

**OHIO RIVER VALLEY WATER SANITATION COMMISSION**

**MINUTES**

**237<sup>th</sup> Commission Meeting  
Sheraton Columbus Hotel at Capitol Square  
Columbus, Ohio  
Thursday, October 12, 2023**

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**Chair John Hoopingarner, Presiding**

### **Call to Order**

Chair Hoopingarner called the 237<sup>th</sup> meeting of the Ohio River Valley Water Sanitation Commission to order at 9:00 A.M., Thursday, October 12, 2023.

Executive Director Harrison led the Pledge of Allegiance.

### **Quorum Call**

Commissioner Joe Harrison certified that a quorum was present (see Roster of Attendance, page 9).

### **Report of the Chair**

Commission Chair Hoopingarner recognized outgoing Chair Toby Frevert and presented him with glass artwork made by Commissioner Wilson. Chair Hoopingarner then thanked Executive Director Harrison and staff for their hard work. He welcomed new Proxy Commissioner Damianos Skaros representing Commissioner Basil Seggos of New York and we look forward to working with him. Chair Hoopingarner looks forward to this year and the efforts we will be putting forth to further our mission.

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

Executive Director Harrison thanked outgoing Chair Frevert, who has been a great mentor to him during the past year and his entire career with ORSANCO. He looks forward to serving under Chair Hoopingarner and echoes his comments regarding staff; everything we do depends on our great staff. He announced that the 2023 annual report is complete and we will contact each Commissioner on how they would like it transmitted to their Governors and President. Some states ask that we send it on their behalf, others deliver it themselves. We will recognize Commissioner Davitt Woodwell in February, who announced his retirement from his position at Pennsylvania Environmental Council and also on the Commission at the end of this year. We will hold at least one more Environmental Justice meeting under Commissioner Woodwell's leadership between now and the end of the year and then transition to Commissioner Holly Christmann's leadership as the Ad Hoc Committee Chair.

We received a request for a copy of the permits and review from the last meeting and accommodated that request. For this report, staff received and reviewed 3 NPDES permits (2 draft and 1 modification) to ensure compliance with provisions of the ORSANCO's Pollution Control Standards. The reviews were completed in accordance with the established PCS Implementation Procedures. The specific permits reviewed included:

1. City of Weirton Sanitary Board (WV0023108) at Ohio River Mile 66.3
2. Mason County PSD (WV0086886) at ORM 260.3
3. Mounds Production Company, LLC (IL0077674) at ORM 974

Executive Director is excited to have Reese Johnson chair the Publicly Owned Wastewater Treatment Works Advisory Committee. He will give a brief report on the Committee to the Commission during Thursday's Commission meeting. We have been working diligently to re-establish the committee. He stated that a big reason ORSANCO was originally formed was to work with wastewater and industrial discharges and encourage wastewater treatment to our interstate waters. He also thanked Kathy Beckett for agreeing to chair the Chemical Industry Advisory Committee.

### **Action on Minutes**

Executive Director Harrison noted that Bruce Herschlag should be added to the attendance list of the June Commission meeting minutes.

**ACTION:** Motion by Commissioner Harrison, second by Commissioner Frevert and unanimously carried, that the minutes of the 236<sup>th</sup> meeting of the Commission, be amended as presented.

Motion by Commissioner Harrison, second by Commissioner Wilson and unanimously carried, that the minutes of the 236<sup>th</sup> meeting of the Commission, be adopted as presented.

### **Report of the Treasurer**

A Treasurer's report as of June 30, 2023, was provided in the agenda materials for this meeting.

The report indicates a balance of \$1,667,046 in accounts receivable due the Commission. The balance represents \$1,594,737 due from federal sources, and \$72,309 due from other sources.

Additionally, the report indicates receipts of \$3,783,091 plus carryover of \$4,093,109 totaling \$7,876,203 through the end of June 2023. Of that amount \$3,801,893 was expended on programs, leaving \$4,074,310 available for the continuation of ORSANCO's programs.

