

December 1, 2021
ENVIRONMENTAL RESOURCES TECHNICAL ADVISORY COMMITTEE
Executive Committee
Meeting Summary

Attendance

Mary Helen Smith	Portage County Health District
Wesley Carder	City of Canton
Nate Coey	City of Wooster
Tony Demasi	City of Cuyahoga Falls
Gail Gifford	Portage County Regional Planning Commission
Kevin Givins	City of Orrville
Eric Gorczynski	City of Kent
Patrick Gsellman	City of Akron
Bob Hempel	Wayne County Health Department
Patrick Jeffers	City of Ravenna
Dan Joseph	City of Akron
Rob Kastner	Wayne Soil and Water Conservation District
Ross Nicholson	Summit County Department of Sanitary Sewer Services
Tia Rutledge	Portage County Water Resources
Pete Wearstler	Wayne County Planning Department
Ruth Briland	Ohio EPA
Doug Darrah	ECS Limited
Joe Hadley	NEFCO
Tom LaPlante	NEFCO

Chairwoman Smith called the meeting to order

Public Comments

There were no comments from the public

Meeting Summary

The November meeting summary was accepted as transmitted.

Discussion Item

***“Responding to and Mitigating Harmful Algal Blooms in Ohio”*; Speaker: Ruth Briland, Ph.D., State HAB Specialist, Ohio EPA Central Office, Division of Drinking and Ground Waters, Emerging Contaminants Section**

Ms. Briland presented background information on harmful algal blooms (HABs), and details on Ohio’s monitoring of HABs and response strategies. She also presented information on the occurrence of HABs in drinking water and recreational surface waters. She concluded with an overview of Ohio EPA’s research on HABs and efforts to mitigate them. Topics covered included:

- Background: Defining HABs; Adverse impacts from HABs; and Quantifying HABs
- Ohio’s HAB response strategies
- HAB rules for drinking water
- HAB monitoring for public water systems (PWSs) with surface water sources
- Occurrence of total microcystins in Ohio
- Microcystins detections at PWSs
- Occurrence of saxitoxins at PWSs
- Summary of PWS monitoring for HABs

- HAB response in recreational waters
- Recreational caution signage (posted at beach after observation; sampling follows)
- Cyanotoxin thresholds for recreational waters
- Recreational public health advisory signage (posted at public beaches and boat ramps)
- BeachGuard website for recreational advisories
- Cyanotoxin co-occurrence study
- Remote sensing for HAB monitoring
- Lake Erie HAB bulletins
- Cyanobacteria assessment network (CyAN)
- Use of satellite imagery in detecting HABs
- Ohio EPA HAB programs in its DSW and DDAGW
- Integrated Water Quality Report
- Maumee River Watershed Nutrient TMDL Project
- HAB mitigation efforts: H2.Ohio.gov; research efforts; and resources

Ms. Brilland's presentation concluded with her fielding questions from the ERTAC.

NEFCO FY2022 Work Program

Website maintenance and updating: Demonstration of NEFCO's new website and 208 Plan webpage

Mr. Hadley gave an overview of NEFCO's new website and the work by NEFCO staff that went into co-designing it along with the agency's chosen website consultant. Mr. LaPlante gave a demonstration of the new website and oriented the ERTAC to the 208 Plan webpage. He showed the committee where to find all the 208 Plan chapters and the Chapter 3 Appendices, which are the PDFs of the individual Facilities Planning Areas, and how to access and use the interactive online 208 map.

208 Plan Chapter 3, draft Policy 3-6a/3-6b; status

Mr. LaPlante reported that draft Policy 3-6a/3-6b, the wastewater planning dispute policy, is still under internal review by NEFCO staff. He inquired as to whether the ERTAC would want to consider having a new policy added to the draft Policy regarding the criteria that would need to be met when incomplete 208 Plan amendment applications are presented for consideration of an ERTAC recommendation for NEFCO Board approval, based upon a contingency being met. Chairwoman Smith indicated that such a new policy isn't needed and that the ERTAC needs to have the flexibility to decide when it recommends NEFCO Board approval of any proposed amendment, and under which conditions it makes that recommendation. While action from the ERTAC by vote wasn't requested for this agenda item, the committee informally concurred with Chairwoman Smith.

Differences between a 208 Plan Facilities Planning Area (FPA) amendment versus an update (to be clarified in draft Policy 3-6a/3-6b)

Mr. LaPlante went over the differences between a 208 Plan amendment versus an update and indicated that this would be clarified in draft Policy 3-6a/3-6b. He explained that a 208 Plan amendment is requested by a wastewater management agency when there is a pending Permit-to-Install (PTI), which drives the need for an FPA modification to be expedited. He further explained that if there is no pending PTI, and a proposed FPA modification is for planning purposes only, then this would be considered a 208 Plan update. Mr. Hadley reminded the ERTAC that shortly after the 208 Plan update in the early 2000s, NEFCO called 208 Plan amendments 'mini-updates' and they were driven by a sense of urgency due to a pending PTI and not knowing when the next 208 Plan update would occur. He stressed that NEFCO staff may not be able process 208 Plan update requests as quickly as amendment requests.

