

# How to Grease the Wheels of the Permitting Process

July 20, 2022

FOCUSED ON PTI AND PRETREATMENT APPLICATIONS  
BEST PRACTICES FOR ALL TYPES OF PERMITS

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PRETREATMENT COORDINATOR



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# Topics Covered

1

- Is a permit needed?

2

- Start the Application Process

3

- Tips & Best Practices - Applications

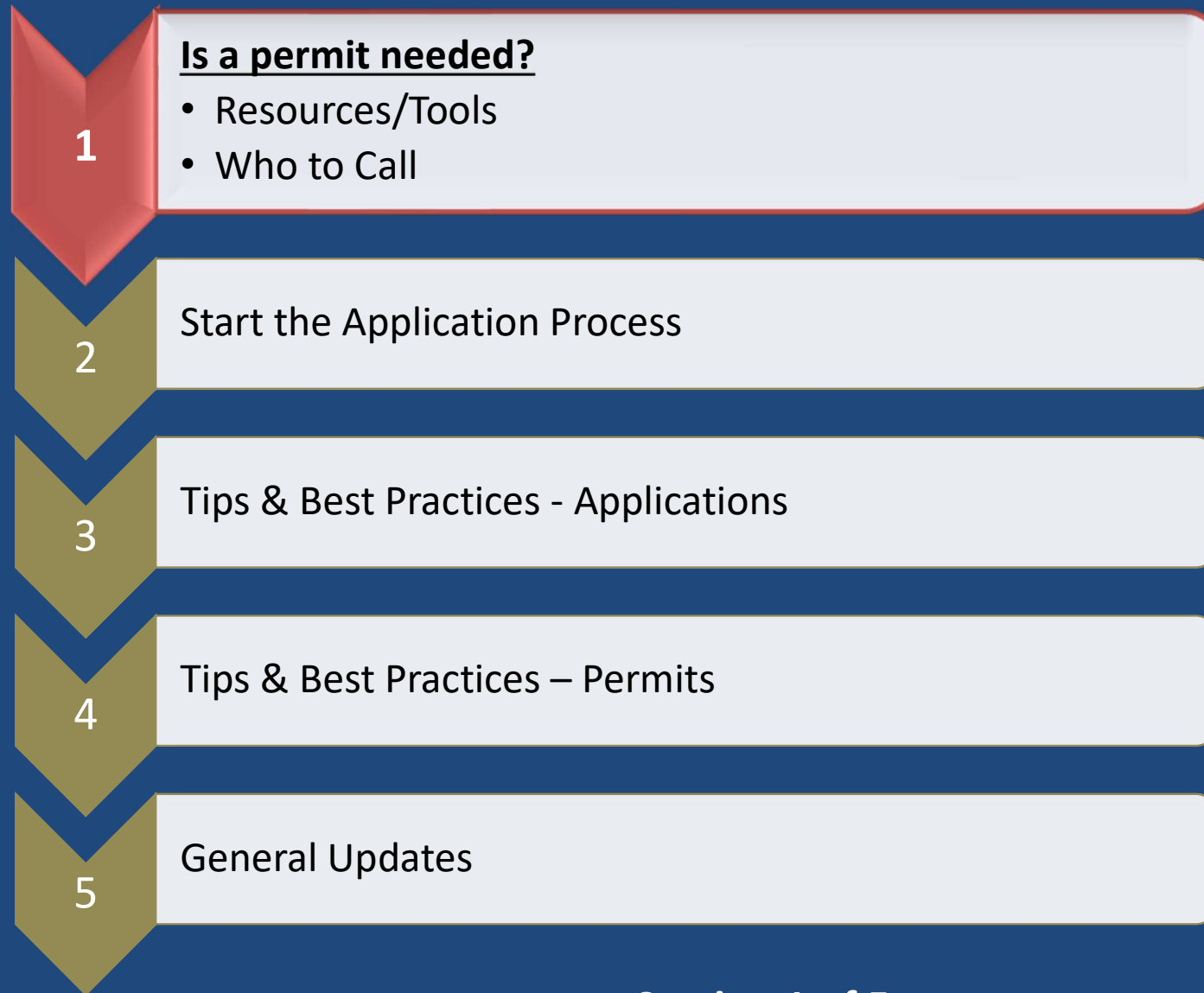
4

- Tips & Best Practices – Permits

5

- General Updates

# Is a permit needed?



# Is a permit needed?

## Good Resources.

- **Permit Wizard tool**

[https://ohioepa.custhelp.com/app/permit\\_wizard](https://ohioepa.custhelp.com/app/permit_wizard)

- Step-by-step app to help you determine which permit(s) you'll need
- Anonymous app
- Recommendation – confirm the results with Ohio EPA staff (see next slide)

