

**OKI GROUNDWATER COMMITTEE MEETING SUMMARY**  
**Wednesday, June 6, 2007**  
**OKI Board Room – 10:00 a.m.**

**ATTENDEES:**

Dave Weihrauch, Chair, City of Oxford  
Bruce Whitteberry, Vice Chair, Greater Cincinnati Water Works  
Milovan Beljin, M.S. Beljin Associates  
Raj Chakrabarti, Ohio EPA  
Peggy Collins, League of Women Voters-Fairfield  
Robert Craig, Warren County RPC  
J. Dwight Culbertson, City of Fairfield  
Mike Folsom, Butler County Health Department  
Jim Fox, R.D. Zande  
Carl G. Gatton, Warren County  
William Gollnitz, Clermont County Water and Sewer  
Gina Hayes, Ohio EPA  
Holly Kaloz, Ohio EPA  
Todd Kehr, City of Trenton  
Scott Kirk, Western Water Company  
Mike Lippert, City of Wyoming  
MaryLynn Lodor, Butler County Dept. of Environmental Services  
Craig McConkey, Clermont General Health District  
Tim McLelland, Hamilton to New Baltimore Groundwater Consortium  
Dean Niemeyer, Hamilton County Regional Planning Commission  
Greg Petredis, City of Hamilton  
Allison Reed, Ohio EPA  
Richard Renneker, Warren County  
Donna Runkle, U.S. Geological Survey  
Jeff Schick, Leggette, Brashears & Graham, Inc.  
Ken Shearwood, Village of New Richmond  
Greg Stanley, Tate Monroe Water Association, Inc.  
Dan Swart, Tate Monroe Water Association, Inc.  
Steve Todd, City of Wyoming  
Holly Utrata-Halcomb, Hamilton Co. Soil & Water Conservation District  
Kelly Vereker, Hamilton to New Baltimore Groundwater Consortium  
Rhonda Ward, Village of Morrow

**OKI Staff**

Michele Burwinkel, Gayle Foster, Margo Lindahl, Larisa Sims, Bruce Koehler, Bill Miller, Jane Wittke

**Announcements**

David Weihrauch announced that the next meeting of the Groundwater Committee will be either September 5<sup>th</sup> or September 12<sup>th</sup>. Members were asked to watch out for email/mail for the final date.

Donna Runkle with USGS invited everyone to hear a speaker on July 25, 2007, at 1:00 p.m. at the USGS office in Columbus. Arthur L. Baehr, who is a researcher at USGS, will present "***The Unsaturated Zone is Not a Black Box***". Baehr will look at the processes involved in the unsaturated zone when it comes to the transport of water and chemicals. If you are interested in attending, please email Ralph Haefner at [rhaefner@usgs.gov](mailto:rhaefner@usgs.gov) or call (614) 430-7709.

Donna also announced a new publication entitled "***Microbial Quality of the Nation's Ground-water Resources, 1993-2004***". This is a part of the National Water Quality Assessment Program. There are limited printed copies available, but the report is available online at <http://pubs.usgs.gov/sir/2006/5290/pdf/sir20065290.pdf>. The study looked at 22 national study areas and 16 principal aquifers, including 12 samples from the White River, Little Miami River and Great Miami River Basins in Indiana and Ohio.

### **Updates on Local Groundwater Management Efforts**

**Bob Craig of the Warren County Regional Planning Commission** reported that the Commission is undertaking the task of revising and updating zoning codes for the 5 townships it serves. He explained that because these townships include sewered areas, unsewered areas and areas that will never be sewered, it is a difficult task to provide a one-size-fits-all zoning code for all of them. The existing code is from 1973, and is outdated for today's needs.

Bob described Aquifer Protection and Wellhead Protection (APWP) zoning in the county which dates from 1993. These overlay zoning provisions were intended to provide some environmental protection for source water, and are structured like a flood plain zone overlay. These overlay areas are concentrated around the Great Miami River in the northwest part of the county, and areas in proximity to Monroe, Lebanon, the western portion of Little Turtle Creek, and the Little Miami. There are limits placed on the amounts of regulated substances on site in these areas; periodic reporting is required; and containment safeguards. There have been limited opportunities to employ the zoning regulations, because these parts of Warren County are not the fastest growing areas. Bob noted that at the time the regulations were put in place, there were thousands of acres over the aquifer down-zoned from industrial to residential zoning. This is good from an environmental perspective, but bad from a growth management perspective, because it opened all those areas up to residential development.

Bob explained that the zoning code rewrite will keep the APWP regulations and provide greater incentives for conservation design and cluster development. The Regional Planning Commission is also looking at establishing a five acre density provision in areas with significant Clermont soils, because these are poorly draining soils that are ineffective for onsite wastewater treatment such as septic systems, and most of the areas with these soils will never be sewered. He said various ideas for the zoning code re-write are being discussed with a committee and consultants.

