

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

**Attendance**

Rob Kastner	Wayne Soil and Water Conservation District
Ynes Arocho	Ohio EPA
Wesley Carder	City of Canton
Stephanie Deibel	Summit Soil and Water Conservation District
Tony Demasi	City of Cuyahoga Falls
Mike Fritz	City of Wooster
Kevin Givins	City of Orrville
Eric Gorczynski	City of Kent
Genny Hanna	City of Akron
Chuck Hauber	Summit County Engineer's Office
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
Ali Rogalski	Summit County Public Health
Tia Rutledge	Portage County Water Resources
Pat Gsellman	Environmental Design Group, representing the City of Akron
Ira Sasowsky	University of Akron
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 August meeting summary was accepted as transmitted with one minor correction regarding the date of the Wayne County Fair, as reported by Chair Kastner during *Reports from ERTAC members*. The August meeting summary incorrectly stated that the Fair began on August 4<sup>th</sup>, when Chair Kastner reported that it was to begin on **September 9<sup>th</sup>** and Wayne SWCD was installing pervious pavers in preparation for it.

**Discussion Item**

*"The blue holes of north-central Ohio: Is there a connection with harmful algal blooms in Lake Erie?"*; Ira D. Sasowsky, Professor of Geosciences, University of Akron

Dr. Sasowski presented an overview of the large springs in north-central Ohio, such as Castalia Blue Hole, which discharge copious amounts of highly mineralized water to surface streams. He noted that the Castalia Blue Hole supports several private and state-owned fish hatcheries and is a beautiful aspect of the landscape, but questioned whether these waters could be contributing to harmful algal blooms (HABs) in Lake Erie. He further noted that the area is also within and adjacent to the Bellevue-Castalia Karst Plain, which has suffered severe water quality impacts from sewage disposal directly into the uppermost aquifer in the past. He shared recent findings from geochemical studies, as well as a surprising link to Ohio's glacial past. Topics covered include:

- HAB problem in Lake Erie, which contaminated Toledo's public water system in 2014
- Large springs along and in Sandusky Bay/Lake Erie
- Geology and glaciation of the study area and Ohio
- Conclusions

Dr. Sasowsky explained that underlying the Bellevue-Castalia Karst Plain, near Sandusky Bay/Lake Erie, is a highly permeable, channelized limestone bedrock aquifer that was used for sewage disposal in the early 1900s. In the 1960s, the Ohio Division of Water's Ground Water Section and Ohio Department of Health investigated and found that many public and private drinking water wells that used the aquifer as their source water were contaminated with sewage because of this sewage disposal. He further explained that the large springs in the area discharge large volumes of groundwater to nearby streams and trout hatcheries and are surrounded by farm fields that have had fertilizers applied to them for decades, even still today. He noted that despite past extensive sewage contamination and past and current agricultural land use surrounding the springs, they have very low levels of nutrients and have non-detectable levels of agricultural contaminants. Therefore, these springs are not contributing to HABs in Lake Erie. He explained the reason for this, which is that through a USGS geochemical analysis of this groundwater, it was determined that it is very old water, i.e., paleowater, from Ohio's glacial past, over 10,000 years ago. He concluded that the aquifer that is discharging to the blue holes then to surface streams is a confined aquifer that is deeper than the overlying aquifer and is not being recharged by surface water being contaminated by human activity.

Dr. Sasowsky'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 release the draft FY2024 201/208 Facilities Planning Areas update for a 30-day public review and comment period (memo and draft FPA updates were transmitted with the agenda)*

To assist the ERTAC with its technical review, Mr. LaPlante went over slides of nine draft FPA update maps that showed the existing and proposed wastewater treatment prescriptions; and existing and proposed Bath Water and Sewer District, Joint Economic Development District, and FPA boundaries submitted to NEFCO as FPA updates by five wastewater management agencies (MAs) across Stark and Summit Counties. He also showed and discussed a slide of proposed text-only wastewater prescription changes for the 208 Plan's Chapter 3 Appendices for the Ravenna and Akron FPAs. He also gave a brief demonstration of the interactive online draft FPA update map. After discussing the maps and text-only prescription changes, Mr. LaPlante requested that the committee consider a recommendation to the NEFCO Board to release the draft FPA update for a 30-day public review and comment period. After hearing no further discussion, Chair Kastner reiterated Mr. LaPlante's request by asking if there was a motion for the ERTAC to recommend that the NEFCO Board release the draft FPA update for a 30-day public review and comment period. Ms. Kiper made that motion. Mr. Givins seconded it. There were no objections or abstentions. The motion carried.