- **Permit Assistance**

<https://epa.ohio.gov/stay-compliant/get-help/permit-assistance>



# Is a permit needed? Who to call...

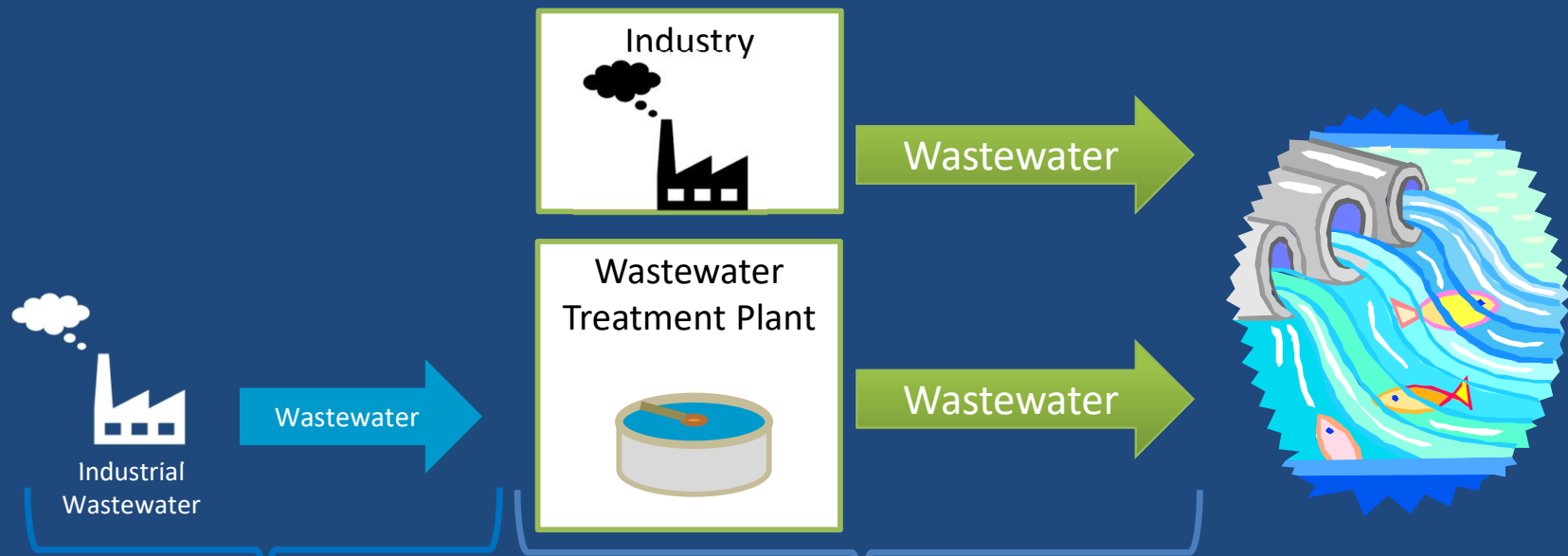
- **Contact local government**
  - Paperwork specific to local government
  - Make sure the local authorities are aware of the discharge
  - Local gov requirements ≠ Ohio EPA requirements
- **Contact Ohio EPA**
  - *Call the Ohio EPA District*
    - <https://epa.ohio.gov/help-center/contact-list>
    - Dependent on your facility's county
  - *Call the Office of Compliance Assistance and Pollution Prevention (OCAPP)*
    - Non-regulatory, confidential service
    - 1 (800) 329-7518
    - <https://epa.ohio.gov/divisions-and-offices/environmental-financial-assistance/compliance-assistance>



# Direct vs. Indirect Discharge Permits

Direct Discharge to Waters of the State → NPDES Permit

Indirect Discharge to Waters of the State → IDP



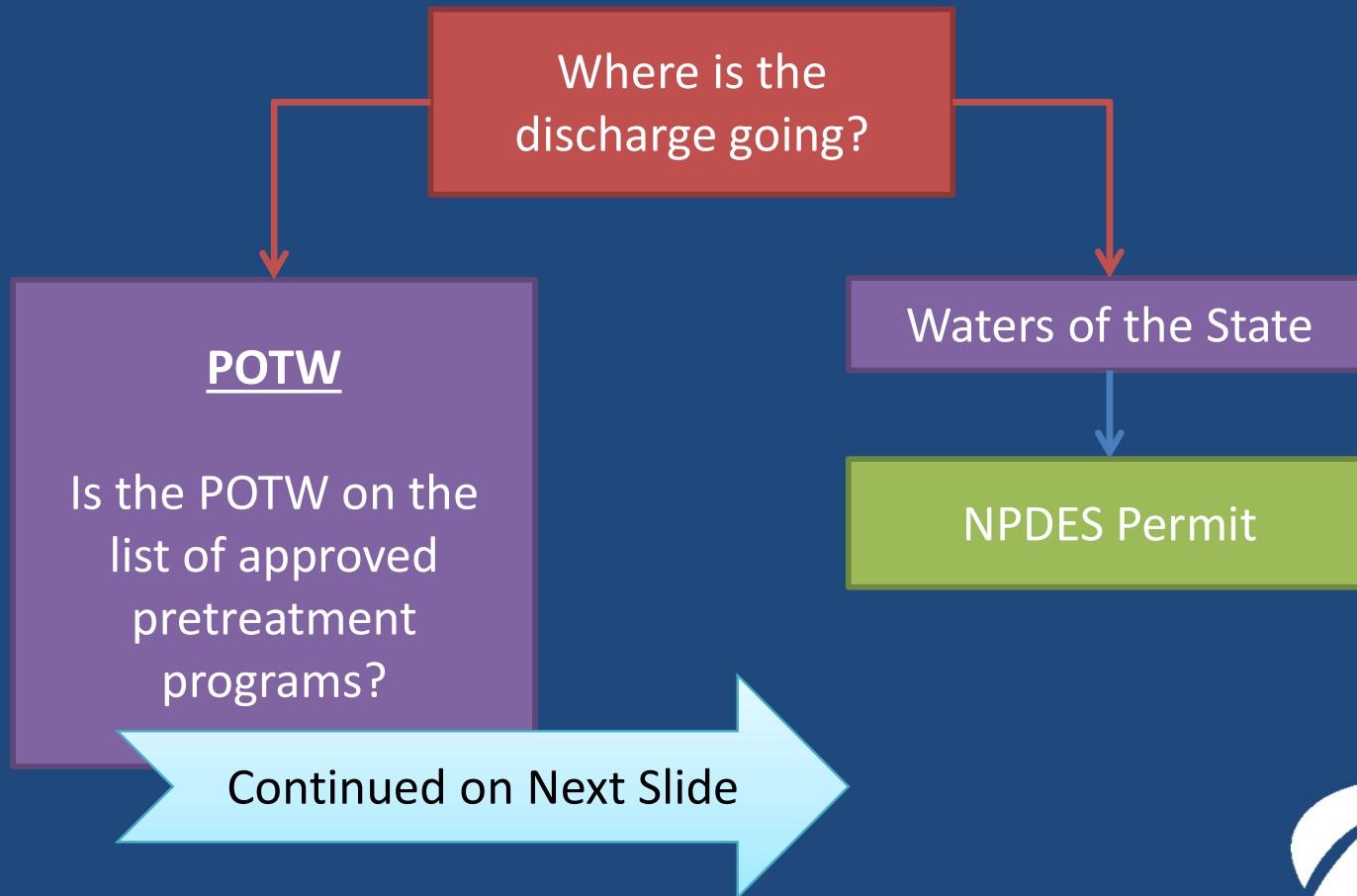
Indirectly discharge to waters of the state  
→ Indirect Discharge Permit (IDP)

