

**OHIO RIVER VALLEY WATER SANITATION COMMISSION**

**MINUTES**

**191<sup>st</sup> Commission Meeting  
Hilton Cincinnati Netherland Plaza  
Cincinnati, Ohio  
Thursday, June 12, 2008**

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**Chairman Stuart Bruny, Presiding**

### Call to Order

Chairman Bruny called the 191<sup>st</sup> meeting of the Ohio River Valley Water Sanitation Commission to order at 9:13 A.M. on Thursday, June 12, 2008.

Commissioner Potesta led the Commission in the Pledge of Allegiance.

### Quorum Call

Commissioner Eger declared that a quorum was present (see Roster of Attendance, page 18).

Chairman Bruny noted that Bud Schardein has been appointed PROXY for Lieutenant Governor Mongiardo of Kentucky. Mr. Bruny recognized and thanked Commissioners Hook and Wright for their contributions as they end their service with the Commission.

### Action on Minutes

**ACTION:** Motion by Commissioner Flannery, second by Commissioner Eger and carried, that the minutes of the 190<sup>th</sup> meeting of the Commission and of the February 2008 Executive Session (mailed May 22, 2008), be adopted as presented.

### Report of the Treasurer

Commissioner Eger noted that a detailed Treasurer's Report as of April 30, 2008 was provided in the agenda packet.

The report indicates a balance of \$998,335 in accounts receivable due the Commission as of April 30, 2008. To date the Commission has collected \$992,682 of the receivable due.

Additionally, the report indicates resources of \$4,974,486 through the end of April 2008. Of that amount, \$2,527,837 was expended on programs, leaving \$2,446,649 available for the continuation of ORSANCO's programs.

**ACTION:** Motion by Commissioner Duritsa, second by Commissioner Morgan and carried, to accept the Treasurer's Report as presented.

### Report of the Chairman

Chairman Bruny began by stating that his term as Chairman passed quickly but the year has been successful, accomplishing many tasks which will be reported on during the meeting.

Mr. Bruny reflected on past activities and accomplishments of the Commission leading up to this year's 60<sup>th</sup> Anniversary. He noted the tremendous progress that has been made in improving Ohio River water quality and the important role ORSANCO has played in achieving this progress.

Chairman Bruny continued by reflecting on challenges and interesting facts from previous years based on excerpts from Annual Reports and Commission meeting minutes at 10-year milestones. In 1958, Executive Director Edward Cleary commented that "ten years have elapsed since the states organized to begin the crusade for clean waters in the Ohio River Valley." Mr. Cleary noted in 1948 that there were 11 small communities with a population of 22,000 treating sewage. By 1958, 57 communities with a population of 750,000 were being serviced with modern treatment and plants were under construction to provide treatment service to an additional 2,500,000 residents. In 1948, less than 10% of residents had sewage treatment. In 1958, 20% of residents had treatment, and in 1959, 80% were expected to have treatment. In 1948, 32 industries had some form of waste control, in 1958, 137 had controls, some being elaborate in nature. In 1958, detailed regulatory measures were being considered for chlorides, oil, taste-and-odor, and mine acid. Studies were in progress for waste controls for sulfates, manganese, and dissolved solids. Mr. Cleary also mentioned the wisdom of the Commission in establishing river quality monitoring stations in 1951 that created a scientific record that had no parallel on any river in the world, and the Federal government had taken steps to initiate a monitoring program patterned after the ORSANCO system.

The 1968 Annual Report stated that since ORSANCO was created, there have been great changes nationally in terms of social concern and political action concerning the urgency of water pollution control. ORSANCO was a pioneer in provoking such a change and in devising a regional mechanism for the Ohio Valley.

States had held hearings pursuant to the 1965 Federal Water Quality Act which required states to conduct such hearings on interstate waters and individually adopt standards for Federal approval. Of concern to ORSANCO were cases where different standards were applicable to the same stretch of the water bordering two states. While reconciliation of standards was a major issue, other aspects of the regional program included expansion of river quality monitoring and evaluation capability; development of an automated forecast procedure for quality management; reconnaissance of subsurface disposal potentials and limitations; assessment of aquatic life resources; and continued investigations on river oxygen enrichment using hydro facilities.

In 1978, the Annual Report noted that the River had shown dramatic improvement, evidenced by a tripling of fish populations over the previous two decades, the dramatic increase in recreation on the River, and the virtual disappearance of oil slicks and man-made debris. ORSANCO's monitoring program had been expanded to include pesticides, herbicides, bottom deposits, radioactivity, and PCBs. The Organics Detection System (ODS) was inaugurated, thus intensifying ORSANCO's role in spill contingency plans and in handling spills. There was also a growing awareness and recognition in the media regarding ORSANCO contributions in advancing the Clean Streams Program in the Compact District.

The 1988 Annual Report reported that two days into 1988, a major oil spill occurred upstream of Pittsburgh requiring diversion of staff resources for two months, and the summer months brought a statistical 50-year drought. These events served to demonstrate ORSANCO's viability and stewardship of the River. The Report also concluded that in coming years, ORSANCO will face its greatest challenges in achieving reduction in the presence of pollution from toxic substances, contaminated groundwater, and land runoff.

In 1998, it was reported that as of 1995, all Ohio River communities were employing secondary wastewater treatment, which was 25 years from the year ORSANCO adopted secondary treatment as the base-line for municipal wastewater. In addition, in 1998, ORSANCO was addressing combined sewer overflows with the adoption of control requirements; performing water quality studies related to wet weather conditions; assessing source water for water supplies; and initiating assessment of nutrient loads and sources for achieving reductions in the Ohio River Basin and to the Gulf of Mexico.

Mr. Bruny continued by reporting that in 2008, ORSANCO continues to be at the forefront of science and public policy and is regularly sought out for advice and assistance locally, regionally, and worldwide. ORSANCO is defined by current programs, including research on Endocrine Disrupting Compounds (EDCs), “clean sampling” for metal contaminants in water, methodologies for assessing biological populations, innovative public education programs, and the spill detection program.

Mr. Bruny projected that in ten years, ORSANCO will be working on some of these same issues, but also new issues and challenges will arise, and ORSANCO will have taken a leadership role in resolving these issues. This success and effectiveness is made possible through regional collaboration underpinned by ORSANCO’s Interstate Compact.

Mr. Bruny concluded his report by thanking Commissioners for their service on committees, and staff for their continued excellent work. Mr. Bruny noted that during his term as Chairman, he raised questions such as whether current programs are addressing the most negative impacts to the River; the need to consider an effort to undertake a broad scan monitoring of water quality to determine the presence of contaminants not included in current monitoring programs; and the need to focus efforts to work with states to improve water quality of tributaries causing negative impacts on the main stem.

