

**OHIO RIVER VALLEY WATER SANITATION COMMISSION**

**MINUTES**

**233<sup>rd</sup> Commission Meeting  
Wilson Lodge & Conference Center at Oglebay  
Wheeling, West Virginia  
Thursday, June 16, 2022**

<b><u>Reports</u></b>	<b><u>Page</u></b>
<b>Chair .....</b>	<b>1</b>
<b>Executive Director .....</b>	<b>2</b>
<b>Action on Minutes.....</b>	<b>4</b>
<b>Treasurer .....</b>	<b>4</b>
<b>Technical Committee .....</b>	<b>4</b>
<b>Personnel Committee.....</b>	<b>5</b>
<b>Program &amp; Finance Committee .....</b>	<b>5</b>
<b>Nominating Committee .....</b>	<b>6</b>
<b>Water Users Advisory Committee.....</b>	<b>6</b>
<b>Public Information Advisory Committee .....</b>	<b>7</b>
<b>Watershed Organizations Advisory Committee .....</b>	<b>7</b>
<b>Roster of Attendance .....</b>	<b>10</b>
<b>Resolution 3-22 Program Plan and Budget for Fiscal Year 2023 (Attachment 1).....</b>	<b>11</b>
<b>Resolution 4-22 State Funding Level for FY2025 (Attachment 2) .....</b>	<b>12</b>
<b>Resolution 5-22 457 Plan Matching Contribution (Attachment 3) .....</b>	<b>13</b>
<b>Resolution 6-22 Proclamation Year of Clean Water (Attachment 4) .....</b>	<b>14</b>

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## **MINUTES**

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Thursday, June 16, 2022**

**Chair Michael Wilson, Presiding**

### **Call to Order**

Chair Wilson called the 233<sup>rd</sup> meeting of the Ohio River Valley Water Sanitation Commission to order at 9:00 A.M., Thursday, June 16, 2022.

Executive Director Harrison led the Pledge of Allegiance.

### **Quorum Call**

Commissioner Hoopingarner certified that a quorum was present (see Roster of Attendance, page 10).

### **Report of the Chair**

Chair Wilson welcomed everyone and appreciated the wonderful in-person attendance as well as virtual attendance. Chair Wilson started his report with his impression of ORSANCO which is the same as when he joined 11 years ago. ORSANCO is vibrant, vested and vigilant. It's those words that are hallmarks. It is uplifting to participate in such an organization where challenges are addressed while supported by a dynamic staff, involved commissioners and about 300 stakeholders who participate in our committees and workgroups.

Challenges this year included continuing concerns and responses to the corona pandemic such as providing joint in-person and virtual meetings which may become a long-term approach for involvement and communication. Another challenge is economic inflation which we have responded to with our continued use of rolling 5 year financial trends analyses. ORSANCO also completed for consideration a draft 5-year strategic plan that enhances its mission to use efficient and collaborative approaches to aid member states in their Compact pledges to control and abate pollution in the river. ORSANCO remains steadfast in preserving beneficial uses of the river such as water supply and public health, contact recreation, tourism, education, aquatic life, navigation, agriculture and industry. We have many responsibilities. In addition to these vibrant conditions just mentioned, ORSANCO is vested in collaborative approaches through its continued tracking of organic pollution, especially its organic detection system of very high tech instrumentation operated at shared facilities with water supply utilities along the nearly 1,000 mile length of the Ohio River.

The Commission continues to work with the Ohio River Basin Alliance to achieve our common goals of watershed wide retention and enhancement of water quality and beneficial uses. We recognize that the Ohio River water quality is heavily influenced by its tributaries. ORSANCO is also vested in its contributions of water quality measurements for states reporting requirements. As our water quality data grow in historic importance, we strive to increase our data trends analyses and add new collaborative ventures such as our joint PFAS measurement project with the US Environmental Protection Agency and the US Geological Survey.

Commissioners, staff, committees and stakeholders know that the price of water is eternal vigilance. We collaborate with our elected representatives and their agencies, with non-profit citizen alliances and commercial entities. These collaborative activities have and are leading us into ever greater concerns for water-based quality of life. This past year we initiated committee work to review the Commission's role in water equity across communities and environmental justice for water's beneficial uses. We further defined and confirmed our relation to and importance of our Foundation for Ohio River Education and have great hope for its enhanced role in community understanding of the river's beneficial uses. We are planning for more uses of geographic information systems and trends analyses to manage the river and equitably share its resources. Our finances through the coming year, our 75<sup>th</sup>, are strategically planned into the future. The vibrancy, investments and vigilance of the Commission continued through this past year.