Direct Discharges  
→ NPDES Permit Program





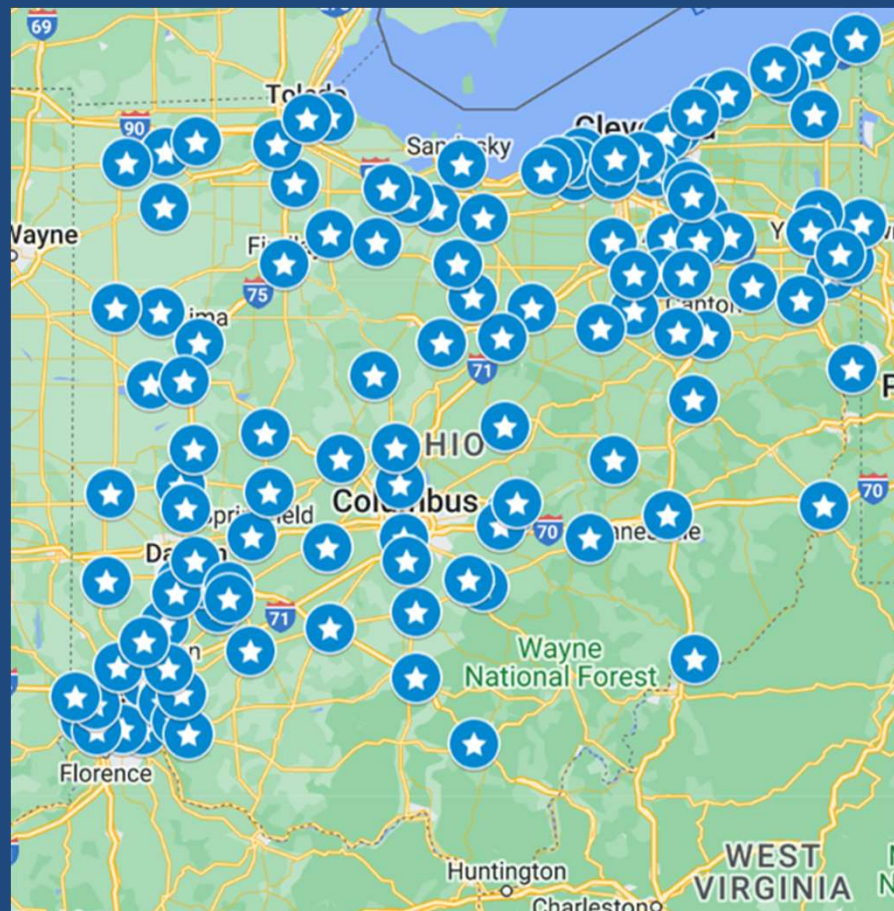
# Do you need an Indirect Discharge Permit?



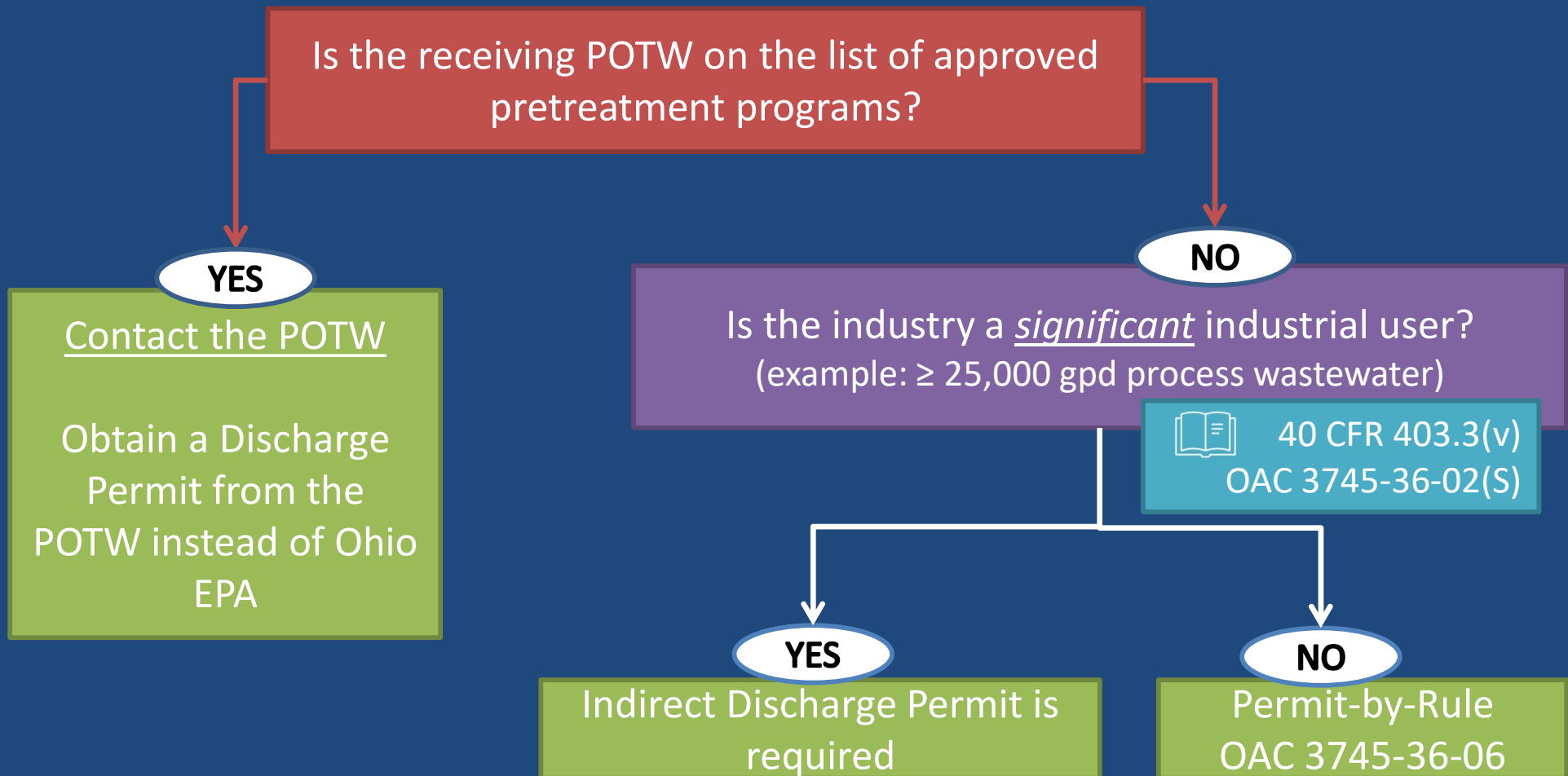
# Do you need an Indirect Discharge Permit?