David Weihrauch asked if there is any representation on the committee from business and industry, the Chamber of Commerce, or other business entities affected by rezoning.

Bob said that there is membership provision on the committee for the Homebuilders Association, the Area Progress Council which functions like a Chamber of Commerce, and several other representatives from the development industry. One of the goals of the plan is to measurably increase the nonresidential percentage of zoning. Bob said that he has also spoken with townships in the northeast part of the county like Wayne and Massey even though they are not a part of this zoning rewrite. He explained the role of the Regional Planning Commission is strictly advisory for areas that have their own zoning, but they do make recommendations on text amendments and map amendments. This year's work program will include land use plan updates for Massey, northeast Wayne and Salem Townships.

**Mike Lippert, City of Wyoming** provided an overview of the Wyoming Water Works. Wyoming has been in business over 100 years and in 2000 began operating a 3 million gallon a day (MGD) groundwater lime softening plant. There are six wells located downtown, and the wellhead protection area extends into neighboring areas including Lockland and beyond. Recent and ongoing system improvements include:

- Currently radio telemetry is being installed at remote facilities to replace less reliable phone lines.
- Last year a new generator was installed for water tower pumps.
- Two wells were surged and disinfected this year and a submersible pump was replaced in one while the pump in the other was replaced.
- They recently hired a new operator; pending a positive outcome of Class III exams, there will be four Class III operators at the plant.
- The 60-year-old water tower will be repainted this fall.
- A water master plan was completed, including a water distribution system model.
- The city is becoming computerized and developing a GIS program.
- A Code Red Communications System began operations that can call all residences of the city.

**Tim McLelland, Hamilton to New Baltimore Groundwater Consortium** reported that next week there is a meeting with the Chem-Dyne Trust because they are approaching the 20 year mark of remediation. The Consortium wrote a letter to Ohio EPA expressing concern about groundwater pollution in this area. Representatives from the City of Hamilton including the City Manager, the Economic Development Director and the Directors of Water and Electricity will all be part of the meeting to hear how the Chem-Dyne Trust will address the hotspots.

The Schlicker landfill site is another area of concern for groundwater pollution because of a long history with over 40 violations. Ohio EPA ordered the owner of the property to cap the landfill, investigate the extent of pollution and develop a corrective action plan. The owner appealed the order with the Environmental Review and Appeals Commission (ERAC). ERAC upheld the order. Schlicker did not respond. Although the decision was upheld, funds are not available to address this 20-year-old problem.

The Consortium held a very successful Earth Day celebration in Hamilton, Ohio with 20 organizations represented. There were approximately 500 people who attended the event held over a 2 hour lunchtime period.

Tim also explained that he and Dwight Culbertson have conducted field trips to Fairfield's wastewater treatment plant and lectured fourth grade students on groundwater protection for years. This year they will work to formally develop a program with the Fairfield School District and the Soil and Water Conservation District to include sampling from creeks and other hands-on techniques with students. Tim hopes that the program will increase awareness and interest in water management, and he shared the first Groundwater Consortium newsletter.

The Consortium is in partnership with over 30 different organizations for the Great Miami River Clean Up scheduled for Saturday, July 7, 2007. The planning partners for Butler County are the Butler County Soil and Water Conservation District, The Consortium and the Storm Water District. The planning partners for Hamilton County are Bruce Koehler with OKI and Brian Bohl of the Hamilton County Soil and Water Conservation District. There are eleven sites between the two counties and 500 volunteers are expected to participate.

The 2007 Butler County Children's Water Festival is October 19<sup>th</sup>, at the Miami University Hamilton Campus. Tim explained that the schools arrange the transportation to the site. There will be a golf outing on September 28<sup>th</sup> to help raise money for the Water Festival and to thank previous and current sponsors. Volunteers are needed.

In response to a question from Holly Utrata-Halcomb about a cluster of thyroid cancer cases in children that had been reported in the media, **Todd Kehr from the City of Trenton** reported that the mothers of three children wanted to rule out if there was anything in the water. It was quite unusual to have three children in the same school district with the same rare cancer. Trenton collected samples from some wells and at the middle school and tested them for perchlorate and Iodine 131 as possible chemicals of concern. The samples did not indicate any detections of these chemicals in the water.

**Ken Shearwood, Village of New Richmond** reported that New Richmond is moving ahead with its wellhead protection with the help of Allison Reed from Ohio EPA. There is a committee in place to work on the wellhead protection plan. Ken highlighted two main education strategies. The first is working with elementary students to draw posters about pollutants. The second is that an Ohio EPA poster of the village's wellhead protection area was framed and is hanging in the utilities office for customers and residents to see. Ken also thanked Donna Runkle of USGS for providing some posters with classroom activity ideas.

