

TESTIMONY OF
ALAN H. VICORY, JR.
EXECUTIVE DIRECTOR AND CHIEF ENGINEER
OHIO RIVER VALLEY WATER SANITATION COMMISSION
(ORSANCO)
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5735 Kellogg Avenue
Cincinnati, OH 45228
513-231-7719
513-231-7761 fax
avicory@orsanco.org

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Executive Director and Chief Engineer
Ohio River Valley Water Sanitation Commission (ORSANCO)

Good morning, Chairman Duncan, Congresswoman Johnson, and members of the Committee. My name is Alan Vicory. I serve as the Executive Director and Chief Engineer for the Ohio River Valley Water Sanitation Commission, better known as ORSANCO. I am pleased to be here today to discuss the topic of wastewater blending from a regulator's perspective. So that you can appreciate my point of view on blending, I first want to describe ORSANCO for you.

ORSANCO is an interstate Compact established Commission, created in 1948 to abate interstate water pollution. Signatories to the compact are Illinois, Indiana, Kentucky, New York, Ohio, Pennsylvania, Virginia and West Virginia. ORSANCO's Board of Commissioners are appointed by the respective state governors. In addition, several commissioners are appointed by the President to represent the perspective and interests of the United States.

The Compact, which has been adopted in each of the eight states' laws, and was approved by the 74th Congress, grants the Commission certain powers. These powers include the promulgation of standards of treatment for discharges to interstate streams deemed necessary and appropriate to achieve the Compact's objectives.

Mr. Chairman, and members of the Committee, I am grateful for this Committee's unwavering attention to this nation's need for clean streams, and specifically, its interest in the topic of today's hearing on blending.

Blending is a concept that is not new to ORSANCO. In 1997, this Commission, after due notice and public hearing, adopted in its regulatory requirements for discharges to the Ohio River which allow for blending at municipal wastewater treatment plants serving combined sewer areas that have primary treatment capacity in excess of secondary treatment capacity. Our regulations focus on maximizing the treatment of wet weather flows from combined sewer

systems and reducing the frequency and duration of sewer overflow events. Blending facilities in ORSANCO's jurisdiction must:

1. be properly maintained;
2. provide maximum flow through biological treatment units;
and
3. meet Ohio River water quality standards.

I have to emphasize the importance of blended discharges meeting water quality standards. Water quality standards are a "backstop" that assures protection of public health and the environment.

Having served as ORSANCO's Chief Operating Officer for 18 years, I recall the dialogue leading to the adoption of our blending requirements. There was strong consensus among the Commissioners. The prevailing feeling was that our blending policy, simply stated, promotes the maximum amount of treatment and disinfection to the maximum amount of flows. Otherwise, as our blending policy recognizes, untreated sewage could be released and water quality would suffer.

Let me point out that ORSANCO takes its regulatory mission and authorities seriously. ORSANCO adopted secondary treatment requirements in 1970, two years before passage of the 1972 Clean Water Act, and played an important role in advocating this requirement nationally. Decades earlier, ORSANCO was instrumental in the science underpinning today's standards for pathogens in surface waters. That said, ORSANCO, being a 27-member Commission comprising representatives from eight state environmental protection agencies, the U.S. Environmental Protection Agency, water and wastewater utilities, industry, law, environmental consulting, and other perspectives, tends to be pragmatic and broad-based in its thinking.

Our blending policy speaks to this, I believe. In the case of the Ohio River, without our blending policy, more untreated overflows would occur and the water quality impacts of wet weather would be more damaging. It would be extremely difficult – if not impossible – to effectively manage the wide variety of peak wet weather events in

communities along the Ohio River if blending were not an available option.

ORSANCO does not view blending as merely an expedient substitute for proper management of wastewater infrastructure or of wet weather flows. Rather, blending is one tool in the “tool box.” Other tools also need to be, and are being, applied. These include aggressive collection system management, treatment plant expansions and upgrades, and the use of storage and/or high-rate treatment for blended flows. In fact, communities on the Ohio River, like Cincinnati, are installing state-of-the-art technologies to enhance their ability to remove solids and pathogens during blending events.

I further wish to say that, in my assessment, blending, while deemed by ORSANCO as appropriate policy that serves the interests of reducing environmental and public health risks on the Ohio River, may not be wise in all places and under all conditions. Important site-specific considerations should come into play. These include:

- What is the size of the receiving stream?
- Are there drinking water intakes in the downstream vicinity?
- Are people swimming in the receiving water during and immediately after the storm or wet weather event?
- What are the characteristics of the blended discharge versus the alternative, namely the release of untreated sewage?
- What potential enhanced technologies are available for the blended wastewater flow; can they be applied in a particular case; and will they meaningfully enhance the receiving water quality?

Again, these are only some of the questions that should be – and in fact today are – being evaluated where blending is used.

I want to speak to what I understand is a concern that a blending policy, if adopted nationally, would invite some wastewater agencies

to exploit it. It has been my personal experience, in interacting with numerous wastewater utilities over the years, that these professionals dedicated to the mission of capturing and reclaiming wastewater have no interest other than doing the best job possible given the physical and financial assets in their communities. I think that properly crafted wastewater discharge permits, combined with aggressive but fair enforcement, represent wastewater “best practices” for regulatory authorities like mine.

Members of this distinguished and respected Subcommittee, all of us share and subscribe to the goals of the Clean Water Act – the elimination of sources of water pollution and protection of America’s water quality. We should strive to treat as much wastewater as we possibly can to make these goals a reality. Blending, when practiced with thought, planning, and a careful consideration of human health and environmental implications in a particular case, can be a protective, yet highly effective and efficient, wastewater management tool.

Please accept my thanks and appreciation for graciously granting me the opportunity to testify before your Subcommittee today.