Mr. Bruny concluded that ORSANCO is indeed probing these questions through the Strategic Plan review, efforts to refurbish the Organics Detection System, and through the relationship established by the Big Sandy River Basin Cooperative Agreement. ORSANCO will continue to probe into these issues, and in so doing, has not only built a magnificent record of accomplishments in monitoring, program effectiveness, and practicality, but also in collaboration and cooperation with other agencies.

### **Report of the Executive Director**

Mr. Vicory began by reporting that collaborative opportunities continue to arise for ORSANCO. He noted participation at a recent workshop sponsored by the National Science Foundation (NSF) and U.S. EPA in Cincinnati to discuss the Foundation’s “WATERS Network” project which is a major national project to produce environmental observational data. Mr. Vicory and Erich Emery were invited by University of Cincinnati Professor Paul Bishop to participate in this workshop to determine if ORSANCO’s capabilities might be brought into the project. NSF has concluded that observational programs should be developed that produce data and assessments which do a better job of supporting the nation’s capability to manage water quantity and quality. U.S. EPA has a significant resource base, including staff, a testing and evaluation facility to pilot technologies, an artificial stream facility in Cincinnati, as well as research facilities in Oklahoma focusing on agriculture issues, and New Jersey focusing on urban impacts.

Mr. Vicory indicated that the workshop brought together some of the Country’s top researchers to showcase U.S. EPA’s resources and to encourage proposals for projects under the “WATERS Network” that would incorporate U.S. EPA facilities and staffing.

One, as part of the WATERS Project, are “test beds” which are physical sites around the country where demonstrations of technologies take place. The Chesapeake Bay Program serves as the context for one such location. Mr. Vicory suggested there be a major basin test bed in the interior of the Country, with the Ohio Valley being a perfect location because it is an inland basin comprised of large and small streams, it has ORSANCO’s expertise, and numerous collaborations are present which do not exist elsewhere. Mr. Vicory advised he and Sally Gutierrez of U.S. EPA will be developing a joint memorandum to the academic attendees of the conference proposing this concept. Mr. Vicory stated that he is not sure where this concept is headed, but wanted to mention this potential opportunity to the Commission.

Mr. Vicory directed Commissioners’ attention to the 2007 Annual Report and requested that Executive Committee members advise him of their preference for transmitting the Report to their respective Governors and to the President of the United States. He noted that there were post cards in the meeting packet for this purpose.

Mr. Vicory reported that staff is currently providing a new service in support of recreation on the Ohio River. Staff performed bacteria analyses to provide water quality information for a recent triathlon in Maysville, Kentucky. Unfortunately, bacteria levels were high and the swim part of the competition was cancelled. Staff will conduct a similar analysis for a June event in Cincinnati.

Mr. Vicory reported that ORSANCO will help sponsor and plan the Ohio River Summit on August 1&2, 2008 at Greenbo Lake State Park in Kentucky. The Summit will provide the opportunity for citizens to learn about and become more actively engaged in addressing the needs of the River. The Summit will provide an overview of Ohio River issues and conduct capacity building workshops.

Mr. Vicory brought attention to the t-shirts made of 100% recyclable materials provided to Commissioners, indicating that these shirts will be considered for use at future River Sweeps. He also noted the upcoming June 21, 2008 River Sweep event and invited all to attend. Mr. Vicory concluded by mentioning that the mobile aquarium traveled to Grundy, VA to participate in a Big Sandy River Coalition event where 2,000 children viewed the aquarium.

**ACTION:** Motion by Commissioner Servatius, second by Commissioner Wright and carried, to accept the report of the Executive Director.

### **Report of the Technical Committee**

Commissioner Duritsa, Technical Committee Chairman, reported that the 187<sup>th</sup> meeting of the ORSANCO Technical Committee was held on June 10-11, 2008 in Cincinnati. Seven states, two federal agencies, and four Commission advisory committees were represented.

### **Chief Engineer’s Report**

Alan Vicory briefed the Committee on several matters, including:

- Increased activity in development of hydropower at Ohio River navigation dams. Mr. Vicory suggested, and the Committee agreed, that a meeting should be held with the state agencies involved in certification of these facilities to revisit agreements made in the 1980’s regarding hydropower impacts.

- A change in notification procedures by the National Response Center has resulted in less information being provided to ORSANCO. Efforts are underway to reverse this decision.
- Funding for the Organics Detection System (ODS) in the amount of \$295,000 will be administered by U.S. EPA Region 5 working through Ohio EPA.
- ORSANCO is conducting special bacteria monitoring in conjunction with on river events. The swimming portion of the Maysville Triathlon was cancelled due to high bacteria levels found in ORSANCO's monitoring.
- The Commission continues to work with the Big Sandy River Basin Coalition in support of that group's efforts to improve water quality in a watershed shared by three states.
- Comments were received from U.S. EPA Region 3 on the ORSANCO Quality Management Plan; those comments can be readily addressed.
- Initial information has been provided at the request of a Congressional office regarding funding needs relative to the Federal 2010 budget. A request for continued funding for the Commission's Watershed Pollutant Reduction Program was submitted.
- Letters have been sent to retired Committee members Toby Frevert and Mark Ayers, thanking them for their service.
- Deputy Director Peter Tennant recently received Board Certification from the American Academy of Environmental Engineers.

#### Commission Technical Programs

The Program and Finance Committee had directed staff to develop vision statements for the Commission's technical programs. Staff presented proposed vision statements, and the Technical Committee commented on statements presented and suggested several more. Staff will forward the revised vision statements to the Program and Finance Committee.

Staff presented the proposed ORSANCO technical programs for FY09. The Technical Committee's program guidance was incorporated in the development of the proposed programs. The Technical Committee endorsed the proposed programs.

#### Review of Commission Standards

Several of the comments received in the initial review of the Commission Standards addressed purely technical issues, and have been referred to the Technical Committee. The Technical Committee assigned the issues to its Stream Criteria and NPDES Subcommittees as appropriate, and will anticipate responses from the Subcommittees at its October meeting.

#### EPRI Fish Impingement Study

Representatives from the Electric Power Research Institute presented results of fish impingement studies at the intakes of power plants on the Ohio River. The results indicate high mortality for young fish, with no clear pattern of occurrence.

#### Nutrient Issues

Staff reported that assistance requested from U.S. EPA in the development of nutrient criteria for the Ohio River is being provided through a contractor. It is anticipated that the results of this assistance will be available in the early summer.

