

OhioEPA

Accomplishments

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CLEANING UP THE LAND

Brownfield Redevelopment – The Clean Ohio Revitalization Fund, which was approved by voters in November 2000, will provide \$200 million to help revitalize abandoned commercial and industrial sites, promoting re-use of existing infrastructure and helping to reduce sprawl. In its first two funding cycles, the Clean Ohio Revitalization Fund awarded nearly \$80 million to 35 projects and leveraged an additional \$73 million of private/public funds. The Clean Ohio Assistance Fund has approved 16 projects totaling \$3.4 million.

Promoting Brownfield Cleanups – More than 120 sites have undergone voluntary environmental investigations and, where necessary, cleanups to comply with state cleanup standards and receive a liability release from the State of Ohio. Ohio EPA audits at least 25 percent of the sites to ensure program requirements are met. In addition, Ohio EPA worked extensively with U.S. EPA to develop an alternative process that involves more state oversight and increased public involvement when the private sector is conducting a voluntary cleanup. By agreeing to more state oversight and public involvement throughout the process, volunteers choosing the alternative program receive assurance that the federal government is comfortable with the project as well. To date, 14 properties have entered this alternative program, and one has received a liability release after completing the full process.

Cleaning Up Contaminated Sites – In addition to sites that have been cleaned up voluntarily using Ohio EPA's cleanup standards, 141 areas have been cleaned up as a direct result of Ohio EPA action (typically through legal agreements with parties responsible for the pollution). This does not include "orphan" drum removals or emergency response incidents.

Scrap Tire Cleanups – To rid Ohio of tire dumps that threaten the environment and public health, Ohio collects a one-dollar fee on every new tire sold. These funds will help clean up Ohio's largest tire pile (the Kirby site in Wyandot County) and other priority sites. More than 20 million tires have been removed from 10 large tire dumps. Another 12 to 14 million tires are projected for removal from the Kirby site (half of the total) and more than 70 other sites during the next six years. Ohio EPA prioritizes sites, and first attempts to get the responsible party to pay for cleanup. If those efforts do not result in a timely cleanup, Ohio EPA steps in to abate the public health threat. Once the threat to the environment and public health has been removed, Ohio EPA can seek to recover its costs.

Researching Former Defense Sites – In 1999, Ohio EPA took the initiative to survey all 86 formerly used defense sites in Ohio for potential school activities. The Agency worked with the U.S. Army Corps of Engineers to address concerns at the 11 sites where school or school-like operations were identified. Ohio was the first state to assess the extent of former defense sites now being used for school activities. The investigation and cleanup of these sites continues to be a priority for Ohio EPA.

Overseeing Federal Facility Cleanups – Ohio was among the first states to develop agreements with the federal government to clean up current and former Department of Defense (DOD) and Department of Energy (DOE) sites. The federal government agreed to provide the funding for the work, and Ohio EPA's Office of Federal Facilities Oversight was created in 1994 to oversee the cleanups. Significant progress has occurred in the investigation and cleanup of the DOE Fernald, Mound, and Portsmouth sites and the DOD's Wright Patterson Air Force Base. Cleanups at Fernald and Mound are expected to be complete in 2006. Due to the success of Ohio's program, Ohio EPA staff members serve on several national work groups that deal with federal facility cleanup issues.

Relocating River Valley Schools – Ohio EPA acted as mediator and participant in reaching a funding arrangement with the United States Army Corps of Engineers and the River Valley School District that resulted in the relocation of the River Valley High School and Middle School. The school campus in Marion County sits on property formerly used by the Army, and has areas of contamination that must be cleaned up. The agreement pooled federal, state and local dollars to pay for construction of a brand new high school and middle school, as well as two new elementary schools, which opened in August 2003. The State of Ohio provided \$8.9 million toward the relocation of the schools, and helped secure a pledge of \$15 million from the federal government. Plans are underway to begin cleanup of the site in 2004, to prepare it for future industrial uses.

Providing Technical Assistance - Ohio EPA purchased a Mobile Field Screening Lab in 1999 with a federal grant. This vehicle enables Ohio EPA employees to quickly screen property for contaminants and efficiently design comprehensive laboratory analyses. Another federal grant is enabling Ohio EPA to provide free sampling assistance to local governments to help evaluate brownfields.

