Ohio River Valley Water Sanitation Commission

POLLUTION CONTROL STANDARDS
for Discharges to the Ohio River

____Revision

Notice of Requirements

You are hereby notified that, having considered all the evidence presented at public hearings, the Ohio River Valley Water Sanitation Commission, at its regularly held meeting on______, acting in accordance with and pursuant to the authority contained in Article VI of the Ohio River Valley Water Sanitation Compact, adopted and promulgated, subject to revision as changing conditions require, Pollution Control Standards Revision for the modification or treatment of all sewage from municipalities or other political subdivisions, public or private institutions, corporations or watercraft, and for the modification or treatment of all industrial wastes discharged or permitted to flow into the Ohio River from the point of confluence of the Allegheny and Monongahela Rivers at Pittsburgh, Pennsylvania, designated as Ohio River mile point 0.0 to Cairo Point, Illinois, located at the confluence of the Ohio and Mississippi Rivers, and being 981.0 miles downstream from Pittsburgh, Pennsylvania.

Under the terms and provisions of the Ohio River Valley Water Sanitation Compact, all sewage from municipalities or other political subdivisions, public or private institutions, corporations or watercraft, and all industrial wastes discharged or permitted to flow into the Ohio River will be required to be modified or treated to the extent specified in the standards established as above set forth.

To the extent that Pollution Control Standards 2015 Revision, which were established by Commission action October 8, 2015, have been amended or restated by virtue of Pollution Control Standards_____, the Pollution Control Standards 2015 Revision, including any definitions and application procedures appended to or incorporated therein, are rescinded.

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CHAPTER 1: GENERAL PROVISIONS

1.1 AUTHORITY AND PURPOSE

The Ohio River Valley Water Sanitation Compact (the Compact) was signed in 1948 by the Governors of the States of Illinois, Indiana, Kentucky, New York, Ohio, Pennsylvania, Virginia, and West Virginia, following the consent of the United States Congress and enactment of the Compact into law by the legislatures of the eight states. The Compact created the Ohio River Valley Water Sanitation Commission (the Commission) as a body corporate with powers and duties set forth in it for the purpose of abating water pollution within the Compact District. Article I of the Compact mandates that all waters in the District be placed and maintained in a satisfactory, sanitary condition, available for certain beneficial uses. It is the mission of the Commission to ensure protection of these uses and to preserve the waters for other legitimate purposes.

The Compact grants the Commission authority to carry out its mission. Article VI states that “the guiding principle of this Compact shall be that pollution by sewage or industrial wastes originating within a signatory State shall not injuriously affect the various uses of the interstate waters.” Minimum requirements for the treatment of sewage and industrial waste then are established in Article VI, as well as the authority of the Commission to require higher degrees of treatment where they are determined to be necessary after investigation, due notice, and hearing. Article VI concludes by authorizing the Commission to “adopt, prescribe, and promulgate rules, regulations and standards for administering and enforcing the provisions of this article.”

Article IX of the Compact grants the Commission authority to issue orders, after investigation and hearing, for the purpose of achieving compliance with its standards. Any court of general jurisdiction or any United States District Court in the signatory states may be used by the Commission in order to enforce such orders.

It is the policy of the Commission to rely on the member states for the primary enforcement of its standards. Each of the member states is authorized to do so under the legislation that enabled its membership in the Compact. Each of the member states is authorized to administer the federal/state National Pollutant Discharge Elimination System (NPDES) as established in Section 402 of the Federal Clean Water Act. The NPDES permits are therefore the primary means by which the Commission’s Standards are implemented and enforced.
Because all states are mandated by the federal Clean Water Act to adopt and submit for USEPA approval a program that addresses designated uses, free from mandates, wastewater discharge requirements, water quality standards, mixing zones, and more, the Commission has concluded that the requirements of the Compact are being satisfied by member state programs implementing the federal Clean Water Act. The Commission has also concluded that all of its member states are implementing programs approved under the federal Clean Water Act for the safe and satisfactory uses of the Ohio River as public and industrial water supplies after reasonable treatment, suitable for recreational usage, capable of maintaining fish and other aquatic life, and that therefore the requirement of the Compact are being satisfied by member states through these programs.