ORSANCO continues to coordinate activities of the Ohio River Sub Basin Committee formed to carry out the Action Plan to Reduce Hypoxia in the Gulf of Mexico. Recent developments regarding Gulf Hypoxia include:

- The USGS held a news conference to release results of a new modeling effort that addressed nutrient loadings to the Mississippi River and the Gulf. The results indicated that Indiana, Kentucky, and Ohio are among the nine states with the largest loadings.

- The Task Force met in Chicago in February; subsequent to that meeting, the Task Force reached agreement on a revised Action Plan.
- The Task force will meet again in New Orleans next week to publicly release the revised Action Plan and to adopt an annual operating plan.

The Ohio River Sub Basin Committee is working with U.S. EPA to sponsor a workshop on nutrient removal from point source discharges. The workshop is planned for November 18-20, 2008.

In November, ASIWPCA sent a letter to U.S. EPA recommending that technology-based nutrient limits be developed for point sources. The Technical Committee had directed staff to develop a letter to U.S. EPA on nutrient limits. Staff presented the draft, and the Committee identified several changes to be made. A revised draft will be sent to Committee members.

#### EMAP Great Rivers Ecosystems Study

Mr. David Bolgrien of U.S. EPA's Duluth Laboratory presented results of the Great Rivers Ecosystem Study. ORSANCO has been heavily involved in this effort, collecting data on the Ohio River and training personnel in other states to use the same methods on the Upper Mississippi and Missouri River.

#### Report of the Fish Consumption Work Group

The Fish Consumption Work Group has reached agreement on the need for a consistent protocol for the analysis of fish tissue data, and on the components of such a protocol. Staff is working on the protocol document and will present a draft to the work group for its review within the next few months.

#### Report of the NPDES Subcommittee

The NPDES Subcommittee met by conference call in April 2008. The Subcommittee continued to discuss a proposal from the Water Users Advisory Committee for permit language on notification of downstream water utilities when treatment bypasses or upsets occur. The chair of the Water Users Committee participated in the discussion. The Subcommittee agreed with the concept that dischargers should notify downstream water utilities of treatment upsets and bypasses in a timely manner. Additional dialogue between the two groups on this matter will be necessary to reach agreement on language to be placed in permits.

The Subcommittee also discussed available treatment for the reduction of mercury, particularly in discharges from power plant scrubber wastes. Several efforts are underway to determine if available technology exists to meet emerging requirements.

#### Status of Ohio River Discharges

Each of the main stem states present reported on discharges or other water quality concerns originating within their states. Summaries of the reports will be forwarded to the Pollution Control Standards Committee.

#### Development of TMDLs

Staff provided an update on the TMDL for pathogens. It is anticipated that this TMDL will be completed in 2010.

Staff presented the status of tasks identified by the TMDL Task Force as necessary in order to adequately characterize sources of PCBs. These tasks must be addressed in order to develop a meaningful TMDL for PCBs.

### Wet Weather Issues

Staff presented a status report on the study of recreational use. A telephone survey was to have begun this month; however, the contractor suggested that it be delayed in order to coincide with the in-person surveys. The Technical Committee agreed with this approach.

### Trends Report

The Committee has reviewed a draft report on Ohio River Water Quality Trends developed by staff. Concern was raised over the inclusion of metals data collected prior the adoption of clean metals techniques. Data collected using the clean techniques indicate that the previous data was subject to contamination. Staff was directed to revise the report to include a strong disclaimer on the use of the older metals data.

### Comments by Advisory Committees

The Power Industry Advisory Committee reiterated its concern about the prohibition of mixing zones for Bioaccumulative Chemicals of Concern, which poses a major challenge for power plants installing scrubbers to reduce air pollution.

The Public Interest Advisory Committee (PIACO) has been involved in a review of its mission and activities. The Committee hopes to facilitate better communication with environmental advocacy groups in the Basin.

The Water Users Advisory Committee (WUAC) has been working with the NPDES Subcommittee on permit language regarding notification of downstream water utilities in the event of bypasses or treatment upsets. The Committee has submitted comments on the Commission Standards and is investigating the need for mutual support assistance agreements to cover emergency situations. The Committee is also looking into problems of operator availability at some ODS sites.

The POTW Advisory Committee has raised concerns, and submitted extensive information on the issues of nutrient reduction and the TMDL for pathogens. The Committee urges the Commission to move forward on wet weather standards as quickly as possible.

### Other Matters

An Ohio River Summit, co-sponsored by the Kentucky Waterways Alliance, the West Virginia Rivers Coalition, and the Sierra Club, will be held August 1-2, 2008 at Greenbo Lake State Park in Kentucky.

**ACTION:** Motion by Commissioner Duritsa, second by Commissioner Potesta and carried, to accept the Technical Committee report as presented.

### **Report of the Pollution Control Standards Committee**

Peter Tennant, reporting on behalf of Commissioner Komoroski, Committee Chairman, reported that the initial comment period in the review of the Commission Pollution Control Standards began on March 17, 2008 and closed on May 16. The comment period was announced on the ORSANCO web site. Notices were published in newspapers in cities along the river and were sent to a list of stakeholders, including wastewater dischargers, water users, government agencies, and environmental groups. Public workshops were held in five locations along the river: Washington, PA (Pittsburgh – Wheeling area), Ashland, KY (Huntington – Ashland – Portsmouth area), Hebron, KY (Cincinnati area), Louisville, KY, and Henderson, KY (Evansville, IN area).



Comments were received from 21 entities. Staff has sorted the comments by the section of the Standards addressed. The Pollution Control Standards Committee has begun its consideration of the comments submitted. A total of 56 individual comments were raised. Five were considered technical and have been referred to the Technical Committee; three raise legal issues and have been referred to Legal Counsel; and the remaining 48 comments will be addressed by the Pollution Control Standards Committee. The Committee may direct additional comments to the Technical Committee after considering the policy ramifications of certain comments.

Section IV – Water Quality Criteria – was the subject of the greatest number of comments. The majority of the comments received addressed one or more of the issues mentioned in the announcement of the review:

- Temperature
- Translators for Metals
- Selenium
- Pathogens
- Applicability of U.S. EPA Human Health Criteria
- Wet Weather Standards

Several comments addressed pharmaceuticals and other endocrine disrupting chemicals (EDCs).

An unsettling observation is that a number of comments received expressed a belief that the Commission would only review its Standards as a means to relaxing them. Apparently, some of the negative images of the Commission portrayed during the last review remains.

Mr. Tennant concluded that a conference call will be convened to review and address comments, followed by a meeting to be scheduled in the summer of 2008.

