



One Dayton Centre  
One South Main Street  
Suite 260  
Dayton, OH 45402  
Tel: (937)223-6323  
Fax: (937)223-9750  
TTY/TDD 800-759-0750  
[www.mvrpc.org](http://www.mvrpc.org)

# Memorandum

May 31, 2007

To: MVRPC Board of Directors  
From: MVRPC Staff  
Subject: Proposed updates to the MVRPC Areawide Water Quality Management Plan

Four proposed changes to the Areawide Water Quality Management Plan are grouped here and collectively titled the "2007 Amendment." These proposals include a new additional policy, two minor wastewater facility planning area (FPA) boundary changes in Montgomery County and a major FPA boundary update for all of Greene County.

Attached to this memo are short amendment description sheets and supporting documentation or maps. Full text of the Greene County FPA Update will be distributed in hardcopy at the MVRPC Board of Directors meeting, or can be downloaded from the MVRPC web site at this location:

<http://www.mvrpc.org/wq/greFPAUpdate.php>

## BACKGROUND

MVRPC is the designated water quality planning agency for five counties: Darke, Greene, Miami, Montgomery and Preble. As such, MVRPC maintains an Areawide Water Quality Management Plan covering topics such as point discharges, non-point source pollution, and water quality monitoring. Planning for many of these functions has migrated to the Ohio EPA over the years but among the areas that remain is **Wastewater Treatment Facility Planning Areas**. The individual amendments presented today are all related to wastewater treatment planning or wastewater treatment planning areas.

Facility Planning Areas are territories for which an identified management agency has been identified for wastewater treatment planning responsibility. Management Agencies are typically Municipalities, but can include Counties or regional authorities empowered to provide wastewater treatment services.

MVRPC maintains the map of all Facility Planning Areas in the five-county area. These maps are to be used by Ohio EPA in determining where permits to install for new sewer lines may and may not be issued. They also inform the NPDES permit process for the wastewater treatment facilities themselves.

## RECOMMENDATION

Staff recommends adoption of the 2007 Amendment to the Areawide Water Quality Management Plan to the MVRPC Board of Directors.

**Miami Valley Regional Planning Commission  
Areawide Water Quality Management Plan  
Proposed Amendment**

**Date received:** August 18, 2006

**Amendment Applicant:** City of Dayton/Greene County Sanitary Engineering  
Department

**Amendment Title:** Airway Road Facility Planning Area Boundary Change

**Amendment Description: Minor boundary change.** This amendment involves the transfer of a single parcel (Montgomery County parcel number I39 00901 0003) along the Airway Road corridor from the Dayton Facility Planning Area (FPA) to the Beavercreek FPA. Map Airway-1, attached, provides more detail as to the parcel location. The parcel contains two active businesses and a private residence served by on-site septic systems. Transfer of the parcel to the Beavercreek FPA will facilitate sewer extensions to a GCSED pump station just across the Montgomery-Greene county line and centralized treatment of wastewater from the residence and businesses.

**Staff Comments:** Staff has letters of support for this change from the management agencies from both the Dayton and Beavercreek FPA (City of Dayton and Greene County Sanitary Engineer, respectively). Treatment of the projected wastes from the site is not projected to pose capacity limitation issues nor threaten a violation of the NPDES permit for the Beavercreek WWTF. Greene County Sanitary Engineering Department already has a pump station located directly to the east of the parcel about 625 feet from the western-most structure.

**Committee History:**

- The Areawide Facility Planning Subcommittee reviewed this proposal on April 25, 2007. The only comment was provided by the City of Dayton, acknowledging, for the record, that the parcel is better served by Greene County.

