and appropriate manner. Conduct compliance and inspections work*, including multi-media inspections (Includes Technical Assistance)

- Wastewater Treatment Facilities (# of inspections/reviews) — Collection System Inspections
 - For CSO communities where Ohio EPA is the lead agency for the CSO LTCP,
 - visit 33% Major CSO communities to verify compliance with NMCs and LTCPs, and
 - visit 20% Minor CSO communities to verify compliance with NMCs and LTCPs.
 - SSOs communities will be inspected as needed.
 - Major Dischargers - The DSW target is to conduct a CEI at a major facility once every other year (1/2 years) and to visit 70% of the majors annually. CSIs will be conducted in place of CEIs as deemed necessary. To accomplish this, assuming approximately 300 major facilities in Ohio, the inspection commitment will be as follows:
 - CEIs = 150 inspections
 - Recon. = 60 inspections
 - TOTAL = 210 inspections per year
 - Minor Dischargers – The DSW target is to conduct an inspection at each significant minor facility twice every five years (2/5 years). All other minors will be inspected at least once every five years. To accomplish this, assuming approximately 3000 total facilities in Ohio, the inspection commitment will be as follows:
 - CEIs = 450 inspections
 - Recon. = 450 inspections
 - TOTAL = 900 inspections per year
 - Biosolids facilities will be inspected according to the following goal:
 - Major POTWs – once every five years
 - Minors that land apply – once every five years
 - Approximately 70 sludge inspections each year are needed to meet the above goal.

Division of Surface Water

- Storm water program
 - construction site inspections: ≥ 5 acres: 792 of 7924 (10% per year)
 - construction site inspections: 1-5 acres: 286 of 5728 (5% per year)
 - industrial site inspections: 246 of 2457 (10% per year)
 - Small MS4 evaluations: 44 of 307 (all to have evaluations performed between 10/14/07 and 9/30/14)
 - Large/medium MS4 evaluations: 0 of 4 for FFY14 and FFY15. To date, all 4 Phase I MS4s have had an audit performed.
- Industrial Pretreatment Program (# of inspections/reviews)

Our goal is to conduct an audit at each approved program at least once every five years. In the other four years, at least one PCI will be conducted. More frequent PAIs or RIs may be appropriate if there are more than 50 SIUs or compliance is an issue.
- Indirect Discharge Permits issued by Ohio EPA will be inspected 2 times in a 5 year period. Approved programs will have at least one Audit and at least two Permit Compliance Inspections in 5 year period.
 - Approved programs: pretreatment compliance inspections (PCIs, 20)
 - Approved programs: pretreatment audits (PAIs, program audits)(20)
 - Unapproved programs: industrial user inspections (65)
- Agricultural Permit Program
 - Inspect 20% of CAFOs that have permits or are known to have a duty to apply (currently 8 large + 1 medium inspections needed per year).
 - Inspect other large CAFOs to determine if they have a duty to apply for an NPDES permit. This work will be prioritized by watershed and by likelihood of discharge (based on information from ODA, complaints, etc.).
 - Coordinate with Ohio Department of Natural Resources and SWCDs on sharing information about AFOs with unacceptable conditions and illegal discharges; request NPDES permits where appropriate for small and medium CAFOs until the delegation transfer to ODA is approved.
- Report CMS inspection numbers to USEPA at mid-year and at the end of the federal fiscal year.
- Participate in State Review Framework (SRF) initiative. Address concerns identified as a result of SRF.

Strategic Goal 5 – Compliance and Inspections

Ohio EPA Contact: Paul Novak	USEPA Contact: Rhiannon Dee, Barbara VanTil	Due Date: Ongoing
USEPA Role:		Status:
Funding Source 2014: State Funded & PPG		2015: State Funded & PPG

Objective 3.5: Complaint investigation involving wastewater facilities, livestock facilities or general water quality conditions

- Respond to complaints related to wastewater, assist with complaints involving other Divisions
- Target priority watersheds for livestock issues to ensure prompt investigations and identification of medium or large CAFOs with a duty to apply until the delegation transfer to ODA is approved.

Division of Surface Water

Compliance Assistance Program for wastewater facilities

- Provide technical assistance to communities to improve wastewater treatment plant operations.

Strategic Goal 6 – Enforcement

Ohio EPA Contact: Mark Mann, Paul Novak	USEPA Contact: Rhiannon Dee, Barbara VanTil	Due Date: Ongoing
USEPA Role:		Status:
Funding Source 2014: State Funded & PPG		2015: State Funded & PPG

Objective 3.6: Enforcement support for wastewater program

- Basic Wastewater program (including livestock until the delegation transfer to ODA is approved)
- New referrals from District offices, including 6117.34 and settlement meetings in accordance with the process outlined in the DSW Enforcement Management System
- Follow up work on prior referrals
- Administrative Orders and Consent Agreements
- Verified Complaints action or dismissal
- NPDES permit violations will be addressed in accordance with Ohio EPA's approved Enforcement Management System.
- Storm water Program
- New referrals from District offices
- Pretreatment Program
- 401 Program
- New referrals

Strategic Goal 7 – Environmental Monitoring

Ohio EPA Contact: Alexander, DeShon, Dudley	USEPA Contact: Linda Holst, Ed Hammer, Mari Nord	Due Date: Per schedules established in workplan
USEPA Role: Support and technical assistance; Review for consistency with CWA requirements and EPA policies, guidance and procedures.		Status: 2015: State Funded & PPG
Funding Source FFY 2014: State Funded & PPG		

Objective 3.7: Ohio EPA/USEPA — Sample ambient sites

Ohio EPA

- Water quality samples & data entry:
 - NAWQMN and TMDL sentinel sites (at least 40 sites monthly or quarterly)
 - Based upon staffing and budget conditions, determine level of participation in monitoring, data analysis, and assessment activities related to the 2015 National Coastal Condition Assessment and the 2016 National Wetland Condition Assessment.