**ACTION:** Motion by Commissioner Conroe, second by Commissioner Tomes and carried, to accept the report of the Pollution Control Standards Committee and authorization for the Chairman of the Technical Committee to circulate the recommendations of the Pollution Standards Control Committee for referral without having to wait for a Technical Committee meeting.

### **Report of the Water Quality Review Committee**

Commissioner Potesta, Chairman of the Water Quality Review Committee, reported that the Committee met on June 11, 2008 and discussed the following items:

#### **Continuation of Watershed Pollutant Reduction Program**

The Commission's Watershed Pollutant Reduction Program has been funded through an earmark in the U.S. EPA budget. The program has enabled the Commission to undertake some fairly sophisticated monitoring efforts (high volume sampling, acoustic Doppler measurement of river flow, and mobile lab for pathogens) in support of data needs for TMDLs.

The program received \$1.5 million in funding for federal fiscal year 2007; those funds have been used to extend the program through fiscal year 2009. No funds were included in the federal budget for 2008, and none are anticipated for 2009. When the program was discussed by the Water Quality Review Committee last winter, staff was directed to discuss the continuing need for the program with the states. At the February meeting of the Technical Committee, the state members expressed overwhelming support for continuation of the program.

Subsequently, staff was asked by a congressional office to provide information on funding needs and the program was submitted as a high priority. The Water Quality Review Committee was pleased to hear of this development, and supports the information developed by staff on the immediate future needs of the program. The Committee directed staff to develop a longer term strategy for the program, taking into account the special needs of the Ohio River Basin and the established role of the program in support of the states' data needs for TMDL development.

#### Support of the Big Sandy River Basin Coalition

Representatives of the Big Sandy River Basin Coalition attended the February Commission meeting and requested support of three initiatives:

1. Establishment of a full time coordinator for the Coalition.
2. Establishment of a Big Sandy Environmental Endowment.
3. Establishment of a Big Sandy Revolving Wastewater Fund.

A follow-up meeting was held involving representatives of the Coalition, the three states involved (Kentucky, Virginia, West Virginia), and ORSANCO staff. It was agreed that the coordinator position was the most critical need; the other two initiatives are unlikely to develop without full-time staff. Virginia DNR should be able to provide \$6,000 in funding for the position. ORSANCO has set aside \$5,000 in its budget for support of the Coalition. It is estimated that a total of about \$75,000 would be needed to support the position for one year. The other states will look for sources of funding; this will include contacting their U.S. EPA nonpoint source coordinators. The Coalition representatives will look for opportunities to partner with colleges in the Basin; this could involve provision of office space and support. For longer term support, contact with Basin Congressional representatives was discussed.

Coordination of state efforts in the Basin was also discussed. ORSANCO staff agreed to the following tasks:

1. Convene a second conference call of monitoring personnel from the three states to share plans for monitoring in the Basin and to set up a meeting to share results.
2. Update compilations of state monitoring sites, 305(b) results, and 303(d) listings for the Basin.
3. Compile the states' schedules for monitoring and assessment activities in the Basin (Kentucky and West Virginia utilize five year rotating watershed schedules) and look for opportunities to increase cooperation.

The Water Quality Review Committee supports these activities by ORSANCO staff, and encourages the Coalition to seek funding from foundations to support its mission.

**ACTION:** Motion by Commissioner Potesta, second by Commissioner Servatius and carried, to accept the report of the Water Quality Review Committee as presented.

#### Report of the Congressional Liaison Committee

Commissioner Flannery, reporting on behalf of Commissioner Harrison, Committee Chairman, reported that a number of the issues under consideration regarding future funding were discussed in detail at the June 11, 2008 Roundtable of Commissioners. Mr. Flannery continued by summarizing these discussions. Circumstances with seeking funding from Congress are changing rapidly. The Commission currently has a positive proposal before Congress related to the Organics Detection System (ODS). There has been success in getting Congress to include a \$2.5 million funding authorization in the Water Resources Development Act (WRDA) passed last year. This will set the stage for action in 2008 in seeking appropriation of the \$2.5 million

funding. The Commission was successful last year in receiving a \$295,000 appropriation, and we will be seeking an appropriation for the balance of this funding in 2008.

Mr. Flannery also reported that the Commission was approached earlier this year to determine what level of funding might be needed in the 2010 Water Resources Development Act (WRDA). This led to seeking authorization for \$9.95 million in funding for continuation of the Watershed Program for a two-year period. This request should be considered a placeholder for anticipated action in 2009 and beyond. This should be considered an interim objective as it relates to Congress.

Commissioner Flannery indicated that the Commission is inevitably headed in the direction of looking for the right opportunity to approach Congress for what amounts to a permanent place before Congress in the appropriations process. This may require an amendment to the Clean Water Act to provide ORSANCO the status afforded the Chesapeake Bay and Great Lakes. It is unlikely that the Commission could originate an amendment to the Clean Water Act, however ORSANCO could bide time with the current process, wait for the Clean Water Act to be reopened, and advance the case at that time. To prepare for this process, ORSANCO must develop a political infrastructure involving members of Congress, possibly in the form of an Ohio River Caucus. Building this infrastructure will require support of the Governors of the Compact states.

**ACTION:** Motion by Commissioner Flannery, second by Commissioner Wright and carried (Edward Ambrogio abstaining) to accept the report of the Congressional Liaison Committee as presented.

### **Report of the Program and Finance Committee**

Commissioner Flannery, Chairman, Program & Finance Committee, reported that the Program and Finance Committee met at Commission headquarters on March 27-28, 2008. Commissioners from seven states participated.

### **Program and Budget for Fiscal Year 2009**

Staff presented summaries of proposed activities in each program area for fiscal year 2009 (July 1, 2008 to June 30, 2009). The Committee reviewed the proposed program and budget, made several changes, and agreed to recommend Commission adoption of the proposed program and budget.

Commissioner Flannery presented the following resolution for adoption:

### **RESOLUTION 1-08**

#### **PROGRAM PLAN AND BUDGET FOR FISCAL YEAR 2009**

**WHEREAS:** The Commission has established the sum of \$1,363,000 as the amount of appropriations to be requested from the signatory states for fiscal year 2009; and

**WHEREAS:** Funds from the United States Government for approximately \$2,519,315 may be allocated to the Commission for fiscal year 2009; and

**WHEREAS:** Funds amounting to \$197,028 may be available from a variety of sources to support the Ohio River Sweep, River Users, ORSANCO/USGS Gaging Stations, and Life Below the Waterline programs; and

**WHEREAS:** Funds amounting to \$60,000 may be available from miscellaneous sources; and

**WHEREAS:** The Commission is anticipated to carry over obligated resources of \$1,275,273 into the 2009 fiscal year.

**NOW, THEREFORE, BE IT RESOLVED THAT:** The 2009 Fiscal Year Program Plan for all activities and the budget contained therein and in support thereof be approved as presented.

