

# Chapter 1

## Areawide Overview

### I. Introduction

The Federal Water Pollution Control Act (commonly referred to as the Clean Water Act) was rewritten in 1972 and set into motion planning efforts to restore and maintain the chemical, physical, and biological integrity of the nation’s waters. Areawide agencies, such as the Toledo Metropolitan Area Council of Governments (TMACOG), were appointed by the Governor of the respective States to develop and implement Areawide Waste Treatment Management Plans under Section 208 of the Act. This type of planning was used to secure grants for the construction of waste treatment works under Section 201 of the Act during the 1970s and 1980s.

The TMACOG areawide region covers Lucas, Ottawa, Sandusky, and Wood Counties in Ohio, and Bedford, Erie, and Whiteford Townships of Monroe County, Michigan (Figure 1-1). In this region, there are 115 local governments, not counting Special Districts and Authorities, that proactively work to minimize their impacts on water quality. TMACOG’s original Areawide Water Quality Management Plan (AWQMP) or 208 Plan was prepared in 1975 and 1976 with major revisions made in 2003. Since that time, individual chapters of the plan have been updated as needed.

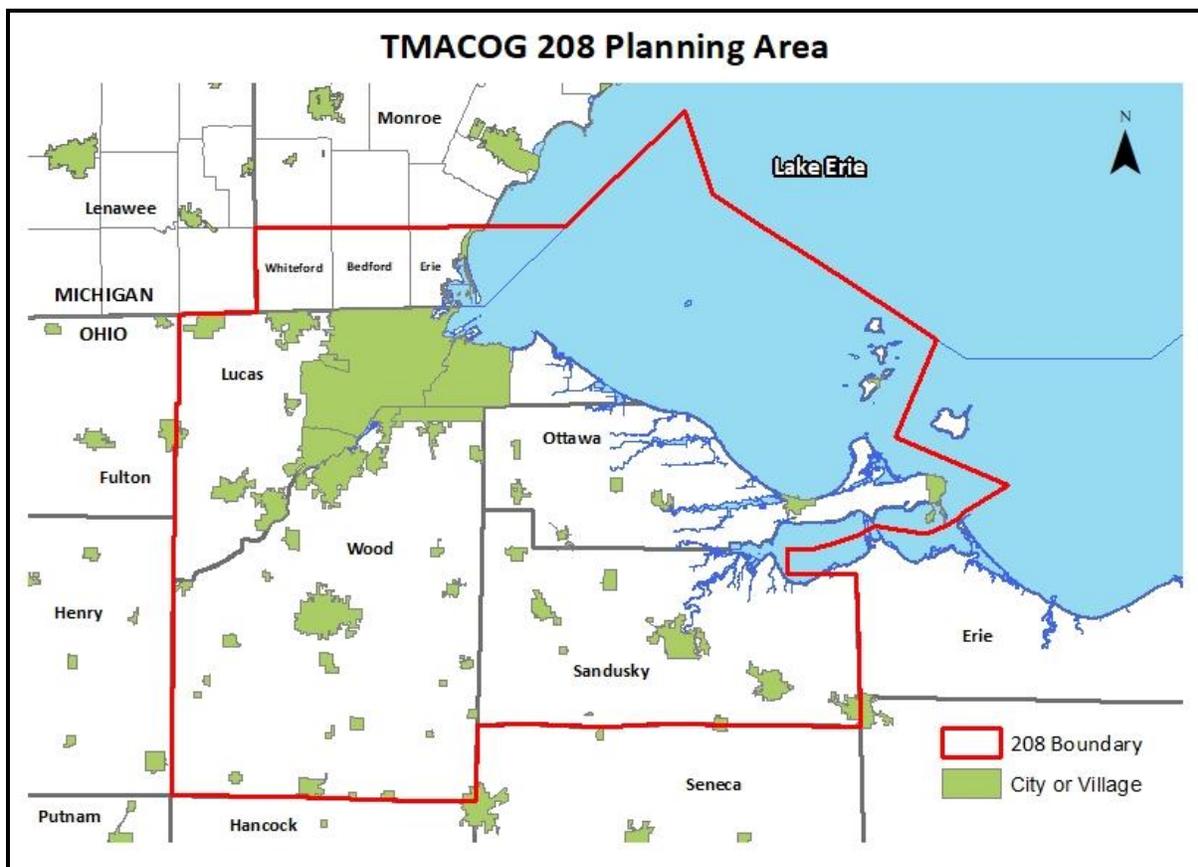


Figure 1-1. TMACOG Areawide Planning Region

## II. Legal Basis of the Areawide Water Quality Management Plan

The Clean Water Act sets Water Quality Management Plan (WQMP) requirements for both states and Areawide Agencies. Section 208 of the Act describes the requirements for Areawide plans, and Section 303(e) describes the state requirements. The state's WQMP incorporates all the Areawide plans. After amendments to an Areawide plan have been adopted by the TMACOG Board of Trustees, they go onto the State agency for certification and inclusion in the State plan. TMACOG's original AWQMP was certified by Michigan Governor William G. Millken on January 9, 1980, and by Ohio Governor James A. Rhodes on May 4, 1981. The plan was most recently certified by Ohio Governor John Kasich on April 6, 2016.

