

December 6, 2023
ENVIRONMENTAL RESOURCES TECHNICAL ADVISORY COMMITTEE
Executive Committee
Meeting Summary

Attendance

Tia Rutledge	Portage County Water Resources
Wesley Carder	City of Canton
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
Ross Nicholson	Summit County Department of Sanitary Sewer Services
Ali Rogalski	Summit County Public Health
Patricia Vanah	Ohio EPA
Pat Gsellman	Environmental Design Group (Akron Waterways Renewed!)
Matt Jones	City of Orrville
Linda Aller	Bennett and Williams Environmental Consultants, Inc.
Joe Hadley	NEFCO
Tom LaPlante	NEFCO

Vice Chair Rutledge 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

“*PFAS: A Scientific and Regulatory Update*”; Linda Aller, Bennett & Williams Environmental Consultants, Inc.

Ms. Aller's presentation covered the chemistry, history, uses, and health risks of per- and polyfluoroalkyl compounds (PFAS). She discussed slides that illustrated the widespread environmental contamination from PFAS and gave details on U.S. EPA's 2021 strategic PFAS roadmap for public drinking water and wastewater treatment systems, including possible wastewater discharge permit limits for PFAS, and U.S. EPA's proposed maximum contaminant levels (MCLs) for six PFAS compounds in drinking water. She noted that U.S. EPA anticipates finalizing the regulation for the six PFAS MCLs by the end of this year, but it could be as late as March 2024 before it is finalized. She went over the treatment methods and costs that a community would incur to remove PFAS if its public water system would exceed the PFAS MCLs once they become enforceable, possibly in 2026. She indicated that according to its strategic PFAS roadmap, U.S. EPA anticipates its proposed rulemaking to establish PFAS effluent limits in wastewater discharges in summer of 2024. The agency also anticipates finalizing in the winter of 2024 a risk assessment for certain PFAS compounds in biosolids (sewage sludge) to support potential biosolids standards under the federal Clean Water Act.

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

Consideration by the ERTAC of a Recommendation to the NEFCO Board

Consideration of a recommendation to the NEFCO Board to approve the final draft FY2024 201/208 Facilities Planning Areas update ACTION REQUESTED (transmitted with agenda mailout)

Mr. LaPlante went through the specifics of this first annual update request from several of the region's wastewater management agencies. He showed slides of the nine relatively small update areas plotted on FPA maps showing existing and proposed FPA and district boundaries and wastewater prescriptions. He noted that these are labeled Figures 1 through 9. He also showed a slide of the requested text-only update to the wastewater prescriptions for the areas designated as "Currently Served with Sanitary Sewer (yellow)" in the 208 Plan's Chapter 3 Appendices 3-10-Ravenna FPA and 3-28-Akron FPA. He noted that all affected MAs were contacted in FY2023 by the MAs requesting the updates and none objected. He added that on September 28th, NEFCO notified the public of the draft FPA update by sending a press release to the region's major newspapers and by sending it to all county, city, village, and township offices in the region. He noted that NEFCO also sent the press release to all primary MAs in the NEFCO region and had a legal notice published in the region's four major newspapers. He further noted that the 30-day public comment period ended on October 30th with no comments received by NEFCO. He added that NEFCO staff recommended approval of the final draft of the FY2024 FPA update and asked for the ERTAC's recommendation to the NEFCO Board to approve the FPA update. Vice Chair Rutledge asked if there was any further discussion from the committee. Hearing none, she asked if there was a motion to recommend to the NEFCO Board to approve the FY2024 FPA update. Mr. Jeffers made that motion. Mr. Givens seconded it. There were no objections or abstentions. The motion carried.

NEFCO FY2024 Work Program

Next annual 201/208 facilities planning areas update (for FY2025 NEFCO Board approval)

Mr. LaPlante explained that while NEFCO staff likely won't announce the start of next annual facilities planning areas update until February 2024 at the earliest, now is a good time for the region's wastewater management agencies (MAs) to begin thinking about what proposed wastewater prescription changes and FPA boundary modifications they would like to submit to NEFCO during next year's voluntary 208 Plan FPA update. He noted that this is also a good time for the region's health districts to discuss with the MAs any written wastewater prescriptions in the 208 Plan's Chapter 3 Appendices that could be updated to be made clearer, especially with respect to small flow on-site sewage treatment systems and spray irrigation on-site sewage treatment systems.