**BE IT FURTHER RESOLVED THAT:** The Executive Director is hereby authorized to make application for funding as may be available from U.S. EPA, for other Federal funding and funding from other sources as may become available.

**BE IT FURTHER RESOLVED THAT:** The expenditures in fiscal year 2009 be substantially within the framework of the following guidelines, which are made a part of this Resolution.

**2009 FISCAL YEAR BUDGET**

Payroll	\$1,350,539
Employee Benefits	460,496
Staff Travel	317,475
Commission Travel	102,455
Advisory Committees	48,825
Supplies	340,072
Telephone	30,000
Equipment Purchases	315,850
Mortgage, Utilities	109,097
Repairs & Maintenance	48,740
Contractual Services	494,665
Printing & Reproduction	23,300
Lab Fees & Delivery	<u>595,337</u>
Total Expenditure Budget	\$4,236,851

**ACTION:** Motion by Commissioner Flannery, second by Commissioner Duritsa and carried (Edward Ambrogio abstaining) to adopt Resolution 1-08 as presented.

**State Funding for Fiscal Year 2011**

After consideration of anticipated program costs and recent history of state funding, the Committee agreed that a four percent increase in state funding would be warranted for fiscal year 2011.

Commissioner Flannery presented the following resolution for adoption:

## **RESOLUTION 2-08**

### **STATE FUNDING LEVEL FOR 2011**

**WHEREAS:** Article V of the Compact provides that the Commission shall submit to the Governor of each state, at such time as he may request, a budget of its estimated expenditures for such period as may be required by the laws of such state for presentation to the legislature thereof;

**NOW, THEREFORE, BE IT RESOLVED THAT:** The sum of \$1,445,600 be budgeted for operating expenses of the Commission in the Fiscal Year July 1, 2010 to June 30, 2011. Such sum to be prorated among the signatory states in accordance with the provisions of Article X of the Compact.

**ACTION:** Motion by Commissioner Flannery, second by Commissioner Wright and carried (John Boozer voting no, Edward Ambrogio abstaining) to accept Resolution 2-08 as presented.

#### **Revision of Strategic Plan**

The Committee has developed several proposed revisions to the Commission's Strategic Plan (Attachment 1) as a result of discussions at Commission Roundtable sessions and staff visits to state agencies. Mr. Flannery noted two recommended changes to the proposed Plan. Under Article VIII, bullet 2, the wording "as of progress made in improving water quality conditions" will be added. Under Article VIII, bullet 4, the wording "and others as appropriate" will be added. The Committee recommends that the Commission adopt the proposed revisions.

**ACTION:** Motion by Commissioner Flannery, second by Commissioner Servatius and carried to adopt the revisions to the Strategic Plan incorporating the proposed word additions as presented.

The Committee also directed staff to develop mission statements and assessments of five-year needs for each program area. Staff was also directed to prepare a discussion paper on modeling needs.

**ACTION:** Motion by Commissioner Flannery, second by Commissioner Easterly and carried to accept the report of the Program & Finance Committee as presented.

#### **Report of the ORSANCO/Ohio River Users Program Advisory Committee**

Commissioner Potesta reported that the ORSANCO/Ohio River Users Program is undergoing a period of reorganization and revitalization. First and foremost, the Advisory Committee recommends a roster change and suggests that the three current vacancies on ORSANCO's Advisory Committee be filled with representatives from the Power Industry Advisory Committee, the Publicly Owned Treatment Works Advisory Committee, and the Water Users Advisory Committee. It is envisioned that either the chairmen of the respective committees or their appointees would serve on the River Users Program Advisory Committee and believe that their involvement will stimulate inter-committee communications.

This program has been relatively inactive for the last two years for the following reasons: primarily, no new study ideas have been advanced to this group, and the existing studies were ongoing and only recently completed.

Mr. Potesta reported on the two studies recently completed. The first investigated the use of benthic trawling as a collecting method which could be used to improve biological assessments. The findings of this pilot effort ultimately led to the acquisition and dedication of additional extramural funding through USEPA that is being used to continue research in this area.

A second, a pilot project, was initiated in 2005, completed successfully, and due to in-kind services from partners such as USEPA and the USGS, was completed under budget. In 2005, the Commission approved the use of up to \$60,000 in River Users funding to support research investigating Endocrine Disrupting Compounds (EDCs). This work was completed, requiring the expenditure of only \$35,000. It was estimated that if in-kind contributions from EPA and USGS were tallied, total project costs would run well over \$200,000.

Based primarily on the success of the initial pilot project, new attention, concerns and uncertainties regarding this new family of contaminants, and questions raised by our states and industry, the ORSANCO/Ohio River Users Program Advisory Committee recommends that the Commission approve the release of River Users Program funding to support continued research focusing on investigating the presence of and effects from Endocrine Disrupting Compounds (EDCs) and other emerging contaminants such as pharmaceuticals.

The Advisory Committee requests that an additional \$50,000 be dedicated to support this research. Currently, the Program account holds approximately \$121,000, which is available to support new projects and initiatives.

**ACTION:** Motion by Commissioner Potesta, second by Commissioner Tomes and carried, to accept the Committee's recommendation to reorganize the Committee as presented.

**ACTION:** Motion by Commissioner Potesta, second by Commissioner Conroe and carried, to accept the Committee's recommendation to extend and fund the EDC research project as presented.

### **Report of the Ad Hoc Committee on ORSANCO's 60<sup>th</sup> Anniversary Year**

Commissioner Eger, Chairman, Planning Committee, began by commenting that Wednesday evening's 60<sup>th</sup> Anniversary celebration served to remind ORSANCO of its successes, provided acknowledgement by the business community, and was offered a challenge for the future by a national organization.

The Committee proposed that the 60<sup>th</sup> anniversary be used as an opportunity to reach out to opinion leaders in the Basin to educate and inform the constituents ORSANCO serves. Mr. Eger mentioned that there were a number of editorial board and media visits conducted coinciding with the anniversary celebration to better inform the public of ORSANCO's activities and successes. The Committee will coordinate future meetings with the media, civic organizations and other groups to communicate and educate the public. Commissioners were encouraged to participate by conducting meetings in their area. A PowerPoint presentation will be developed and made available for use at such future meetings.

**ACTION:** Motion by Commissioner Eger, second by Commissioner Easterly and carried to accept the report of the 60<sup>th</sup> Anniversary Planning Committee as presented.

