

October 4, 2023
ENVIRONMENTAL RESOURCES TECHNICAL ADVISORY COMMITTEE
Executive Committee
Meeting Summary

Attendance

Rob Kastner	Wayne Soil and Water Conservation District
Wesley Carder	City of Canton
Tony Demasi	City of Cuyahoga Falls
Dominic DiSalvo	City of Ravenna
Kevin Givins	City of Orrville
Eric Gorczynski	City of Kent
Genny Hanna	City of Akron
Chuck Hauber	Summit County Engineer's Office
Bob Hempel	Wayne County Health Department
Patrick Jeffers	City of Twinsburg
Dan Joseph	City of Akron
Jenn Kiper	Wayne County Planning Department
Ross Nicholson	Summit County Department of Sanitary Sewer Services
Todd Peetz	Portage County Regional Planning Commission
Ali Rogalski	Summit County Public Health
Tia Rutledge	Portage County Water Resources
Patricia Vanah	Ohio EPA
James Fisher	Ohio EPA
Mackenzie Kaser	City of Cuyahoga Falls
Joe Hadley	NEFCO
Tom LaPlante	NEFCO

Chair Kastner called the meeting to order.

Public Comments

There were no comments from the public.

Meeting Summary

The September meeting summary was accepted as transmitted.

Discussion Item

"Northeast Ohio Source Water Assessment and Protection (SWAP) Program 2023 Update & PFAS Sampling Procedures"; James Fisher, Environmental Supervisor, Ohio EPA Northeast District Office, Division of Drinking and Ground Waters

Mr. Fisher began his talk by introducing the names and contact information of new staff at the Ohio EPA Northeast District Office, Division of Drinking and Surface Waters. During the first half of his presentation, he provided an overview of, and update on Ohio EPA's SWAP program and details on how all new public water system well sites require source water protection planning. During the second half, he provided details on required PFAS sampling procedures to prevent cross-contamination of PFAS samples with outside sources of PFAS compounds, which are ubiquitous in the environment and last forever. These procedures include the sample collector wearing PFAS-free gloves, clothing, and shoes; and not using personal care products that can contain PFAS, including toothpastes, makeup, sunscreens, soaps, shampoos and conditioners, shaving creams, deodorants/anti-perspirants, and lotions on the day of or day before the samples are to be collected. Even when following these procedures, he explained, cross-contamination of samples may occur, making re-sampling sometimes necessary at additional costs.

Mr. Fisher's presentation concluded with him fielding many questions from the ERTAC.

NEFCO FY2024 Work Program

NEFCO Board releases draft FY2024 201/208 facilities planning areas update for 30-day public review and comment period

Mr. LaPlante announced that after the NEFCO Board released the draft FY2024 201/208 FPA update for a 30-day public review and comment period at its September 20th meeting, on September 28th, staff posted the online draft FPA update map and PDFs of the draft update maps on NEFCO's website with staff's contact information and instructions on how to submit comments. He added that staff prepared a press release for the 30-day review of the draft update and included a link to the draft FPA update website. The press release was sent to the major newspapers in the NEFCO region and to the region's MAs, counties, major cities, villages, and townships. Staff also sent a memo with an attached PDF of the draft FPA updates to the update-requesting MAs and the affected MAs both with and without jurisdiction in the proposed update areas. In addition, staff had a legal ad published in the Record Courier, Akron Beacon Journal, and Wooster Daily Record on September 30th and in the Canton Repository on October 3rd. He noted that having this legal ad published was also initiated on September 28th.

Ongoing FY2024 201/208 FPA update; revised timetable and next steps

Mr. LaPlante noted that upon further review of the timetable for the ongoing FPA update, he and Mr. Hadley now expect the ERTAC's technical review of the final draft FPA update and then board action to approve the update in December. Initially, the timetable had the ERTAC's technical review being completed at its November meeting, which is only two days after the public comment period ends and five days after the November ERTAC meeting agenda mailout. He noted that the goal for this and future annual FPA updates is for the board to approve the final draft update in time for staff to submit it in December to Ohio EPA for state certification. He added that Ohio EPA has confirmed that it will extend the deadline for the six Areawides to submit their 208 Plan updates until after the December 20th NEFCO board meeting to allow NEFCO to submit its FY2024 FPA update to the agency for state certification without waiting another year.