Ongoing Clean Water (208) Plan, Chapter 4 update; status

Mr. LaPlante indicated that he's making progress on updating Chapter 4 of the 208 Plan, which covers *The Management of Home Sewage Treatment Systems, Semi-Public Sewage Disposal Systems, and Small Flow On-site Sewage Treatment Systems*. He noted that he has continued updating Chapter 4 and has begun reaching out to previous draft Chapter 4 subcommittee members to see if they will be available to review in late January or early February the second draft that incorporates their comments on the first draft in 2016 and 2021 and incorporates changes in the organizational structure of the Ohio Department of Health, changes in the General NPDES permit for household sewage treatment system, and other needed changes since the first draft was written. He indicated that the next steps would include asking the ERTAC to consider in March 2024 a recommendation to the NEFCO Board to release the draft Chapter 4 update for public review with the goal of having board approval of the Chapter 4 update no later than the board's June 2024 meeting.

ODNR announces two urban forestry grants for disadvantaged communities to reduce stormwater runoff and improve watershed health; application deadline: December 29, 2023

Mr. LaPlante indicated that one of these two recently announced ODNR urban forestry grants is for established programs, and the other one is for emerging programs. The grant for established programs has funding from \$55 thousand to \$500 thousand for projects benefiting populations of 100,000 or less OR up to \$1 million for projects benefiting populations over 100,000; and projects under this grant must be completed by April 1, 2028. The grant for emerging programs has funding from \$15 thousand to \$50 thousand; and projects under this grant must be completed by June 30, 2023. He went over the program goals, eligible activities, and ineligible activities for both grants, and noted that the application deadline for both grants is December 29th.

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

Mr. Gsellman reported that Judge Adams had approved on November 28th the City of Akron's proposed third amendment to the federal Consent Decree (to abate combined sewer overflows). He reminded the ERTAC that the third amendment replaces the Consent Decree requirement of constructing the originally oversized Northside Interceptor Tunnel with constructing a smaller 'right size' tunnel and adds the separation of the combined sewers tributary to CSO rack 34. He thanked NEFCO for its support of the third amendment. He added that the federal court has yet to rule on Akron's proposed fourth amendment to eliminate the Consent Decree requirement of constructing the \$209 million enhanced high-rate treatment facility at the end of the Ohio Canal interceptor tunnel (OCIT) to treat any overflows from the OCIT that may only occur once or twice a year during severe wet weather.

Information items requested

No information items were requested.

Ohio EPA Public Notices requested

Mr. Hadly briefly went over these and mentioned that on the day of this meeting he received two additional Ohio EPA public notices that aren't listed on the agenda – one pertains to the agency seeking comments on its *Sugar Creek and Select Tributaries Draft Biological and Water Quality Report, 2017*; and the other pertains to the agency seeking comments on its *Tuscarawas River and Select Tributaries Draft Biological and Water Quality Report*, which resulted from Ohio EPA conducting a biological and water quality survey in the Tuscarawas River in 2017 with follow-up sampling in 2019 and 2023. The comment deadline for both draft reports was January 5th.

Ohio Environmental Legislation Recently Signed or Introduced

No Ohio Environmental legislation was recently signed or introduced.

Other Business

Mr. Hadley thanked the City of Cuyahoga Falls for hosting the ERTAC meetings in 2023.

ERTAC Contact Hour Course List

Vice Chair Rutledge drew the ERTAC's attention to the list.

Next Meeting

Vice Chair Rutledge said that the next meeting would be held at 9:00 a.m. on January 3, 2024, at The Natatorium (Hopewell Room) 2345 4th Street, Cuyahoga Falls, Ohio. (The January meeting was subsequently cancelled due to a lack of committee business.)