

Ohio EPA Update

*One Water Conference
August 30, 2018*

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Overview

- Rule Development/Implementation
 - Lead and Copper
 - Asset Management
 - Disruption of Service
 - Operator Certification
- Emerging Contaminants
- Future Priorities



Image courtesy of the Capitol Square Review and Advisory Board

Lead and Copper

- Effective date May 1, 2018
- Key points of the final rules:
 - establishes lead threshold level in rule (15 ppb)
 - Clarifies 90th Percentile Calculation in rule
 - Mapping requirements for PWSs
 - 30 day requirement for completing Pb & Cu analyses
 - Notification to Ohio EPA for system changes that could effect corrosion control

Lead and Copper

- Key points of final rules (continued):
 - Faster notification to consumer in rule
 - Filters provided when main replacement activity occurs in areas of lead service lines OR when partial lead service line replacements occur
 - Faster notification and public education timelines when an action level exceedance occurs, added new health language
 - More stringent criteria to qualify for triennial monitoring qualification

Lead and Copper Corrosion Control

- Require a new or updated corrosion control treatment study and plan not later than eighteen months after if:
 - (a) change or addition of source
 - (b) substantial change in water treatment
 - (c) operate outside of acceptable ranges for lead, copper, pH, or other corrosion indicators
 - (d) Any other event determined by the director to have the potential to impact the water quality or corrosiveness of water in the system

Lead and Copper Treatment Unit Filter for Lead

- Requirement for PWSs to offer Treatment Unit Filters for lead in drinking water - effective 10/1/18
 - Main replacements in areas of lead service lines
 - Partial lead service line replacements
- Offer and provide filters for a period of 3 months
 - Offer and provide LSL replacement on private side (3745-81-84(c))
 - Document if offered and refused by customer
- Agency will work with systems for required 45 day notice for planned main replacements, expectation is that filters are offered to appropriate customers beginning 10/1/18

Disruption of Service Rules

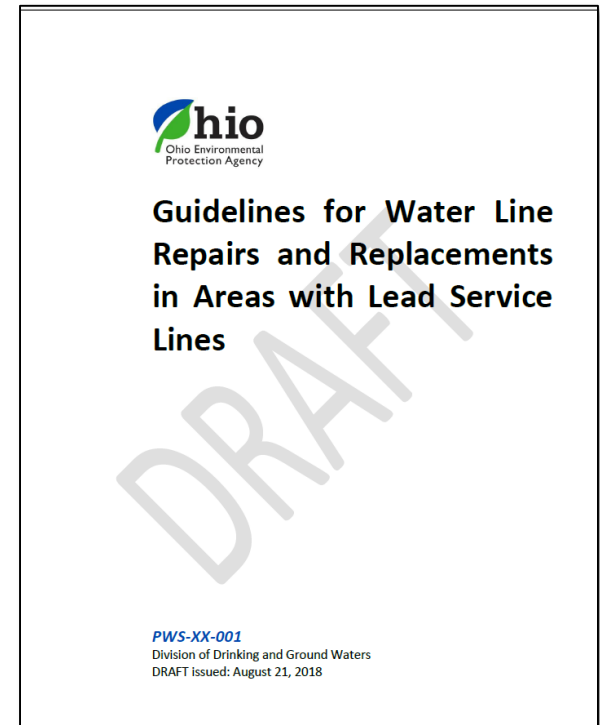
- Filed with JCARR on 8/16/18
- Public hearing on 9/18/18
- Ohio EPA has worked with Ohio AWWA for several years on developing the rule
- Disruption in service defined as inability to maintain a minimum pressure of 20 psig

Disruption of Service Rules

- Splits disruptions in service into 4 types
- Spells out actions for each type
- Type 1 and 2 do not require reporting to Ohio EPA or total coliform sampling
- Type 3 and 4 require notification and sampling
- Addresses repairs and replacements in areas with known or likely to contain lead service line

Draft Guideline for Water Line Repairs and Replacements in Areas with Lead Service Lines

- Agency working with sub-group of Ohio AWWA on guidance
- Focuses on simultaneous compliance with notification requirements of proposed Disruption of Service and Lead & Copper rules
- Out for public comment on 8/23/18
- Comments due by COB 9/12/18
(DDAGW_Rulecomments@epa.ohio.gov)