### **Report of the Technical Committee**

TEC Chair Scott Mandirola gave the following report:

The Technical Committee held its 233<sup>rd</sup> meeting over the past two days. All eight states, two federal agencies, and all five advisory committees were represented. A summary of the meeting follows:

### **New H2Ohio Initiatives to Address Concerns Regarding Forever Chemicals & Rising Salinity Levels in Ohio's Rivers and Shallow Aquifers**

Bob Miltner with Ohio Environmental Protection Agency reported contamination by forever chemicals, commonly referred to by the acronyms PFAS or PFOA, is increasingly an environmental concern. US EPA recently published draft aquatic life criteria as part of an effort to begin managing that class of pollutants. Recent sampling by the States of Michigan and Ohio, and by ORSANCO has shown that PFAS & PFOA are typically detected in water quality samples at vanishingly low concentrations, but occasional hot spots have been detected in Michigan via measuring concentrations in fish tissue. Ohio plans to assess the potential for large rivers in the state to exceed the proposed aquatic life criteria by measuring PFAS & PFOAs according to Method 1633 in water column samples, aggregated macroinvertebrate samples, and in whole body and fillet fish tissue samples. This presentation describes the study plan and contextual background.

Chloride concentrations have been trending up in in some Ohio streams and shallow aquifers, especially those in suburban catchments. Studies across the northern US and southern Canada have revealed similar trends. In some instances, chloride contamination has degraded drinking water supplies, and has caused erstwhile dimictic lakes to become meromictic. In Ohio, chloride contamination in urban catchments is limiting to aquatic life, and often exceeds the US EPA chronic standard of 230 mg/l. The source of chloride contamination is largely from road salting. The states of Minnesota, New Hampshire and Wisconsin have developed education and outreach programs to facilitate adoption of best management practices by winter maintenance professionals. The H2Ohio initiative for chloride seeks to fund education and outreach workshops similar to those employed by Minnesota, New Hampshire and Wisconsin, as well as provide small grants for cost share of equipment purchases to modernize snow removal and deicing equipment. This presentation provides a brief overview of the environmental consequences of chloride contamination and a description of the “Smart Salting” education programs.

### **Pennsylvania Surface Water PFAS Sampling: “Per- and polyfluorinated alkyl substances (PFAS) in Pennsylvania Surface Waters: A statewide assessment, associated sources, and land-use relations”**

Amy Williams with Pennsylvania Department of Environmental Protection presented on a study completed by USGS and PA DEP coordinated work. This “Science of the Total Environment” article was published August 25, 2023. The study quantifies PFAS in PA surface waters and attempts to identify associations with potential sources of PFAS contamination and other parameters. Raw concentrations found in stream surface waters were also compared to human and ecological benchmarks.”

### **Results of Ohio River Fish Tissue Contaminants Monitoring for PFAS**

Rob Tewes with ORSANCO staff Biological Programs presented on the status of PFAS analysis in fish tissue. In 2021 ORSANCO added 35 per- and polyfluoroalkyl substances (PFAS) to its suite of fish tissue contaminants analytes. The Program will have a total of 50 composite samples with accompanying PFAS analysis by 2024. There are currently a number of guidance documents that outline fish consumption advisory categories for PFAS. The documents are currently under ORSANCO staff review. Although no fish consumption advisory recommendations for PFAS will be issued by ORSANCO in the near future as comparatively few samples have been collected, no ORSANCO fish tissue samples analyzed for PFAS fall into a consumption advisory category more restrictive than 1 meal / week for total PFOS (all samples to date are ND for PFOA).

### **The Cincinnati Smart Sewers Story**

Reese Johnson with Metropolitan Sewer District of Greater Cincinnati presented on Cincinnati’s Smart Sewer System. MSD of Greater Cincinnati has transformed their collection system into the smartest sewers in the country. The presentation covered the drivers, early wins, current uses and future plans for their Smart Sewer system. 1000 sensors were installed in the sewer system to better understand how wet weather flows behave. A decision support system was put in place, along with engineering systems to store and route wet weather flows to maximize storage in the collection system and minimize wet weather discharges. Their efforts thus far have reduced wet weather discharges from 11 billion gallons annually to 6 billion gallons annually.

