



Questions & Answers from the June 2005 Meeting with Northeast Ohio Satellite Communities

Why were Northeast Ohio Regional Sewer District (NEORS) satellite communities selected? Is this approach being used in any other areas?

The United States Environmental Protection Agency's (USEPA's) interest in the Northeast Ohio area reflects USEPA's national Clean Water Act priority of converting more water bodies into fishable and swimmable waters. We intend to eliminate pollutant sources that prevent our waters and beaches from being consistently safe for swimming and recreation. Addressing water pollution problems associated with wet weather also removes impediments to healthy watersheds. Lake Erie is both an interstate and international water body, and the Cuyahoga River has been designated as an American Heritage River. Despite the progress made to date in the area, the Cuyahoga River's water quality is still impaired. Sources such as combined sewer overflows (CSO), sanitary sewer overflows (SSO), and storm water runoff contribute to this impairment. This is the first capacity, management, operation, and maintenance (CMOM) initiative in Region 5 which targets a large number of communities. Similar initiatives have been done in USEPA Region 4 involving various watersheds and communities in the southeastern United States that operate wastewater treatment plants.

Why is USEPA pursuing this program rather than NEORS or Ohio EPA?

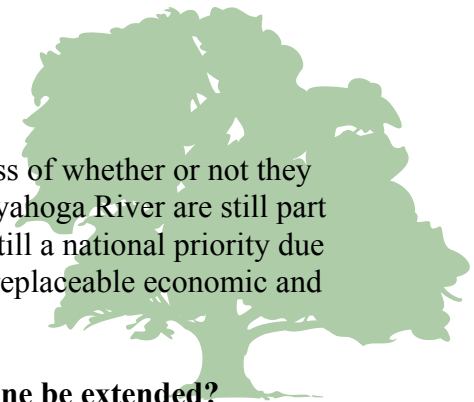

NEORS has authority and responsibility for operating and maintaining the large interceptor sewers that transport the wastewater generated by each of its customer communities, the wastewater treatment facilities themselves, and the CSOs in the area. Each customer community or satellite is responsible for operating its own wastewater collection system. This CMOM initiative has been discussed with the State and we have agreed that USEPA will pursue the initiative, due to resource constraints.

What about communities with their own WWTP in the Cuyahoga watershed?

Communities that have their own NPDES permits which address operations and maintenance of their sewer systems (including any portion tributary to NEORS), are not included under the CMOM initiative. However, if such a community would like to participate, USEPA will evaluate it as part of the initiative.

What about communities not in the Cuyahoga Watershed?

All satellite communities serviced by NEORS (except for those exempt because they have their own NPDES permits), are being given the option to participate in the self-assessment. USEPA



will conduct an inspection of non-participating communities, regardless of whether or not they are part of the Cuyahoga watershed. SSOs that do not drain to the Cuyahoga River are still part of this initiative due to the fact that they drain to Lake Erie, which is still a national priority due to the Lake being an international water, an interstate water, and an irreplaceable economic and recreational resource.

What are the timelines for the initiative? Can the June 30th deadline be extended?

During the meeting, we emphasized that the June 30, 2005 date we had set for each municipality to decide whether it would be willing to participate in the initiative was a target and that if a municipality needed additional time to go through its decision-making process (e.g., received city council approval), we could accommodate that schedule. Our stated goal for this initial self evaluation phase was to have all evaluations received by December 31, 2005. USEPA will, in turn, complete review of the evaluations by April 30, 2006.

The deadline can be extended by sending Region 5 a letter (preferable) or an email, or by a phone call specifying when the community will notify USEPA whether or not it will participate in the initiative.

For municipalities choosing not to participate, we will schedule inspections and any necessary follow-up to be completed by December 31, 2006.


What will be the next step, in terms of an enforcement action (if necessary) after submitting the self evaluation?

We will complete the review of the self evaluation by April 30, 2006. If municipalities demonstrate that their collection systems are in compliance, we will acknowledge the compliant municipality's success and no further action will be necessary. They will be offered technical assistance if they choose to upgrade O&M programs, but we will not require them to do so for this initiative.

Where participating municipalities are not in compliance, we will work with the community to develop site-specific programs tailored to address problems and implement O&M programs that will sustain each municipality's extensive investment. This includes developing a mutually beneficial implementation schedule. We will also work to reduce any penalties for past noncompliance for participating communities that work with us. The corrective actions and implementation schedules would be included in an administrative order on consent or in a judicial consent decree.

If USEPA does the assessment, will the municipality need to pay for it? Will the inspections be announced? When will USEPA be doing inspections? Will USEPA use the same checklist?

If the community chooses not to do an assessment and thereby not participate in the initiative,



then USEPA will conduct an inspection, using the same checklist, of the community's collection system. We will follow up on violations using a traditional enforcement approach. The community will not have to pay USEPA to do the inspection. USEPA will be doing these inspections during 2006 and will announce them in advance to the community.