Ken reported that the water plant will no longer use compressed air to obtain readings for clear wells. Compressed air will only be used during back water cycles. The plant also has a raw water well that is close to the Ohio River, which means that when there are fluctuations in the river level there are fluctuations in gallons per minute out of that well. The remedy will be to hook the raw water meter into the variable frequency drive for the well, and then a constant level of gallons/minute can be released. There is a problem at a small pump station of excess moisture. Ken reported that New Richmond will be replacing

the old valves with electronic valves. These valves will not leak water as the previous system did.

**Allison Reed of Ohio EPA** reported that Waynesville recently completed their Source Water Protection Plan.

### **OKI Staff Report**

**Bruce Koehler** presented slides about the New Miami Drinking Water Protection Plan, which is being created with a federally funded planning grant. The plan's overall purposes are to protect the health and welfare of the citizens of New Miami and to promote economic growth. Under Ohio EPA's guidance, OKI is the project sponsor. The project partners include: Hamilton to New Baltimore Groundwater Consortium, Miami Conservancy District, Village of New Miami, Miami University, University of Cincinnati, Butler Soil and Water Conservation District (SWCD), Hamilton County SWCD, Friends of the Great Miami and the Three Valley Conservation Trust.

The diversity and expertise of the project partners prompted Allison Reed of the Ohio EPA to recommend that they, rather than a consulting firm, compose the Drinking Water Protection Plan. Project partners agreed and have since offered to pass the \$15,800 in savings along to education efforts and compensation for all the time that the Village of New Miami is investing in the project.

Parts of the plan are already drafted. A major section still in progress is titled Potential Contaminant Source Control Strategies. Tim McLelland, Manager of the Groundwater Consortium, and Kelly Vereker, an intern, are working on these strategies.

**Jane Wittke** stressed the importance of signing in and including your operator certification number so that you can receive contact hour credit for applicable presentations. OKI will look into providing certificates for contact hour credit when it is available.

Jane gave a brief update about the six areawide agencies in Ohio requesting a state financial contribution for regional water quality management and planning for the Akron, Cincinnati, Cleveland, Dayton, Toledo and Youngstown areas. She explained that federal pass-through funds for this work have dwindled to one percent of what they were in the 1970's, and that OKI has maintained the Groundwater Committee with local funds. She recognized that several committee members had written letters of support for the funding request, and thanked them.

The areawide agencies requested a state contribution from the General Revenue Fund for their work. When a state contribution was not included in the governor's initial budget, both the Ohio House and the Ohio Senate chose to earmark funds from Ohio EPA's Division of Surface Water budget as a state contribution. Because the funding in the legislative budget is an earmark of Ohio EPA funds rather than the addition to them that the areawides requested, the earmark may be susceptible to a line item veto from the Governor. In addition, the legislature chose to identify \$75,000 per year per areawide agency for SFY2008-2009, or half of what had been requested by the areawides.

## ***How Laws, Rules and Permits Are Developed in Ohio and Opportunities for Public Input***

**Holly Kaloz, Gina Hayes, and Raj Chakrabarti of the Ohio EPA** gave an extensive overview of the processes by which laws, rules, and permits are developed, using as examples the recent operator certification rule, the impending groundwater rule and the general discharge permit. A copy of their PowerPoint presentation is attached to provide more detail. Major points of the Question and Answer Session can be summarized as follows:

### **Question and Answer Session**

Q. Is there a public notification made when rules are reviewed every 5 years by the Ohio EPA?

A. Yes, the same public review process applies as when rules are first drafted.

Q. What happens with public review when a rule is amended?

A. If it is an amended rule it goes through the same public review process as a new rule. No change rules go through a 90-day review process by the Joint Committee on Agency Rule Review.

Q. How does a person become involved with a stakeholders workgroup?

A. A stakeholders workgroup was organized specifically for the Operators Certification Rule. While there are not always stakeholders workgroups for development of every set of regulations, there is an interested parties list that notices are sent to, to gain input.

Q. Will there be a stakeholders workgroup for the groundwater rule?

A. It has not been decided yet. It depends on the level of interest.

Q. How can we ensure that stakeholders are involved early in the process of rule development?

A. You can contact Holly Kaloz at 614-644-2752.

Q. If you achieve 4-log (99.9%) inactivation or removal of viruses, will you have to do triggered source water monitoring for the Groundwater Rule?

A. No.

Q. Will the draft general NPDES permit for hydrostatic testing, which was discussed by the committee briefly in earlier meetings, affect fire hydrants?

A. No, confusion arose because of the term "public utilities," and water suppliers have been taken out of the general permit.

Following this discussion, Bill Gollnitz announced that he would like to meet with anyone who took the state exam for Class III operators licensing on May 22-23, 2007. This is the first year the Ohio EPA allowed calculators and the calculators they supplied did not work well, sometimes requiring that equations be redone three or four times. He is going to be talking to Ohio EPA about this as it affected performance on the exam; Dan Swart echoed his concern about the calculators and their effect on performance.

### **Adjournment**

Bruce Whitteberry reminded everyone that the next meeting of the committee would be held on September 5 or September 12, and the meeting was adjourned at 12:15 p.m.