

Local Consistency Reviews and 208 Plan Updates

Section 208 Water Quality Management
Planning in Northeast Ohio

March 19, 2015

Consistency Reviews

- Required for the Following Ohio EPA Actions:
 - Permit-to-Install Sanitary Sewer Extension
 - National Pollutant Discharge Elimination System (NPDES) Permit
 - Increase to an Existing Wastewater Treatment Plant Discharge Amount
 - Division of Environmental and Financial Assistance (DEFA) Grants and Loans Under the Clean Water Act
 - Water Pollution Control Loan Fund (WPCLF)

Consistency Reviews (cont.)

- An Ohio EPA Application is Checked for Consistency with:
 - Facility Planning Area Boundaries
 - Prescription for Wastewater Treatment
 - Population Projections
- Ohio EPA Cannot Issue a Clean Water Act Permit, Grant or Loan that is Inconsistent with NOACA's or NEFCO's 208 Plan
- NEFCO Policy 3-4
- NOACA Policy 4-5

Consistency Reviews (cont.)

- Documentation:
 - Map with an email or letter from NOACA or NEFCO
 - Complex Projects or Project that are not Consistent May Require Additional Review and Documentation
 - Typical Turnaround in Less Than a Week
- NOACA Initiated a PTI Tracking Systems to Identify Potential Consistency Issues Early in the Review Process

Consistency Reviews (cont.)

- Typical Information Needed from an Applicant for a Consistency Review
 - Location (Address, Coordinates, Description)
 - Type of Project (Sewer Extension, On-Site System, Discharging System, etc.)
 - Applicant
 - Other Pertinent Wastewater Information

208 Plan Updates

- Primary Reasons for a 208 Plan Update:
 - Proposed Project is Not Consistent with the Current FPA Boundary and/or Prescription
 - To Reflect New Agreements or Political Boundaries
 - General Maintenance by the Areawide Agency (Non-Project Specific)

208 Plan Updates (cont.)

- FPA Information that is Typically Amended
 - Boundaries
 - Prescriptions for Wastewater Treatment
 - Management Agencies
 - Population Projections
 - New Facility Planning Areas

208 Plan Updates (cont.)

- Who Can Request an Update
 - Areawide Management Agencies
 - NOACA and NEFCO
 - Management Agencies
 - Designated, Primary, Lead, Satellite, Secondary, etc.
 - Ohio EPA
- All Amendment Require Approval of NEFCO's General Policy Board (Clean Water Plan) or NOACA's Board of Directors (Clean Water 2000 Plan)

NEFCO Update Process

- Guidelines for Amending 201/208 FPA (page 3-20)
- Opportunity for Review and Comment
 - DMAs and local governments
 - Maximum 45-days
- Published Legal or Public Notice
 - 14-day Public Comment Period
- Application Packet Submitted to NEFCO
 - Project Information, Map of Proposed Changes, Updated Prescriptions, Comment Letters, Public Notification Summary, etc.

NEFCO Update Process (cont.)

- Staff Review – 208 Plan Consistency
- Environmental Resources Technical Advisory Committee (ERTAC) Review and Recommendation
- General Policy Board Determination
- Forwarded to the Ohio EPA for Inclusion in the State's Water Quality Management Plan
- Changes Incorporated in NEFCO's Clean Water (208) Plan
- Ohio EPA Permitting Decisions are Based on the Most Recent Version of the Clean Water Plan Approved by the Board

NEFCO Update Process (cont.)