Division of Surface Water

Conduct intensive biological and water quality surveys and special sampling projects

5 year basin plan monitoring: (Approx. 10% of monitoring resources dedicated to reference site sampling and other non-TMDL projects; approximately 450 to 500 sites will be sampled; the final number will be determined by the annual field planning process). All monitoring will be conducted as outlined in the Ohio EPA Monitoring Strategy.

- Conduct field years 2014-2015 chemical/physical field sampling at special project, reference, and TMDL survey sites
- Conduct field years 2014-2015 chemical/physical sampling for modeling for TMDLs
- Conduct field years 2014-2015 macroinvertebrate field sampling at special project, reference, and TMDL survey sites
- Conduct field years 2014-2015 fish field sampling at special project, reference and TMDL survey sites
- Complete field years 2013-2014 macroinvertebrate laboratory analyses at special project, reference, and TMDL survey sites
- Complete field years 2013-2014 fish laboratory analyses at special project, reference, and other TMDL survey sites
- Assess information needs for 2014-2015 field sampling, complete study plans by June 15, 2014 and June 15, 2015, respectively. Provide study plans to USEPA on an annual basis when all are finalized.
- Continue to work with USEPA to prioritize issues identified through the joint evaluation process of the Ohio Surface and Ground Water Monitoring and Assessment Strategy; assess appropriate use of monitoring supplemental funds to implement activities as defined in the strategy.
- Collect field years 2014-2015 fish tissue samples in collaboration with Ohio DNR to support the Sport Fish Consumption Advisory Program jointly managed by Ohio EPA and Ohio Dept. of Health.
- Ohio EPA and U.S. EPA commit to revising the Measure SP-12 plan if necessary and implementing this plan throughout FY2014 and beyond

Employ Quality Management System

Quality Management Plan

- Continue to work with Region 5 to implement program evaluations and improvements
- Compile list of self-approved project-level QAPPs, identify minor revisions needed in Division's QMP and provide to Region V annually starting January 31, 2014.

Division of Surface Water

Strategic Goal 8 – Permits, Licenses, Plan Approvals and Certifications

Ohio EPA Contact: Paul Novak	USEPA Contact: Kevin Pierard	Due Date: Per schedules established in workplan
USEPA Role:		Status:
Funding Source 2014: State Funded & PPG		2015: State Funded & PPG

Objective 3.8: Ohio EPA/USEPA — Administrative processing of wastewater discharge permit actions

Process NPDES permit actions

- Tasks include public notice actions on NPDES permits: issue, modify or revoke indirect discharge permits, pretreatment modifications, final transfers, revocations, modification and NPRs
- Process Notice of Intents for coverage under general permits
- Continue working to improve processing time and the quality of documents being sent to the public
- Provide assistance to public and district office on status of permits or general information about permitting process
- Send the list of General Permits that are to be issued in FY 14 and 15 to USEPA
- U.S. EPA annually provides a listing of permits it will review
- Ohio EPA will comply with the MOAs governing the NPDES permit program. Ohio EPA and USEPA will work together to assure quality permits are issued in a timely manner.
- Ohio EPA will reissue expired permits in a timely manner.

Technical development and review/oversight of NPDES wastewater discharge permit issuance

- Renew Major permits – 50,
- Renew Minor permits – 550,
- Issue New permits, as submitted
- Develop Modifications, as submitted
- Review/oversight:
- Address the one remaining action item with respect to enhancement opportunities identified in the PER self-assessment, i.e., renew NEORSD's CSO permit.
- Review of wet weather control measures and provide CSO implementation status information to USEPA upon request.
- Audit minor NPDES permits prepared by districts
- Review non-renewal biomonitoring results
- Ohio EPA, with input from Region 5, will identify their most environmentally significant permits and prioritize the issuance of those permits, in order to maximize environmental benefits and optimize the use of valuable resources.
- Maintain a 90% permit issuance rate overall and a 95% issuance rate for those permits that the state has identified as environmentally significant.

Division of Surface Water

- Comply with USEPA guidance and requirements for priority permits identified as environmentally significant.
- CAFOs: continue to issue permits for large CAFOs (2 new applications and 1 renewal application pending as of 5/22/13) and issue final permits for at least 2 medium CAFO (or determine that no permit is required).
- Other permit actions:
 - Review cooling water additive requests, as submit
 - Process CERCLA “Permits”, as submitted
 - Review mixing zone demonstrations, as submitted
 - Review and provide initial comments within 6 months of receiving a long term control plan. Implement the Ohio EPA/USEPA MOA on long term control plans. This MOA identifies responsibilities for negotiations for specific communities. Work with USEPA on review of the MOA as needed.
 - Ohio EPA submits list of major permits the State plans to reissue during the Fiscal year to USEPA, of those, USEPA will select 10-12 permits each year. As agreed to by R5, Ohio EPA will provide a copy of the public noticed permits at the time of public noticing.

Municipal Pretreatment Program Oversight (regulation by Cities of wastewater discharges to sanitary sewers) and Regulation and inspection of industrial waste discharge to sanitary sewer systems (in municipalities without pretreatment programs)

- Approve new programs as needed
- Process program modification requests
- Renewal IDPS, maintain backlog under 10%
- Review, approve & track Toxic Organic Management Plans
- Review annual reports
- Provide EPA, in March and September, the number of SIUs in Cities with approved programs and of those, number with current control mechanisms.
- Provide EPA, in March and September, the number of CIUs in non pretreatment cities and of those, number with current control mechanisms.