Does the POTW (or Wastewater Treatment Plant) have an approved pretreatment program?

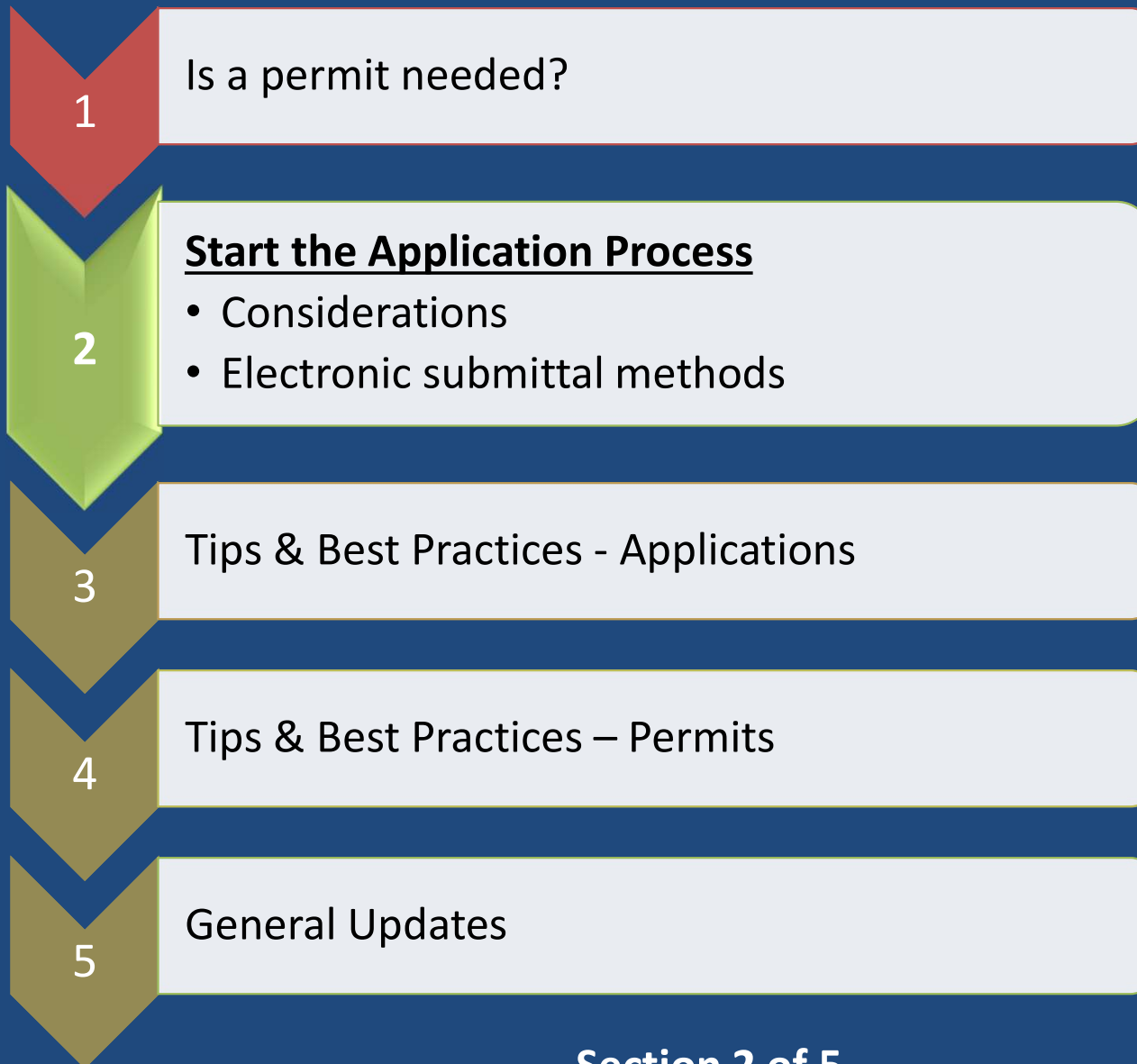
List of POTWs with approved pretreatment program  
<https://epa.ohio.gov/static/Portals/35/pretreatment/Approved Program Contacts.xlsx>



# Do you need an Indirect Discharge Permit?



# Start the Application Process



# Yes, a permit is needed. Now what?

- Will your facility do it in-house or hire a consultant?
- If DIY – go to Ohio EPA’s website and navigate to the Division’s webpage of the permit needed
  - Division of Surface Water Permitting Website:  
<https://epa.ohio.gov/divisions-and-offices/surface-water/permitting>
- Navigate to permit application forms and instructions
- Contact the staff assigned to your county if questions
  - <https://epa.ohio.gov/help-center/contact-list>



# Methods of Applying for a Surface Water Permit

- Ohio EPA eBusiness Center (aka “eBiz”)  
<https://ebiz.epa.ohio.gov/>
  - eBiz Help –  
<https://epa.ohio.gov/divisions-and-offices/surface-water/permitting/electronic-business-services>
  - List of Applications/Reports that can be sent via eBiz
    - >> eBiz Help website
    - >> ‘STREAMS Applications’ tab
    - >> ‘Permit Application Guidance’ section
- PTIs can **NOT** be submitted via eBiz
  - See [Slide 16](#)



# What applications can be sent via eBiz?

(as of July 2022)

- NPDES Individual Permits (industrial & municipal)
- NPDES General Permits
  - Construction
  - Storm Water
  - No Exposure Certification
  - Etc.
- Indirect Discharge Permit
- Land Application Management Plans (LAMPs)
- Holding Tank Management Plans
- Others



# Permit-to-Install (PTI) Applications

- Can **NOT** be submitted in eBiz
- Wastewater PTI Submittal Instructions  
<https://epa.ohio.gov/divisions-and-offices/surface-water/permitting/wastewater-permit-to-install-pti-program>
- Submittal methods are dependent on the PTI application's file size
  - < 25 MB → **email** to the recipient listed in the link above
  - ≥ 25 MB in size need to be submitted using **Liquid Files** (see the link above)





# Tips for PTI Applications



- Make sure correct person signs Form A.
  - Owner or legally responsible official
  - NOT the consultant
- Submit ALL required forms.
  - Form A
  - One of the Form Bs
  - An Antidegradation Addendum
  - A Stream Evaluation Addendum (if projects have streams crossings)



- Document that public utility will accept the wastewater and own the sewers.
- Double-check that info between plans and the application forms is consistent.