- Timeline

- DMA and Local Jurisdiction Review and Comment = 45 days (max.)
- Public Comment Period = 14 days (can be done concurrently with DMA comment period)
- Staff Review = 7 days (min.)
- ERTAC = Monthly Meetings
- General Policy Board = Monthly Meetings
- Typical Range: 25 days to 72 days

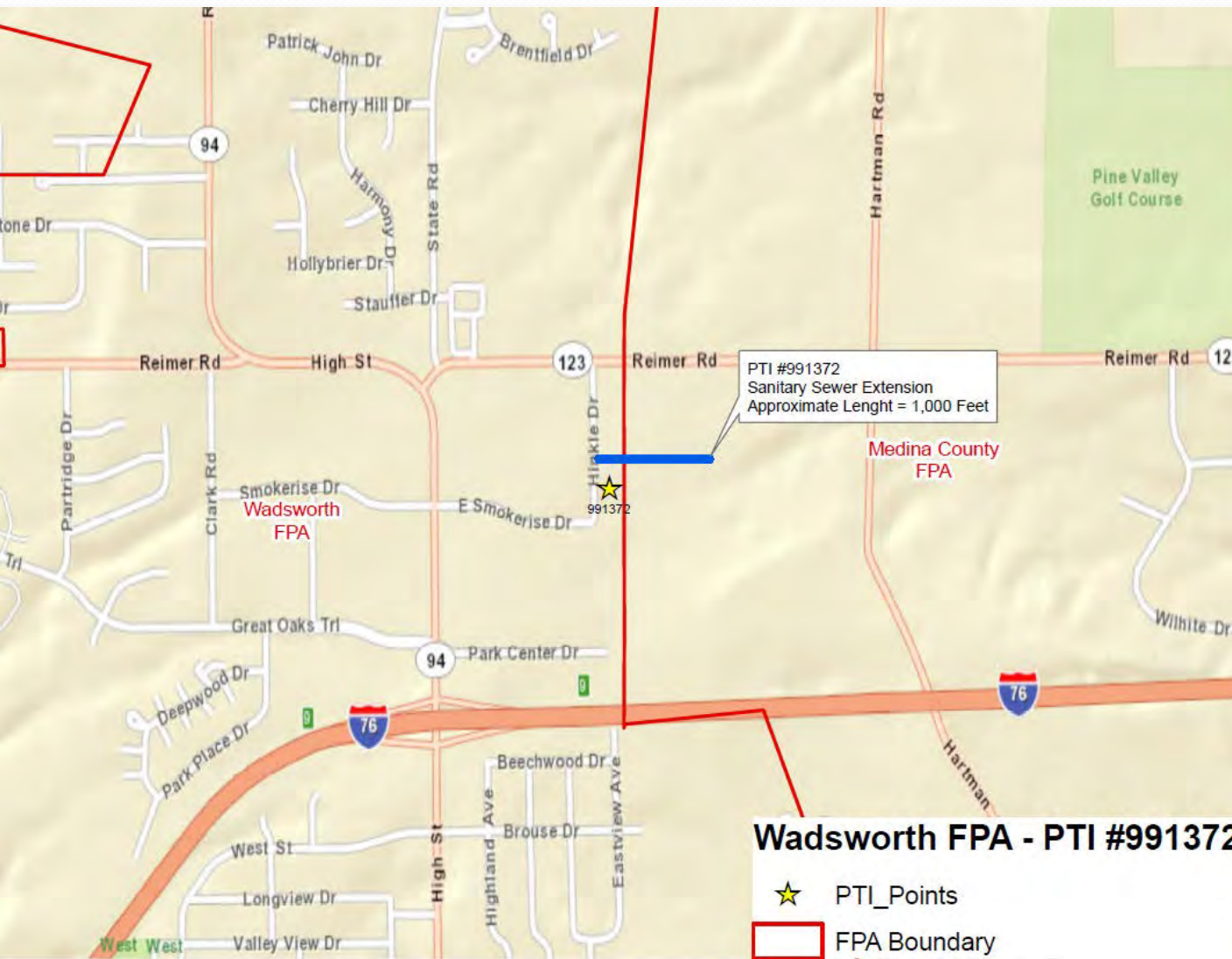
NOACA Update Process

- Requires a 90-Day (max.) Review Period for Affected Local Jurisdictions
 - DMAs, Cities, Villages and Townships
 - By-Passed if Comment Letters are Secured by Applicant
- Staff Review for 208 Plan Consistency = 14 days (min.)
- Water Quality Subcommittee = Quarterly Meeting (30 days)
- Planning and Programming Committee = Quarterly Meeting (30 days)
- Executive Committee = Quarterly (30 days)