U.S. EPA approves latest round of state certified NEFCO 208 Plan amendments

Mr. LaPlante briefly went over these, explaining that on September 11th, the U.S. EPA approved the eight state certified NEFCO 208 Plan amendments that the NEFCO Board approved from June 2020 to January 2023. Mr. Hadley added that these 208 Plan amendments having federal approval means that they are legally defensible if/when challenged in a court of law.

City of Akron's proposed fourth amendment to the Consent Decree; status

Mr. LaPlante reported that the City of Akron's proposed fourth amendment to the Consent Decree to abate its combined sewer overflows remains unapproved by the U.S. EPA and U.S. Department of Justice (DOJ). He noted that on September 15th, the city filed in federal court a Memorandum in Support of its Motion for Judicial Review of Dispute regarding the \$209 million enhanced high-rate treatment facility requirement, according to city representatives. Ms. Hanna added that, on September 29th, U.S. EPA/DOJ filed in federal court a Memorandum in Opposition of Akron's motion, which will be followed by a final reply by Akron. After that, it will be up to the court to review and decide whether to have a hearing and then make a ruling.

Ohio EPA's Division of Drinking and Ground Waters Chief discusses with the Areawides U.S. EPA's proposed maximum contaminant levels for six PFAS compounds in drinking water and how Ohio EPA expects to respond to them

Mr. LaPlante reported that at the Ohio Association of Regional Councils (OARC) water quality subcommittee quarterly meeting on September 18th, Ohio EPA's Division of Drinking and Ground Waters Chief indicated to the six Areawides, including NEFCO, that after U.S. EPA's proposed maximum contaminant levels for six PFAS compounds are finalized at the end of the

year, they don't become effective until after three years. The Chief noted that this means Ohio EPA will have three years to train the public water systems operators on PFAS sampling procedures, and on the reporting and other requirements.

U.S. EPA announces FY2024 Brownfields Multipurpose, Assessment, and Cleanup Grant Guidelines; application submission deadline: November 13, 2023

Mr. LaPlante reported that this U.S. EPA grant can help communities clean up abandoned industrial sites and, therefore, help encourage economic redevelopment of the sites and even help to address environmental justice, which is a priority of U.S. EPA. He asked members of the ERTAC to contact him for more information on the grant guidelines.

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

Mr. Demasi reported that the City of Cuyahoga Falls held a clean-up event at River Front Park on September 23rd. That event resulted in 350 pounds of solid waste being collected for disposal. Another clean-up event will be held on October 28th, at the Mud Brook Greenway Trail. He also reported that the Cuyahoga Falls Library is holding adult and teen sustainability classes throughout the fall. For details on these classes or to register, visit the events calendar at <https://fallslibrary.org/>. He added that from October 30th through December 30th, the city will be holding a pumpkin and gourd collection drive to help keep compostable material out of landfills. Participating residents may drop off pumpkins and gourds at the service complex at 2560 Bailey Road. The city is also holding an energy expo on October 5th at the Cuyahoga Falls Natatorium where residents may obtain a free home energy efficiency kit.

Mr. Hadley reported that at the Ohio Association of Regional Councils (OARC) water quality subcommittee quarterly meeting on September 18th, the Areawides learned that Eric Akin, former NEFCO water quality/environmental planner who has been NOACA's lead 208 planner for the past several years, has accepted the newly created position of 208 Plan coordinator at Ohio EPA. He noted that the creation of this position and the hiring of Mr. Akin to fill it, demonstrates Ohio EPA's commitment to 208 planning.

Information items requested

No information items were requested.

Ohio EPA Public Notices requested

Chair Kastner briefly went over these.

Ohio Environmental Legislation Recently Signed or Introduced

No Ohio Environmental legislation was recently signed or introduced.

Other Business

There was no other business.

ERTAC Contact Hour Course List

Chair Kastner drew the ERTAC's attention to the list.

Next Meeting

Chair Kastner said that the next meeting would be held at 9:00 a.m. on November 1, 2023, at The Natatorium (Hopewell Room) 2345 4th Street, Cuyahoga Falls, Ohio.