### **ORSANCO's Contact Recreation/Bacteria Monitoring and Analyses Initiatives**

Stacey Cochran with ORSANCO staff reported on the Contact Recreation/ Bacteria Monitoring program sampling efforts and also the historical dataset that is available and used to produce the Bacteria Trends Report. Staff presented an update to the 2018 Bacteria Trends report which spans over 2001-2022 and focuses on *E.coli* Geometric Mean at all historical sites. Staff also discussed a side-by-side comparison study of Colilert Method and real-time Proteus Instrument funded by a WV 604b grant.

### **ORSANCO Biological Programs Update**

Ryan Argo with ORSANCO staff reported on the progress of the 2023 field season. Electrofishing surveys were successfully completed in this year's probabilistic pools of New Cumberland and Cannelton. Macroinvertebrate samplers will be retrieved over the course of the next few weeks. Crews also successfully completed data collections on behalf of member states from these pools including: electrofishing samples on Little Beaver Creek, additional fish tissue collections for IDEM, and paired water samples at each site for KDOW. ORSANCO staff also completed field surveys of 47 of the 92 NRSA events scheduled for completion between 2023 and 2024. These data will be submitted to USEPA by the end of the month. Staff plan to discuss the results of this field season with the Biological Water Quality Subcommittee in early 2024.

### **Algae/Nutrients Update**

Greg Youngstrom with ORSANCO staff Agenda Item 9: Algae/Nutrients Update

Staff provided an update on ORSANCO's algae and nutrient efforts. Funding is available to ORSANCO through the Hypoxia Task Force as part of the Bipartisan Infrastructure Law. A total of \$400,000 is available to be spent over 4 years. ORSANCO submitted a proposal to increase sampling in key areas to improve nutrient load models, and to hold a once per year meeting of the Ohio River Sub Basin Committee. This project is expected to begin January 1, 2024.

Staff provided an overview of the response to an algae bloom which occurred on August 1<sup>st</sup> and lasted 10 days. This algae was not toxin producing, but did cause filter clogging issues at numerous water plants. Staff detailed the development and use of the HAB app which is an online HAB prediction model for the Ohio River. This model was developed in partnership with USEPA, National Weather Service, and Neptune, Inc., and is the only HAB forecast model for a river in the United States.

### **ORSANCO Source Water Protection Programs Update**

Sam Dinkins with ORSANCO staff provided an overview of the ongoing activities associated with the Commission's Source Water Protection and Emergency Response programs. This included an update on an active period for the Organics Detection System Program which included securing a grant to purchase a new GC/MS for the Parkersburg station, efforts to relocate the Maysville site to the Thomas More University Field Station, and receiving a used GC/MS from the Pittsburgh Water & Sewer Authority to upgrade the station at West View Water Authority near Pittsburgh. The Committee was also briefed on a multi-agency effort to improve spill response preparedness for a 317-mile stretch of the Ohio River from the Markland Locks & Dam to the Wabash River confluence at the Indiana-Illinois state border.

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

Committee Chair Bobay, Louisville Water, reported they held a meeting on September 19-20 at Northern Kentucky Water District in Erlanger, Kentucky.

#### **River Update**

I'm happy to report it has been a quiet summer growing season for most of the river. Aside from a short filamentous diatom bloom, resulting in a large pH spike and challenging filter operations, there have been no significant widespread water quality issues reported on the river main stem, despite low flow conditions since mid-May. Some river systems in the middle river report ongoing taste and odor issues, requiring treatment, likely related to sediment bacteria and a lack of any significant bed scour in the past four months. So, member utilities anxiously await a good flush and reset, which may not come for another month or so.

#### **ODS Update**

I'm also happy to report that the Organics Detection System is expanding. We've been down two sites at Parkersburg and Maysville. ORSANCO staff have worked diligently to resource new GC installations at the Chemours Facility and at the Thomas More Field Station. Staff also worked to replace an aging GC at Portsmouth. Two other existing ODS stations have or will be donating used GCMS instruments to be repurposed by ORSANCO staff in 2024.

At the request of the Commission, we are working to stand up another round of the NextGen ODS work group to take a fresh look at existing network assets and explore options for enhancing basin coverage and broadening analytical capabilities. We last convened this work group in 2018. That work involved broad stakeholder input, comprehensive assessment of monitoring gaps and opportunities, and a breakdown of the costs/benefits of various options. Ultimately, we brought a series of recommendations to the Commission for consideration. I envision a similar approach this time around. And I hope to share more about this effort in future meetings.