Responding to Mercury Spills - Ohio EPA actively participates in the elemental mercury collection and reclamation program that began as a formal program in January 1998. The program was established following the report of young children who had contaminated themselves and several buildings with elemental mercury. Other participants include Bowling Green State University, Rader Environmental Services, and Toledo Environmental Services. The program collects and safely disposes of uncontaminated elemental mercury from a variety of sources. The program is free to individuals, academic institutions, small businesses, industries, medical and dental facilities, emergency response and other governmental agencies, spill response companies and anyone else having unwanted, uncontaminated elemental mercury. Since the program began, almost 7,000 pounds of mercury have been removed from a variety of sources throughout Ohio as well other nearby states. Ohio EPA and these partners also help hospitals and other medical care facilities with mercury pollution prevention programs and act as a resource for removal of elemental mercury from those facilities.

Regulating Hazardous Waste Facility Cleanups - Ohio EPA's regulated hazardous waste management program requires facilities that actively treat, store or dispose of hazardous waste to clean up areas where those management activities have ceased. Ohio EPA must approve the cleanup plan and requires the facility to certify the cleanup was conducted according to the approved plan. In the past four years, 84 cleanup plan certifications were accepted resulting in 12,195 tons of hazardous waste being removed and 1,844,201 tons of contaminated material and debris being disposed of or treated properly. Ohio achieved 13 approved controls in place at closed land disposal units during the past federal fiscal year, the most in the country. The controls prevent releases to air, soil and ground water.

ENSURING SAFE DRINKING WATER

Safeguarding Drinking Water Systems – In 2002, Ohio EPA accepted grants totaling \$628,000 for counter-terrorism coordination and to provide technical assistance and training to public water systems serving between 3,300 and 100,000 people. Ohio EPA updated the State's drinking water supply emergency plan to promote and provide improved coordination and cooperation between state agencies and local governments during emergency situations.

Providing Funding for Drinking Water Systems – To help families and communities have safe, affordable drinking water, low-interest loans totaling more than \$225 million have been made through Ohio EPA's Water Supply Revolving Loan Account since 1999. Communities receiving loans have saved approximately \$48 million compared to the cost of a conventional loan.

Assessing Threats to Water Supplies – Ohio EPA has completed source water assessment reports for about 90 percent of the state's community public water systems. These assessments identify potential sources of contamination in areas supplying water to public water systems and assess the overall susceptibility of source waters to contamination. Ohio EPA's Source Water Assessment Program was identified by U.S. EPA as one of the best in the country.

IMPROVING WATER QUALITY

Water Quality Improving – Through regulation of dischargers, Ohio EPA has seen the abatement of most of Ohio's municipal and industrial water pollution problems. For example, the Scioto River, once home to oxygen-starved fish, now supports many rare species and is among Ohio's most healthy streams. This turnaround is nationally significant. In the last five years, Ohio EPA has focused additional resources on control of discharges from municipal sewer systems. These efforts have resulted in controls and planned improvements that will significantly reduce the discharge of untreated sewage from many of Ohio's communities.

Helping Communities Pay for Clean Water – The Water Pollution Control Loan Fund program reached the \$2 billion milestone in Spring 2002. Since 1989, the program has awarded more than \$2.5 billion in below-market financing for sewage treatment plant upgrades and other water quality improvement projects. The program has saved borrowers more than \$605 million in interest. Low-interest loans also have been provided to municipalities and individuals for nonpoint source pollution controls such as: agricultural best management practices, home sewage system improvements, contaminated site remediation and landfill closures.

A Better Way to Measure Water Quality – In the past 10 years, Ohio EPA has carefully evaluated 72 percent of the state's aquatic resources. This accomplishment is unique. Ohio EPA's biomonitoring program has been promoted as a national model by U.S. EPA. Biomonitoring uses biological response indicators – such as the health and diversity of aquatic life – to detect pollution effects not seen in traditional chemistry and toxicity tests used to determine water quality. Ohio EPA has used this method for more than 20 years, and has collected about 21,500 fish population samples, 8,200 macroinvertebrate samples; and more than 70,000 water chemistry samples. The Agency has received praise from national organizations for its extensive biomonitoring database, creativity and high-caliber biologists.

Protecting and Restoring High Quality Water Resources – Ohio EPA initiated a program to provide incentives for communities to “sponsor” the protection and restoration of high quality water resources, such as streams, lakes and wetlands. Since October 2000, the Water Resources Restoration Sponsor Program has provided approximately \$45 million to 20 projects, protecting or restoring more than 40 miles of streams and more than 4,000 acres of wetlands. U.S. EPA has recognized this as an innovative program and other states, including Oregon and Iowa, are developing similar programs based on Ohio EPA's model.

