

August 2, 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
Gail Gifford	Portage County Regional Planning Commission
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
Jenn Kiper	Wayne County Planning Department
Ross Nicholson	Summit County Department of Sanitary Sewer Services
John Weedon	Stark Soil and Water Conservation District
Dave White	Summit County Engineer's Office
Larry Fulton	Summit County Engineer's Office
Julie Reis	Summit County Public Health
Atticus Kenny	Summit County Public Health
Emily Collins	City of Akron
Dan Bogoevski	Ohio EPA
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 July meeting summary was accepted as transmitted.

Discussion Item

"Stormwater Program Update"; Dan Bogoevski, Environmental Supervisor, Ohio EPA-NEDO, Division of Surface Water

Mr. Bogoevski presented an overview of the National Pollutant Discharge Elimination System (NPDES) permit program for stormwater and provided updates on Ohio EPA's stormwater program. He described the three types of stormwater discharges that Ohio EPA regulates, which are industrial stormwater discharges, construction sites that disturb greater than one acre of soil and the resulting runoff, and stormwater discharges from municipal separate storm sewer systems (MS4s). Topics covered include:

- NPDES stormwater program—Phase 1, initiated in 1992
- NPDES stormwater program—Phase 2, initiated in 2003
- Basic requirements of a stormwater permit
- Stormwater pollution prevention plans (SWP3 or SWPPP)
- Examples of industrial stormwater discharges
- Industrial stormwater permit update
- Examples of construction site stormwater discharges
- Construction stormwater updates
- Construction stormwater complaints

- Construction stormwater from oil and gas linear transmission/gathering line installation
- Overview of Ohio EPA's municipal stormwater program and examples of MS4s
- Six minimum control measures of a small MS4 stormwater management program
- MS4 program updates and MS4 program audits and common findings
- Illicit discharges reporting requirements

When he went over the illicit discharge detection and elimination reporting requirements, Mr. Bogoevski emphasized that MS4 and wastewater treatment system operators are required to notify Ohio EPA within 24 hours of detecting an illicit discharge from:

- A broken or leaking sanitary sewer actively contributing sewage to an MS4
- An illicit cross-connection of sewage to an MS4 from commercial, industrial, and multi-family sources

He noted that Ohio EPA is not seeing these being reported. He also noted that Ohio EPA is not seeing plans for the elimination of illicit discharges that are detected but not eliminated. These plans are required to be included in the MS4 operators' annual report that is due on April 1st each year.

Mr. Bogoevski's presentation concluded with him 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 send a support letter and resolution for the City of Akron's Fourth Amendment to the Consent Decree (drafts were transmitted with the agenda)

Mr. LaPlante provided the background of Akron's Consent Decree to eliminate combined sewer overflows (CSOs). He noted that the city's proposed fourth amendment to the Consent Decree has been turned down by U.S. EPA but has support from Ohio EPA, the Cuyahoga Valley National Park, and Summit Metro Parks. He explained that the city's requested modification is to remove from the Consent Decree the Enhanced High-Rate Treatment (EHRT) facility at the Ohio Canal Interceptor Tunnel (OCIT), which is the last remaining project, and it comes with a \$209 million price tag that would raise sewer rates by twenty percent, with little to no water quality benefit. He noted that the OCIT went 499 days without an overflow that would have needed to be treated by the EHRT. Mr. LaPlante further explained that Akron has offered four alternative projects that would only total a quarter of the cost of the EHRT and would greatly improve the water quality of the Cuyahoga River. He reminded the ERTAC that the NEFCO Board, with the ERTAC's recommendations, has sent support letters for Akron's previous amendments to the Consent Decree. He requested that the committee consider a recommendation to the NEFCO Board to send a support letter and resolution for the Akron's proposed fourth amendment to the Consent Decree. Mr. Hadley asked Ms. Collins if there is a deadline for support letters and resolutions to be sent. Ms. Collins explained that the City of Akron has entered into a formal dispute resolution process with U.S. EPA and since the agency has 45 days to respond, support letters and resolutions should be received by U.S. EPA before the end of August. She went over the details of the city's proposed four alternative projects. Mr. Demasi indicated that the City of Cuyahoga Falls would be sending a support letter. Ms. Reis indicated that Summit County Public Health is also sending a support letter. After hearing no further discussion, Chair Kastner asked if there was a motion to recommend that the NEFCO Board send a resolution and letter in support of Akron's proposed fourth amendment to the Consent Decree. Mr. Demasi made that motion. Mr. Givins seconded it. There were no objections or abstentions. The motion carried.

NEFCO FY2024 Work Program

Ohio EPA signs NEFCO's FY2024 Water Quality Management Planning contracts

Mr. LaPlante reported that during the previous week, NEFCO received its signed contracts from Ohio EPA. He reminded the ERTAC that the funds from both contracts will be used mostly for 208 Plan maintenance in FY2024.

Voluntary annual 201/208 Facilities Planning Areas update: status and next steps

Mr. LaPlante provided the status of the ongoing 201/208 FPA update. He noted that steady progress continues to be made with this project. He reported that after the seven interested MAs submitted their proposed update application packages and staff completed its review of them in late June, NEFCO's GIS specialist continues to construct the online draft FPA update map, which is expected to be completed by the end of this month. He further reported that the ERTAC will be asked at its meeting next month to consider a recommendation to the NEFCO Board to release the draft update for public review and comment.

NEFCO region sewer projects eligible (subject to Ohio EPA confirmation) for 'principal forgiveness' in Water Pollution Control Loan Fund Program Year 2023 Final Program Management Plan

Mr. LaPlante summarized the list of NEFCO region projects in the WPCLF Program Year 2023 Final Program Management that are eligible for grant-like funding, called 'principle forgiveness'.

NEFCO Board accepts Portage Lakes Management Plan; staff to post accepted Plan on agency's website

Mr. LaPlante reported that the NEFCO Board accepted the Portage Lakes Management Plan at its July meeting, and that staff is in the process of posting the accepted Plan on NEFCO's website.

Ohio Association of Regional Councils (OARC) Executive Directors Committee meets with Ohio EPA Director Anne Vogel; summary

Mr. Hadley summarized the OARC Executive Directors Committee meeting with Ohio EPA Director Anne Vogel on July 26th.

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

Mr. Gorczynski reported that the City of Kent will hold a Cuyahoga River clean-up event on August 26th. Chair Kastner reported that Wayne SWCD is installing pervious pavers at the Wayne County Fairgrounds ahead of the Wayne County Fair, which begins on August 4th.

Information items requested

Mr. Hempel requested copies of items 1, 2, and 7.

Ohio EPA Public Notices requested

While no Ohio EPA public notices were requested, Mr. Hadley mentioned that the Ohio's Large Rivers – Draft Summary of Findings from the 2020-2021 Aquatic Life and Water Quality Survey was received by NEFCO on August 1st. He noted that the deadline for comments is August 31st.

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 September 6, 2023, at The Natatorium (Hopewell Room) 2345 4th Street, Cuyahoga Falls, Ohio.