Technical review of Section 401 water quality certifications

- Complete, review and recommend action on permit applications for wetland fill or other dredge and fill projects
- Prepare case work for appeals
- Provide biological review and recommendations on permit applications with unique/important aquatic life issues as needed
- Public hearing and preparation of responses

Division of Surface Water

Strategic Goal 9 – Rules, Policies, Legislation & Program Development

Ohio EPA Contact: Dan Dudley	USEPA Contact: WQS – Linda Holst and Dave Pfeifer	Due Date: Ongoing unless otherwise specified
USEPA Role: Support and technical assistance; Review for consistency with CWA requirements.		Status: 2015: State Funded & PPG
Funding Source 2014: State Funded & PPG		

Objective 3.9: Coordinate rule and policy matters; Develop needed policy, guidance or procedures

- General:
 - Convene DSW Committee on Rule and Policy as needed to develop rule priorities and track progress.
 - Track and report status of rule development
 - Track federal rule activity related to water pollution control

Develop general permits (see permit section for processing NOIs)

- NPDES program:
 - Renew the general permit for Coal Surface Mining Activities
 - Support TMDL program with development of specific watershed construction storm water general permits as recommended by future TMDLs

Develop authority and capacity for major program initiatives

- Implement sludge program per delegation agreement

Rule Regulation and promulgation

- General:
 - Conduct triennial and 5-year rules reviews as scheduled in accordance with federal and state regulations. Review Ohio's multiple discharger variance for mercury OAC 3745-33-07(D) (10) and its implementation in NPDES permits issued by Ohio EPA.
 - Develop new rules/revise existing rules as necessary to meet state and federal program priorities in accordance with state rulemaking procedures. The anticipated schedule to propose new rules is the first quarter of FFY14 (Oct-Dec 2013) for:
 - 3745-1-54 (Wetland antidegradation)
 - 3745-1-21 (Great Miami Use Rules)
 - Submit AGO certifications as they are received

Division of Surface Water

Strategic Goal 10 – Technical Review and Technical Analysis

Ohio EPA Contact: DeShon, Mount, Dudley	USEPA Contact: IR and TMDLs – Jean Chruscicki; Bioassessment – Ed Hammer; Uses/Criteria/WQS- Linda Holst and David Pfeifer; Nutrient criteria- Brian Thompson	Due Date: Annual
USEPA Role: Support and technical assistance; Review for consistency with CWA requirements.		Status:
Funding Source 2014: State Funded & PPG		2015: State Funded & PPG

Objective 3.10: Statewide reports on water quality conditions

- Meet USEPA submittal requirements:
 - Complete work necessary to ensure timely submission of Ohio’s 2014 Integrated Report (305b and 303d, due on April 1, 2014) including ADB/ADB-compatible and geo-referencing files
 - Lay groundwork for timely completion of Ohio’s 2016 Integrated Report (305b and 303d, due on April 1, 2016)
 - As resources allow, participate in the Region 5 bioassessment work group activities
 - Provide update to Ohio goals tracking
 - Annual sludge report

Regional, watershed or site specific reports on water quality conditions

- Technical Support Documents / Other site reports:
 - Comprehensive watershed reports (9 TSDs) based on sampling conducted during the 2011 and 2012 field seasons that support water quality planning processes (including TMDLs); reports completed between October 2013 and September 2015
 - Assessments of unregulated hazardous waste sites (DERR) as requested and as budget, staffing, and scheduling allows
 - Provide specialized products for watershed activities (as needed) that support Ohio’s water quality planning processes
- Analysis & reporting in support of use designation rules
 - Technical basis for use designation rule changes recommended based on field assessments
 - Wasteload allocations to estimate economic impact of use changes
 - Permit evaluations, analysis of treatment alternative

Specialized review and analysis in support of criteria and methods development

- Basic water quality criteria development:
 - Complete human health criteria reviews on an as needed basis
 - Submit templates for the Great Lakes Initiative Clearinghouse to USEPA when new criteria applicable to the Great Lakes are adopted or existing criteria are revised
 - Complete aquatic life criteria reviews on an as needed basis
 - Develop schedule to update fish and macroinvertebrate metrics and numeric biocriteria

Division of Surface Water

based on new data and more modernized procedures

- Criteria work with nutrient issues:
 - Implement the project management plan for the preparation of nutrient water quality criteria
 - Large rivers: Complete the analysis of large river nutrient data by Summer-Fall 2013. Develop procedures for determining status and effects of nutrients in large rivers by the end of calendar year 2013. Proposal of large river nutrient assessment procedures and/or nutrient criteria anticipated in 2014.
 - Streams and lakes rule: Consider comments from the Early Stakeholder Outreach by summer 2013. Convene stakeholder advisory group to address implementation issues starting in fall 2013. Determine if lakes reference values should be adjusted based on comments from the Early Stakeholder Outreach and/or additional data collected since last analysis (2008). Evaluate whether a site specific methodology for lakes should be included in the rule. Draft rules are anticipated in 2014. Notify USEPA Region 5 and amend nutrient plan if necessary in third quarter of each fiscal year.
 - Continue participation in the Nutrient Regional Technical Advisory Group
- Biocriteria Narrative
 - Participate with USEPA in mediated discussions to resolve the outstanding disapproval of Ohio's biocriteria narrative

Strategic Goal 11 – Total Maximum Daily Load Development and Long-Term Planning

Ohio EPA Contact: Trinka Mount	USEPA Contact: David Werbach	Due Date: Sept. 1, 2014 and 2015
USEPA Role: Support and technical assistance; Review for consistency with CWA requirements.		Status:
Funding Source 2014: State Funded & PPG		FFY 2015: State Funded & PPG

Objective 3.11: Develop TMDLs per the most recent 303(d) approved list

- Complete 75 TMDLs each year per the Integrated Report
- Provide update to Ohio's new 2020 aquatic life use goals as established in the 2010 Integrated Report.
- Continue or begin work on TMDLs scheduled for completion in 2013, 2014, 2015 and 2016. U.S. EPA-provided contractor assistance is being used for the loading analysis on the Sandusky River (lower) and Maumee mainstem projects.