Asset Management Rules

- Designed to mesh proposed statutory change and existing capability and contingency planning rules
- Address the managerial, technical and financial capability of all water systems
- OEPA/Ohio AWWA subgroup worked on rules and implementation
- Following our typical rulemaking process
 - stakeholder outreach
 - public comment on Draft Rules ended Feb 16, 2018
 - Original file rules with JCARR (August 2018)
 - Effective date (anticipate by late Oct/early Nov)

Asset Management Implementation

What to do on October 1st:

- DO NOT submit written documentation of your asset management program to Ohio EPA unless requested but maintain onsite.
- Make sure your contingency plans and valve exercising programs are documented and up to date.

What to expect when the rule is in effect:

- Priority for review of asset management programs will be:
 - Systems under enforcement
 - Systems with obvious capability issues
 - Systems applying for a WSLRA loan
- Sanitary survey questions added
- Capability screening is initial AMP review tool

Implementation Tools

- Developing guidance for systems, expectations will vary based on system type and complexity
- Templates available for very small systems
- Asset Management Webpage:
<http://epa.ohio.gov/ddagw/pws.aspx#113435168-asset-management>

Funding for Asset Management

- Planning loans are available
 - Terms of 5 years at 0% interest
 - Potential for \$10,000 in principal forgiveness
 - Have capacity for approximately 15 more systems to receive principal forgiveness



Operator Certification

Operator Certification Rules:

- Rules effective 8/15/18
- All certified operators referred to as “Professional” Operators.
- Changes to operating experience definition effective 08/15/19
- Contract Operators must apply for approval by 9/15/18
- Minimum staffing requirements for both collection and distribution systems
 - Class 1 (3 visits per week)
 - Class 2 (5 visits per week)
- Applicants for exams, certification and renewal must complete Ohio EPA Operator Training Course

Operator Certification

Operator Certification Rules:

- Time in and Time out must be recorded in military time
- Renewals must be submitted electronically
- Renewals due by November 30th of renewal year
- Renewal grace period reduced to 6 months
- Training providers required to upload attendance to e-business center
- New contract operator rule with specific requirements for contract operators and contract operation companies

Manganese Strategy/Rule Development

- Developed a policy on addressing the HAL and secondary MCL issues with Manganese
- Early Stakeholder Outreach ended in July
 - Received large number of constructive comments
 - Reviewing and considering next steps

http://epa.ohio.gov/Portals/28/documents/rules/prposed/ESO_Manganese2018.pdf

Emerging Contaminants

- Knows and unknowns
 - HABs
 - Per- and Polyfluoroalkyl Substances (PFAS)
 - [fill in the blank]
- Expectations have changed after Flint
- Need regulatory programs to evolve, focused research and innovation to meet challenges
- Role of Asset Management and Source Water Protection to build resilience

PFAS – U.S. EPA’s Four-Step Action Plan

1. Initiate steps to evaluate the need for a maximum contaminant level (MCL) for PFOA and PFOS.
2. Begin the necessary steps to propose designating PFOA and PFOS as “hazardous substances” through one of the available statutory mechanisms, including potentially CERCLA Section 102.
3. Develop groundwater cleanup recommendations for PFOA and PFOS at contaminated sites and will complete this task by fall of this year.
4. Develop toxicity values for GenX and PFBS.

General Permit for Beneficial Use of Water Treatment Plant Residuals

Ohio EPA Division of Materials Waste Management:

- Anticipate final General Permit within next few weeks (will touch base with Ohio AWWA Technology Committee)

Ohio Board of Higher Education HAB Grant:

- Further evaluate extraction and analytical methods for determining concentrations of microcystins in WTR.
- Determine fate of microcystins in WTR.
- Evaluate potential for plant uptake.



UCMR 4

(Unregulated Contaminant Monitoring Rule – 4th round)

- Monitoring begins 2018; Ends 2020
- All PWS >10,000; 1600 randomly selected PWS <10,000
- Monitoring Schedules in USEPA's Central Data Exchange (CDX): 10 cyanotoxins and 20 other
- epa.gov/dmucmr/fourth-unregulated-contaminant-monitoring-rule

Future Activities

- Rule Implementation
- Integration of Asset Management
- Certified Operator Workforce Summit (fall 2018)
- Administration transition
 - Drinking water will likely remain a priority

Questions?

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