# Tips for Applications

1

Is a permit needed?

2

Start the Application Process

3

**Tips & Best Practices - Applications**

4

Tips & Best Practices – Permits

5

General Updates



# Tips for PTI Applications

- Ensure design is consistent with *Recommended Standards for Wastewater Systems* or equivalence  
<https://epa.ohio.gov/static/Portals/35/guidance/10wastewaterstandards.pdf>
- Each page of detailed plans needs a PE's stamp with date and signature
- No 'Not for Construction' on the detailed plan pages
- High quality, legible detailed plans
- Common errors  
[https://epa.ohio.gov/static/Portals/35/pti/MistakesListPTIupdate\\_s.pdf](https://epa.ohio.gov/static/Portals/35/pti/MistakesListPTIupdate_s.pdf)



# IDP/NPDES Application Due Dates

Application Type	Due	IDP Rule OAC 3745-36-03	NPDES Rule OAC 3745-33-03
New	180 days prior to commencement of discharge	(D)	(B)
Renew	180 days prior to the permit's expiration date	(E)	(B)



## TIP

Start working on your application 3 months ahead of the due date.



# IDP/NPDES

## Application Tip – Sampling Results

- You need to use a specific Excel Sheet
  - Click on the “Blank Form” link to download a blank version of this Excel Sheet
  - Where data is **below detection**, use the format: “AA < DL” where “DL” = detection level  
Example: “AA < 5” µg/L
  - You can attach lab reports to the “Additional Info” section (optional)

Attachment Reports	
Facility Map/Site Plan Attachment	
Browse...	No file chosen
Process Diagram Attachment	
Browse...	No file chosen
Sampling Report Attachment	<a href="#">Blank Form</a>
Browse...	No file chosen
Production Rates Attachment	
Browse...	No file chosen
Letter from the POTW Authorizing Discharge	
Browse...	No file chosen

# Common Application Mistakes for Indirect or NPDES Permits

- ✓ Wrong units
- ✓ Required pollutants not tested
- ✓ Sampling location information is missing
- ✓ Wrong flow value given
- ✓ No flow diagram provided
- ✓ Not giving detailed description of all outfalls
- ✓ IDPs – not providing approval from the public utility receiving the wastewater to accept the waste
- ✓ Inconsistent information given on application vs. diagrams



# Application Best Practices

- Read and follow instructions provided
- If you aren't sure, call Ohio EPA or a consultant
- Provide all information requested
- Have someone else double check it before submittal
- Make sure diagrams, plans, and information in application all agree and are consistent



# Application Best Practices

- Have the right person sign the application
- If a permit is needed by a specific date:
  - Apply as early as possible
  - Communicate your schedule to your Agency contact person
  - Consider discussing project with Ohio EPA prior to application submittal





# A Very Important Date?



Don't be surprised...

- Public Participation
  - Sometimes 75+ days required
- Federal Review
  - Sometimes 30 days or more
- This can be additive

Most common reason for long permit times is  
incomplete application!



# Tips for Permit Processes

- 1 Is a permit needed?
- 2 Start the Application Process
- 3 Tips & Best Practices - Applications
- 4 **Tips & Best Practices – Permits**
- 5 General Updates

# Permit Process (basic)

## Individual NPDES Permits ( $\geq 1$ MGD)



## Individual NPDES Permits (< 1 MGD) & IDPs



Application Submitted

Permit Effective Date

# Permit Process

## Opportunities for Feedback



Feedback Stage	NPDES	IDP
Courtesy preview period	10	N/A
Public Notice Period	30	30
<b>TOTAL</b>	<b>40 days</b>	<b>30 days</b>

 **TIP**  
 If you have a Fact Sheet, a summary of changes should be on page 2.



# NPDES Hint for Fact Sheets

- Fact Sheet Table called “Parameter Assessment” shows which pollutants to be wary of.
- The table splits pollutants into 5 groups
  - Group 5 pollutants pose the *highest* risk of causing issues in the receiving stream
  - Group 2 pollutants pose the least risk

Note: These groupings are heavily affected by recent data, sample size, and the reported detection levels.



# NPDES Hint for Fact Sheets

Group 1  
No river/lake criteria is available for these pollutants

Groups 2 & 3  
Low risk of causing problems in receiving stream

Group 4  
Very close to the levels that will impact receiving stream.  
**Monitoring required.**

Group 5  
High risk of impacting stream.  
**Permit will include limits.**

**Table 12. Parameter Assessment**

<b>Group 1:</b>	Due to a lack of criteria, the following parameters could not be evaluated at this time.		
	Aluminum Sulfates	Magnesium	Manganese
<b>Group 2:</b>	PEQ < 25 percent of WQS or all data below minimum detection limit. WLA not required. No limit recommended; monitoring optional.		
	Ammonia Chromium Mercury	Cadmium Cyanide, Free Molybdenum	Chlorine, Total Residual Iron Nickel
<b>Group 3:</b>	PEQ <sub>max</sub> < 50 percent of maximum PEL and PEQ <sub>avg</sub> < 50 percent of average PEL. No limit recommended; monitoring optional.		
	Lead		
<b>Group 4:</b>	PEQ <sub>max</sub> ≥ 50 percent, but < 100 percent of the maximum PEL or PEQ <sub>avg</sub> ≥ 50 percent, but < 100 percent of the average PEL. Monitoring is appropriate.		
	Copper Fluoride	Total Filterable Residue (dissolved solids) Silver	Zinc
<b>Group 5:</b>	Maximum PEQ ≥ 100 percent of the maximum PEL or average PEQ ≥ 100 percent of the average PEL, or either the average or maximum PEQ is between 75 and 100 percent of the PEL and certain conditions that increase the risk to the environment are present. Limit recommended.		
<u>Limits to Protect Numeric Water Quality Criteria</u>			
<u>Parameter</u>	<u>Units</u>	<u>Recommended Effluent Limits</u>	
		<u>Average</u>	<u>Maximum</u>
Selenium	µg/L	5.0	--