Strategic Goal 12 – Outreach

Ohio EPA Contact: Chris Bowman	USEPA Contact: Various	Due Date: Ongoing
USEPA Role:		Status:
Funding Source 2014: State Funded & PPG		FFY 2015: State Funded & PPG

Objective 3.12: Website development and maintenance

- Web site updated at least monthly with program information

Division of Environmental Response and Revitalization

Strategic Goal – Brownfields: 128(a) Four Elements of State Response Programs

Ohio EPA Contact: Amy Yersavich	USEPA Contact: Keary Cragan	Due Date: On-going
USEPA Role:		Status:
Funding Source FFY 2014: PPG		FFY 2015: PPG

Objective 4.1: Brownfields Inventory 104 k grant [BINV]

- Provide geographic information systems (GIS) capabilities to support division inventory that is web accessible.
- Under the time frames for this grant, Ohio EPA proposes to continue working with local governments who are willing to share site information, including those sites that receive 104k grants for assessment and cleanup. Work on compiling the inventory and site information will continue by SABR staff and will be placed in pdf files on the web and internally updated manually at least monthly. SABR is requesting information from its TBA recipients and Clean Ohio Fund applicants to add to the inventory. SABR will also provide outreach and educational training to local governments to explain the benefits of documenting brownfield sites in their area. In addition, SABR has hired a full-time employee to focus on this effort, as well as coordinate with the State Fire Marshall Office, Bureau of Underground Storage Tanks (BUSTR) in order to obtain petroleum brownfields into the inventory. In addition, SABR will be working with Region 5 staff to obtain read only access to ACRES in order to contact recipients of 104k grants and request they add their properties without end users to Ohio's inventory. As these brownfield inventory sites get redeveloped and reused, we will promote these sites as success stories through publication in SABR newsletters and other SABR and Agency marketing materials.

Objective 4.2: Oversight and Enforcement Authorities or Other Mechanisms and Resources [BOVR]

Existing Elements

Ohio's cleanup laws require that both voluntary and involuntary cleanups protect human health and the environment. Ohio EPA's enforcement authorities allow it to set protective standards for cleanups and to bring sites back into compliance with those standards after the cleanup is in place. The RR program, ER program and VAP achieve these through different processes but the result is the same. RR uses traditional negotiated orders with review and approval of plans and reports detailing the cleanup standards that are set by statute, state guidance and the National Contingency Policy. The VAP uses extensive regulatory cleanup standards and processes, review of some plans (MOA track) and reports (MOA and classic track) and annual audits of a percentage of completed cleanups. ER uses statutory standards, on-scene directives, review, and in some cases, orders.

Proposed Activities and Tasks

Continue providing oversight at VAP projects through technical assistance to local governments funded by this grant. VAP technical assistance provides short term or long term assistance to volunteers for all aspects of the VAP. VAP technical assistance activities can range from short technical assistance meetings and calls to more detailed technical assistance document reviews. VAP technical assistance allows Ohio EPA to provide effective input to volunteers resulting in a higher quality voluntary cleanup program. Ohio EPA plans to provide VAP technical assistance to approximately 80 community projects in Federal Fiscal Year 2014.

Division of Environmental Response and Revitalization

Objective 4.3: Mechanisms and Resources to Provide Meaningful Opportunities for Public Participation [BPUB]

Existing Elements

Ohio's response program provides opportunities for meaningful public participation. As mentioned above, Ohio has a very broad records law that allows the public to examine virtually every record associated with a cleanup. Under the VAP, the public can also request Ohio EPA to retrieve records from certified professionals even if the agency does not have possession of those records. For sites under RR orders, VAP MOA and Clean Ohio Fund sites, all documents are also stored at a local repository, notice is given of proposed actions, and public comments are solicited on actions and cleanup plans. For Clean Ohio sites, the applicant is required to post a 4 ft. x 4 ft. sign notifying the public of meetings regarding the proposed site cleanup plans. Ohio law provides the public the opportunity to file a verified complaint about any site that requires Ohio EPA to evaluate the environmental problems at the site, rectify any problems and advise the complainant of the outcome.

Proposed Task and Activities

- Continue the brownfield marketing and outreach program (community revitalization support CRS). This program is proactive, targeting local governments and providing them a range of information from basic Ohio environmental cleanup regulations to the details of applying for state and federal assessment cleanup money. Program marketing and outreach tasks for this year include:
 - 1) web page updates, including program policies and guidance, fact sheets, annual legislative reports, etc.;
 - 2) creation of print and electronic marketing products that will increase awareness and assist in marketing the programs;
 - 3) visits to local communities to discuss the advantages of using particular cleanup programs for sites in their area as well as holding Brownfield funding workshops for groups of local communities; and
 - 4) communicating program status and successes.
- VAP and SABR continue to provide external training to various local governments, developers, and consultants doing cleanup work and on procedures for preparing and submitting the VAP MOA track documents, public participation, and public notification. In addition, staff is routinely asked to participate on numerous boards, and attend conferences and seminars. VAP also intends to continue revising/updating a video training focused on the fundamentals of performing a voluntary action at a site for all certified professionals (CPs) the first year and all new CPs in subsequent years. DERR staff will continue to provide these outreach activities to the community.
- SABR will be conducting agenda and logistical planning for the 5th Ohio Brownfield Conference that will be held in spring 2014. We have requested \$20,000 to assist in purchasing various conference materials and rental needs.
- The Ohio EPA should review sites with CA725, CA750 and CA550 accomplished and determine whether those sites qualify to be coded as CA800 Ready for Anticipated Use. The Ohio EPA should enter the CA800 code once the site has achieved the required milestones.

Division of Environmental Response and Revitalization

Objective 4.4: Mechanisms for Approval of a Cleanup Plan and Verification That Cleanup is Complete [BMOA]

Existing Elements

Ohio's response program requires approval of cleanup plans and verification that cleanup is complete. The RR, ER and VAP do this under different processes. RR approves cleanup plans through review and comment on investigation reports and development of its own preferred plan for cleanup. Once a cleanup is complete and all terms of the implementing orders are satisfied, Ohio EPA concurs with certification that the process is complete. VAP approves cleanup plans through review of the NFA or review of a proposed MOA track remedy. The covenant is issued once the cleanup is complete. If long term O & M are necessary, a final release is issued once standards are met. ER directs cleanup activities on scene or approves cleanup plans required under orders.