**Report of the Personnel Committee**

Commissioner Tomes, Committee Chairman, reported for the record that the Personnel Committee reported on several personnel related actions at the June 12, 2008 Executive Conference of Commissioners. These actions included the implementation of a Tuition Reimbursement Policy, a revision of the vacation leave policy to include a fifth week of vacation after 20 years of service, and the Executive Director's performance review and salary adjustment.

**ACTION:** Motion by Commissioner Tomes, second by Commissioner Duritsa and carried, to accept the report and recommendations of the Personnel Committee as presented at the Executive Conference of Commissioners.

**Report of the Water Users Advisory Committee (WUAC)**

Mary Armacost, Committee Chairman, reported that the Committee met on May 20-21, 2008 in Cincinnati, and thanked Commissioner Tomes for his attendance. Ms. Armacost also thanked the NPDES Technical Subcommittee for working with the Water Users Advisory Committee to develop a downstream notification process. Final wording of this process is still being defined.

The Committee submitted comments to the Pollution Control Standards Committee in reference to the inclusion of a definition of "reasonable treatment" for drinking water and a recalculation of the ammonia criteria. The Committee also proposes that the notification of utilities being developed with the NPDES Subcommittee also be included in the Standards. The Committee commented in support of the current Standards, which does not allow mixing zones for mercury.

The Committee also voiced great concern over the fact that the NRC no longer considers ORSANCO a federal agency for notification purposes. Certain critical information on spill reports is no longer provided directly to ORSANCO. However, drinking water utilities need information on who to contact to get exact spill information to adequately treat the drinking water. The Committee requests that ORSANCO take all steps possible to return the Commission to federal agency status at the NRC.

Ms. Armacost reported there was only one spill affecting a water utility since the last Commission meeting. This spill occurred at Hayes Mine, PA.

The Committee also discussed the utility of the Water/wastewater Agency Response Network (WARN) wherein both drinking water and wastewater utilities can execute agreements to help each other during times of emergency, e.g., Katrina. Without such an agreement, a utility will not be reimbursed for any assistance provided by, or to, another utility. The Committee will work to encourage the development of agreements in other locations.

Organics Detection System (ODS) operator training took place concurrent with the Committee meeting which provided a welcome opportunity for operators and advisory committee members to discuss issues concerning the operation of the ODS. Staff presented a system status report and provided a review of new equipment options. Ms. Armacost stressed to the Commission that prior to putting any new equipment in service, letters of commitment need to be signed by the water utilities and industries to assure all aspects of the use, needs and expectations are understood.

Ms. Armacost concluded by reporting that the Committee recommends the nomination of Mr. William S. Templeton, of the West Virginia American Water Montgomery District Water Treatment Plant, to the Registry of Distinguished Water and Wastewater Operators.

**ACTION:** Motion by Commissioner Potesta, second by Commissioner Flannery and carried to accept the nomination of Mr. William S. Templeton to the Registry of Distinguished Water and Wastewater Operators.

Ms. Armacost reported that the Louisville Water Company, during the American Water Works Conference, was determined to have the best tasting drinking water in the United States.

**ACTION:** Motion by Commissioner Conroe, second by Commissioner Potesta and carried that the Commission Secretary send a letter of congratulations to Louisville Water Company.

**ACTION:** Motion by Commissioner Potesta, second by George Elmaraghy and carried to accept the report of the Water Users Advisory Committee.

### **Report of the Publicly Owned Wastewater Treatment Works (POTW) Advisory Committee**

Mr. Mike Apgar, Chairman of the POTW Advisory Committee, reported that the Committee met on June 5-6, 2008 in Northern Kentucky. The Committee presented research data with respect to technology-based effluent standards for removal of nutrients at municipal water reclamation facilities. The Committee applauds the Technical Committee's decision to include, in the Commission's draft letter to U.S. EPA's Assistant Administrator, language relating to additional research with respect to the nutrients issue. The Committee looks forward to reviewing and commenting on the revised draft letter.

Mr. Apgar commented that the Committee also appreciates the opportunity to provide peer review on the Ohio River bacteria TMDL being developed by U.S. EPA Region 5. The Committee provided initial comments on the response to the technical review of the TMDL's quality assurance plan. In addition, the Committee will ask for a schedule of major development decision points and will also ask Region 5 to provide an opportunity for ongoing technical review and comment as major development decisions are made.

Since waste load allocations associated with the TMDL's development have the potential of significant cost to all municipal customers living within the Basin, and significant impacts on long-term control plans being developed, the Committee feels it is imperative to have a bacteria TMDL of the highest quality. The Committee encourages the Commission to continue providing the POTW Committee the ability to review ongoing development data and provide comment as the bacteria TMDL development continues.

Mr. Apgar commented that, with respect to Wet Weather Water Quality Standards, the Committee recognizes the need for the Commission to avail itself of the research data that will soon be available through various bacteria related studies currently being conducted across the Nation. The Committee also realizes that information obtained through a recreational use survey is critical in the development and eventual inclusion of wet weather provisions within the Commission's Pollution Control Standards. The Committee cannot understate the ever-present need for the inclusion of wet weather water quality provisions within the Standards. As long term control plans continue to be developed, this need becomes even more apparent and urgent.



Mr. Apgar noted that the U.S. EPA has established a 2% mean household income threshold for municipal spending. The Committee believes it is imperative that every dollar be spent in a way that ensures an environmental return. Unfortunately, without wet weather water quality provisions in the Standards, money could potentially be spent trying to achieve an unachievable, unreasonable goal. The Committee understands why the Commission cannot include wet weather water quality provisions in the current review period, and applauds the Commission for diligently obtaining the research data required for wet weather Standards development. However, the Committee encourages the Commission not to wait until the next triennial review, but to reconvene the Wet Weather Work Group as soon as the required research is available, and to create the needed wet weather provisions as soon as reasonably possible. Time is of the essence and the wet weather provisions are necessary to ensure that every dollar spent will provide sound environmental return. The Committee is encouraged to find a nonpoint source objective within the Commission's Strategic Plan. The Committee believes that trying to solve the nonpoint source problem is imperative. As discussion continues on the impact of bacteria on recreational use and water production, and the need for nutrient reduction to improve the conditions in the Gulf of Mexico, it becomes apparent little can be done without the inclusion of nonpoint source stakeholders.

During the Committee's last meeting, the agricultural industry was discussed at length. The Committee decided to invite representatives of the agricultural industry for initial discussions. The purpose will be to define common ground, develop a better understanding of mutual concerns, and to potentially collaborate on solutions.

