

NOV 09 2017

Southwest District

**CLARK**

The following matters are the subject of this public notice by the Ohio Environmental Protection Agency. The complete public notice, including any additional instructions for submitting comments, requesting information, a public hearing, or filing an appeal may be obtained at:  
<http://www.epa.ohio.gov/actions.aspx> or Hearing Clerk, Ohio EPA, 50 W. Town St. P.O. Box 1049, Columbus, Ohio 43216. Ph: 614-644-3037 email: HCLerk@epa.ohio.gov

## Application for Antidegradation Project

Enon Sand &amp; Gravel, LLC

4100 Fairfield Pike, Springfield, OH 45502

Facility Description: Sand &amp; Gravel Producer

Receiving Water: UNT Mud Run

ID #: 1IJ00141

Date of Action: 11/10/2017

Antidegradation project as defined by OAC 3745-1-05 - an exclusion or waiver is applicable.

Comments or requests to be on the mailing list or for a public hearing must be done within 30 days of public notice date. Send comments via email to: [epa.dswcomments@epa.ohio.gov](mailto:epa.dswcomments@epa.ohio.gov) or via mail to: Ohio EPA-DSW, Permits Processing, PO Box 1049, Columbus, OH 43219-1049.



John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Craig W. Butler, Director

## FACT SHEET

Division of Surface Water  
November 7, 2017

# Enon Sand and Gravel, LLC.: Water Quality Standards and Antidegradation

## What are water quality standards?

Water quality standards are state regulations or rules that protect lakes, rivers, streams and other surface water bodies from pollution. The rules are in Chapter 3745-1 of the Ohio Administrative Code (OAC). These rules contain: beneficial use designations such as warm water aquatic life habitat, public water supply and primary contact recreation; numeric levels and narrative statements (water quality criteria) protective of the use designations; an antidegradation policy; and procedures for applying the water quality criteria to wastewater dischargers.

## What is antidegradation?

Antidegradation refers to provisions that must be followed before authorizing any increased activity on a water body that may result in a lowering of water quality including an increase in the discharge of a regulated pollutant, or activities that may significantly alter the physical habitat. The antidegradation rule is required by the Clean Water Act and federal regulations. Antidegradation must be part of any state's water quality standards program. The antidegradation rule, along with water quality criteria and beneficial use designations, provides the overall structure of this water quality standards program. The antidegradation rule must protect the existing use of the water body, and only allow a lowering of water quality when it is necessary to support important social and economic development. Simply put, the antidegradation rule establishes a procedure to determine that a discharge is necessary before authorizing it.

The state's antidegradation rule establishes procedures and requirements to ensure that the concepts outlined by the federal regulations are met. These requirements include public participation activities, intergovernmental coordination, a determination of important social and economic development, an alternatives analysis and greater protection for exceptional quality streams.

Ohio has two antidegradation rules within its water quality standards to support this program. Ohio Administrative Code (OAC) 3745-1-05 outlines the overall requirements for all appropriate activities on all waters while OAC 3745-1-54 outlines additional provisions to be implemented when evaluating projects relating to impacts to wetlands.

## What is an antidegradation review?

An antidegradation review is a procedure to ensure that Ohio EPA has considered all of the environmental, social and economic factors required by the antidegradation rule before a decision is made to allow an activity to occur. The review includes public outreach efforts such as: (1) public notice of receipt of an application soliciting comments associated with the project; (2) potential public hearings if interest is present; and (3) public notification of a draft action. Ohio EPA will respond to or address all comments received before issuance of a final action (or draft action in the case of noticing an application). Ohio EPA will also contact or provide information to local government officials to solicit any comments they may have related to the proposed activity. Ohio EPA places a high priority on public involvement and encourages citizens and the regulated community to become involved in the decision-making processes.

Ohio EPA may also be required to do a detailed analysis of the project related to various environmental and economic issues (for example, impacts to the local economy, water quality indicators, taxes). Again, the overall intent of the process is to determine if the requested lowering of water quality is necessary to support social and economic development in the area. Though social and economic factors can be widespread, the focus of the Ohio EPA review should be in relation to these factors related to the water quality changes and resource.

## What is meant by "the project meets an exclusion"?

The term "the project meets an exclusion" relays information related to the magnitude and/or potential impact associated with a project proposal. If a project meets an exclusion, that project is anticipated to have minimal or a very low risk of any environmental impact associated with a discharge resulting from the project or approval of the application. The exclusions refer to the level of the requested discharge in relation to what the stream or receiving water can handle safely.