### **NEFCO FY2024 Work Program**

*Ongoing 201/208 Facilities Planning Areas update; challenges thus far and next steps*

Mr. LaPlante went over some of the challenges encountered to date for this first annual FPA update. He noted that most of the update-requesting MAs didn't submit maps or GIS shapefiles in the format stated in the update guidelines even though NEFCO staff held a virtual mapping meeting with them and provided map templates and the data in NEFCO's GIS format. He further noted that one of the update-requesting MAs didn't obtain response forms from the MAs with jurisdiction in the update areas, as stated in the update guidelines. He added that NEFCO staff obtained the necessary responses directly from the MAs. He noted that staff will need to ensure that the update-requesting MAs understand the update guidelines when the next FPA update begins in early 2024.

He went over some of the next steps after the NEFCO Board releases the draft update for a 30-day public review and comment period, which include posting the online draft FPA update map and PDFs of the draft update maps on NEFCO's website with staff contact information and instructions on how to submit comments. He added that staff will prepare a press release for the 30-day review of the draft update and include a link to the draft FPA update website. The press release will be sent to the major newspapers in the NEFCO region and to the region's MAs, counties, and major cities.

*Examples of 208 Plan technical assistance provided by NEFCO staff to members*

Mr. LaPlante noted that as an important service to NEFCO's members, staff routinely provides 208 Plan technical assistance to the region's MAs, county health districts, and local governments. This assistance includes coordination between MAs and other Areawides; researching and providing the 208 Plan's wastewater treatment prescriptions for proposed projects; providing the procedures for making a proposed project consistent with the 208 Plan; and searching for potential funders for infrastructure projects. He discussed some recent examples of staff providing this help and invited ERTAC members to take advantage of this service.

*NEFCO Board-accepted Portage Lakes Management Plan posted on agency's website*

Mr. LaPlante reported that the NEFCO Board-accepted Portage Lakes Management Plan is now available for the partners and communities to use on NEFCO's website. To view it, he explained, go to <https://www.nefcoplanning.org/> then click on the environmental planning tab at the top of the page then click on the link to the Portage Lakes Management Study under 'Past Projects and Studies'.

*Ohio Lake Management Society and Water Management Association of Ohio luncheon webinar:*

*"Connected by Water – Addressing Lake and Stream Problems at their Watershed Source"; September 20, 2023, 12:00 p.m. to 1:00 p.m.: Maia Peck, Watershed Planner, NEFCO; and Stephanie Deibel, Watershed Coordinator, Summit Soil and Water Conservation District (it was free to attend but registration was required at the website provided with the ERTAC meeting agenda)*

Mr. LaPlante announced that this webinar features OLMS Board members Maia Peck, NEFCO watershed planner, and Stephanie Deibel, Summit Soil and Water Conservation District watershed coordinator and ERTAC member. Mr. Deibel noted that she recently learned that over 100 people had already registered for the webinar.

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

Mr. LaPlante reported that at its August 16<sup>th</sup> meeting, with the ERTAC's recommendation, the NEFCO Board voted unanimously to send a resolution and letter supporting the City of Akron's proposed fourth amendment to the Consent Decree to abate combined sewer overflows. He further reported that on August 17<sup>th</sup>, staff sent these to U.S. EPA Regional Administrator Debra Shore and U.S. EPA Administrator Michael Regan. He noted that on August 22<sup>nd</sup>, City of Akron Mayor Dan Horrigan sent a letter to NEFCO Board Chair Richard Regula, personally thanking him for his support of Akron's fourth amendment.