Mr. Apgar concluded by reporting that the Committee will meet on September 25-26 in Northern Kentucky. Mr. Apgar congratulated the Commission on 60 years of environmental excellence.

**ACTION:** Motion by Commissioner Wayland, second by Commissioner Tomes and carried to accept the report of the Publicly Owned Wastewater Treatment Works (POTW) Advisory Committee.

#### **Report of the Public Interest Advisory Committee (PIACO)**

Mr. Ron Riecken, Committee Chairman, reported that the Committee met on May 21, 2008 in Northern Kentucky and continued a self evaluation of its mission and role to best assist the Commission's and its needs.

The Committee will work to develop an effective communication network, with basin groups and environmental advocacy organizations, to support the Commission's desire to communicate more effectively with these constituencies. The Committee will also attempt to schedule Committee meetings in conjunction with Commission meetings which would enable Commissioners to attend meetings and interact with the Committee. The Committee also invited the incoming Commission Chairman to meet with the Committee to provide some insight and direction.

Mr. Riecken concluded by welcoming Judith Peterson, Kentucky Waterways Alliance, as the newest Committee member and reported on the following Committee Officers for 2008-2009:

Chairman – Ron Riecken  
Vice-Chair – John Mores  
Secretary – William Boria

**ACTION:** Motion by Commissioner Potesta, second by Commissioner Easterly and carried to accept the report of the Public Interest Advisory Committee.

**Report of the Nominating Committee**

Commissioner Servatius, Committee Chairman, reported that the Committee recommends the following slate of officers for 2008-2009:

Chair - David Flannery  
Vice Chair - Jeff Eger  
Secretary/Treasurer - Paul Tomes

**ACTION:** Motion by Commissioner Easterly, second by Commissioner Morgan and carried to accept the recommendations of the Nominating Committee.

**Comments**

Judith Peterson, Kentucky Waterways Alliance, commented that she looks forward to serving on the Public Interest Advisory Committee. Ms. Peterson also mentioned that brochures for the Water Summit were available for those interested.

Commissioner Wright commented that it was an honor to serve on the Commission as this was her last Commission meeting. Ms. Wright stated that her world travels reinforce to her the privilege of living in the United States. The Commission is representative of this privilege where citizens have the opportunity to serve our Country and State through Commission service.

Commissioner Flannery thanked Commissioner Bruny for his service as Chairman.

**Upcoming Meetings**

Chairman Bruny noted the following schedule for upcoming Commission meetings:

- October 8-9, 2008 Charleston, WV
- February 11-12, 2009 Cincinnati, OH (tentative)
- June 10-11, 2009 TBA

**Adjournment**

The 191<sup>st</sup> Commission meeting was adjourned at 11:15 A.M.

Prepared by:

\_\_\_\_\_  
David Bailey  
Director of Administration  
& Human resources

Date: \_\_\_\_\_



Approved by:

\_\_\_\_\_  
Jeffery Eger  
Secretary/Treasurer

Date: \_\_\_\_\_

**ROSTER OF ATTENDANCE**  
**191<sup>st</sup> Commission Meeting**  
**June 12, 2008**

**Commissioners**

Illinois	Marcia Willhite (PROXY for Douglas Scott) Phillip Morgan
Indiana	Thomas Easterly
Kentucky	Bruce Scott (PROXY for Robert Vance) Jeffery Eger
New York	Jerry Palumbo (PROXY for Pete Grannis) Douglas Conroe T. Lee Servatius
Ohio	Amy Wright Paul Tomes George Elmaraghy (PROXY for Christopher Korleski)
Pennsylvania	Charles Duritsa John Booser (PROXY for Kathleen McGinty)
Virginia	Robert Wayland Ellen Gilinsky (PROXY for David Paylor)
West Virginia	David Flannery Randy Sovic (PROXY for Randy Huffman) Ron Potesta
Federal	Stuart Bruny Kenneth Komoroski Edward Ambrogio (PROXY for Donald Welsh)

**Legal Counsel**

Ross Wales

**Executive Director**

Alan Vicory

**Guests**

Tom VanArsdall – Kentucky DEP, Mary Armacost – Chairman, Water Users Advisory Committee, Mike Apgar – Chairman, POTW Advisory Committee, Judith Peterson – Waterways Alliance, JR Wood – Duke Energy, David Daly – Marathon Oil, Adam Zabinski – WEF, Ron Riecken – Chairman, Public Interest Advisory Committee

**Staff**

David Bailey, Jason Heath, Peter Tennant, Joseph Gilligan, Tracey Edmonds, Erich Emery, Jerry Schulte, Jeanne Ison, Heather Mayfield, Beth McGuire, Steve Braun, Travis Luncan, Lila Ziolkowski, Sam Dinkins, Greg Youngstrom, Eben Hobbins, Rob Tewes, Stacey Cochran, Jeff Thomas

**Strategic Plan for the  
Ohio River Valley Water Sanitation Commission**

*Proposed Revisions – June 2008\**

**Mission**

The mission of the Commission is to implement the Ohio River Valley Water Sanitation Compact through direct action and by coordinating the actions of the member states.

**Article I** of the Compact pledges the states to faithful cooperation in the control of pollution and establishes water quality objectives for interstate waters of the District:

- *Available for safe and satisfactory use as public and industrial water supplies after reasonable treatment;*
- *Suitable for recreational usage;*
- *Capable of maintaining fish and other aquatic life;*
- *Free from unsightly or malodorous nuisances due to floating solids or sludge deposits;*
- *Adaptable to such other uses as may be legitimate.*

**Vision**

All interstate waters of the Ohio River Watershed meet the Compact objectives.

**Strategic Objectives**

- *The Ohio River Valley Water Sanitation Compact represents an agreement and commitment among the signatory states. It is the function of the Commission to support and coordinate efforts by the states to fulfill their obligations under the Compact.*
- *The Commission will develop physical, chemical and biological water quality criteria to protect the desired uses.*
- *The Commission will work with the member states to develop and carry out monitoring and assessment programs to determine the degree to which the desired uses are met.*
- *The Commission will operate monitoring systems to detect threats to the desired uses of the interstate waters of the District, and will work with the member states to quickly address such threats.*
- *The Commission will focus its activities first on the Ohio River and the lower reaches of tributaries to the main stem. As resources permit, the Commission may undertake activities on interstate tributaries. Activities on intrastate tributaries shall be undertaken only at the request of a member state, and with the consent of the other states.*
- *The Commission will, through collaborative research and other means, seek out new technologies and approaches for use in carrying out its mission, and will periodically report on their utilization to the member states.*

**Article II** of the Compact creates the Ohio River Valley Water Sanitation District as the portion of the signatory states that lies within the Ohio River watershed.

