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## **Drinking Water Advisory Committee**

**September 7, 2005  
9:30 a.m. - 12:00 p.m.  
Ohio EPA  
Lazarus Government Center  
DDAGW Conference Room B**

### **Abstract**

The following updates are highlights of the September 7, 2005 Drinking Water Advisory Committee (DWAC) meeting. The executive summary follows the abstract.

Major agenda items included a presentation on efforts to develop a Beneficial Use Designation for drinking water, an overview of recent compliance statistics for public water systems in Ohio, and an update on the draft operator certification rules. Updates on divisional staffing, program enhancement activities, the Ohio Water Resources Committee, Representative Carmichael's water use conflict legislation, and C-8 were also provided.

### **Executive Summary**

#### **A. Chief's Update - Mike Baker**

##### **Manager for the Engineering Section**

After reviewing the new budget, the division will continue its efforts to fill the position left vacant by the retirement of Dr. Ashley Bird. A new round of interviews has been conducted and the division hopes to soon have a candidate to recommend to the Director. Unfortunately this vacancy has stalled some portions of the plan approval improvement effort.

##### **Program Enhancement Efforts**

Mike provided the committee members with an overview of the division's plans to reorganize the Compliance Assurance Section into Community, Noncommunity, and Outreach & Rule Development Units. An overview of the new district office compliance coordinator position was also provided. Members were also reminded that the Information Exchange Enhancement Workgroup, known more familiarly as the sanitary survey workgroup, is in the second stage of piloting their new survey model and will soon have additional data.

## **Ohio Water Resources Council**

The Ohio Water Resources Council (ORWC) is finalizing its ten year vision. Seven documents relating to the seven theme areas from the ten year vision have been generated, from which an action plan is being developed. The council is also moving forward with its plan to have short educational segments on water resource issues aired during network weather forecasts. Research has shown that people pay the most attention during the weather forecast, so ORWC is working with the network weather centers to have thirty three-minute segments aired.

A subcommittee of OWRC is working with the Division of Surface Water and the Department of Agriculture to develop setbacks for drinking sources relative to wastewater effluent, land application of biosolids, and septage hauling. The subgroup intends for the resulting rulemaking to take place within existing statutory authorities. DDAGW will be evaluating potential rule revisions for siting drinking water sources to complement the setbacks.

## **Water Use Conflict Legislation**

An update on the water use conflict legislation being proposed by Representative Carmichael was provided. As discussed in previous meetings, the draft legislation is not an Ohio EPA or Department of Natural Resources (ODNR) bill but would have legislative impacts on both. Most of the programmatic implementation would be the responsibility of ODNR as they would be required to issue permits for proposed new withdrawals of greater than 100,00 gallons per day. Our plan approval for public water system wells would then come after the permit was obtained from ODNR. Representative Carmichael is hoping to introduce the bill later this fall.

## **C-8**

Mike provided committee members with information on C-8 (ammonium perfluorooctate) relative to the high levels of the chemical found in the drinking water in Washington County. C-8 is a surfactant used by manufacturers such as Dupont for such uses as making Teflon coating. The mobility and longevity of C-8 are so extreme that it can be found in the blood of eight out of nine people, but the highest levels in the country are here in Ohio. Unfortunately there is not a lot known about the chemical. U.S. EPA has set the initial screening level for C-8 at 150 parts per billion and is conducting a study on the impact of C-8 on humans. The University of Pennsylvania has independent funds to conduct their own study to test the blood levels in customers of the Little Hocking public water system. They have found C-8 at levels above the screening level and therefore believe the body likely bioaccumulates C-8 over time. Data from the University of Pennsylvania study has shown no impact on "target" organs but did not assess cancer impacts. In the meantime, there are two class action lawsuits against Dupont and C-8 has been found in the source water of four public water systems. Dupont is paying to install treatment at those systems, plans for which are currently being reviewed by division staff.

**B. Update on Operator Certification Rules - Andrew Barienbrock**

Committee members were provided with an update of the ongoing effort to draft changes to the rules regulating individuals certified to operate drinking water and wastewater facilities. Andy first provided an overview of the rule drafting process and then reviewed the major rule revisions being proposed. These revisions include minimum staffing requirements for all facilities, including small wastewater facilities. These set the minimum time the operator in responsible charge is required to be at each classification of facility each week. Facilities can share the responsibility between more than one operator, provided they are all certified at the same level as the facility, but are only required to have one operator in responsible charge. Provisions have been drafted to allow reductions for the operator in responsible charge's minimum staffing time for Class III and IV facilities based on having additional staff on onsite or the facility's level of automation. New requirements have been proposed for when a facility loses the services of its operator in responsible charge, although the utilization of a technical supervisor will no longer be necessary. An additional change proposed is the new "semi-sequential" testing requirement in which an operator is required to obtain a Class II certificate and 12 months experience as a Class II before being eligible to take the Class III exam. Another change discussed is the proposed new duties of an operator rule and its associated logbook requirements. These provisions are among the most controversial. Another major revision being proposed is that for wholesale approval of contact hour providers in addition to individual courses.

The committee members had questions about the financial and operational impacts of contact hours and whether operators had complaints about the requirement. Andy indicated that there were some complaints but not as many as you would think. He also described some of the free and cheap options for training such as the Montana State University operator CD his staff currently sends to operators that is free of charge. The drop in certificate renewals over the last two renewal cycles was commented on. The division is not sure if it is directly related to the new contact hour requirements but is looking into promoting operator certification as a career at technical colleges, perhaps in partnership with AWWA or OWEA.

**C. Drinking Water Use Designation - Amy Jo Klei**

The presentation provided members with an overview of work activities currently underway to develop a beneficial use designation for drinking water sources. Please see the attached Power Point presentation for details.

**D. Compliance Statistics - Mark Sheahan**

An overview of the compliance statistics from the 2004 Annual Compliance Report was presented. Members were provided with information on some of the different program

enhancement initiatives employed in recent years, including reminder postcards. Data was also provided on how the postcard program improved monitoring and reporting compliance rates. The proposed changes to the total coliform rule, discussed in previous meetings, were reviewed again as they pertain to the Annual Compliance Report statistics. Please see the attached Power Point presentation for details.

#### **E. Rulemaking Updates - Kelly Peavler**

There was not time to give status updates on recent state and federal rule-making activities, so members were asked to refer to the State and Federal Rule-making Update handouts.

**DDAGW Representatives:** Mike Baker, Andrew Barienbrock, Mike Eggert, Amy Jo Klei, Kirk Leifheit, Kelly Peavler, Mark Sheahan

#### **DWAC Attendees:**

Dan Binder, Ohio Environmental Council

Kristen Clingan, Ohio Chamber of Commerce

Steve Grossman, Ohio Water Development Authority

Jim Toto, Association of Consulting Engineers Council

#### **Handouts:**

- Federal Rule Making Update
- State Rule Making Update
- Public Drinking Water Supply: Beneficial Use Designation and Assessment - Power Point Presentation
- 2004 Annual Compliance Report - Power Point Presentation