Chair Wilson then reported on the Strategic Plan and will make a motion to adopt the Strategic Plan with the following alteration: Item Goal 1, number 3, Item C we would insert the word ORSANCO at 2 or 3 places in that item so that it is clear that we are referring to pollution control standards of ORSANCO and not other states.

*(c) recognizes that each discharge permit issued pursuant to the Clean Water Act or other federal or state law may not contain requirements addressing one or more of the ORSANCO pollution control standards, and that the Commission, and each signatory state, have committed to implementation of discharge permit limitations that provide comparable use protection and achievement of the Compact goals as provided by these ORSANCO standards. The process of ORSANCO standards review or development might be undertaken by the Pollution Control Standards Committee and be streamlined; for example, ORSANCO staff could identify standards of interest and announce these while requesting other stakeholder suggestions for review or development.*

**ACTION:** Motion by Commissioner Wilson, second by Commissioner FitzGerald and carried (Commissioner Miracle and Frevert abstained), that the Strategic plan be adopted with the alteration as presented.

**ACTION:** Motion by Commissioner Wilson, second by Commissioner Conroe and unanimously carried, to adopt the Proclamation Year of Clean Water Act **Resolution 6-22 (Attachment 4)**.

Chair Wilson then recognized Adam Scott and Ryan Argo for making the virtual component happen successfully.

### **Report of the Executive Director**

Executive Director Harrison reported on a number of items:

He began by thanking everyone for their participation either in person or virtually including staff in the audience and participating virtual. It's been a very busy time since February preparing for this meeting, whether it was the budget, preparation for an interesting 5 years ahead or finalizing the PFAS project which Commissioner Mandirola will talk about in his Technical Committee Report. We had an interesting announcement from USEPA dramatically changing the health advisory limits for PFAS compounds.

He offered the Commissioners participating in-person and virtually the new Ohio River Sweep t-shirt. We will send an e-mail out for those requests. He then welcomed Annette Shumard, our new communications and environmental education manager. We are very excited to have her on our team. We will be working on a lot of great projects to improve and enhance our messaging about the Ohio River.

The dates for the June 2023 ORSANCO Technical Committee and Commission meetings will be moved to June 27-29, 2023. Staff is working diligently on space at the Hilton Netherland Plaza which was the location where our Compact was signed in 1948. We will be celebrating our 75<sup>th</sup> anniversary with a reception and will work on invitations and hopefully work with our Ohio Governor to do a keynote address. 75 years of great work is quite an accomplishment and the ORSANCO Compact remains very relevant to what we are doing today. The Compact demonstrates significant foresight on the parts of those that spent 10-20 years negotiating its details.

Executive Director Harrison provided an update on the Ohio River Basin Alliance. The restoration initiative is going to be very important for our states and ORSANCO if we are able to secure funding for the initiative. We are discussing this effort with Ohio River Basin Congressional members and senators and are hoping to have an initiative started that may very well coincide with our 75<sup>th</sup> Anniversary. He will be working with the Ohio River Recreation Trail (Ohio River Way) leadership to see if ORSANCO can apply for a grant on their behalf for projects to improve recreation access to the Ohio River.

Executive Director Harrison discussed PFAS and the incredible changes in health advisory numbers whether its PFOA or PFOS numbers, we are still trying to digest these significant changes. We do have a very successful project with excellent data, excellent from the standpoint of being very accurate and he is very proud of this project. Technical Committee Chair Mandirola will have more information in his Technical report about the project. In my nearly 40 years in the water industry, this is one of the most significant changes in terms of a revision in what is a considered safe level for a contaminant within the river.

Executive Director Harrison then provided a status update on permit reviews for the meeting minutes. Staff received and reviewed 10 NPDES permits (6 draft, 2 final, and 2 modifications) to ensure compliance with provisions of ORSANCO's Pollution Control Standards and to ensure protection of the designated uses of the River. The specific permits reviewed included:

1. Moon Township Municipal Authority (PA0028801) at Ohio River Mile (ORM) 9.3
2. City of Steubenville (OH0027511) at ORM 68
3. City of Moundsville (WV0023264) at ORM 102.45
4. Cytec Industries (WV0000787) at ORM 160.6
5. ICL-IP America Inc. (WV0002496) at ORM 273
6. City of Vanceburg (KY0021512) at ORM 378.4
7. Tate Monroe Water Association (OH137570) at ORM 441.5
8. Marathon Petroleum Company, LP (OH010006) at ORM 489.7
9. Port of Louisville (KY0090875) at ORM 619.2
10. Kimberly Clark Corporation (KY0095192) at ORM 768.7

The reviews were completed in accordance with the established PCS Implementation Procedures.