Mr. Gsellman reported that on August 30<sup>th</sup>, despite having documented support from NEFCO, Ohio EPA, the Cuyahoga Valley National Park, Summit County Public Health, Summit County Metro Parks, and others, U.S. EPA and the U.S. Department of Justice (DOJ) rejected the City of Akron's proposed fourth amendment to the Consent Decree to eliminate the enhanced high-rate treatment (EHRT) facility at the Ohio Canal interceptor tunnel (OCIT) from the Consent Decree; thus rejecting the city's proposed four alternative projects that would only total about a quarter of the cost of the EHRT facility and would have greater water quality improvement benefits than what the EHRT would provide. He reiterated that the EHRT would only be treating OCIT overflows from extremely heavy storm events that only occur once or twice a year when flows in the Cuyahoga River are too dangerous for recreational activities. He further reiterated that Akron's OCIT went 499 days without a single overflow that the required EHRT facility would have treated. He noted that U.S. EPA/DOJ have taken the stance that the Consent Decree states zero overflows; therefore, there must be zero overflows, even at the cost of constructing the \$209 million EHRT facility, which would sit idle most of the time, and even with the 20 percent sewer rate increase that would result from its construction. He further noted that many other communities across the country have consent decrees that allow 2 to 3 overflows per year. He added that Akron's next step in the dispute resolution process is to file within two weeks a Memorandum in Support of its Motion for Judicial Review of Dispute Regarding the EHRT

Requirement in Federal Court. U.S. EPA/DOJ will then submit their reply followed by a final reply by Akron. After that, it will be up to the court to review, probably have a hearing and then make a ruling.

#### *NEFCO receives closeout letter from U.S. EPA for its Canal Diversion Dam grant*

Mr. LaPlante reported that NEFCO's \$800,000 grant from U.S. EPA for the Canal Diversion Dam Removal Project has finally ended. He reminded the committee that NEFCO submitted its final report for the grant on January 31, 2023. He noted that on August 28<sup>th</sup>, NEFCO received the closeout letter from the federal agency, thus ending NEFCO's involvement with the project.

#### *U.S. EPA to finalize proposed maximum contaminate levels for six PFAS compounds in drinking water by the end of the year; what are the potential impacts to public water systems operators in the NEFCO region?*

Mr. LaPlante reported that U.S. EPA is set to finalize its proposed MCLs for six PFAS compounds in drinking water by the end of 2023. He summarized the potential impacts from the proposed MCLs to the communities in the NEFCO region that are also public water system operators, which include additional monitoring and public notification costs and potential treatment costs to reduce levels of PFAS when they exceed the MCL. He noted that if treatment doesn't lower a PFAS compound below the proposed MCL, the cost of securing a new safe drinking water source may be necessary.

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

Mr. Gorczynski reported that on August 26<sup>th</sup>, the City of Kent cleaned up an abandoned homeless encampment in the city, filling over three dump trucks. Chair Kastner reported that Wayne Soil and Water Conservation District successfully installed pervious pavers at the Wayne County Fairgrounds ahead of the Wayne County Fair, which began on September 9<sup>th</sup>.

#### **Information items requested**

While no information items were requested, Mr. Hadley briefly discussed Item 2, *The Environmental Law & Policy Center criticizes Ohio EPA plan (Maumee TMDL) as being woefully inadequate (Cleveland Plain Dealer)*. He noted that Ohio EPA has promoted the Maumee TMDL as a model for the way the agency would do future TMDLs. He further noted that these recent negative comments on the Maumee TMDL accuse Ohio EPA of not adequately addressing the source of harmful algal blooms in Lake Erie, which is agricultural runoff, especially from concentrated animal feedlots. He also briefly discussed Item 4, *Millions of miles of U.S. gas pipes to get new rules after blasts*.

#### **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 October 4, 2023, at The Natatorium (Hopewell Room) 2345 4<sup>th</sup> Street, Cuyahoga Falls, Ohio.