Proposed Task and Activities

State resources will be used to perform these elements except for the MOA track sites. Review, comment and approval of MOA key documents will be supported by this grant. These services will be provided, if requested, to as many municipality owned VAP MOA track sites as possible, such as Brownfield Community Revolving Loan Fund projects. VAP has planned to provide approximately three new sites with MOA oversight under this grant period.

Strategic Goal – Public Record Requirement [BREC]

Ohio EPA Contact: Amy Yersavich	USEPA Contact: Various	Due Date: Ongoing
USEPA Role:		Status:
Funding Source FFY 2014: PPG		FFY 2015: PPG

Objective 4.5: Public Record

Existing Record

Ohio EPA maintains files on every site. Files contain information about the site including the name, location, any response actions that have occurred, and any restrictions on use of the property. These data are automated in the VAP and ER but not for RR.

Long Term Vision

Ohio EPA plans to automate all site data for ER, RR, SABR (brownfields), and VAP in relational databases. This information will be GIS and web-based and searchable to enhance public access to it. There will be a staged development for eight separate modules of the database.

Proposed Tasks and Activities

Under this proposal, Ohio EPA plans to establish manually on the web the public record of sites that includes the name and location of all state-lead sites at which DERR plans to work on in state

Division of Environmental Response and Revitalization

fiscal year 2014. The website will be updated annually to meet the public record requirements until an automated version is in effect.

Also, Ohio EPA will continue to geolocate sites in our state fiscal year (SFY) 2014 workload. Many of DERR's SFY 2013 workload sites will carry over to SFY 2014, and several of DERR's SFY 2013 workload sites will have already been geolocated by September 2013. Therefore, DERR will complete additional SFY 2013 and 2014 workload geolocating, and then begin to geolocate additional files. We estimate 50 sites will be geolocated in this grant period.

Strategic Goal – Program Enhancements [BENH]

Ohio EPA Contact: Amy Yersavich	USEPA Contact: Jose Cisneros	Due Date:
USEPA Role:		Status:
Funding Source FFY 2014: PPG		FFY 2015: PPG

Objective 4.6: Program Enhancements

VAP Program development

The VAP program development tasks include: developing policies, guidance documents, procedures or processes, and internal training as needed to incorporate development in scientific disciplines such as data quality, risk assessment, toxicology, engineering, ecological assessment, hydrology and cleanup technologies/mechanisms or legal evaluation (e.g., institutional controls) that influences voluntary assessments and cleanups.

Proposed activities are:

- 1) providing guidance, procedures, policy, technical guidance compendium (TGC), tracking mechanisms and rule development and revision for the implementation, maintenance and improvement of the VAP classic and MOA-track VAP for both internal and external users;
- 2) periodically updating the NFA review checklist;
- 3) periodically updating audit procedures to reflect the new MOA checklist and audits of MOA track sites;
- 4) developing a computer tracking system for tracking progress of MOA track document reviews and providing USEPA the reporting information required pursuant to the VAP MOA;
- 5) preparing for and participation in internal training, such as Divisional Quarterly Training and sampling training.
- 6) report annually on progress made on the MOA track VAP sites. The RCRA CA 2020 universe sites are tracked nationally and the data in RCRAInfo should reflect the current site status of sites in the VAP program. Periodic program calls should be used to share information on traditional CA sites as well as the MOA track sites in the VAP.

SABR

SABR has a variety of guidance needs, which include:

- 1) development of outreach guidance and fact sheets to assist communities seeking CRS;
- 2) creation of tracking mechanisms to implement a comprehensive brownfield program;
- 3) provide guidance and training to all DERR staff regarding implementation of this grant;

Division of Environmental Response and Revitalization

- 4) updating the Ohio Brownfield Inventory requirements;
- 5) maintaining the state funded Targeted Brownfield Assessment program; and
- 6) implementing the VAP Environmental Insurance Program (VAP-EIP)

Strategic Goal – Targeted Brownfields Assessments [BTBA]

Ohio EPA Contact: Amy Yersavich	USEPA Contact: : Keary Cragan	Due Date:
USEPA Role		Status:
Funding Source FFY 2014: PPG		FFY 2015: PPG

Objective 4.7: Targeted Brownfield Assessments field work [BTBA]

Ohio EPA will utilize Site-Specific assessments (TBAs) to assist local communities throughout Ohio in obtaining initial information on a site that will assist in decision making on potential redevelopment by providing information and data on site characteristics and past contamination. Many targeted assessments will be conducted pursuant to the VAP requirements and thus will also involve sample analysis by a VAP Certified Lab (CL). These assessments remove constraints from environmental uncertainty so that a site may be developed or purchased therefore we will not score these sites.

Ohio EPA projects to complete 10 investigative TBAs in FFY 2014. The specific scope of work is expected to vary for each project depending on the conditions at the site and quantity and quality of existing data. Clean Ohio Fund opportunities have created an increase in TBAs, but fewer communities want full-blown assessments. Rather, they need supplemental data to make decisions to move the cleanup forward. Administratively, deliverables will be prepared following VAP Phase I and II report requirements. Phase I reports will also follow the requirements of the “All Appropriate Inquiry.” The goal is to investigate potential contaminated areas and to delineate areas of concern. Appropriate coordination with USEPA will occur on TBA site selections. Staff time for TBAs also includes application reviews, coordination, and kickoff meetings/site visits with applicants.

Strategic Goal – Increase Number of Response Actions [BSUP]

Ohio EPA Contact: Amy Yersavich	USEPA Contact: Keary Cragan	Due Date:
USEPA Role:		Status:
Funding Source FFY 2014: PPG		FFY 2015: PPG

Objective 4.8: Program support

Proposed Activities

Grant Support

The fiscal, grant and contract management activities relate to the grant details and fiscal activities associated with developing, monitoring, managing and reporting on the grant agreement. This does not include site specific activities.

