

To: OMA Environment Committee
From: Kevin Schmidt, OMA Staff
Re: Environment Update
Date: 9/28/2011

1. Storm Water Permit Changes

Ohio EPA is moving towards a massive expansion of the Industrial Storm Water Permit. This is being done under the assumption that business should be happy more industries will have a general permit. The new requirements include an expansion of monitoring and “benchmarks.”

After extensive meetings with the Agency it is insisting that we work off of their expansive proposal. The OMA and the business coalition have enlisted the help of Mark Hamlin who heads up the Lt. Governor’s Common Sense Initiative. We are making progress and hope to resolve this issue in a way that is not burdensome to manufacturers.

2. The Regulatory Train Wreck – Environmental Justice

We saw some improvement since the last meeting on the regulatory train wreck with the pull-back of the ozone proposal. However, this is being overshadowed by Plan EJ 2014 whereby U.S. EPA is proposing to advance its environmental justice agenda.

Environmental justice is the philosophy that if minority or low-income populations live by a facility regulated by U.S. EPA then extra regulatory requirements may be necessary in the name of justice. The OMA supports scientifically based standards that are protective of human health. Inserting demographic considerations into a scientific evaluation should be avoided.

Plan EJ 2014 - <http://www.epa.gov/compliance/environmentaljustice/plan-ej/index.html>

U.S. EPA Environmental Justice Webpage - <http://epa.gov/environmentaljustice/>

3. Beneficial Use Rules - Spent Foundry Sands

Ohio EPA had released a new version of the beneficial use rules back in 2006 which were heavily criticized. A new rule package is rumored to be out this year. The OMA learned that Ohio EPA is moving towards a 10 to the minus 6 risk standard for spent foundry sands in this rule package. The OMA has met with OEPA to discuss this issue along with the OCMA. The real issue here is that if this new, nearly impossible, standard takes hold here it might creep to other areas.