Current U.S. Environmental Protection Agency (USEPA) regulations require fundamentally the same elements but are less rigid about which are prepared by the State and which by the Areawide. The regulation, 40 Code of Federal Regulations (CFR) 130.6: Water Quality Management Plans, is summarized below:

- A) Water Quality Management Plans: WQMPs consist of initial plans and certified updates. Continuing water quality planning shall be based upon WQMPs and water quality problems identified in the latest 305(b) reports. State water quality planning should focus annually on priority issues and geographic areas and on the development of water quality controls leading to implementation measures.
- B) Use of WQMPs: These plans are used to direct implementation. WQMPs draw upon the water quality assessments to identify priority point and nonpoint water quality problems, consider alternative solutions and recommend control measures, including the financial and institutional measures necessary for implementing recommended solutions. State annual work programs shall be based upon the priority issues identified in the State's WQMP.
- C) WQMP elements: The following elements shall be included in the WQMP. Some elements are part of Areawide Plans while others are covered by the State Plan.
  - Total maximum daily loads (State WQMP).
  - Effluent limitations (State WQMP).
  - Municipal and industrial waste treatment. Identification of anticipated municipal and industrial waste treatment works, including combined sewer overflows (Areawide WQMP).
  - Nonpoint source management and control (Areawide WQMP).
  - Management agencies. Identification of agencies necessary to carry out the plan and provision for adequate authority for intergovernmental cooperation. Management agencies must demonstrate the legal, institutional, managerial and financial capability and specific activities necessary to carry out their responsibilities (Areawide WQMP).
  - Implementation measures. Identification of implementation measures necessary to carry out the plan (Areawide WQMP).
  - Dredge or fill program. Identification and development of programs for the control of dredge or fill material (State WQMP).
  - Basin plans. Identification of any relationship to applicable basin plans developed under section 209 of the Act (State WQMP).

- Ground water. Identification and development of programs for control of groundwater pollution (State WQMP).
- D) Update and certification: State and/or Areawide agency WQM plans shall be updated as needed to reflect changing water quality conditions, the results of implementation actions, new requirements or to remove conditions in prior conditional or partial plan approvals.
- E) Consistency: Construction grant and permit decisions must be made in accordance with certified WQM plans as described in the 40 CFR 130.12(a) and 130.12(b). In addition, Ohio law provides that permit decisions must be made in accordance with adopted WQM plans. The Ohio Revised Code (ORC) specifies this requirement:

*6111.03(J)(2) An application for a permit or renewal thereof shall be denied if any of the following applies:*

*... (b) The director determines that the proposed discharge or source would conflict with an areawide waste treatment management plan adopted in accordance with section 208 of the Federal Water Pollution Control Act;...*

### III. Plan Amendments

Maintaining the AWQMP is necessary to keep it relevant for local and regional needs, including:

- Wastewater treatment facility needs (**Chapter 5**) change as communities replace or upgrade their systems and provide service to new areas.
- Critical Sewage Areas (**Chapter 6**) change, as designated by local Health Districts, when stream or septic system testing indicates new areas, or when a sewer extension eliminates the problems.

The TMACOG Water Quality Council is the forum for review of AWQMP amendments. Amendment requests may be made by members of the Water Quality Council or Designated Management Agencies (DMAs). The Water Quality Council makes recommendations on Plan amendments to the TMACOG Board of Trustees, which adopts the Plan. When all or part of the Plan is amended by the TMACOG Board of Trustees, the new version supersedes all previous versions of that part of the Plan. After adoption by the Board of Trustees, the Plan is submitted to the Governors of Ohio and Michigan for Certification.

The Plan contains eight chapters, which incorporate the region’s environmental goals and policies, describe the responsibilities of specific local governments to implement the Clean Water Act and provide sanitary sewage service, and identify best management practices (BMPs) to control water pollution from diffuse sources, especially due to stormwater runoff (i.e. non-point sources). The chapters include:

1. Areawide Overview
2. Description of the Planning Area
3. Water Quality Policies
4. Water Quality Management Framework
5. Public Wastewater Treatment
6. On-Site Sewage Treatment
7. Agriculture, Drainage, and Habitat
8. Stormwater Management