#### **Emergency Preparedness Training**

Finally, I want to underscore the importance of ongoing training for spill response and emergency preparedness. The Committee is grateful for the Commission's work, during and since the East Palestine incident, to get ORSANCO technical staff a seat at the table on Ohio River spill response and a larger voice among the state and federal emergency management community. The Committee encourages the Commission to continue working across state agencies and EPA regions to ensure ORSANCO staff are plugged in and not on the outside looking in. The Committee was glad to hear that ORSANCO staff recently participated in an EPA spill response and ICS training exercise. Our committee Vice-Chair, Erika Pauken, with West Virginia American Water, is planning a similar tabletop training in Huntington next month. These trainings are important. They not only serve the participants, but they also serve to inform and equip the larger basin network, including water users.

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

Committee Chair, Betsy Mallison Bialosky, reported the following virtually:

PIACO met virtually on September 21. We received updates from the staff on FORE programs. Richard provided an update on the ORBA Summit and the Ohio River Basin Restoration Plan.

Our group discussed the River Sweep activities. ORSANCO received \$101,000 in funding support with another \$42,000 pending. New sponsors include Shell Polymers and Milacron/MilaComm. Some 4,000 volunteers participated in 95 cleanup events this year, picking up 80 tons of trash with 205 miles of the river basin covered.

There will be an end of the season event on Oct. 31 at Schmidt Fields boat ramp in Cincinnati. Plans are being made for a multi-state kickoff event in the spring and a potential event with Rotary clubs in early summer.

Annette continues to co-chair the Ohio River Way Coalition Clean Ohio River committee which is focused on the success of River Sweep programs and educational activities. Through September, the ORSANCO staff has done 50 educational events and reached 12,731 people.

ORSANCO received a \$25,000 grant from the Ohio EPA OEFF program to offer free educational programs to lower income schools and replace deteriorating program supplies. EQT provided \$5,000 to add additional free programs to students in the Pennsylvania/Ohio and West Virginia regions.

Staff continues to finalize the draft five-year strategic plan which was presented to the Commission during a roundtable event during the February meeting. The communication planning will begin in the fall and ORSANCO will be reaching out to PIACO, state public information officers and numerous other partners for input. PIACO plans to meet again in November to help with the plan.

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

Chris Tavenor, Committee Chair, presented the following report:

1. **Quarterly meeting.** The committee met on October 3 and prioritized discussing the following topics, as well as other items:
  - Discussions regarding ORSANCO's Environmental Justice committee
  - PFAS and Alert Systems
  - Ohio River Basin Restoration Plan
2. **ORSANCO Environmental Justice committee.** While WOAC recognizes the staff of ORSANCO have a lot on their plate and need to prioritize their work, we recommend that the EJ committee agrees to meet at a regular cadence and establish a scope of work for ORSANCO when it comes to EJ work. We recognize the current transition period of the chair, and understand the effort will need to wait until the transition is complete. Integrating principles of environmental justice into an organization's work takes time and effort, but it can be immensely rewarding to both an organization and the communities it serves if pursued in a thoughtful and deliberate manner.
3. **PFAS and Alert Systems.** Our committee appreciates all the studies and data collection ORSANCO has conducted over the past few years pertaining to PFAS and its impact on the Ohio River. In our committee meeting last week, we discussed a few recommendations for future PFAS work. Specifically, we think it is essential to figure out how to trace PFAS discharge back to original sources where possible, in order to systematically identify the places where pollution can be reduced or eliminated moving forward. NPDES permit requirements may be one way to achieve this goal.

We also discussed the importance of pollution alert systems, which is a specialty of ORSANCO. However, we recommend identifying additional ways to integrate nonprofits into those alert systems, not just government organizations. Many NGOs are trusted in communities where, for one reason or another, government institutions may not be as trusted. When it comes to combating misinformation about pollution, nonprofits can play a pivotal role in validating information to communities and potentially helping bridge trust gaps that may exist with governmental entities. We're reflecting on this opportunity in the context of recent crises like East Palestine.

- 4. Ohio River Basin Restoration Plan.** Our organizations are excited to see a draft of the Ohio River Basin Restoration Plan come to fruition by the end of the year, setting the stage for advocacy at the federal level in 2024.