Reducing Nonpoint Source Pollution – Ohio EPA, in partnership with the Ohio Department of Natural Resources, developed a strategic approach to cleaning up water bodies impacted by nonpoint source pollution (pollution from diffuse sources such as field runoff). This approach emphasizes local watershed planning and decision making. Ohio EPA is directing state and federal dollars toward the impaired rivers that are identified as priorities, and strengthening partnerships with local, state and federal organizations who bring additional resources to the effort. More than \$26 million in federal, state and local funds have been invested in these nonpoint source projects.

Reducing Runoff from Farms – Ohio EPA has provided \$25.3 million in low-interest loans to farmers for management practices that reduce water pollution. This program, the first of its kind nationally, works through Ohio EPA's Water Pollution Control Loan Fund in cooperation with county soil and water conservation districts and participating local banks, to develop projects and provide below-market interest rate loans to farmers.

Protecting and Restoring Lake Erie – In September 2000, Governor Taft unveiled an ambitious new plan to protect and restore Lake Erie. The Lake Erie Protection and Restoration Plan is an action agenda for improving the environmental, recreational and economic assets of the lake. As one of several state agencies whose technical experts contributed to the plan, Ohio EPA also has a role in implementing some of the strategies. Governor Bob Taft chairs the Council of Great Lakes Governors and Ohio EPA Director Chris Jones chairs the Council's Great Lakes Priorities Task Force. During October 2003, the task force issued nine priorities for the restoration and protection of the Great Lakes ecosystem.

Cleaning Lake Erie Basin Rivers – Since 1987, Ohio EPA has supported Remedial Action Plan (RAP) programs for restoring Ohio's four Lake Erie "areas of concern" (the Maumee, Black, Cuyahoga and Ashtabula rivers). In addition to identifying problems and implementing solutions, Ohio EPA has strongly promoted the role of local stakeholders in restoring beneficial uses to these rivers, and participates in the local RAP councils as an equal partner. Ohio EPA RAP coordinators have been instrumental in securing millions of dollars in planning, assessment and implementation grants for the areas of concern. In 2003, Ohio EPA drafted delisting targets to assist the RAPs in better tracking of progress toward restoration.

Ohio Water Resources Council – Governor Taft released the Ohio Water Resources Council Four-Year Strategic Plan. This plan serves as a guide in the protection of one of Ohio's most important natural resources – water. Since the creation of the permanent Ohio Water Resources Council in July 2001, the group has made significant progress and is currently developing strategic elements of a 10-year vision. Nine state agencies, including Ohio EPA, meet monthly to work on the 10-year vision. They seek input from a multi-interest advisory group.

Strategic Approach to Stream Cleanups – The Total Maximum Daily Load (TMDL) program – required by the Clean Water Act – looks at all sources that contribute to water quality problems in a defined area and identifies the actions needed to restore and protect an impaired water body. Public involvement in local problem-solving and decision-making is a key element of the process, as is partnering with other agencies. With broad support on its strategy for implementing TMDLs, Ohio EPA is moving forward with this critical water quality program. In 2003, Ohio accounted for 61 percent of all completed TMDL projects in the six-state Midwest region.

Protecting Isolated Wetlands – When a court ruling eliminated federal protections for isolated wetlands, Governor Bob Taft issued emergency rules to allow Ohio EPA to step in. During the 90 days that the emergency rules remained in effect, Ohio EPA worked with the General Assembly to develop permanent legislation allowing Ohio EPA to include isolated wetlands in its water quality certification program. Ohio was one of the first states to develop a state regulatory program for isolated wetlands.

Analyzing Fish Tissue – In the past 10 years since state funds were earmarked for an Ohio sport fish testing program, Ohio EPA has analyzed more than 4,700 samples. All major inland rivers and about 90 percent of Ohio's inland lakes and reservoirs with public access have been sampled at least once. In addition, the Ohio portion of the Ohio River and Ohio Lake Erie waters have been comprehensively sampled. Using data generated by Ohio EPA, the Ohio Department of Health (ODH) has issued annual sport fish consumption advisories. When budget cuts at ODH threatened the future of this program beyond 2002, Ohio EPA volunteered to continue the work previously performed by ODH. Continuation of this vital program will provide data that is important for assessing the health of Ohio's water, as well as for determining whether fish consumption advisories are necessary to protect public health.