NOACA Update Process

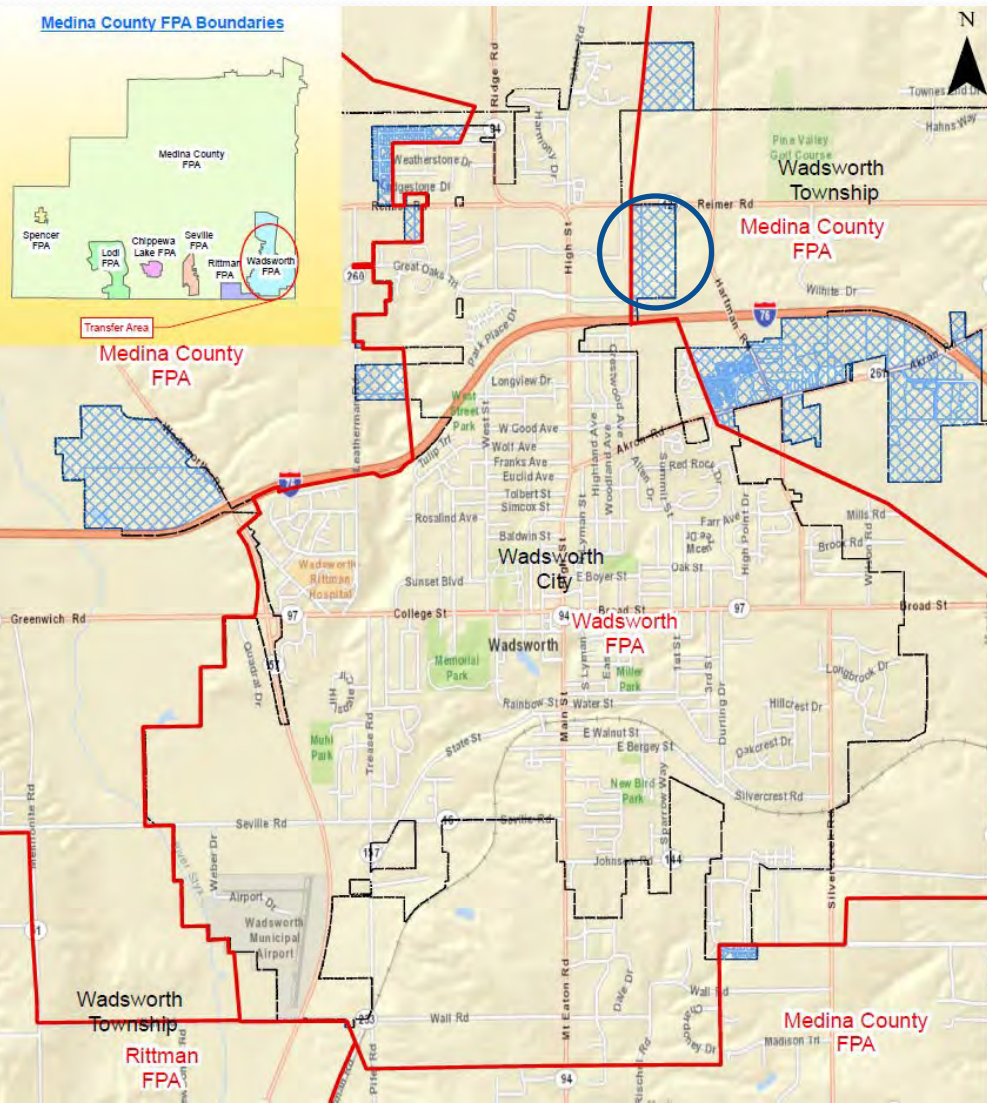
- Approval by the NOACA Board of Directors = Quarterly Meeting (30 days)
- Once Approved by the Board the Amendment is Forwarded to the Ohio EPA for Inclusion in the State's Water Quality Management Plan
- The Amendment is Forwarded to the Affected DMAs and Local Jurisdictions
- The Amendment and Updated Maps are Posted on NOACA Website
- Typical Timeframe: 105 days to 285 days
 - Dependent on Submission Date and the Duration of Maximum 90-day Comment Period
 - Ohio EPA Permitting Decisions are Based on the Most Recent Version of the Clean Water 2000 Plan Approved by the Board