Is it all right for the Cuyahoga County Engineering Division, which provides contract services for 28 of the affected communities, to do the assessment?

It would be entirely appropriate for the Cuyahoga County Engineering Division to do the assessment if the Division is most familiar with the systems and their operation and maintenance (O&M) practices.

What if reports have already been done (i.e., NEORS D survey, Shaker Heights has already done a self-assessment, etc.)?

If assessments have already been done, the information from those assessments (if it is still up-to-date) can be incorporated into the responses to the questionnaire.

If there are currently no manuals being used in the O & M program, will that hurt a community submitting a self-assessment?

USEPA plans to evaluate the community's overall approach to O & M and its efforts to improve those areas that are deficient.

How will it be ensured that the self-assessments are consistently evaluated?

USEPA has staff designated to work on this initiative. They will employ a uniform evaluation procedure to ensure thorough and complete reviews.

Should the self-assessment propose corrective actions?

The self-assessment is not required to propose corrective actions. Communities are encouraged, however, to propose corrective actions with the self-assessment. Otherwise, corrective actions would be discussed with the community after the self-assessment is reviewed.

Can you give an example from Region 4 of program improvements that were implemented? Were there any penalties? And what were the outcomes of their MOM Programs Project?

The following information from Region 4's MOM Program Project is available on the Region 5 Water Enforcement and Compliance Assurance Branch (WECAB) website: The Region 4 Guide to MOM Programs, Introduction to Conducting Evaluations of MOM, List of MOM References, and the Region 4 MOM Programs Project Power Point presentation. The Region 5 Power Point shown at June 16, 2005 meeting is also available on this site at

<http://www.epa.gov/region5/water/weca/neocmom.htm>.

The MOM Project in Region 4 was discussed in its 2004 Accomplishments Report. For a brief description, go to: <http://www.epa.gov/Region4/ead/general/accomplish2004.htm#mom>

Can USEPA provide samples of self-assessments from small communities with populations of 10,000 -15,000?

We are providing a sample of a self-assessment completed by a small community participating in the USEPA Region 4 MOM Programs Project. Although USEPA Region 4 developed its own checklist for its program, we believe the example will nonetheless provide some useful guidance in completing the self-assessment questionnaire.

What are SSOs?

The term “SSO” refers to untreated or partially treated sewage releases from a sanitary sewer system. SSOs include those overflows that reach waters of the United States, as well as overflows from pump stations or manholes onto city streets and sidewalks.

Are basement backups SSOs?

If sewage backups into buildings, including private residences, are caused by problems in the publicly-owned portion of a sanitary sewer system, they are considered SSOs. SSOs that reach waters of the United States are point source discharges and are prohibited unless authorized by an NPDES permit. SSOs, including those that do not reach waters of the United States, are indicative of improper operation and maintenance of the sewer system.

Are there standards for SSOs?

As discussed in the meeting, SSOs in the form of unpermitted discharges are illegal. As such, there are no standards for SSOs.


What other things can be considered SSOs?

Overflowing manholes, pump station overflows, and broken sewer mains are examples of SSOs.

Are septic tanks SSOs?

Septic tanks are not SSOs. Septic tanks are typically used where there is not a connection to a sanitary sewer collection system. Failing septic tanks are not part of Region 5's CMOM initiative. The State of Ohio has a program to address septic tank issues.

Does a five- or ten-year storm event apply when determining if an overflow is an SSO or when designing a collection system?



A five- or ten-year storm does not apply to this. SSOs are illegal.

Will USEPA help fund any changes that are needed? Is the cost of the CMOM work in addition to the sewage rates that the District is already imposing?

Although there is no special USEPA funding assistance available for this effort, municipalities should check for available resources such as the State Revolving Fund. The cost of any improvements would be in addition to the District's current sewage rates. Please be assured that we are aware of the economic situations that face a number of the municipalities in the Cleveland area. However, SSO problems will not be resolved without the efforts of all involved parties to remedy the situation.

Why are some cities left out of the initiative?

We initially sent letters to cities that were listed on the NEORS D website as being served by the District. Some cities were left out because the communities had NPDES permits from Ohio EPA, and therefore are not included under the CMOM initiative if the NPDES permit requires proper O&M for portions of the sewer serviced by NEORS D. As stated earlier, if such a community would like to participate, USEPA will evaluate the community as part of the initiative.

How are penalties calculated?

Any applicable penalties will be calculated using USEPA's penalty policy available at <http://cfpub.epa.gov/compliance/resources/policies/civil/penalty/>.

***** Please don't forget we are asking that you submit a copy of your "Community Discharge Permit" issued by the NEORS D.*****