**Staff Recommendation:** Staff recommends this update be approved and incorporated into the AWQMP.

# Airway Road Parcel: FPA Transfer

Wright Patterson Air Force Base

AIRWAY

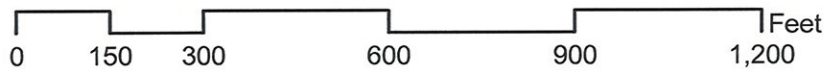
ACCESS

Colonel Glenn Hwy

HICKAM

GROSS

Greene County  
Pump Station



**Miami Valley Regional Planning Commission  
Areawide Water Quality Management Plan  
Proposed Amendment**

**Date received:** January 2006

**Amendment Applicant:** Ohio – Kentucky – Indiana regional Council of Governments

**Amendment Title:** Northern Warren County Amendment

**Amendment Description: Minor boundary change.** OKI completed its original Regional Water Quality Management Plan in 1977, as called for by Section 208 of the Clean Water Act. Amendments to the plan are needed periodically to reflect changing circumstances. Amendment #30 has been prepared to update wastewater facility planning area boundaries and management agency designations for a large area in northern Warren County. These updates are needed to account for changing circumstances such as the operations of Springboro's wastewater treatment plant, the formation of the Franklin Regional Wastewater Treatment Corporation, and service agreements between Warren County and Montgomery County. The amendment was mutually determined with all the affected jurisdictions as being in the best interest of protecting water quality through the provision of timely wastewater treatment.

**Staff Comments:**

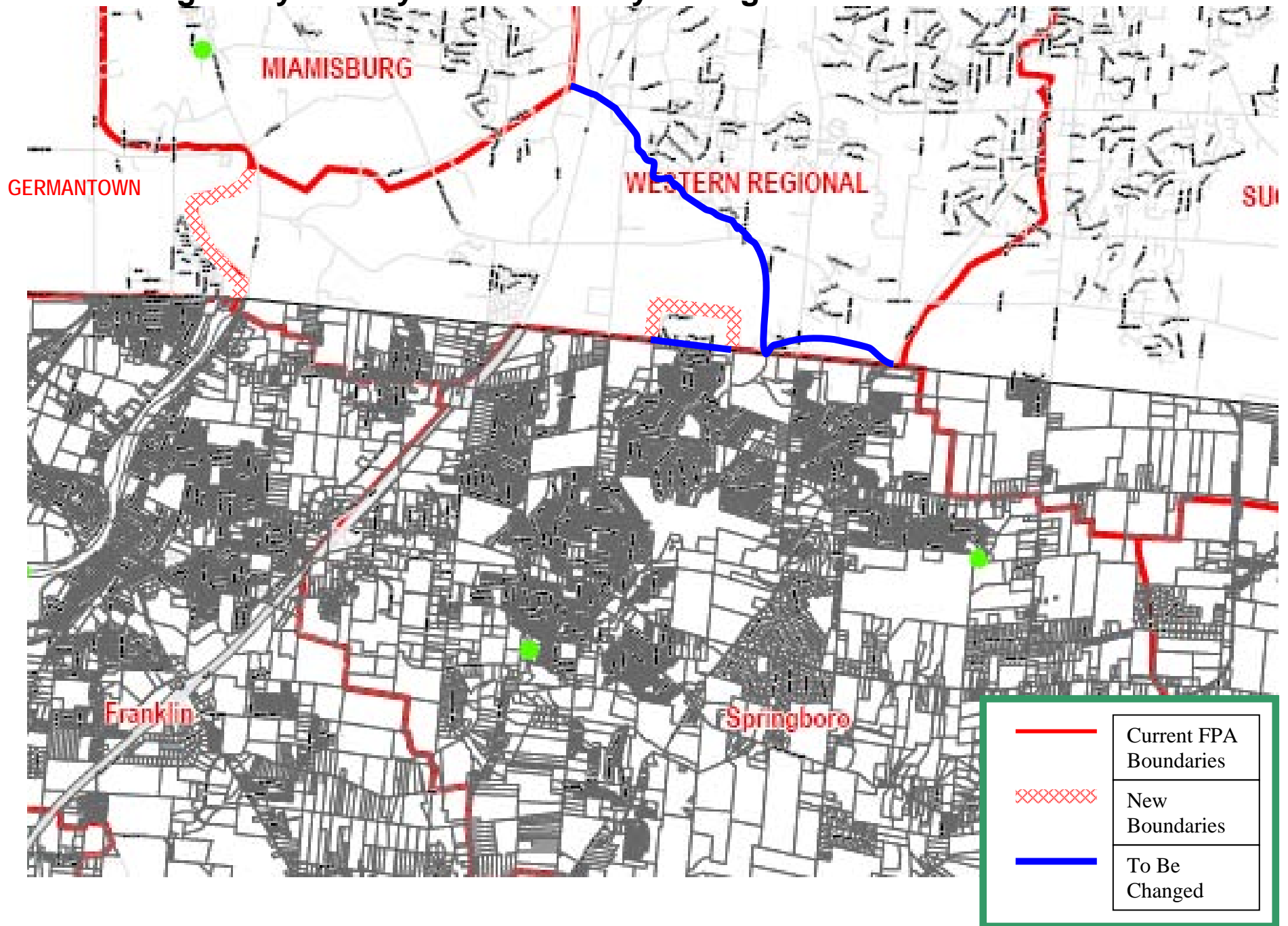
- This amendment has only minor effect on FPA boundaries in the MVRPC areawide planning counties. Specifically:
  - The Springboro FPA (new) includes the portions of Springboro in Montgomery County.
  - The boundary between the Western Regional and Germantown FPA was changed to reflect actual service boundaries.
  - The area in Warren County which is served by the Sugarcreek Water reclamation facility was changed.
- OKI completed a full public involvement process for this amendment prior to OKI Board approval.