Real World Example



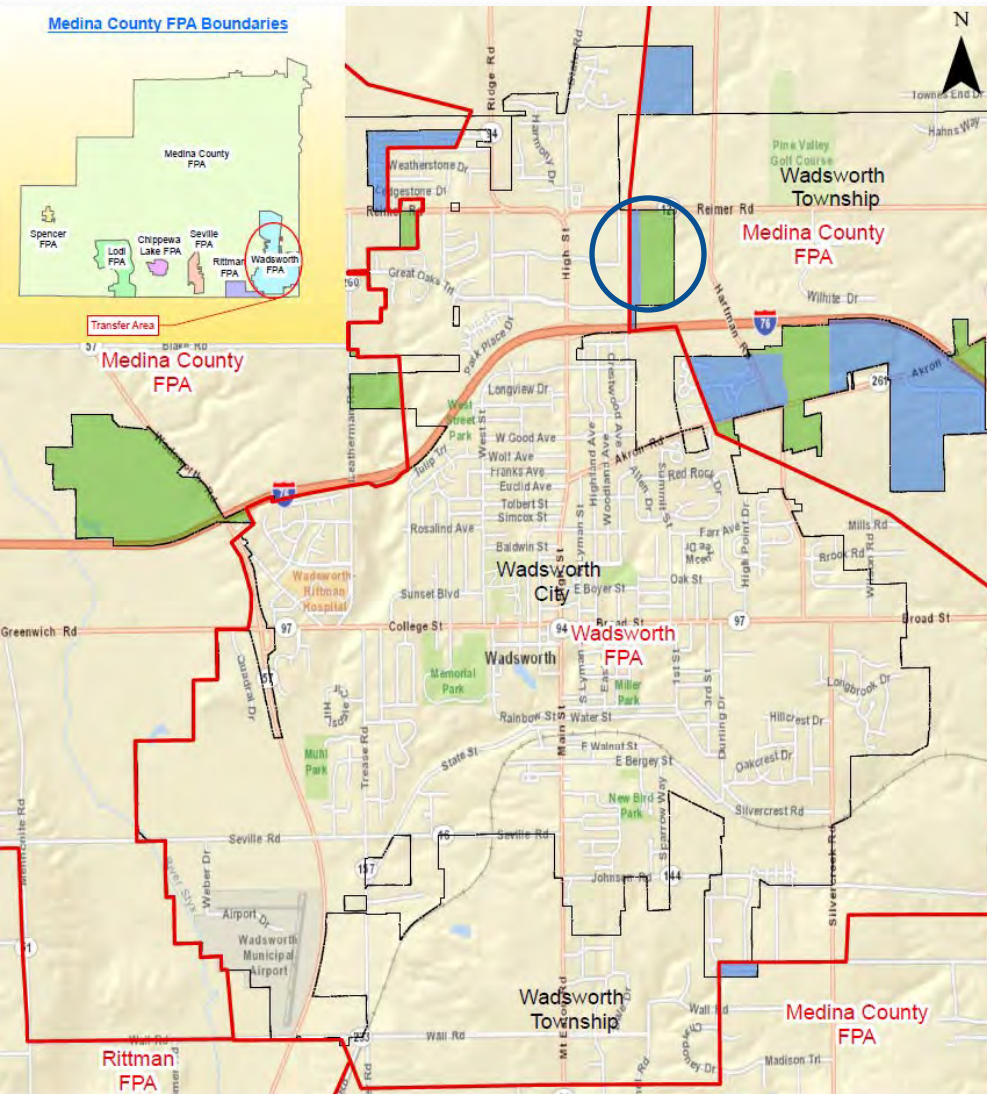
- PTI Application Submitted to Ohio EPA
- NOACA PTI Tracking Map
- Ohio EPA asked for a Consistency Review
- NOACA Notified the Ohio EPA and the DMA that the Project was not Consistent with the 208 Plan
- August 2014

