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The Sandusky Register

**Water pollution changes opposed**

(9/9)

Erie County commissioners have joined state Rep. Chris Redfern, D-Catawba Island, in trying to block a proposed Ohio EPA rule change that critics say would make it easier for coal mines and petroleum pipelines to pollute Ohio water.  The deadline for comments on the proposal is Thursday. Redfern said Monday he’s been trying to call attention to the issue for weeks and said it’s odd the Kasich administration is seeking the change only weeks after half a million people in Toledo lost access to drinking water because of an algal bloom crisis.  “We can’t allow industry to have unfettered access to waterways,” said Redfern, who said the proposed change illustrates the political power of the coal   industry. “This represents how we got here” The Ohio EPA is asking the U.S. EPA to allow the state agency to change the rules for what are known as Clean Water Act section 401 water quality certifications. The U.S. EPA must sign off on the proposed changes.  “My hope is that the U.S. EPA rejects the request,” Redfern said.  Heidi Griesmer, media relations manager for the Ohio EPA, said the proposed change would eliminate unnecessary paperwork.  “We propose to remove arbitrary benchmarks that would prevent certain projects from being covered under a general permit. Under the proposal, instead of predetermined benchmarks dictating when a project needs an individual 401 or is covered under the Nationwide Permit, all projects would come to Ohio EPA first for screening. We would make the determination whether the project can be covered under the NWP or if it needs an individual 401” she wrote in an email after the Register asked for an explanation.  Nathan Johnson, an attorney for the Ohio Environmental Council, said in an email that the proposed change will “substantially weaken” Clean Water Act protections for streams and wetlands.  “Currently, coal mining and utility lines (including interstate oil and gas/shale pipelines) are subject to state OEPA review to help ensure that projects are as least damaging to streams and wetlands as possible, and that mitigation occurs when damage is unavoidable,” he said.  “Nationwide Permits are federal, one-size-fits all rubber stamps, more or less, that give regulated entities Clean Water Act approval to go ahead with projects,” he said. “OEPA is proposing to remove nearly all of the applicable thresholds that would require individual review by OEPA. This   means that, no matter how big or impactful to streams or wetlands, most utility/ pipeline projects and many coal mine projects would be exempt from OEPA review (and get the NWP stamp)”  In his application to the U.S. EPA for the rules change, Ohio EPA director Craig Butler wrote, “I have determined that any lowering in water quality in the various waters of the state as authorized by these certifications is necessary”  Redfern sent a letter on August 28 to the Erie County commissioners and to other local officials, asking them to join him in opposing the rules change.  In response, all three commissioners — Pat Shenigo, Bill Monaghan and Tom Ferrell — signed a Sept. 4 letter to the Ohio EPA echoing Redfern’s concerns.  “We represent the citizens of Erie County, located along 35 miles of Sandusky Bay and Lake Erie’s shore. It is an area dependent upon the health and vitality of Ohio’s greatest natural resource is now facing facing great environmental pressures and an uncertain future,” the commissioners wrote. “Modification of the 401 program and the loosening of regulations that OEPA requests will make a difficult situation much worse”