#### **Report of the Publicly Owned Wastewater Treatment Works Advisory Committee (POTW)**

Reese Johnson, Committee Chair, presented the following report virtually:

Reese introduced himself. He is the Superintendent of Compliance Services for the Metropolitan Sewer District and reports to the Director on all issues relating to our Safety, Environment, Industrial Waste, and Consent Decree Reporting compliance, and oversees all of our sampling and analysis activities conducted by our NELAC certified laboratory. In that role, he ensures MSD is safe NOW, compliant today, and ready for the future! He is honored to be the new Chair of the Publicly Owned Treatment Works Advisory Committee to the Commission.

He is excited to report that the POTW Advisory Committee has reconvened after a period of inactivity. We held a hybrid meeting on Thursday, September 28 at ORSANCO headquarters with representatives of several POTWs on the Ohio, Director Harrison, and several ORSANCO staff, including our new staff liaison Stacey Cochran.

Our first order of business is to reinvigorate the engagement of POTWs, starting with the 6 largest CSO communities on the Ohio (as you know: Pittsburgh, Wheeling, Huntington, Cincinnati, Louisville, and Evansville). We discussed current and future issues of interest to POTWs and received a great presentation by Jason and Stacey on ORSANCO's current initiatives relating to bacteria and contact recreation. One example of the synergy this committee can leverage is ORSANCO's and MSD of Cincinnati's shared interest in real-time COD/BOD monitoring equipment, and we plan on sharing lessons learned from testing the Proteus sensor suite.

We established a future cadence to reconvene through 2024. He looks forward to working with POTW Committee members and ORSANCO staff to advise the Commission in the coming years.

#### **Comments by Guests**

No comments presented.

#### **Upcoming Meetings**

Chair Frevert noted the following schedule for upcoming Commission meetings:

- February 6-8, 2024 – Covington, Kentucky
- June 11-13, 2024 – Louisville, Kentucky
- October 8-10, 2024 – Charleston, West Virginia



**Adjournment**

The 237<sup>th</sup> meeting of the Commission was adjourned at 9:44 A.M.

Minutes approved by:

A handwritten signature in blue ink, appearing to read "J. Harrison, Jr.", with a stylized, cursive script.

Joseph Harrison, Jr., Secretary/Treasurer

Prepared by Tracey Edmonds

**ROSTER OF ATTENDANCE**  
**237<sup>th</sup> Commission Meeting**  
**October 12, 2023**

**Commissioners**

Illinois	Scott Twait (PROXY for Director John Kim) Toby Frevert
Indiana	John Kupke (virtual) Joseph Harrison, Jr.
Kentucky	Spencer Bruce John Lyons (PROXY for Lt. Governor Jacqueline Coleman) Carey Johnson (PROXY for Secretary Rebecca Goodman)
New York	Mike Wilson Douglas Conroe Damianos Skaros (PROXY for Basil Seggos – virtual)
Ohio	Anne Vogel John Hoopingarner Holly Christmann
Pennsylvania	Sue Weaver/Bevin Buchheister (PROXY for Secretary Richard Negrin – virtual) Bruce Herschlag (virtual)
West Virginia	Scott Mandirola (PROXY for Secretary Harold Ward) Ronald Potesta David Flannery
Virginia	Jeffrey Hurst (PROXY for Director Michael Rolband)
Federal	David Miracle George Elmaraghy Tom FitzGerald (virtual)
Legal Counsel	Aaron Herzig

**Executive Director**

Richard Harrison

**Staff**

David Bailey (virtual), Sam Dinkins, Tracey Edmonds (virtual), Joe Gilligan, Nick Guthier, Jason Heath, Adam Scott, Annette Shumard

**Guests**

Kathy Beckett – Chemical Industry Advisory Committee  
Betsy Mallison Bialosky – Public Information Advisory Committee (virtual)  
Chris Bobay – Water Users Advisory Committee  
Reese Johnson – Publicly Owned Wastewater Treatment Works Advisory Committee (virtual)  
Aaron Smith – Ohio EPA  
Chris Tavenor – Watershed Organizations Advisory Committee  
Matt Thompson – ICL Industrial Products  
Nicole Tremblay – Louisville Water Company (virtual)