**Committee History:**

- The Areawide Facility Planning Subcommittee reviewed this proposal on April 25, 2007. No comments were received from the subcommittee

**Staff Recommendation:** Staff recommends this update be approved and incorporated into the AWQMP.

# Montgomery County FPA Boundary Changes from OKI Amendment #30



**Miami Valley Regional Planning Commission  
Areawide Water Quality Management Plan  
Proposed Amendment**

**Date received:** January 2007

**Amendment Applicant:** MVRPC

**Amendment Title:** Water Quality Credit Trading Policy

**Amendment Description: Policy Update.** The Ohio EPA finalized rules for establishing and operating water quality credit trading plans and programs, and their incorporation into the terms of NPDES permits for point sources. One element of these rules requires that such credit trading programs may not be in conflict with the Areawide Water Quality Management Plan for the subject area. The purpose of the attached policy is to clarify the position of the AWQMP regarding water quality credit trading plans and programs.

**Staff Comments:**

- The pilot credit trading program established by the Miami Conservancy District was not established under the Ohio EPA rules. This policy would recognize the MCD program and confirm that the MCD program does not conflict with the AWQMP. MVRPC would have no role in the ongoing management or development of the MCD program, nor would it monitor or report on its accomplishments. Such monitoring would be for water quality credit trading programs established under the Ohio EPA rules.

**Committee History:**

- The Areawide Facility Planning Subcommittee reviewed this proposal on April 25, 2007. The Miami Conservancy District commented that the pilot water quality credit trading program MCD is currently operating is exempt from Ohio EPA rules for a period of ten years. It was further noted that the rules allow point sources to purchase credits for non-point source reductions downstream of the discharge point. This rule makes recommendation #2 in the policy unnecessary.

**Staff Recommendation:** Recommendation #2 within the policy document was removed per the comment from the AFPSC. Staff recommends this policy update be approved and incorporated into the AWQMP.

## PROPOSED

### **Miami Valley Regional Planning Commission Areawide Water Quality Management Plan**

#### **Policy 2007-01: Water Quality Credit Trading Plans**

##### Purpose

This water quality management policy is intended to describe the position of the Areawide Water Quality Management Plan regarding the use of Water Quality Credit Trading Management Plans to achieve water quality goals within the MVRPC five-county areawide water quality planning region. This policy responds to potential concerns regarding conflicts with 208 Plans as described in the Water Quality Credit Trading rules at OAC Chapter 3745-5-03(A)(5).

##### Water Quality Credit Trading Activities

MVRPC concurs with the conclusions of the Ohio EPA regarding the benefits of water quality credit trading programs. MVRPC finds that credit trading programs have real potential to achieve reductions in pollutant loadings in surface waters at costs (per pound of pollutant) substantially below costs associated with additional technology controls at municipal point sources. Therefore, MVRPC encourages wastewater treatment management agencies to explore opportunities to partner with entities interested in developing water quality credit-generating projects as part of an overall NPDES permit compliance strategy. Nothing in the MVRPC Areawide Water Quality Management Plan should be construed to prohibit or discourage the development of or participation in a Water Quality Credit Trading Management Plan as described under OAC Chapter 3745-5.

##### Water Quality Credit Trading Management Plans

All currently and any future water quality credit trading management (WQCTM) plans approved by Ohio EPA and involving municipal/public point sources within the MVRPC areawide water quality planning region are hereby recognized by, and incorporated into, the AWQMP. MVRPC will monitor annually:

- the number of WQCTM Plans in place within its designation counties;
- the number of new WQCTM Plans approved during the past year; and
- the number of municipal point sources participating in WQCTM Plans during the past year.

