

*Pollution Prevention Supplemental Environmental Projects***Summary of Ohio Local Government
P2 SEP Activity**

The Ohio Environmental Protection Agency (Ohio EPA) encourages the use of pollution prevention supplemental environmental projects (P2 SEPs) in enforcement settlements. SEPs are environmentally beneficial projects that a local government agrees to complete in an enforcement settlement. P2 SEPs typically involve the use of source reduction techniques and other similar practices to reduce waste generation or pollution. P2 SEPs for local governments can also involve activities to protect or conserve important natural resources and sensitive ecosystems.

Ohio EPA's Office of Pollution Prevention (OPP) provides assistance to Ohio EPA divisions and local governments in using P2 SEPs. This can include providing information and assistance in identifying potential P2 SEP activities for local governments. To date, OPP has helped Ohio EPA include P2 SEPs in eight enforcement settlements with local governments.

**Types of P2 SEP Activities for
Local Governments**

P2 SEPs include three different types of P2 activities that local government may perform: *P2 assessments*, *P2 projects*, and *third party projects*. These P2 activities are negotiated by the parties involved in the enforcement case. In exchange for completing the P2 SEP, Ohio EPA



offers a reduction in civil penalties assessed through administrative or judicial orders. How much of the civil penalty is mitigated depends on a number of factors, including details of the violations, estimated P2 SEP costs and potential environmental benefits. Any mitigation of penalties will be at the discretion of Ohio EPA.

Local governments can perform P2 SEP activities involving their wastewater treatment plant (including pretreatment program), public water supply system, fleet maintenance, buildings and grounds maintenance, construction and property management, local schools, municipal solid waste planning, wellhead or source water protection, and land use planning.

Types of P2 SEPs for Local Governments

✓ **P2 assessments** involve establishing a formal P2 program at the local government level. This includes setting up a team to review internal local government operations to evaluate cost-effective opportunities to reduce or eliminate waste or pollution. P2 assessments can be valuable for many local government operations including wastewater treatment and public water supply systems.

✓ **P2 projects** are specific activities performed by local government that avoid or decrease the generation of waste or pollution. Projects can involve substituting less hazardous or toxic materials in fleet, property and grounds maintenance; installing energy efficient lighting or equipment; and using environmentally sound technologies for wastewater or water treatment. Projects that reduce pollutant impact on natural resources through conservation activities may also be suitable P2 SEPs.

✓ **Third party projects** are sponsored by local government and performed by a third party (such as a non-profit group, consultant, trade association or local university or college). Third party projects may include establishing a trust fund, donation or grant to a third party for specific P2 activities. These activities could include performing P2 assessments at local businesses, providing financial support to a local waste exchange or implementing conservation activities for a local watershed (river or stream).

Summary of Local Government P2 SEPs

Since 1993, Ohio EPA has incorporated P2 SEPs into eight enforcement settlements with local governments. The following summary provides details regarding specific local government P2 SEP activity in Ohio.

City of Jackson
Division of Surface Water
May 28, 1993

The City of Jackson agreed to submit a detailed plan for a comprehensive municipal recycling program to include, at a minimum, recycling of paper, glass, aluminum, steel and used engine oil. Upon approval, the city agreed to implement the program in accordance with the schedule contained in the plan.

Summary of Ohio Local Government P2 SEP Activity

The settlement also included a non-P2 SEP involving the development of a household hazardous waste collection program. The final settlement was mitigated to \$10,000 with completion of the SEPs.

Village of New Concord Division of Drinking and Ground Waters March 22, 1995

The Village of New Concord agreed to implement a water conservation education program. Ohio EPA's Southeast District Office reviewed the educational information prior to issuance.

The village also agreed to conduct a comprehensive distribution study and implement improvements to its distribution system.

Village of Grafton Division of Drinking and Ground Waters May 31, 1995

The Village of Grafton agreed to complete a comprehensive leak detection study, submit a written report of the findings and recommendations from the study, and implement repairs to the distribution system. The final settlement amount was \$21,000. The village received a \$10,000 penalty mitigation for completing the P2 SEP. The village had to document P2 SEP costs of at least \$15,000.

Village of Wellsville Division of Hazardous Waste Management March 29, 1996

The Village of Wellsville agreed to conduct an audit of natural gas usage by the village to rate efficiency and determine improvements. The village also implemented 43 projects to upgrade lighting to be more energy efficient.

The final settlement was mitigated to \$30,000 with the completion of the P2 SEPs.

Village of Germantown Division of Drinking and Ground Waters May 1, 1997

The Village of Germantown agreed to develop and implement a wellhead protection program. The program includes a delineation of the wellhead protection area, an inventory of potential pollution sources, and a management plan to reduce potential contaminants that could impact the water supply. The management plan contains source control strategies based on P2.

The final settlement was \$8,700. The village received a \$6,525 penalty mitigation for the P2 SEP.

Village of South Charleston Division of Drinking and Ground Waters May 1, 1997

The Village of South Charleston agreed to install an ultraviolet (UV) disinfection unit to disinfect wastewater effluent from the village wastewater treatment plant. The UV unit replaced a chlorine system.

The final settlement was \$3,600. The village received a \$2,700 penalty mitigation for the P2 SEP. The Village spent about \$35,000 to purchase and install the UV unit.

Village of Put-in-Bay Division of Drinking and Ground Waters February 19, 1998

The Village of Put-in-Bay agreed to purchase and install leak detection equipment and fix leaks identified in the water distribution system. The village also agreed to purchase and distribute water conservation packets to all residents and businesses of Put-in-Bay.

The final settlement was \$27,750. The village received a \$20,750 penalty mitigation for the P2 SEPs.

**City of Upper Arlington
Division of Hazardous Waste Management
March 7, 2000**

The City of Upper Arlington agreed to develop a comprehensive P2 program and complete a city-wide P2 assessment. The city also agreed to implement specific P2 projects identified from P2 program activities.

The final settlement was \$69,200. The city received a \$59,200 penalty mitigation for the P2 SEPs (\$10,000 for developing the program; \$49,200 for implementing specific projects).

More information on P2 SEP activities for Local Governments

Publications

Profile of Local Government Operations.
U.S. EPA Office of Enforcement and Compliance Assurance. EPA 310-R-99-01. 1999.

Available from U.S. EPA's National Center for Environmental Publications and Information at (800) 490-9198 or www.epa.gov/oeca/sector/index.html.

Pollution Prevention in our Cities and Counties - A Compendium of Case Studies.
NPPR, NACo, NACCHO, MWMA. EPA 742-R-95-011. 1995.

Available from U.S. EPA's Pollution Prevention Information Clearinghouse at (202) 260-1023 or www.epa.gov/opptintr/library/ppicdist.htm.

Pollution Prevention: A Guide for Local Government. International City/County Management Association (ICMA). 1994.

Available from ICMA at (800) 745-8780 or <http://bookstore.icma.org>.

Web sites

The Local Government Environmental Assistance Network (LGEAN)
www.lgean.org

Contact OPP

For more information and assistance on the use of pollution prevention supplemental environmental projects (P2 SEPs), contact Ohio EPA's Office of Pollution Prevention (OPP) at (614) 644-3469 or visit OPP's Web site at www.epa.state.oh.us/opp.

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The Office of Pollution Prevention was created to encourage multi-media pollution prevention activities in Ohio to reduce risk to public health, safety, welfare and the environment. Pollution prevention stresses source reduction and, as a second choice, environmentally sound recycling, while avoiding cross media transfers. The office develops information related to pollution prevention, increases awareness of pollution prevention opportunities, and can offer technical assistance to business, government, and the public.



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