Division of Environmental Response and Revitalization

Grant and contract management tasks include but are not limited to:

- 1) coordination within Ohio EPA and with USEPA personnel to develop the annual amendments and other tasks related to this grant agreement;
- 2) development of appropriate contracts projections needed to complete these grant commitments;
- 3) coordination of input from program and fiscal management personnel on the funding requirements by object class for completion of this agreement;
- 4) communication with the Region 5 grant contact to coordinate and implement this grant;
- 5) coordination with Ohio EPA fiscal personnel and the USEPA grant contact on monitoring the balance of grant funds; and
- 6) coordination and compilation of input for the periodic reports.

Fiscal management tasks include:

- 1) monitoring of grant funds and expenditures and providing periodic reports on the balance of funds;
- 2) processing purchase orders and invoices associated with implementing the grant;
- 3) participating as a team member working with the contractor that determines the indirect rates for cost recovery;
- 4) attend fiscal meetings internally or with Region 5 when necessary;
- 5) maintaining adequate financial records and implementing appropriate fiscal audit procedures; and
- 6) participating as a team member during any audits.

Reviews for the Federal Tax Certification Program

Currently, the Federal Tax Certification has sunset so Ohio EPA does not anticipate issuing any tax certification documents in 2014 unless the tax certification is reauthorized.

General Services

Ohio EPA has general services that include, but are not limited to communications, maintenance/repair, rent, utilities, printing, and miscellaneous charge backs from our Departments of Administration.

Strategic Goal – Maintain adequate Equipment and Supplies [BEQP]

Ohio EPA Contact: Amy Yersavich	USEPA Contact: Keary Cragan	Due Date:
USEPA Role:		Status:
Funding Source FFY 2014: PPG		FFY 2015: PPG

Objective 4.9: Purchasing

Proposed Activities

Equipment and supply needs for FFY 2014 are specifically identified in Table 9. Ohio EPA expects to purchase software updates and licenses for GPS equipment, risk assessment evaluations, etc.; consumable office and field supplies; field equipment; and print and marketing products.

Division of Environmental Response and Revitalization

Strategic Goal – Inspections

Ohio EPA Contact: Ed Lim	USEPA Contact: Michael Cunningham	Due Date: FY 2014 through 2015
USEPA Role:		Status:
Funding Source FFY 2014: PPG		FFY 2015: PPG

Objective 5.0: Inspection Commitments

At least once every three (3) years, EPA and Ohio EPA inspect Treatment, Storage and Disposal Facilities that are no longer in the operating universe but still have compliance requirements. These inspections are required in the January 2010 Compliance Monitoring Strategy from the Office of Enforcement and Compliance Assurance.

Division of Materials and Waste Management

Hazardous Waste Program Elements

Strategic Goal – Achieve GPRA 2020 RCRA Corrective Action Goals

Ohio EPA Contact: Ed Lim	USEPA Contact: Joe Cisneros	Due Date: FFY 2014 through 2015
USEPA Role:		Status:
Funding Source FFY 2014: PPG & state funds		FFY 2015: PPG & state funds

Objective 5.1: GPRA RCRA Corrective Action Goals (USEPA Goal 3 Cleaning up Communities and Advancing Sustainable Development, Objective 3.3 Restore Land)

- Ohio EPA administers the RCRA corrective action program to meet the 2020 GPRA goals including program management, grant development, data management, reporting. USEPA provides assistance to Ohio EPA with GPRA goal activities (EI determinations).
- Issue permits, orders, “voluntary agreements” (in Ohio’s case, this could mean the VAP or other situations where a facility is conducting an investigation and proposing/implementing remedies voluntarily) that will help achieve the 2020 goals for those performance measures. Ohio EPA tracks progress of sites in the corrective action pipeline. Ohio EPA will work with USEPA to finalize facility assignments for obtaining the 2020 universe GPRA environmental indicators and establish reasonable deadlines for specific facilities. For state lead corrective action projects, Ohio EPA will identify if any CA725, CA750 and CA550 performance measures have already been met and ensure that the information is reflected timely in the RCRA database by September 30, 2014, and September 30, 2015.
- For state-lead 2020 baseline facilities, achieve (or help USEPA achieve) the following goals for CA 725, CA 750 and CA 550 performance measures: Note for Ohio EPA reviewers. These goals are being reported in terms of FFY time frames because this is how USEPA structured measuring progress for the Corrective Action 2020 goals. Ultimate goal is 95% achievement for all performance measures by 2020.

Performance Measure	September 30, 2014 Goal		September 30, 2015 Goal	
CA 725	90%	230(142 ^[1])	95%	233(142)
CA 750	80%	205(125)	82%	210(128)
CA 550	57%	146(86)	61%	156(92)

^[1] State-lead Corrective Action Site

A new national measure CA7 or CA900/999, requires a national goal of 1% per year increase for the 2020 universe list of sites. The Region has made a bid of 0 accomplishments for FY14, but may make a higher bid in FY15 that could require support from OEPA (achieving 1 or more Corrective Action Complete Determinations in OH).

- Timely enter all corrective action event information into RCRAInfo and “data cleanup” as necessary to ensure information is in RCRAInfo for facilities that have achieved the performance measures.
- The OEPA should review sites with CA725, CA750 and CA550 accomplished and determine whether those sites qualify to be coded as CA800 Ready for Anticipated Use. The OEPA should enter the CA800 code once the site has achieved the required milestones.

Division of Materials and Waste Management

- The RCRA CA 2020 universe sites are tracked nationally and the data in RCRAInfo should reflect the current site status of sites in the VAP program. Periodic program calls should be used to share information on traditional CA sites as well as the MOA track sites in the VAP.
- Quarterly conference calls to discuss progress overall and on specific facilities, potential lead changes, assistance needed from USEPA (e.g., contractor support) and as-needed conference calls on program issues or specific projects.
- Provide limited assistance to USEPA for federal-lead 2020 sites.
- USEPA will provide the necessary contract assistance on state lead RCRA projects, as requested. VAP technical assistance allows Ohio EPA to provide effective input to volunteers resulting in a higher quality voluntary cleanup program. Ohio EPA plans to provide VAP technical assistance to approximately 80 community project in Federal Fiscal Year 2014.

