

Pollution Control Standards

Upcoming Triennial Review: The
Process & Issues

Background

- Review standards every 3 years or sooner.
- Previous reviews:
 - 2013 – Extension of mixing zone prohibition.
 - 2012 – Regular review
 - 2011 - TDS criterion
 - 2010 - Variance language (mixing zones).
 - 2009 - Regular Review
 - 2006 - Regular Review

The Standards

- Apply to the Ohio River only.
- General Provisions: Variances and site-specific criteria.
- Designated uses: Aquatic life, recreation, fish consumption, public & industrial water supply.
- Water Quality Criteria: Aquatic life & human health.
- Mixing Zones (list of BCCs needs updated).
- Wastewater Discharge Requirements:
 - Critical flows.
 - Effluent requirements for discharges of sewage.
 - Effluent requirements for industrial discharges.
 - CSO requirements.
 - Also addresses discharges from potable water plants, cooling water.
 - Analytical Methods

Triennial Review Process (2015)

- Announce triennial review/initial comment period
 - March, 2014
 - Communication by website, press releases, email distribution, & written notice to discharges.
- Initial comment period 2 months through late April-Early May.
 - Opportunity for public to recommend PCS issues for review.
 - Supported by at least two webinars
 - On webinar during work hours, one webinar evening hours in a different week.

Process (cont.)

- PCS Committee recommends specific revisions and authorization to hold public hearing at February 2015 Commission mtg.
- Public notice of hearing made 45 days in advance which opens the public comment period and lasts 30 days after hearing.
 - Hearing to be held around June 2015.
 - Supported by at least 2 webinars.
 - Same communication strategy as initial comment period.
 - Eliminate legal notice requirement due to cost?

Process (cont.)

- PCS Committee considers comments, prepares final revisions and responsiveness summary, and presents to Commission for adoption at October, 2015 meeting.
- 2015 PCS Revision installed on website, and announced by website, press release, email distribution list, and in writing by mail to discharges no later than November, 2015.

Initial Set of Issues

- Total mercury water quality criterion.
 - Consider revisions to magnitude & duration (frequency of exceedance).
 - EPA dropped their water quality criterion.
 - States have different criteria.
 - Criterion protects against long-term bioaccumulation in aquatic life.
 - May want to consider frequency of exceedance for all criteria.

Initial Set of Issues (cont.)

- E. coli Bacteria (130/100 mL 90-day geo mean, 25% not to exceed 240/100 mL).
 - Current criterion based on USEPA original "BEACHES" proposal that they did not adopt.
 - Less stringent than all states' criteria making it not useful.

- Human Health Temperature Criterion (110 F).
 - Magnitude, duration & where applicable.
 - Located in section that indicates "applicable outside the mixing zone."
 - Criterion indicates it "applies where public access is possible."

Initial Set of Issues (cont.)

- TDS Criterion (500 mg/L)
 - By action of Commission, review criterion after completion of TDS study.
- Ammonia
 - USEPA promulgated new criteria based on mollusk toxicity.
- Prohibition on mixing zones for BCCs.
 - Developed for Great Lakes due to concern for "hot spots" in water bodies with very long retention times.
- Continue to work on nutrients criteria.

Commissioners Discussion