MVRPC recognizes that watershed boundaries extend beyond the five counties for which it has planning responsibility. Municipal wastewater treatment management agencies in the MVRPC areawide water quality planning region may participate in WQCTM Plans involving point sources and/or water quality credit-generating activities which are located outside of the MVRPC areawide water quality planning designation.

##### Regional Coordination

This policy includes the following suggestion for regional coordination of Water Quality Credit Trading Management (WQCTM) Plans. It is preferred that WQCTM Plans be established on a watershed basis with as broad a rate of participation by eligible point sources as possible, rather than facility-by-facility. MVRPC may provide, upon request, assistance in coordination of the municipal point source management agencies involved in the development of a watershed-based WQCTM Plan.

PROPOSED

**Miami Valley Regional Planning Commission  
Areawide Water Quality Management Plan  
Proposed Amendment**

**Date received:** November 2006

**Amendment Applicant:** MVRPC, Greene County Management Agencies

**Amendment Title:** Greene County FPA Update

**Amendment Description: Major Boundary Update.** This proposed update refines or updates the boundaries for nine FPA in Greene County. Copies of the complete report will be provided at the TAC meeting. Full text of the update proposal is also available on the MVRPC website at the following address:

<http://www.mvrpc.org/wq/greFPAUpdate.php>.

**Staff Comments:**

- A public involvement meeting was held for this proposal in Xenia on January 23, 2007.

**Committee History:**

- The Areawide Facility Planning Subcommittee reviewed this proposal on April 25, 2007. Considerable discussion was held over concerns that the FPA maps require consistent use and adherence to serve a real planning purpose. The Subcommittee urged that MVRPC and Ohio EPA more closely coordinate on consistency reviews as PTI and NPDES permits are reviewed. Several suggestions arose, including holding an information session with OEPA to demonstrate MVRPC's web-based tools for viewing FPAs; monitoring the Ohio EPA web site for announcements of permit comment periods and affirmatively informing jurisdictions and management agencies of permits in their areas as they are under review by Ohio EPA. It was also noted that jurisdictions need to embrace the FPAs as a tool for planning and guiding development. If jurisdictions simply disregard the FPA when development money is placed on the table then the 208 plan will have no teeth.

**Staff Recommendation:** Initial discussions are underway to set up an outreach session to Ohio EPA SWDO staff to let them know about the MVRPC Online Planning Support GIS tool. Staff recommends this update be approved and incorporated into the AWQMP.



**A RESOLUTION  
TO ADOPT THE 2007 AMENDMENT TO THE AREAWIDE WATER QUALITY  
MANAGEMENT PLAN FOR THE MIAMI VALLEY REGION**

**WHEREAS**, the Miami Valley Regional Planning Commission is the Designated Planning Agency (DPA) for Water Quality Management Planning within the Miami Valley Region pursuant to Section 208 of the Federal Water Pollution Control Act Amendments of 1972 (P.L. 92-500) and 1977 (P.L. 95-217); and

**WHEREAS**, in fulfillment of its responsibilities as the DPA, MVRPC has prepared the 208 Areawide Water Quality Management Plan, and administers said Plan within its designated five-county water planning jurisdiction, including Greene, Montgomery, Miami Preble and Darke Counties, Ohio; and

**WHEREAS**, it is periodically necessary to amend said Plan to incorporate pertinent and appropriate modifications; and

**WHEREAS**, the following individual amendments, collectively known as the 2007 Amendment, have been proposed for the Areawide Water Quality Management Plan:

1. Addition of a Water Quality Credit Trading Policy
2. Minor boundary updates related to OKI Amendment #30 in southern Montgomery County
3. Minor boundary update between Dayton and Beavercreek in Montgomery County
4. Major update to all Greene County Facility Planning Areas.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees of the Miami Valley Regional Planning Commission hereby adopts the above-referenced 2007 Amendment to the Areawide Water Quality Management Plan and recommends its certification by the State of Ohio.

---

Donald R. Spang  
Executive Director

---

Robert J. Shook, Chair

June 7, 2007

MIAMI VALLEY REGIONAL  
PLANNING COMMISSION