Strategic Goal – Complete hazardous waste facility permitting and closure actions in accordance with GPPA goals and state regulatory/statutory requirements

Ohio EPA Contact: Jeremy Carroll	USEPA Contact: Jae Lee	Due Date:
USEPA Role: (USEPA has role in 3/7 remaining sites need controls in place.)		Status:
Funding Source FFY 2014: PPG & state funds		FFY 2015: PPG & state funds

Objective 5.2: Permitting and Closure (USEPA Goal 3 Cleaning up Communities and Advancing Sustainable Development, Objective 3.2 Preserve Land and Objective 3.3 Restore Land)

- Issue permit renewals to 100 percent of the renewal baseline facilities Process/act on permit modifications within the applicable regulatory timeframes.
- Bring 98 percent of the permit baseline facilities “under control” (approved controls in place)
- Review and approve new/amended closure/post-closure plans pursuant to deadlines in the applicable rules and accept closure certifications once certification reports are submitted; act on petitions to change the terms of approved post-closure plans.

Strategic Goal – Inspections

Ohio EPA Contact: Bruce McCoy	USEPA Contact: Cindy Dabner	Due Date: FY 2014 through 2015
USEPA Role: Complete annual core inspections, which include conducting, at a minimum: 6 LQG inspections, 2 non-government treatment, and storage and disposal facility inspections.		Status:
Funding Source FFY 2014: PPG & state funds		FFY 2015: PPG & state funds

Objective 5.3: Inspection Commitments

- Annually, inspect at least 20% of the LQG universe (based on 2011 biennial report filers.)
- Inspect other generators (SQGs, CESQGs) consistent with state priorities.
- Investigate complaints based on priority system developed by State; perform inspections if appropriate, do whatever follow-up is necessary.
- Annually, inspect 50% (statutorily mandated) of all TSDs with a current operating permit for active permitted units; inspect commercial facilities (twice per year).

Division of Materials and Waste Management

- At least once every three (3) years, inspect Treatment, Storage and Disposal Facilities that are no longer in the operating universe but still have compliance requirements. These inspections are required in the January 2010 Compliance Monitoring Strategy from the Office of Enforcement and Compliance Assurance.
- Complete financial record reviews received during the FFY.

Strategic Goal – Enforcement

Ohio EPA Contact: Bruce McCoy	USEPA Contact: Cindy Dabner	Due Date: FY 2014 through 2015
USEPA Role: Issue enforcement responses to violations of the hazardous waste rules identified by USEPA or referred by Ohio EPA in accordance with USEPA’s 2003 Hazardous Waste Civil Enforcement Response Policy, USEPA’s 2003 RCRA Civil Penalty Policy, and relevant USEPA enforcement strategies.		Status:
Funding Source FFY 2014: PPG & state funds		FFY 2015: PPG & state funds

Objective 5.4: Timely and Appropriate Enforcement (USEPA Goal 5: Enforcing Environmental Laws, Objective 5.1: Enforce Environmental Laws)

Ohio EPA will issue enforcement responses to RCRA hazardous waste violations in accordance with Ohio EPA’s enforcement response strategy and USEPA’s 2003 Hazardous Waste Civil Enforcement Response Policy.

Strategic Goal – RCRAInfo

Ohio EPA Contact: Paula Canter	USEPA Contact: Darnell Wilson	Due Date: FFY 2014 through 2015
USEPA Role: Provide technical and programmatic assistance to the states and region.		Status:
Funding Source FFY 2014: PPG & state funds		FFY 2015: PPG & state funds

Objective 5.5: Data Entry Commitments

Enter RCRA hazardous waste information into RCRAInfo on an ongoing basis in all required RCRAInfo modules.

Strategic Goal – Rule/Program Development

Ohio EPA Contact: Dan Harris	USEPA Contact: Gary Westefer	Due Date: FFY 2014 through 2015
USEPA Role: Provide technical and programmatic assistance to the states and region.		Status:
Funding Source FFY 2014: PPG & state funds		FFY 2015: PPG & state funds

Objective 5.6: Rule Development/Authorization Applications

Develop equivalent rules and program revision applications for RCRA and HSWA/non-HSWA provisions for which the State is prepared to seek authorization and submit current and future authorization packages within a mutually agreed-upon timeframe.

Division of Materials and Waste Management

Objective 5.7: Program Development

Ohio EPA will work to promulgate new and amended Ohio hazardous waste rules to address the RCRA Subparts AA, BB, & CC Rules and the Solvent Contaminated Wipes Rule.

Ohio EPA will share the results of their efforts with USEPA.

Division of Materials and Waste Management

Solid Waste and C&DD Program Elements

Strategic Goal – Encourage Sustainable Practices and Increase Ohio's Reuse and Recycling of Waste Materials to Stimulate Economic Growth.

Ohio EPA Contact: Harry Sarvis	USEPA Contact: Jerri-Anne Garl	Due Date: On-going
USEPA Role: Provide advice and guidance.		Status:
Funding Source FFY 2014: State Funding		FFY 2015: State Funding

Objective 6.1: Reuse and Recycling of Waste Materials (USEPA Goal 3: Cleaning Up Communities and Advancing Sustainable Development, Objective 3.1: Promote Sustainable and Livable Communities)

Organics Recycling

Ohio EPA will continue promoting alternatives to landfill disposal (composting, anaerobic digestion, etc.) for food scraps and will work with stakeholders to develop similar strategies for other organic wastes. Ohio EPA will provide detailed plans and schedules to USEPA when finalized.

USEPA will continue to support Ohio EPA's efforts and will look for opportunities to jointly promote sustainable food waste management.