# Public Notice and Beyond

- 30 Day Public Notice Period
- Notice Given to:
  - Applicant
  - US EPA
  - Interested Parties
  - Newspaper of Largest Circulation
  - Weekly Review
  - Ohio EPA Web



# Permitting Process Tips

- Review your draft permit. Don't wait till the last date!
- See if you can understand the permit and comply with the requirements. If not, ask questions!
- Fitting regulatory requirements to what makes sense for a particular facility is a team effort.
- Remember, after final issuance it is you who will need to comply with the permit conditions and not the Agency.





# The road less traveled... but it can happen.



- Total Maximum Daily Load Report Requirements
- Financial Assurances Needed
- Public Requests a Hearing
- Extensive Public Comment Received
- Easements
- Changes to Design
- Federal EPA
- Antidegradation



# General Updates

- 1 • Is a permit needed?
- 2 • Start the Application Process
- 3 • Tips & Best Practices - Applications
- 4 • Tips & Best Practices – Permits
- 5 • **General Updates**

# In the works...

- Public Notice of the Draft HSTS General Permit
- Updated Permit-to-Install Forms
- Updated Antidegradation Forms
- Certified Operator Reporting Hours Application (available now)



# U.S. EPA PFAS Update

- <https://www.epa.gov/pfas>
- <https://www.epa.gov/pfas/pfas-strategic-roadmap-epas-commitments-action-2021-2024>

- ▶ Per- and Polyfluoroalkyl Substances (PFAS)
- ▶ U.S. EPA plans to restrict PFAS discharges from multiple industrial categories
  - ▶ *PFAS Strategic Roadmap 2021-2024*, page 13-14  
[https://www.epa.gov/system/files/documents/2021-10/pfas-roadmap\\_final-508.pdf](https://www.epa.gov/system/files/documents/2021-10/pfas-roadmap_final-508.pdf)
  - ▶ *H.R.2467 – PFAS Action Act of 2021*, Section 17  
<https://www.congress.gov/bill/117th-congress/house-bill/2467/text>



# U.S. EPA PFAS Update

## ▶ PFAS Priority Industry Categories

(based on Section 17 of *H.R.2467 PFAS Action Act of 2021*)

Industry	40 CFR
Organic Chemicals, Plastics, & Synthetic Fibers (OCPSF)	414
Pulp, Paper, & Paperboard	430
Textile Mills	410
Electroplating	413
Metal Finishing	433
Leather Tanning & Finishing	425
Paint Formulating	446
Electrical & Electronic Components	469
Plastics Molding & Forming	463
Landfills (page 13-14 of <a href="#">PFAS Strategic Roadmap 2021-2024</a> )	445



# U.S. EPA PFAS Update - Timelines

- *ELG Plan 15* (expected **Fall 2022**) will address whether regulatory action is needed for:
  - Electrical & Electronic Components (40 CFR 469)
  - Textile Mills (40 CFR 410)
  - Landfills
  - Pulp, Paper, & Paperboard (40 CFR 430)
  - Airports
- *PFAS Strategic Roadmap 2021-2024*, page 13-14  
[https://www.epa.gov/system/files/documents/2021-10/pfas-roadmap\\_final-508.pdf](https://www.epa.gov/system/files/documents/2021-10/pfas-roadmap_final-508.pdf)



# U.S. EPA PFAS Update - Timelines

- Proposed PFAS rules/limitations are expected in...
  - Summer 2023 for OCPSF (40 CFR 414)
  - Summer 2024 for
    - Metal Finishing (40 CFR 433)
    - Electroplating (40 CFR 413)
- *PFAS Strategic Roadmap 2021-2024*, page 13-14  
[https://www.epa.gov/system/files/documents/2021-10/pfas-roadmap\\_final-508.pdf](https://www.epa.gov/system/files/documents/2021-10/pfas-roadmap_final-508.pdf)



# Other Rules Updates

- Biocriteria Narrative (pending)
  - OAC 3745-1-07(C)
  - “Biological criteria take precedence”
  - Permitting flexibility we’re attempting to get federal approval on
- Variances (pending)
  - Examples: mercury & ammonia
- Aquatic Life Use (pending)
  - EPA published revised aquatic life criteria for ammonia on 8/22/2013
  - New toxicity data → freshwater mussel and snail sensitivity



**Questions?**

Phoebe Low

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# BONUS MATERIAL



# NPDES Individual Permit Development Process

1. Receive Application
2. Completeness Review
3. Develop TBELs
4. Develop WQBELs
5. Develop Monitoring and Reporting Requirements
6. Develop Special Conditions
7. Incorporate Standard Conditions
8. Prepare Fact Sheet
9. Preview Period
10. Public Notice
11. Respond to Public and EPA Comments
12. Issue Final Permit

# NPDES Limit Types

**TBELs**

Technically-Based Effluent Limits

**WQBELs**

Water Quality-Based Effluent Limits

# NPDES Limit Types

## TBELs

### Technically-Based Effluent Limits

- Based on federal regulations for specific industrial categories
- List of sectors with effluent guidelines online
  - <https://www.epa.gov/eg/industrial-effluent-guidelines>
  - 40 CFR 405 – 471  
(aka [Title 40, Chapter I, Subchapter N](#))
- Example: Iron & Steelmaking Continuous Casting  
40 CFR 420.64: only 0.000141 kg zinc can be discharged for every 1,000 kg of product made)

## WQBELs

# NPDES Limit Types

TBELs

WQBELs

## Water Quality-Based Effluent Limits

- Limits based on what the receiving stream can handle
- Dependent on receiving stream's flows & conditions, beneficial use (drinking water source, recreational waters, etc.).
- Must be applied at the effluent discharge location