Given the fact that all member states are implementing approved programs under the federal Clean Water Act, the Commission will discontinue the triennial review process of updating the PCS rules. By proceeding under this approach the Commission is confident that public will have the full and complete protection of the federal Clean Water Act and the oversight of USEPA and the states without the redundancy of the current PCS program.

The standards set forth in this document are intended to be the mandatory requirements to be applied to the Ohio River as established in the Compact.

1.2 GENERAL CONDITIONS

A. General

The minimum conditions which these standards are intended to achieve in the receiving waters are as follows:

1. Freedom from anything that will settle to form objectionable sludge deposits which interfere with designated water uses.

2. Freedom from floating debris, scum, oil, and other floating material in amounts sufficient to be unsightly or deleterious.

3. Freedom from materials producing color or odors to such a degree as to create unaesthetic conditions or a nuisance.

4. Freedom from substances in concentrations which are toxic or harmful to humans, animals, or fish and other aquatic life; which would in any manner adversely affect the flavor, color, odor, or edibility of fish and other aquatic life, wildlife, or livestock; or which are otherwise detrimental to the designated uses specified in Chapter 2.
1.3 LIMITATIONS

Nothing contained in these regulations shall be construed to limit the powers of any state signatory to the Compact to promulgate more stringent criteria, conditions, and restrictions to further lessen or prevent the pollution of waters within its jurisdiction.

1.4 SEVERABILITY CLAUSE

Should any one or more of the Pollution Control Standards hereby established or should any one or more provisions of the regulations herein contained be held or determined to be invalid, illegal or unenforceable, for any reason whatsoever, all other standards and other provisions shall remain effective.

CHAPTER 2: DESIGNATED USES

2.1 USES AS ESTABLISHED BY THE OHIO RIVER VALLEY WATER SANITATION COMPACT

The Ohio River, as hereinbefore defined, has been designated by the Compact as 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, and adaptable to such other uses as may be legitimate.

CHAPTER 3: WASTEWATER DISCHARGE REQUIREMENTS

3.1 GENERAL

A. No discharge of sewage, industrial wastes, toxic wastes, other wastes, cooling water or residues from potable water treatment plants shall cause or contribute to a violation of these wastewater discharge requirements, or preclude the attainment of any designated use of the main stem waters of the Ohio River.

3.2 SEWAGE

A. MINIMUM LEVEL OF TREATMENT:

Sewage shall be treated prior to discharge, to meet the following effluent limitations in addition to the requirements of Chapter 3.1.
1. Suspended Solids

The arithmetic mean of the values for effluent samples collected in a month shall not exceed 30 mg/L, and the arithmetic mean of the values for effluent samples collected in a week shall not exceed 45 mg/L.

B. ALTERNATIVE TREATMENT:

Such facilities as waste stabilization ponds and trickling filters shall be deemed to provide effective treatment of sewage, provided that the requirements of Chapter 3.1 are met, that the effluent does not cause any violations of Chapter 2 of these regulations, and that the following requirements are met:

1. Suspended Solids

The arithmetic mean of the values for effluent samples collected in a month shall not exceed 45 mg/L; and the arithmetic mean of the values for effluent samples collected in a week shall not exceed 65 mg/L.

3.3 ANALYTICAL METHODS

Tests or analytical determinations establish compliance or non-compliance with the Wastewater Discharge Requirements established herein shall be made in accordance with accepted procedures such as those contained in the: (a) latest edition of Standard Methods for the Examination of Water and Wastewater, prepared and published jointly by the American Public Health Association (APHA), American Water Works Association (AWWA), and Water Environment Federation (WEF); (b) Annual Book of ASTM Standards, Part 31 – Water, by the American Society for Testing and Materials; (c) Guidelines Establishing Test Procedures for the Analysis of Pollutants (40 CFR 136) by the U.S. EPA; or (d) by such other methods as are approved by the Commission as equal or superior to or not available within methods in documents listed above, provided such other test methods are available to the public.
Ohio River Valley Water Sanitation Commission

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