## **Action on Minutes**

**ACTION:** Motion by Commissioner Hoopingarner, second by Commissioner Frevert and unanimously carried, that the minutes of the 232<sup>nd</sup> meeting of the Commission, be adopted as presented.

## **Report of the Treasurer**

Commissioner Hoopingarner reported that a detailed Treasurer's Report as of May 31, 2022, was provided in the agenda materials for this meeting.

The report indicates a balance of \$760,448 in accounts receivable due the Commission. The balance represents \$36,750 due from state sources, \$697,335 due from federal sources, and \$26,363 due from other sources.

Additionally, the report indicates receipts of \$2,518,047 plus carryover of \$3,757,782 totaling \$6,275,829 through the end of May 2022. Of that amount \$2,508,710 was expended on programs, leaving \$3,767,119 available for the continuation of ORSANCO's programs.

Commissioner Hoopingarner also noted that through the end of the May 2022, the Commission has not received the 2022 106 award. USEPA has received the application but not approved the work plan nor awarded any funding. We hope that the program will be approved prior to the Commission's fiscal year end close in June. This could have a significant impact on the fiscal year 2022 financial results.

## **Report of the Technical Committee**

Technical Committee Chair Scott Mandirola reported the Technical Committee met in-person and virtually over the last couple of days. Seven states, three federal agencies, and four advisory committees were represented. He thanked the many in-person and virtual Commissioners for also attending the meeting which goes to the importance of the presentations that are given during the meeting. The committee received reports on agenda items including:

- The FY23 Technical Program Plan
- 2022 Biennial Assessment of Ohio River Water Quality Conditions (305b Report).
- Biological Programs update including PCBs trends in fish tissue, the national rivers and streams assessment, results of 2021 pool assessments, and 2022 field schedule
- TEC member roundtable reports
- Development of monitoring programs to update water quality data for use in 305b reports
- Source Water Protection Programs update including a report on the ODS network the recent spills
- HABs prediction model
- PFAS project
- USEPA's plastics monitoring project

The Technical Committee recommends approval of the 305b report. There was considerable discussion regarding the release of the PFAS project data and report by the end of the week in light of the recent EPA health advisory updates.

**ACTION:** Motion by Commissioner Mandirola, second by Commissioner Elmaraghy and unanimously carried, that the 305b Report, be approved as presented.

**ACTION:** Motion by Commissioner Mandirola, second by Commissioner Flannery and unanimously carried, that the PFAS project data and report, be approved as presented.

### **Report of the Personnel Committee**

Personnel Chair George Elmaraghy reported on two issues. The first is a proposed revision to the Commission's salary table. The committee worked with staff to undertake a comprehensive review of the ORSANCO salary table. The table was previously revised and adopted in 2018. During fiscal years 2021-22, an external compensation survey was conducted. The benchmark was local market data, Compact states data, and other relevant organizations such as utilities and interstate commissions. The proposed salary range table was provided in advance of the Commission meeting and should be in your packet.

The second revision was the proposed reinstatement of the matching deferred compensation plan. The committee has also worked with the staff to review the deferred compensation plan and support the reinstatement of the matching contribution through the plan. The matching contribution was suspended on July 1, 2017, because of budget constraints. This match is 25% of the employees' contribution and is limited to 6% of the annual compensation. The cost of this proposal can easily be absorbed in the FY23 budget which will be presented at this meeting. Commissioner Toby Frevert wanted to make sure all the Commissioners understood that the Program & Finance Committee took this issue on in their meeting on April 28, 2022, and endorsed the adoption of this proposal.

**ACTION:** Motion by Commissioner Elmaraghy, second by Commissioner Carey Johnson and unanimously carried, that the new salary table effective July 1, 2022, be adopted as presented.

**ACTION:** Motion by Commissioner Elmaraghy, second by Commissioner Woodwell and unanimously carried, that **Resolution 5-22 (Attachment 3)** to reinstate the 457 Plan Matching Contribution effective July 1, 2022, be adopted as presented.