# WQBEL Example

- In this example, the NPDES permit comes with a Fact Sheet.
- Look for the Fact Sheet table “Summary of Effluent Limits to Maintain Applicable Water Quality Criteria”
  - Represents how much of a pollutant can be in the receiving stream before it is negatively impacted
  - The lowest numbers for a pollutant on this table is referred to as the “Wasteload Allocation (WLA)”

# WQBEL Example

Table 11. Summary of Effluent Limits to Maintain Applicable Water Quality Criteria

Parameter	Units	Outside Mixing Zone Criteria			Maximum Aquatic Life	Inside Mixing Zone Maximum
		Average				
		Human Health	Agri-culture	Aquatic Life		
Aluminum	µg/L	--	--	--	--	
Cadmium	µg/L	--	54	7.4	22	43
Chlorine, Total Residual	mg/L	--	--	0.011	0.019	0.038
Chromium	µg/L	--	108	272	5,633	11,000
Copper	µg/L	1,398	538	30	52	100
Cyanide, Free	mg/L	237	--	0.012	0.046	0.092
Dissolved Solids	mg/L	--	--	1,508	--	--
Fluoride	mg/L	--	2.2	--	--	--
Iron	µg/L	--	5,345	--	--	--
Lead	µg/L	--	108	37	714	1,400
Magnesium	mg/L	--	--	--	--	--

**Example: Pick the lowest number for Lead**

- Most protective average value = 37 µg/L
- Most protective maximum value = 714 µg/L

Averages

Maximum



# WQBEL Example - Barium

**Table 16. Summary of Effluent Limits to Maintain Applicable Water Quality Criteria**

Parameter	Units	Outside Mixing Zone Criteria				Inside Mixing Zone Maximum
		Average			Maximum Aquatic Life	
		Human Health	Agri-culture	Aquatic Life		
Ammonia-N (Summer)	mg/L	--	--	2.8	--	--
Ammonia-N (Winter)	mg/L	--	--	18.1	--	--
Arsenic <sup>B</sup>	µg/L	--	181	167	370	680
Barium	µg/L	--	--	234	2167	4000
Bis(2-ethylhexyl)phthalate	µg/L	107	--	9.4	1197	2100
Cadmium	µg/L	--	91 <sup>A</sup>	7.5	20	37

## Example: Pick the lowest number for Barium

- Most protective average value = 234 µg/L
- Most protective maximum value = 2,167 µg/L

# WQBEL Example - Barium

Date	Results (µg/L)
7/1/2021	158
7/20/2022	130

n	F
1	6.2
2	3.8
3	3.0
4	2.6
5	2.3
6	2.1

$$PEQ_{max} = Max * F$$

$$PEQ_{avg} = PEQ_{max} * 0.73$$

# WQBEL Example - Barium

Date	Results ( $\mu\text{g}/\text{L}$ )
7/1/2021	158
7/20/2022	130

n	F
1	6.2
2	3.8
3	3.0
4	2.6
5	2.3
6	2.1

$$PEQ_{max} = Max * F$$

$$PEQ_{max} = 158 \frac{\mu\text{g}}{\text{L}} * 3.8 = 600 \frac{\mu\text{g}}{\text{L}}$$

$$PEQ_{avg} = PEQ_{max} * 0.73$$

$$PEQ_{avg} = 600 \frac{\mu\text{g}}{\text{L}} * 0.73 = 438 \frac{\mu\text{g}}{\text{L}}$$

# WQBEL Example - Barium

	PEQ	WLA	PEQ/WLA *100%
<b>Average</b>	438	234	187%
<b>Maximum</b>	600	2,167	27.7%

A higher percentage = higher likelihood of the discharge exceeding the WLA. Remember that the Wasteload Allocation (WLA) represents how much of a pollutant can be discharged before it impacts the receiving stream.

# WQBEL Example - Barium

- Remember this?

## NPDES Hint for Fact Sheets

Group 1  
No river/lake criteria is available for these pollutants

Groups 2 & 3  
Low risk of causing problems in receiving stream

Group 4  
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Table 12. Parameter Assessment

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	Ammonia Chromium Mercury	Cadmium Cyanide, Free Molybdenum	Chlorine, Total Residual Iron Nickel
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	Lead		
<b>Group 4:</b>	PEQ <sub>max</sub> ≥ 50 percent, but < 100 percent of the maximum PEL or PEQ <sub>avg</sub> ≥ 50 percent, but < 100 percent of the average PEL. Monitoring is appropriate.		
	Copper Fluoride	Total Filterable Residue (dissolved solids) Silver	Zinc
<b>Group 5:</b>	Maximum PEQ ≥ 100 percent of the maximum PEL or average PEQ ≥ 100 percent of the average PEL, or either the average or maximum PEQ is between 75 and 100 percent of the PEL and certain conditions that increase the risk to the environment are present. Limit recommended.		
<i>Limits to Protect Numeric Water Quality Criteria</i>			
<i>Parameter</i>	<i>Units</i>	<i>Recommended Effluent Limits</i>	
Selenium	µg/L	<i>Average</i> 5.0	<i>Maximum</i> --

# WQBEL Example - Barium

	PEQ	WLA	PEQ/WLA * 100%
<b>Average</b>	438	234	187%
<b>Maximum</b>	600	2,167	27.7%

Barium would be in Group 5 because the  $PEQ_{avg} > WLA_{avg}$ .  
Even if the  $PEQ_{max} < WLA_{max}$ , the grouping would be based on the highest percentage.

# Best Practices

Surface Water Permitting

Cheri A. Budzynski

# Best Practices in Permitting

- Plan early for submitting your permit application.
  - Questions? Stay in communication with your permit writer.
- If considering changes to your permit, make sure you have adequate technical support to justify changes.
- Be aware of the receiving water body's water quality status – Is your receiving water impaired? Is there a Total Maximum Daily Load (TMDL) in the works? Are there watershed-level regulatory changes or drivers that may impact your facility?
- Enroll corporate and/or facility management, as appropriate, especially for determining the factors to list in your application for determining technology-based effluent limits.
- If your industry has an environmental trade group, reach out for their input and available resources.
- Set up a pre-application meeting with the agency that will issue your permit. Review any changes you plan to request as part of the renewal and ask about anything you should expect in your renewed permit.



