

September 2000

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# Ohio EPA's Surface Water Permit-to-Install Process

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## Introduction

A surface water permit-to-install (PTI) must be obtained from Ohio EPA for the construction of any wastewater treatment or collection system or disposal facility. A PTI is not required for sewage treatment and disposal for a one, two or three-family dwelling.

The PTI outlines technical and design requirements for construction and operating conditions of a wastewater treatment/collection system. This fact sheet describes the surface water PTI process.

## Application Received

- Ohio EPA receives the PTI application at the appropriate district office. The application includes detailed engineering plans and technical specifications of the wastewater treatment, collection or disposal facility.

- Ohio EPA publishes a notice in Ohio EPA's *Weekly Review* that a PTI application has been received.

- A news release may be generated for projects known to have significant public interest.

## Application Reviewed

- Ohio EPA conducts a detailed technical review of the completed application and plans. Additional technical information may be requested from the applicant.

- Ohio EPA may hold a public hearing at which interested citizens may comment on the PTI application if significant interest is generated during the review process.

- Agency staff develop a final staff recommendation and present it to the director of Ohio EPA.

The director may:

- issue a final permit;
- issue a proposed denial; or
- request additional information from the applicant.

- Interested persons may appeal Ohio EPA decisions.

- Final and proposed actions are published in Ohio EPA's *Weekly Review* and a legal notice is published in a newspaper of general circulation in the county where the project would be located.

A news release may be generated for projects known to have significant public interest.

## Final Decisions

If the director's decision is final, an appeal may be made to the Environmental Review Appeals Commission (ERAC).

An appeal to ERAC must be in writing and specify the action being appealed and the grounds on which the appeal is based. It must be filed with ERAC within 30 days of the director's action. A copy of the appeal must be received by the director of Ohio EPA within three days of filing

with ERAC.

*File the appeal with:*

Environmental Review Appeals Commission  
Room 300  
236 E. Town Street  
Columbus, Ohio 43215  
(614) 466-8950

## Proposed Decisions

If the director's decision is proposed, the appeal is made to Ohio EPA's hearing examiner.

A request for an adjudication hearing with the hearing examiner must be in writing and must specify the issues being contested. It must be requested within 30 days of the director's action.

## Antidegradation Rule

A project or application must be further reviewed under the antidegradation rule if it pertains to:

- A new facility requesting to modify stream habitat or increase pollutants discharged to waters of the state; or
- An existing facility requesting to increase pollutants discharged to waters of the state.

The antidegradation rule may require a more extensive evaluation of potential environmental, social and economic impacts. This rule requires an expanded public notification process, and may also provide other public involvement opportunities.

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*Requests should be sent  
to:*

Ohio EPA  
Hearing Clerk  
P.O. Box 1049  
Columbus, Ohio  
43216-1049  
(614) 644-2129

- Further appeals can be made through the civil courts.

PLEASE NOTE: The Division of Surface Water follows a similar permitting process to issue a National Pollutant Discharge Elimination System (NPDES) permit. An entity cannot legally operate on a permanent basis resulting in a discharge of wastewaters to a stream, lake or other waterbody without an NPDES permit.

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