IMPROVING AIR QUALITY

Outdoor Air Getting Cleaner – Levels of most monitored air pollutants have dropped substantially in Ohio over the past 30 years. Ohio EPA analyzed air monitoring data it has collected between 1972 and 2001 for the six pollutants for which U.S. EPA has established national air quality standards (carbon monoxide, lead, ozone, nitrogen dioxide, sulfur dioxide and particulate matter). The monitoring was conducted at more than 200 locations around Ohio, which has one of the nation's most extensive air monitoring networks. Sites monitored for carbon monoxide levels show an average reduction of more than 70 percent since 1972. Sites monitored for sulfur dioxide levels have shown an average drop of 90 percent in the past 30 years. Sites monitored for nitrogen dioxide pollution have shown an average drop of 22 percent since 1974. Sites monitored for ozone have shown an average 27 percent reduction since 1972. Lead levels decreased by more than 95 percent during 1979-1998. From 1972 to 1987, total particulate matter levels dropped by 45 percent based on 24-hour readings. Very small particulates (10 microns in diameter or smaller) decreased by 24 percent from 1989 to 2001.

Reducing Emissions from Industries – In 2002, Ohio EPA finalized rules that require power plants and large industrial boilers to further reduce nitrogen oxide emissions, a contributor to ozone, by 114,000 tons annually beginning in 2004.

Toxic Releases Decreasing – Toxic releases to Ohio's environment decreased 13.4 percent from 2000 to 2001, the largest single-year drop in four years, according to the latest Toxic Release Inventory (TRI) report. Overall, toxic air emissions dropped by 58 percent from 1992 to 2001. The TRI report contains information about the use, release and management of 667 toxic chemicals. Over the past four years, toxic releases have decreased at the same time the number of reporting facilities and chemicals covered have substantially increased.

ENFORCING THE LAW

Criminal Enforcement Program Among the Best – In 2001, U.S. EPA Region V noted that Ohio's criminal environmental enforcement program is considered among the best in the nation. Ohio EPA and the Ohio Attorney General's office initiate, prosecute and conclude a significant number of environmental enforcement cases. In particular, U.S. EPA said that Ohio's environmental crimes prosecutions have created a credible deterrent to future criminal conduct.

Solid Track Record on Civil Cases Settled - In 2002, Ohio EPA issued 144 enforcement orders and assessed civil penalties of \$2,164,365, exceeding the \$2 million mark for the third year in a row. In addition, the Attorney General's Office (AGO) filed 53 consent orders and assessed \$7,608,187 in penalties. This is the second highest total penalties assessed by the AGO since tracking of these totals began 13 years ago. The AGO also recovered \$1,369,038 in costs and \$763,000 in other monetary recoveries

Environmental Improvements Resulting from Enforcement Actions – Although this type of measurement is an evolving effort, Ohio EPA's enforcement actions in 2002 resulted in at least: 7,956 tons of pollution removed from the air; cleaner drinking water for 9,208 customers; elimination of unsanitary sewage conditions for 1,229 lots; mitigation of 39 acres of wetlands; proper storm water controls for 512 acres of land under development; cleanup of 9,675 tons of solid waste and 5,070,632 scrap tires; treatment, disposal or removal of 37,405 tons of hazardous waste; and 526 acres of previously contaminated land returned to use.

Buckeye Egg Farm – Ohio EPA took aggressive action against Buckeye Egg Farm for continuing violations of environmental laws that led to water pollution and nuisance conditions. Following repeated fines and contempt actions, the State took action to revoke the company's permits in 2002.

Record-Setting Wetlands Case – In 2001, Ohio EPA and the Ohio Attorney General's Office secured a \$1 million civil penalty from Heritage Development and Bainbridge Land Development for cutting down trees and negatively impacting a wetland near Aurora in Northeast Ohio. The civil penalty is the largest ever obtained by Ohio EPA in a wetlands enforcement case. Half of the penalty was placed into an escrow account to help the Geauga County Park District acquire and preserve Bass Lake and surrounding wetlands. In addition, \$250,000 was dedicated toward recovering the state's costs in this case. The remaining \$250,000 was earmarked to be split between the Ohio Environmental Education Fund and Ohio EPA's surface water programs. The companies also agreed to buy and preserve almost 30 acres of high-quality wetlands and forested area known as the Twinsburg Bog Property, and 2 ½ acres at the Grand River Lowland Mitigation Bank. In addition, they agreed to construct more than five acres of high-quality wetlands near the site where trees were cut down.

Record High Air Case – Following trial testimony by numerous Ohio EPA and local environmental officials, a Scioto County judge issued orders against New Boston Coke Corporation with a total civil penalty of \$2,663,319.59. The penalty includes \$1,950,000 for air violations; \$468,000 for hazardous waste violations, \$150,000 for wastewater violations, and \$95,319 to reimburse Ohio EPA for costs incurred at the site. The December 2002 decision is the largest air civil penalty ever assessed by a judge in the State of Ohio.