# Best Practices in Permitting

- Be sure to use the most current permit application forms and regulatory guidance.
- Understand your electronic submittal system, which could require setting up accounts or registering your facility in a new system.
- Allow time for feedback from corporate and/or facility management, as appropriate.
- Be prepared for input from U.S. EPA and time to respond to the input.
- Consider environmental justice early on – this is a growing area that the Agencies will consider.

# Best Practices in Permitting

- Make sure to use concise, plain language.
- Make sure the permit is in an organized manner.
- Use active voice and pay attention to grammar.
- Consider attorney review of the permit application early in the process. Are there any applicable exemptions? Are there technical infeasibility issues? Any other potential problems in the permitting process?
- Always submit written comments!!!
  - If an issue is not raised in written comments, it is not in the record and cannot be raised in the appeals process.

# Permit Appeals

- Environmental Review Appeals Commission has jurisdiction over permit appeals. DO NOT file an appeal in a Court of Common Pleas or Appeals Court.
  - The statute provides: “[i]f, upon completion of the hearing, the commission finds that the action appealed from was lawful and reasonable, it shall make a written order affirming the action, or if the commission finds that the action was **unreasonable** or **unlawful**, it shall make a written order vacating or modifying the action appealed from.” R.C. 3745.05.
  - “Unlawful” means not in accordance with law.
  - “Unreasonable” means not in accordance with reason, or that which has no factual foundation.
  - ERAC presumes deference to the Agency’s action if it cannot be established that the action is unlawful or unreasonable.

# Questions?

Cheri Budzynski

Shumaker, Loop & Kendrick LLP

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## Cheri A. Budzynski

Partner, Diversity and Inclusion Committee Co-Chair



### CONTACT

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Toledo, OH

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### EDUCATION

J.D., *magna cum laude*, Order of the Coif, The University of Toledo, 2007

Ph.D., Experimental Psychology, Bowling Green State University, 2001

M.A., Experimental Psychology, Bowling Green State University, 1998

B.A., *summa cum laude*, Lourdes College, 1995

### SERVICE LINES

Environmental and Energy

Environmental

### BUSINESS SECTORS

Construction

Environmental

Manufacturing

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A management-side attorney for more than 10 years, Cheri counsels clients on day-to-day environmental compliance and other administrative issues at their facilities. Clients draw on the fact she frequently works with Ohio EPA, U.S. EPA, and the Ohio River Valley Water Sanitation Commission regarding environmental regulations, thus, allowing her to effectively and efficiently, advise clients on regulations on both the state and federal level and seek changes to regulations that impact their business by providing input to the regulatory agencies and, if necessary, appealing the regulations.

Cheri serves as national discovery counsel for asbestos litigation, concentrating on all aspects of discovery. Hardworking and organized, she has significant experience managing a large document repository, developing discovery responses, assisting with corporate product witness deposition preparation, and helping counsel around the country with defense strategy.

Colleagues and clients alike also look to Cheri for her ability to successfully handle sophisticated permit issues, including permits under the Title V and New Source Review Provisions of the Clean Air Act, the NPDES program under the Clean Water Act, and construction and operation permits.

Outside her environmental practice, Cheri also advises clients on contractual agreements related to equine law.

Furthermore, Cheri enjoys spending time cooking and riding horses.



#### **BAR AND COURT ADMISSIONS**

- Florida, 2008
- Ohio, 2007
- United States Court of Appeals, District of Columbia
- United States Court of Appeals, Sixth Circuit
- United States District Court, Northern and Southern Districts of Ohio
- United States Supreme Court

#### **PROFESSIONAL AND COMMUNITY AFFILIATIONS**

- Toledo Bar Association
- Toledo Women's Bar Association
- Ohio Bar Association
- President, Toledo Women's Bar Association
- Past Social Media Vice Chair, American Bar Association Section of Environment, Energy, and Resources Air Quality Committee

#### **HONORS**

- Best Lawyers in America, Environmental Law, 2021
- Ohio Rising Star by *Super Lawyers* magazine, 2014 - 2017
- *Toledo Business Journal*, "Who's Who in Toledo Area Law"

## Biographical Information

**Phoebe Low, Pretreatment Coordinator, Ohio EPA Central Office**  
[Phoebe.Low@epa.ohio.gov](mailto:Phoebe.Low@epa.ohio.gov)

Phoebe Low has been the pretreatment coordinator at Ohio EPA for 8 years. She writes permits for industrial wastewater discharges to wastewater treatment plants and reviews local limits proposed by municipalities. She got her bachelor's degree in Environmental Engineering from The Ohio State University in 2013.

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**Ashley Ward, P.E., NPDES Manager, OEPA, DSW-CO**  
**Ohio EPA, 50 West Town Street, Suite 700, Columbus, OH 43215**  
(614) 644-4852      [ashley.ward@epa.ohio.gov](mailto:ashley.ward@epa.ohio.gov)

Ashley has two Bachelor of Science degrees from The Ohio State University; one in Environmental Science, water specialization and one in Chemical Engineering. Ashley has worked for Surface Water for over nine years. Prior to her working in the NPDES Program, Ashley worked for the Division of Surface Water Chief in several different programs including enforcement, rules, NPDES and pretreatment. Before working for Ohio EPA, Ashley worked as a Microbiologist in the Research and Development Department of Lexmark.

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**Erin Sherer, Manager, Pretreatment & PTI Section, Ohio EPA**  
**50 West Town Street, Suite 700, Columbus, OH 43215**  
(614) 644-2018      [erin.sherer@epa.ohio.gov](mailto:erin.sherer@epa.ohio.gov)

Erin Sherer PTI/Biosolids/Pretreatment Manager, OEPA, DSW-CO Erin has a Bachelor of Science degree in Mathematics and a Master's of Science degree in Civil and Environmental Engineering from The Ohio State University. Erin has worked for the Division of Surface Water for twenty-seven years. Prior to managing several programs for the Division, Erin worked as a lead Water Quality Modeler focusing on the Total Maximum Daily Load Program and served as the Central District Office Compliance and Enforcement Supervisor. Before working for Ohio EPA, Erin worked in the Energy and Environment Department of Battelle.