### **Report of the Program & Finance Committee**

Committee Chair, Commissioner Frevert, provided the following report:

The Program and Finance Committee conducted a meeting on April 28, 2022. Seven member states including Kentucky, Ohio, Illinois, Indiana, West Virginia, New York, and Pennsylvania were represented, as well as the Federal Government.

A detailed packet containing the balanced budget as well as items discussed during the meeting was provided in advance. Two resolutions covering adoption of the FY23 balanced budget and a state funding recommendation for FY25 were also included.

The Committee developed four recommendations for Commission consideration. The recommendation for the Strategic Plan adoption has already been acted on. Committee Chair Frevert presented the remaining three recommendations as motions for consideration.

**ACTION:** Motion by Commissioner Frevert, second by Commissioner Hoopingarner and carried, to adopt **Resolution 3-22 (Attachment 1)**, approving the program plan and budget for FY23 as presented.

**ACTION:** Motion by Commissioner Frevert, second by Commissioner Hoopingarner, and carried, to adopt **Resolution 4-22 (Attachment 2)**, establishing state funding dues for FY25 as presented.

**ACTION:** Motion by Commissioner Wilson, second by Commissioner Frevert and carried, to accept the Committee recommendation setting the FY23 Defined Contribution Plan voluntary contribution at 5% of compensation, consistent with the FY22 funding level.

**Report of the Nominating Committee**

Commissioner Kupke, Committee Chair, reported that the Committee recommends the following slate of officers for 2022-2023:

Chair: Toby Frevert of Illinois  
Vice Chair: John Hoopingarner of Ohio  
Secretary/Treasurer: David Flannery of West Virginia

**ACTION:** Motion by Commissioner Kupke, second by Commissioner FitzGerald and unanimously carried, to accept the slate of officers as recommended.

**Report of the Water Users Advisory Committee (WUAC)**

Mary Carol Wagner of Northern Kentucky Water District filled in for Water Users Chair Chris Bobay. The Water Users Advisory Committee (WUAC) last met on May 17 via video conference.

The Committee welcomed two new members, Mark Valenty from West View Water Authority and Brittney Classick from Evansville Water.

ORSANCO staff briefed the Committee on the status of the WaterSuite project and allocation of remaining EPA project funds. Committee members had initial discussions on the sustainability of this source water consortium, including ways that ORSANCO could play an expanded role - similar to the ODS Network - helping ensure ongoing collaboration and data sharing between water systems regarding contaminant sources. The Committee will have further discussion on this topic, including whether to bring a formal recommendation to the Commission later this year.

ORSANCO staff also briefed the Committee on the status of the PFAS monitoring study and PFAS Work Group activities. Of course, many of the WUAC member utilities also participate on the PFAS Work Group and have been tracking this study very closely. Committee members would like to commend those who commissioned, designed and executed this important water quality study.

ORSANCO staff reported on proposed changes to the predictive models used with the HAB app. The Committee was pleased to know that staff would soon be installing in-situ water quality sensors to help with early HAB detection. Successful integration of these data with the HAB app will be very beneficial to water users.

ORSANCO staff also provided a summary of the benzene incident reported in February and March and the subsequent monitoring effort. We spent the remainder of our time talking about the value of the ODS Network to track spills and investigate possible sources. We also discussed the challenges in working with response agencies to get actionable monitoring data out quickly during a spill event. This was a good opportunity to highlight the function and capabilities of the ODS Network and underscore the importance of real-time monitoring data (from both screening methods and confirmation methods) to inform real-time treatment decisions to mitigate drinking water risks from regulated organic contaminants.

The Committee's next meeting is scheduled for September 20.

### **Report of the Public Information Advisory Committee**

Betsy Mallison, Committee Chair, presented the following report to the Commission:

The Committee conducted a virtual meeting on May 26, 2022.

The Committee received an update on ORBA's listening sessions. PIACO members were asked to support and attend these sessions.

Staff provided an update on activities since the last meeting and reported that a new communications strategy will be developed as an outcome of current strategic planning activities. PIACO will provide input and support during this development process.

### **Ohio River Sweep**

Staff provided a status update on the 2022 Ohio River Sweep season. Events are moving forward as planned.

- More than 80 confirmed event locations thus far
- Planning a season closing event for October 2022 (invite media, thank sponsors, and announce totals)
- Staff updated its event site map. To view all locations visit: [www.orsanco.org/river-sweep](http://www.orsanco.org/river-sweep) and scroll to bottom of page.