ENHANCING ENVIRONMENTAL EDUCATION

Funding Education Projects – Since its inception in 1990 through November 2003, the Ohio Environmental Education Fund has awarded \$14,247,211 in 533 grants for projects targeting students, the general public and regulated facilities. It also has funded \$170,350 in environmental science and engineering scholarships to 71 students at 27 Ohio colleges and universities, in a program initiated in 1999 to encourage students to enter these professions.

Making Schools Safer – Ohio EPA and the Ohio Department of Education implemented a \$2.9 million program to address hazardous waste removal needs in Ohio schools. The program was the first statewide program of its kind in the country and removed more than one million pounds of chemicals safely from 196 Ohio schools. Student safety and awareness dramatically increased, and 90 percent of Ohio school districts agreed to participate. Schools saved an average of \$10,000 per building – money that would have been spent on a commercial cleanup service. Nearly 1,000 school officials and teachers also attended safety seminars regarding responsible management of chemicals and chemical wastes. Three Ohio EPA employees received the “Friend of Science” award from the Science Education Council of Ohio in 2001 for their support of this program.

CD Aids Learners – *Protecting Your Environment*, an interactive CD-ROM from Ohio EPA, meets a need in Ohio for environmental education materials targeted to high school students and adults. The CD-ROM uses downloadable photos and video clips, interactive windows, quizzes and games to help users learn about major environmental concerns and success stories; learn how to participate in government decisions and how to be an ecologically smart consumer; and access data on environmental conditions in their community. *Protecting Your Environment* was selected to receive a 2001 Award of Excellence from the Environmental Education Council of Ohio, and a 2003 Bronze Quill Award of Merit from the International Association of Business Communicators.

Helping Small Businesses – The Small Business Assistance Office (SBAO) has logged about 4,750 requests for information or assistance since opening in 1996. Primarily serving Central Ohio, the office has aided a diverse group of small businesses, including contractors, auto service companies, dry cleaners, printers and manufacturing companies. The SBAO’s telephone hotline (800-329-7518) remains the most widely used service of the office. The office also distributes easy-to-understand publications on environmental regulations. Publications can be ordered on-line or by calling the hotline. The office also offers compliance workshops for small business owners on topics such as hazardous waste and used oil management.

Preventing Pollution Through Education – Since 1999, Ohio EPA has helped 1,620 Ohio businesses prevent pollution. This includes 89 site visits to help companies identify cost-saving and environmentally sound ways to reduce waste and become more competitive. This effort includes the distribution of more than 132,000 documents and 154 presentations to educate and inform companies and other organizations about the benefits of pollution prevention. Assistance was also provided to an additional 2,700 external organizations and individuals. Ohio EPA continues to be a national leader in incorporating pollution prevention requirements into enforcement settlements, where waste reduction projects were completed in exchange for a reduced penalty. To date, 111 enforcement settlements have included pollution prevention requirements; 40 of those occurred since 1999.

MODERNIZING INFORMATION MANAGEMENT

Improving Information Management – Ohio EPA continues to make significant investments to update and enhance information management systems for air, solid waste, hazardous waste, drinking water and surface water programs. The systems, as part of an Agency-wide integration plan, streamline work processes, enable electronic submission of information from regulated entities, and allow easier access to public information. The Agency network was also updated during the past year. This positions the Agency to be able to implement emerging technologies, such as video conferencing, that will increase staff efficiency and reduce travel costs.

FOCUSING ON EXCELLENCE

Strategic Planning – During the summer of 2003, Ohio EPA began a year-long effort to evaluate itself and set goals for improvement. All employees are involved and surveys were conducted to assess employee and customer satisfaction. In 2004, goals and performance standards will be set to make needed improvements.

In addition, a set of Agency values will be identified. When completed, a separate process will be undertaken to make sure all parts of the Agency are aligned with these core values. The overall goal of this effort is to move Ohio EPA toward excellence in several key operational areas.

Leadership Development –The Agency's Developing Excellent Agency Leaders (DEAL) program will start its eighth class in January 2004. It was created to begin developing the new leaders that will help guide Ohio EPA in coming years. The year-long, nationally recognized program helps to increase skills in 12 competency areas such as decision-making, team building, strategic planning, communication skills and coaching. More than 200 employees have graduated from the DEAL program.

Improving Managers' Skills – All chiefs receive annual evaluations from the director. In the past, goals for professional development were set, but learning opportunities were limited. To improve this process, a Senior Manager Professional Development Program was created. This program offers a variety of learning activities (courses, videos, books, etc.) that cover more than 30 skill areas deemed necessary for senior managers. During performance evaluations, the director works with each chief to identify areas for improvement. While designed for senior managers, the program is available for other managers as well.