C&DD Recycling

Ohio EPA will work with the C&DD recycling industry to identify obstacles to C&DD recycling and develop best management practices for the operation of C&DD recycling facilities. Ohio EPA will provide detailed plans and schedules to USEPA when finalized.

USEPA will continue to facilitate access to other states' programs

Beneficial Use of By-Products

Ohio EPA will work with interested stakeholders to develop a broad beneficial use regulatory program rules to allow for the safe use of various by-products including foundry sands, coal combustion residuals, and non-hazardous secondary materials are not solid wastes when burned in combustion units consistent with USEPA's final rule adopted on March 21, 2011.

USEPA will continue to respond to Ohio EPA's requests for information regarding foundry sand and will facilitate access to other states for information.

Office of Compliance Assistance and Pollution Prevention

Strategic Goal – Measurement of Compliance Assistance Activities

Ohio EPA Contact: Rick Carleski	USEPA Contact: Donna Howard	Due Date: Ongoing
USEPA Role: Provide advice and guidance		Status:
Funding Source FFY 2014: State Funded		FFY 2015: State Funded

Objective 7.1: Measure compliance assistance provided to businesses and other organizations in Ohio using formats developed by USEPA’s Small Business Environmental Assistance Program/Small Business Ombudsman Office and submit this information annually to USEPA.

- Complete weekly, monthly and quarterly reporting of compliance assistance and pollution prevention activities.
- Compile weekly, monthly and quarterly reports in both calendar and state fiscal year formats.
- Enter information into format provided by USEPA’s Small Business Environmental Assistance Program/Small Business Ombudsman Office and submit to USEPA by deadline.
- Provide compiled report(s) to USEPA Region 5 by September 30 each year.

Strategic Goal – Environmental Stewardship Program

Ohio EPA Contact: Mike Kelley	USEPA Contact: Julie Magee	Due Date: Ongoing
USEPA Role: Provide advice, guidance and assistance in determining regulatory and policy initiatives for business participation in program.		Status: Partially Complete
Funding Source FFY 2014: State Funded		FFY 2015: State Funded

Objective 7.2: Develop and implement an environmental performance-based program to recognize Ohio businesses and other organizations for environmental stewardship activities.

- Finalize development of an environmental performance-based program to recognize Ohio businesses and other organizations for environmental stewardship activities by January 1, 2014.
- Provide program and implementation information to USEPA Region 5 as completed.
- Ohio EPA and USEPA will approve final program for those elements impacting federal requirements and delegated programs by January 1, 2014.
- Ohio EPA and USEPA will develop a joint work plan on roles and responsibilities, implementation processes and an agreement document, if appropriate, by summer 2014.

Strategic Goal – Green Chemistry

Ohio EPA Contact: Mike Kelley	USEPA Contact: Janet Haff	Due Date: Ongoing
USEPA Role: Provide advice, guidance and assistance in determining regulatory and policy initiatives for business participation in program.		Status:
Funding Source FFY 2014: State Funded		FFY 2015: State Funded

Objective 7.3: Toxic chemicals reduction through Green Chemistry

- Reduce toxic chemicals and encourage the adoption of Green Chemistry principles by promoting waste minimization and P2 opportunity assessments.
- Develop marketing materials to encourage businesses to reduce toxic chemicals through Green Chemistry.

Office of Compliance Assistance and Pollution Prevention

- Assist USEPA in marketing programs to encourage business participation in Green Chemistry related programs.
- Assist USEPA and other partners in providing a Green Chemistry event in Ohio in 2014.
- Market, promote and participate in the Safer Chemistry Challenge Program.
USEPA will work with Ohio EPA to expand Green Chemistry through the development of partnerships incorporating waste minimization, P2 and sustainable materials management concepts.

Strategic Goal – Auto Body Environmental Results Project

Ohio EPA Contact: Rick Carleski	USEPA Contact: Rae Trine	Due Date: Ongoing
USEPA Role: Provide advice and guidance per Region 5 State Innovation Grant (SIG).	Status: Partially Complete	
Funding Source FFY 2014: State Funded		FFY 2015: State Funded

Objective 7.4: Auto Body Environmental Results Project Regional Pilot

- Continue education and marketing efforts to assist auto body shops in complying with state and federal rules.
- Review drafts of final report and work with other states to provide comments.
- Complete outreach activities to publicize results of the final report.

Strategic Goal – USEPA Region 5 Small Business Environmental Assistance Program Group

Ohio EPA Contact: Rick Carleski	USEPA Contact: Donna Howard	Due Date: Ongoing
USEPA Role: Coordinate meetings, liaison with states and provide guidance and advice on activities.	Status:	
Funding Source FFY 2014: State Funded		FFY 2015: State Funded

Objective 7.5: Small Business Environmental Assistance Program Group

- Support Small Business Environmental Assistance Program efforts and participate in annual meetings to coordinate activities and share information on program initiatives.
- Assist in identifying measurement, training and educational materials needed by small businesses to comply with state and federal rules.

Office of Compliance Assistance and Pollution Prevention

Strategic Goal – ME3: Materials, Economy, Energy and Environment

Ohio EPA Contact: Dave Foulkes	USEPA Contact: Donna Twickler	Due Date: Ongoing
USEPA Role: Provide advice, guidance and assistance in determining regulatory and policy initiatives for business participation in program.		Status:
Funding Source FFY 2014: State Funded		FFY 2015: State Funded

Objective 7.6: ME3 – Economy, Energy and Environment Sustainability and By-Product Synergy Integration Project

- Serve as state-level contact for the ME3 effort.
- Assist the Mid-Ohio Regional Planning Commission and Ohio By-Product Synergy Network in developing outreach and education materials to promote business participation in ME3.
- Provide pollution prevention and compliance assistance information to ME3 coordinators and participants.
- Review and comment on draft ME3 program documents.
- Participate in periodic conference calls, meetings and events to promote business participation in ME3.