The Committee discussed ways to enhance and promote this valuable program. Some ideas for consideration include:

- Developing a press packet to better utilize media and attract media attention and to provide consistent messaging and ensure ORSANCO/FORE is represented. Right now, most participants are not even recognizing our organization or the supplies provided.
- Preparing press releases monthly using new topics to promote scheduling additional Sweep events.
- Improving direct communication with state, county and local coordinators to better evaluate needs and provide support.
- Identifying strategies to provide "hands-on" support to sponsors at their events as appropriate.

### **PIACO membership**

Staff reported that there are several membership openings on the Committee. Staff will reach out to Commissioners in those states where openings exist for possible recommendations.

In conclusion, if you have any leads on sponsorship funding for the Sweep, please contact staff. Sponsorship funding covers the cost of shirts, bags, gloves and staff support. Also, please consider coordinating or participating in a Sweep event this year. We encourage each of you to engage with ORSANCO on social media and share its content to help spread awareness of our program.



## **Report of the Watershed Organizations Advisory Committee (WOAC)**

Angie Rosser, Committee Chair, presented the following report to the Commission:

1. Quarterly meeting. The committee met on June 3 with the following agenda items:
  - ORSANCO updates from Richard Harrison
  - Environmental Justice (EJ) Committee update/discussion
  - Items for WOAC's June report
  - Member updates
2. Environmental Justice ad hoc committee. We commend ORSANCO for initiating the EJ committee, inviting WOAC to participate, and working thoughtfully on its charge. Heather Hulton VanTassel is WOAC's representative on the committee. Given this is a new and important initiative, we recommend that ORSANCO consider hiring a consultant with specialized knowledge in DEIJ issues and familiarity with the region to help facilitate and support the committee's work. WOAC can offer recommendations for well-suited consultants, and explore strategies for collaborative fundraising to cover associated costs if needed.
3. PFAS sampling. We appreciate and congratulate ORSANCO for its completion of its initial PFAS sampling project and support publication of the report as soon as possible. It is a valuable contribution to a larger PFAS data set for the Ohio River watershed, and should inform additional study. We recommend ORSANCO take a basin wide look at surface and ground water data, where there may be gaps, and coordinated strategies for filling those data gaps. We also support ORSANCO moving ahead with fish tissue sampling and potentially other exposure pathways, as well as discuss its role in assisting states and water utilities with plans of actions in response to the updated EPA health advisories.
4. Ongoing nutrient concerns. WOAC members remain concerned about lack of progress on addressing nutrient pollution in the Ohio River watershed. We encourage ORSANCO and the states to engage with EPA on developing and implementing strategies to reduce nutrient pollution.
5. Listening Sessions. WOAC members are holding a series of community listening sessions this summer to gather input into the Ohio River basin restoration plan that is being developed under the leadership of the Ohio River Basin Alliance. The intent is for local priorities to be included in the plan, and for the process to provide opportunities for input from communities most impacted by pollution and environmental harm. We appreciate ORSANCO and PIACO's assistance in getting the word out.

### **Upcoming Meetings**

Chair Wilson noted the following schedule for upcoming Commission meetings:

- October 11-13, 2022 – Pittsburgh, Pennsylvania
- February 7-9, 2023 – Covington, Kentucky
- June 27-29, 2023 – 75<sup>th</sup> Anniversary – Cincinnati, Ohio

Chair Wilson announced that an ad hoc committee on environmental justice concerns has been formed over the last several months. Commissioner Davitt Woodwell has agreed to chair the committee. We will be sending out and making public the charge for the committee and the participants. We have an excellent core group to get the committee moving. He extended the opportunity for others if they are interested in joining. He has indicated to the committee chair that he has great enthusiasm for the committee. The committee is thinking it will have a virtual meeting later during the summer.

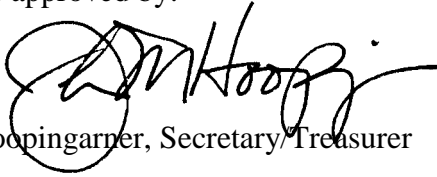
**Comments**

Commissioner David Flannery offered his thanks for Chair Wilson's leadership for years and during his time as Chair.

**Adjournment**

The 233<sup>rd</sup> meeting of the Commission was adjourned at 9:56 A.M.