**Vision**

ORSANCO is actively engaged throughout the Ohio River watershed, in cooperation with the member states and other stakeholders, in carrying out the objectives of the Compact.

**Strategic Objectives**

- *The Commission will work with the member states, federal agencies, local governments, industry and citizens' groups to communicate and promote watershed-based approaches to water quality management.*
- *The Commission will work to promote awareness of water quality issues **and of progress made in improving water quality conditions** in the Ohio River Valley through environmental education initiatives.*

**Article III** of the Compact creates the Commission as a body corporate with powers and duties as set forth in the Compact, and such additional powers as may be conferred on it by actions of the legislatures of the signatory states or by the United States Congress.

**Vision**

*The Commission is able, through its own authorities and those of its member states, to address all water pollution problems in the District.*

**Strategic Objective**

- *The Commission will develop strategies for addressing the **interstate** pollution problems of the District utilizing the powers established in the Compact.*

**Article IV** of the Compact establishes the membership of the Commission.

**Vision**

*Commissioners are empowered to represent their states or, in the case of federal Commissioners, the United States government.*

**Strategic Objective**

- The Commission will communicate effectively with the Compact parties- Governors and State Legislatures, the President and the Congress.

**Article V** of the Compact provides for the business operations of the Commission as follows:

1. The Commission is authorized to elect officers, employ staff, adopt a seal, bylaws, and rules for its management, establish offices and hold meetings.
2. The Commission is required to submit its budget to the Governors for presentation to the Legislatures.
3. The Commission is directed to keep accurate books of account that shall be available for review by state representatives.
4. The Commission is directed to prepare an annual report and submit it to the Governors.
5. The Commission is prohibited from incurring obligations prior to the making of appropriations and from pledging the credit of any of the states.

## **Vision**

*The Commission operates effectively as a worldwide leader in regional watershed approaches to environmental restoration and protection.*

## **Strategic Objectives**

- **The Commission will meet at regular intervals to conduct its business.**
- **The Commission will operate at budget levels consistent with needs.**
- *The Commission will prepare an annual report and distribute it to the Governors and legislatures of the member states, the President of the United States and Congressional delegations from the member states, local elected officials within the Compact District, and the public.*

**Article VI** of the Compact establishes the Commission's authority to adopt rules, regulations and standards for the treatment of wastes discharged to the interstate waters of the District under the principal that wastes discharged in one state shall not harm the waters of another state.

## **Vision**

All wastewater discharges to interstate waters of the District are provided adequate treatment.

## **Strategic Objectives**

- **The Commission will establish and maintain, through periodic review, comprehensive standards for wastewater discharges to the Ohio River.**
- **The Commission will assess the need for additional standards for discharges to interstate tributaries.**

**Article VII** of the Compact recognizes the states' authorities to adopt more stringent requirements than those of ORSANCO.

## **Vision**

*Requirements for discharges in each state are protective of downstream and adjacent states' water quality standards.*

## **Strategic Objective**

- The Commission will maintain an inventory of applicable state requirements, and will strive to ensure that downstream and adjacent states' requirements are taken into account in states' pollution abatement actions.

**Article VIII** of the Compact directs the Commission to study the pollution problems of the District and make recommendations for their abatement and prevention.

## **Vision**

*The Commission attains an understanding of all water pollution problems in the District and, in cooperation with the member states, works towards their solution.*

## Strategic Objectives

- **The Commission will assess the results of its monitoring programs to gain an understanding of water quality conditions in the Ohio River and its tributaries, and to identify actions needed to achieve and maintain water quality objectives.**
- *The Commission will provide information to State, federal and local government agencies, elected officials, water purveyors, interested parties, and the public at large on water quality conditions in the Ohio River and the lower reaches of its tributaries.*
- *The Commission will consider the effects of climate change, through consultation with others and, as appropriate, through its own studies, to determine potential impacts on water quality conditions in the Ohio River Basin.*
- *The Commission will study the impacts of nonpoint source pollution in the Compact District and will consult with the member states to identify successful approaches to reduce those impacts.*
- *Recognizing the critical relationship between water quantity and water quality, the Commission will maintain communication with the Ohio River Basin Commission, the US Army Corps of Engineers, and other agencies with water resource missions, and work with them to address issues of common interest.*
- *The Commission will, through its strategic planning process, identify emerging issues that could affect water quality conditions within the Compact district. The Commission will evaluate and define its role, in concert with its member states and federal agency partners, in addressing such issues.*
- **The Commission will strive to ensure that appropriate follow-up is provided to all identified water quality problems by the appropriate party.**

**Article IX** of the Compact authorizes the Commission to issue orders on any entity discharging sewage or industrial wastes into the interstate waters of the District in violation of the Compact, provided that at least two Commissioners from the state in which the discharge originates consent. Article IX further establishes the duty of the entity to comply with the order, and establishes the jurisdiction of the federal courts in such instances.

## Vision

All wastewater dischargers operate treatment facilities in compliance with permit limits.

## Strategic Objectives

- *The Commission will support and coordinate states' pollution abatement efforts.*
- *The Commission will, when necessary, initiate its own enforcement actions to achieve compliance by wastewater dischargers.*

**Article X** of the Compact establishes the states' shares of Commission funding.

## **Vision**

*The Commission receives adequate funding from appropriate sources in order to address the water pollution problems of the District.*

## **Strategic Objective**

- *The Commission will seek funds from sources other than the states' regular appropriations and the basic federal program grant under the following conditions:*
  - a. *The funds will support activities that advance the Commission's strategic objectives.*
  - b. *Receipt of such funds by the Commission will not adversely affect funding of the member states' programs.*
  - c. Pursuit of such funds does not require excessive staff time such that current program objectives might not be met.

**Article XI** of the Compact provides for the Compact to become effective upon approval by Congress and ratification by the state legislatures.

## **Vision**

*Additional states join the Compact in order to extend its coverage to the entire Ohio River watershed.*

## **Strategic Objective**

- *The Commission will maintain communications with Ohio River Basin states that are not members, and will invite their participation in activities that address the entire watershed.*

## **Statement of Public Accountability**

The Ohio River Valley Water Sanitation Commission has been established by an instrument of the laws of the member states and by the United States of America. The Commission is supported by public funds provided by the member states and the federal government. As such, the Commission recognizes its obligation to the public it serves: to make its information and findings available to the public, to educate the public regarding water quality in the Ohio River and its tributaries, and to consult with the public in its decision making about the restoration and protection of the waters of the district.

\*Proposed changes shown in bold. Proposed deletions shown in crosshatching.