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(for example, application proposed to discharge at less than 10 percent of what the stream can accept) or that an environmental benefit will result from the proposed activity (for example, cleanup of contaminated ground water, providing sewage services to homes with unsanitary conditions, etc.).

The exclusions are outlined by the rules and Ohio EPA makes the determination if a project and/or application meets the appropriate conditions. If a project is determined to meet one of these exclusions, the application and review process is somewhat streamlined since a detailed analysis for environmental, human health and water resource protection is not warranted.

## **Will the WQS be lowered? What is the risk to the environment and public health? What is meant by a lowering of water quality?**

Any project that is subject to the antidegradation rule will result in a "lowering of water quality" by definition. However, this does not mean that the utilization of that water body for recreational purposes, water consumption or other direct or indirect utilization will be harmed or that the aquatic life and fish communities present in that water body are impacted or harmed in any way. In simple terms, a "lowering of water quality" simply means that the existing instream conditions may be modified by the proposal-it will be a different environment within the water that will still be protective of all uses for that water body. Though there will be this "lowering of water quality," at no time will any discharge be able to exceed the values derived in Ohio water quality standards that were developed to protect all ultimate uses of a water body.

## **How can I learn more about the project under consideration?**

All discharge or construction permit applications are initially submitted to the district office responsible for that geographic area. The district offices are responsible for coordinating the review and/or evaluation of these applications. Copies of all applications including detailed design drawings and any associated correspondence with the applicant can be viewed at the appropriate district office.

## **What is the antidegradation review schedule? How can I comment on this proposal?**

Initially, once the application is received and notice issued there is a 30 day comment period from the date of this notice/fact sheet-this date is documented on this fact sheet. During this period, interested parties can request to be kept informed of the project by being placed on the mailing list for the project and may also request a hearing on the application or proposal if one has not already been scheduled. Such requests need to be forwarded to the Ohio EPA in writing. Once this initial comment period is over, a draft/proposed permit action may be taken recommending either approval or denial of the application. This then would have an additional comment period of at least 30 days before a final action can be taken on the application.

### For More Information

To be placed on the interested parties mailing list, request a public hearing or request additional information about this project, contact Ohio EPA in writing at:

Ohio EPA  
Division of Surface Water  
50 West Town Street, Suite 700  
P.O. Box 1049  
Columbus, OH 43216-1049

More information can also be obtained by contacting the Division of Surface Water staff at the appropriate district office.

Ohio EPA District Offices  
Ohio EPA-Southeast District Office  
2195 Front Street  
Logan, Ohio 43138  
(740) 385-8501

Ohio EPA-Southwest District Office  
401 East Fifth Street  
Dayton, Ohio 45402-2911  
(937) 285-6357

Ohio EPA-Northwest District Office  
347 N. Dunbridge Road  
Bowling Green, Ohio 43402  
(419) 352-8461

Ohio EPA-Northeast District Office  
2110 East Aurora Road  
Twinsburg, Ohio 44087  
(330) 963-1200

Ohio EPA-Central District Office  
50 West Town Street, Suite 700  
Columbus, Ohio 43215  
(614) 728-3778

# Enon Sand and Gravel, LLC.: Water Quality Standards and Antidegradation

Project Specific Facts:

Enon Sand and Gravel, LLC.

(Date of Notice: November 7, 2017)

Name and Address of Applicant:	Enon Sand and Gravel, LLC. P.O. Box 158, Sabina, Ohio 45169
Project Location:	4100 Fairfield Pike, Springfield, Ohio 45502 Clark County
Permits Under Consideration:	An initial NPDES permit for a new discharge.
Receiving Water Body and Category:	Unnamed tributary to Mud Run The river is general high quality water
Exclusion and/or Waiver:	OAC 3745-1-05(D)(1)(h) discharge of total suspended solids of less than 65 mg/l and oil and grease of less than 10 mg/l.
Description of Project:	The proposed project is for the discharge of storm water, ground water and process wastewater associated with the washing of gravel products. Estimated discharge will have an average daily flow of 720,000 gallons.
Public Hearing:	N/A
District Office Overseeing Project Review:	Ohio Environmental Protection Agency-Southwest District Office