Minutes approved by:

A handwritten signature in black ink, appearing to read "J. Hoopingarner", written over a circular stamp or seal.

John Hoopingarner, Secretary/Treasurer

Prepared by Tracey Edmonds

**ROSTER OF ATTENDANCE**  
**233<sup>rd</sup> Commission Meeting**  
**June 16, 2022**

**Commissioners**

Illinois	Scott Twait (PROXY for Director John Kim) Toby Frevert
Indiana	Martha Clark Mettler (PROXY for Commissioner Brian Rockensuess) – virtual John Kupke – virtual Joseph Harrison, Jr. - virtual
Kentucky	John Lyons (PROXY for Lt. Governor Jacqueline Coleman) Carey Johnson (PROXY for Secretary Rebecca Goodman)
New York	Michael Wilson Douglas Conroe
Ohio	Tiffani Kavalec (PROXY for Director Laurie Stevenson) – virtual John Hoopingarner Holly Christmann
Pennsylvania	Davitt Woodwell Kevin Halloran (PROXY for Secretary Patrick McDonnell)
West Virginia	David Flannery Ron Potesta Scott Mandirola (PROXY for Secretary Harold Ward)
Virginia	Not Present
Federal	David Miracle George Elmaraghy Tom FitzGerald – virtual
Legal Counsel	Aaron Herzig

**Executive Director**      Richard Harrison

**Staff**

Ryan Argo, David Bailey, Daniel Cleves (virtual), Stacey Cochran (virtual), Sam Dinkins, Tracey Edmonds (virtual), Jason Heath, Joe Gilligan (virtual), Nick Guthier, Melissa Mann (virtual), Adam Scott, Annette Shumard, Bridget Taylor (virtual), Lila Ziolkowski (virtual)

**Guests**

Bill Boria (virtual), John Hirschfield (virtual), Betsy Mallison (virtual), Angie Rosser, Heather Sprouse (virtual), Mary Carol Wagner (virtual), Janean Weber (virtual)

**RESOLUTION 3-22**

**PROGRAM PLAN AND BUDGET FOR FISCAL YEAR 2023**

**WHEREAS:** The Commission has established the sum of \$1,439,700 as the amount of appropriations to be requested from the signatory states for fiscal year 2023; and

**WHEREAS:** Funds from the United States Government for approximately \$1,847,757 may be allocated to the Commission for fiscal year 2023; and

**WHEREAS:** Funds amounting to \$452,877 may be available from a variety of sources to support the Ohio River Sweep, ORSANCO/USGS Gaging Stations, Life Below the Waterline; and

**WHEREAS:** The Commission is anticipated to carry over resources of \$3,736,827 into the 2023 fiscal year.

**NOW, THEREFORE, BE IT RESOLVED THAT:** The 2023 Fiscal Year Program Plan for all activities and the budget contained therein and in support thereof be approved as presented.

**BE IT FURTHER RESOLVED THAT:** The Executive Director is hereby authorized to make application for funding as may be available from US EPA, for other Federal funding and funding from other sources as may become available.

**BE IT FURTHER RESOLVED THAT:** The expenditures in fiscal year 2023 be substantially within the framework of the following guidelines, which are made a part of this Resolution.

**2023 FISCAL YEAR BUDGET**

Payroll	\$1,450,292
Employee Benefits	672,207
Staff Travel	170,144
Commission Travel	94,475
Advisory Committees	11,84
Supplies	234,480
Telephone	10,464
Equipment Purchases	172,000
Utilities & Maintenance	21,480
Equipment Repairs & Maintenance	85,930
Printing & Reproduction	9,400
Lab Fees and Delivery	367,236
Contractual Services	<u>642,079</u>
Total Expenditure Budget	\$3,941,991

**RESOLUTION 4-22**

**STATE FUNDING LEVEL FOR FY2025**

**BACKGROUND**

The Commission has the responsibility of setting levels of state funding to support its programs. By policy, such state funding is to be established two years in advance to facilitate legislative/fiscal processes of the individual states. In developing its recommendations, the Program and Finance Committee relied, in part, on current and future budget information, the current rate of inflation and the current level of funds in the reserve account. The Program and Finance Committee was presented with alternative increases in the states' 2025 funding and agreed to recommend a 2% increase in state funding for the 2025 fiscal year. The attached listing displays each state's proportional share of the Commission's budget for 2025 in comparison with their most recent funding levels.

**ACTION REQUESTED OF THE COMMISSION**

Authorize a level of state funding for FY2025 by means of the following Resolution "State Funding Level for 2025."