208 Plan amendments approved June 2020 through November 2021 submitted to Ohio EPA for state certification

Mr. LaPlante reported that at Ohio EPA's request, staff submitted NEFCO's next round of Board-approved 208 Plan amendments to the agency on November 30th. He indicated that Ohio EPA Division of Surface Water management staff said its goal is to submit these to the agency's director in January 2022 for her initial review, then release them for public comment and a hearing along with the submitted 208 Plan amendments from the other five Areawide Planning Agencies. After any comments from the public comment period and hearing have been addressed by Ohio EPA, these 208 Plan amendments will head to Ohio EPA's director for her signature, then to the Governor for state-certification. He noted that there were two NEFCO Board-approved amendments that were submitted to Ohio EPA for state certification for this next round: These were the Fish Creek Facilities Planning Area (FPA) and Kent FPA amendment to change the FPA boundary and wastewater treatment prescription to provide sewer service for the construction of the Germaine Reserve housing development, which was approved by the NEFCO Board on June 17, 2020; and the more recent Ravenna FPA amendment to change the wastewater treatment prescriptions at the parcel level in Rootstown Township, within the Portage County Water Resources Department's Jurisdiction, which was approved by the NEFCO Board on May 19, 2021. Mr. LaPlante indicated that after certification by the Governor, Ohio EPA typically submits all the Areawides' 208 Plan updates to US EPA for approval, along with Ohio EPA's update for areas that are not within an Areawide's region.

Canal Diversion Dam Removal Project; status

Mr. LaPlante reported that on November 18th, the owner's representative of the project, dms water solutions, LLC, gave NEFCO staff and the project team some good news: After the arrival of the prefabricated Archimedes screw pump had been pushed back several times due to manufacturing and shipping delays caused by the COVID-19 pandemic, the team received notification indicating that the screw pump departed Rotterdam, Netherlands enroute to the Port of Norfolk, Virginia, and would go by rail from Norfolk to Columbus, Ohio, then by truck to Fredericktown, Ohio where Friends of the Crooked River's contractor is located. Mr. LaPlante indicated that the screw pump should arrive at the construction site by mid-December, which still gives the contractor plenty of time to complete the project before the US EPA grant's project period end date, which is March 31, 2022.

Reports from ERTAC members (a chance for members to report on activities or problems affecting their communities)

There were no reports from ERTAC members.

Information items requested

No items were requested.

Ohio EPA Public Notices requested

While no Ohio EPA public notices were requested, Mr. Hadley explained that the notice on the agenda regarding the draft NPDES Permit Renewals for Wayne County contained a typo: The third listing for this section should be for "Olen Corp. (Wooster); Killbuck Creek", not "The Den Corp. (Wooster); Killbuck Creek". Also, a draft NPDES Permit Renewal had been inadvertently omitted: Wayne Attention Ctr. (Fredericksburg); North Branch of Salt Creek.

Ohio Environmental Legislation Recently Signed or Introduced

Mr. Hadley gave the status of HB 175, HB 464, SB 19, and SB 83. He indicated that HB 175, which proposes to deregulate certain ephemeral water features under various water pollution

control laws, passed in the House, and had its first hearing in the Senate in early November. He reminded the ERTAC that Ohio EPA made some significant comments on the House version of the bill. He indicated that HB 464 was introduced by a Representative from Wayne County to eliminate public water system asset management program requirements and to require the Director of Ohio EPA to rescind rules governing that program. He indicated that SB 19 proposes to modify the law regarding property taxation and sales and use tax, and was expected to go through the Senate for a concurrence vote but the Senate voted not to concur, instead putting the bill in Committee. Lastly, he indicated that SB 83 was introduced to require Ohio EPA to conduct a study to determine where brownfield sites are located in this state and to make an appropriation. He noted that Ohio EPA made some significant comments regarding this bill, and that with the creation of the Ohio Brownfields Program under HB 168, SB 83's sponsor decided to add funds from this bill to an existing Ohio EPA brownfield's program: Targeted Brownfield Assessment.

Other Business

None.

ERTAC Contact Hour Course List

Chairwoman Smith drew the ERTAC's attention to the list.

Next Meeting

Chairwoman Smith said that the next meeting would be held on January 5, 2022, at The Natatorium, Hopewell Room, 2345 4th Street, Cuyahoga Falls, Ohio