Real World Example



- Review by NOACA and DMA Revealed Several Areas that were Annexed, but the FPA Boundary was not Updated
- DMA Proposed an 208 Plan Boundary Modification to Include the Entire City within their FPA
- DMA Secured Letters of Support from Affected Jurisdictions

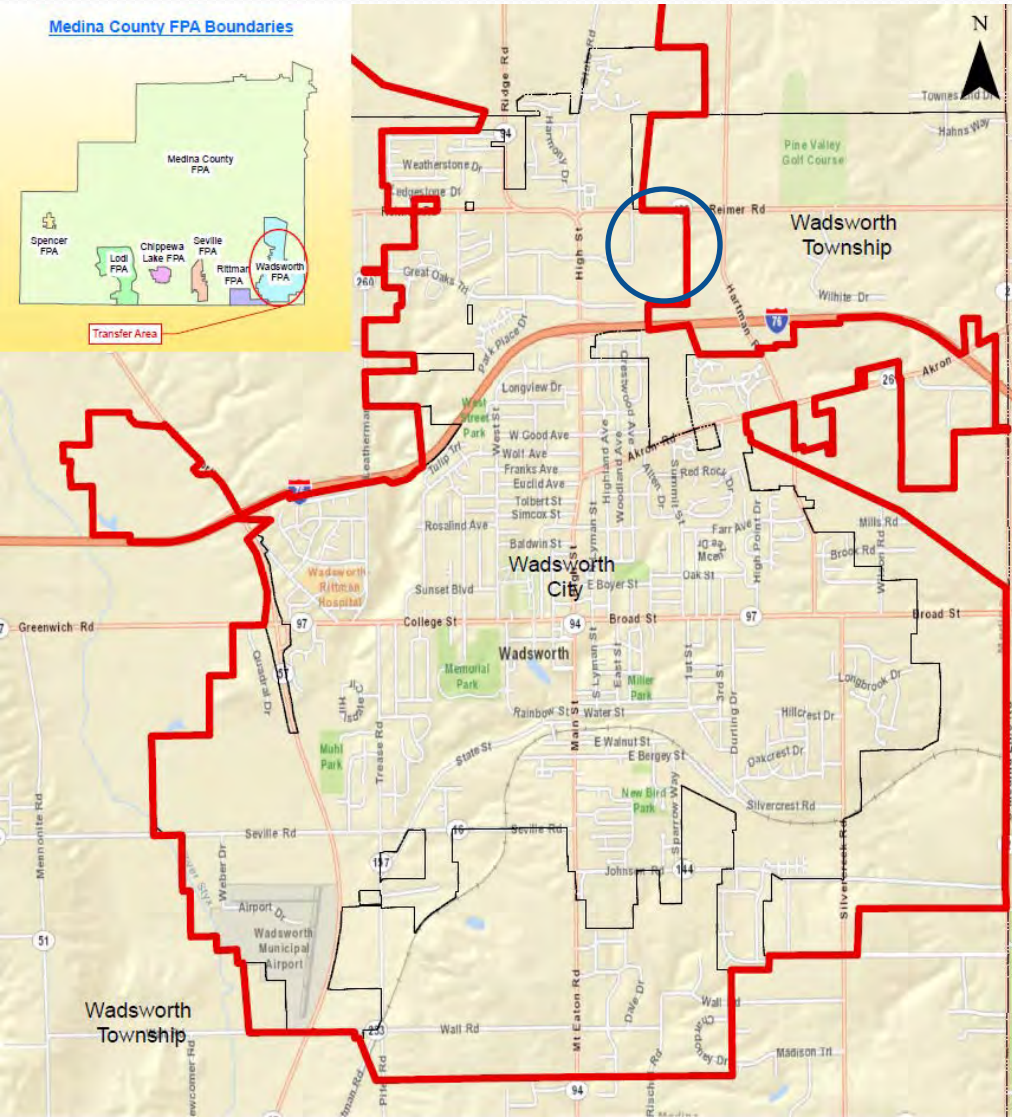
Real World Example



- Request Include Changes to the Prescriptions
- DMA Submitted 208 Modification Request to NOACA – Sept. 2014
- Water Quality Subcommittee – Oct. 2014
- Planning and Programming Committee – Nov. 2014
- Executive Committee – Dec. 2014

Real World Example



Medina County FPA Boundaries

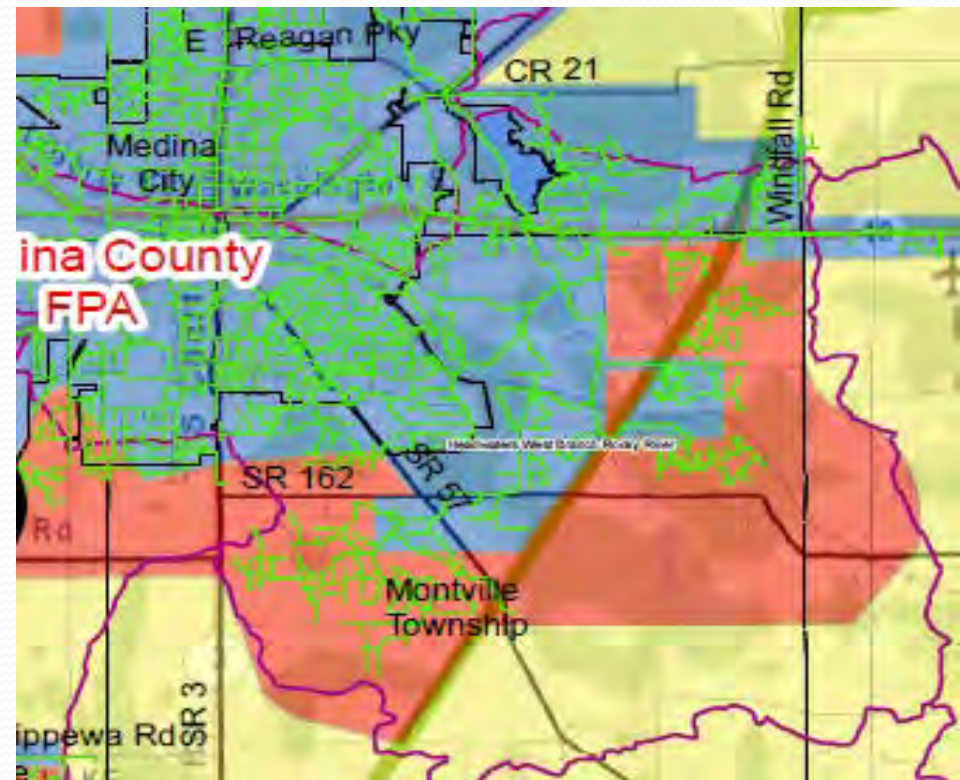


- Board of Director Approval – Jan. 23, 2015
- Amendment Sent to Ohio EPA and Affected Jurisdictions – Jan. 26, 2015
- Amendment and Updated FPA Map Posted on NOACA's Website – Jan. 26, 2015
- Started with 1,000 Foot Sanitary Sewer Extension PTI

Common FPA Map Inconsistencies: Sanitary Sewer Extension into Areas with Other Prescriptions for Wastewater Treatment

Prescriptions for Wastewater Treatment - 2006

-  sewered
-  20 years
-  limited
-  local
-  onsite
-  undeclared
-  Current FPA Boundary (2013)
-  Jurisdictions (2012)
-  Proposed FPA Boundaries
-  Watershed Boundaries (HUC-12)
-  Sewer Line
-  Force Main
-  Lift Station



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