**RESOLUTION 4-22**

**STATE FUNDING LEVEL FOR 2025**

**WHEREAS:** Article V of the Compact provides that the Commission shall submit to the Governor of each state, at such time as he may request, a budget of its estimated expenditures for such period as may be required by the laws of such state for presentation to the legislature thereof;

**NOW, THEREFORE, BE IT RESOLVED THAT:** The sum of \$1,497,900 be budgeted for operating expenses of the Commission in the Fiscal Year July 1, 2024 to June 30, 2025 Such sum to be prorated among the signatory states in accordance with the provisions of Article X of Compact.

**RESOLUTION 5-22**

**Elimination of Allocation Condition to Share in Any 457 Plan Match**

WHEREAS, ORSANCO sponsors a 457 Deferred Compensation Plan (“457 Plan”) the terms of which are described in ORSANCO’s 457 Plan document;

WHEREAS, ORSANCO has reserved the authority to amend the 457 Plan;

WHEREAS, in 2017, ORSANCO amended the 457 Plan the effect of which amendment was that any individual who is a participant in ORSANCO’s Pension Plan is not eligible to share in any matching contribution made to the 457 Plan;

WHEREAS, the 457 Plan permits ORSANCO to determine each year in its sole discretion whether to make a matching contribution to the Plan;

WHEREAS, prior to 2017, ORSANCO made matching contributions to the 457 Plan at a rate of 25% of each employee’s deferrals up to an amount equal to 6% of such employee’s compensation that year but since July 2017, ORSANCO has determined not to make any matching contributions to the 457 Plan; and

WHEREAS, ORSANCO intends to begin making matching contributions to the 457 Plan effective as of July 1, 2022, and, wishes all participants in the 457 Plan to be eligible to share in any such matching contributions ORSANCO chooses to make to the 457 Plan;

NOW THEREFORE, BE IT RESOLVED, that effective July 1, 2022 the 457 Plan be amended to eliminate the allocation condition prohibiting participants in the Pension Plan from sharing in any allocation of any matching contributions to the 457 Plan; and further

RESOLVED, that that the Executive Director shall be, and hereby is, authorized and directed to take such action and to make, execute, deliver and file or cause to be made, executed, delivered, or filed such amendments, notices, agreements, documents, payments, applications, instruments, and certificates, and to take such other and further actions, as he may deem to be proper, necessary, desirable or appropriate to effectuate the purpose and intent of the foregoing resolutions, the authority for taking of such action and the making, execution, delivery or filing of such amendments, notices, agreements, documents, payments, applications, instruments or certificates to be conclusively evidenced thereby; and further

RESOLVED, that all actions heretofore taken by the Executive Director, or any other officer, employee, or agent of ORSANCO in connection with the subject matter of the foregoing resolutions and recitals be, and hereby are ratified, approved, and confirmed in all respects as the acts and deeds of ORSANCO.

**RESOLUTION 6-22**

**Year of Clean Water**

WHEREAS, on October 18, 2022, the Nation marks the 50<sup>th</sup> Anniversary of the Clean Water Act, which aimed to prevent, reduce, and eliminate pollution in the Nation's water to "restore and maintain the chemical, physical, and biological integrity of the Nation's waters";

WHEREAS, the Clean Water Act has been central to the important progress we have made as a Nation in improving the quality and health of our rivers, streams, lakes, wetlands, and watersheds;

WHEREAS, ORSANCO's collaborative efforts among its member States and the Federal Government to control and abate pollution in the Ohio River Basin served as a model for the Clean Water Act;

WHEREAS, ORSANCO and its member States have cooperated with the Federal Government under ORSANCO's Compact and, later, the Clean Water Act, to significantly reduce all forms of water pollution, making the Nation's waters better suited for recreation, and other pursuits, and more hospitable to aquatic life;

WHEREAS, the Association of Clean Water Administrators (ACWA) has asked ORSANCO and other governments and organizations to recognize and celebrate the 50<sup>th</sup> anniversary of the Clean Water Act on October 18, 2022;

NOW, THEREFORE, BE IT RESOLVED, that the Commission approves the attached Year of Clean Water Proclamation, recognizing the 50<sup>th</sup> anniversary of the Clean Water Act and authorizes the Executive Director to communicate such recognition to ACWA and the general public as he deems appropriate.

Adopted by Commission Action

June 16, 2022