

Ohio EPA

DDAGW Update

OTCO Annual Class III & IV Workshop for Water and Wastewater Operators

Justin Burke, Assistant Chief
Division of Drinking and Ground Waters



2022 Hot Topics

- DDAGW Rule Review and Revisions
- Program Improvements
- Lead and Copper
- PFAS and Emerging Contaminants
- Funding

Rule Update – Rule Making Process

Four Phases of Rule Making:

1. Early Stakeholder Outreach (ESO) – Ideas/Intent
2. Interested Party Review (IPR) – Draft Rules
3. Original File – Proposed Rules
4. Final File – Final Rules

2022 Rule Summary

Rule Package	Early Stakeholder Outreach (ESO)	Interested Party Review (IPR)	Original File	Final File
Operator Certification				
Asset Management				
Lead and Copper	X			
CCR	X			
Financial Assurance	X	X		
Misc. PDWS	X	X		
GW Rule	X	X		
Backflow and CCT	X	X		
Plan Approval	X	X	X	
Water Well Standards	X	X	X	
Operation Requirements	X	X	X	
HABs	X	X	X	

Rule Update

Preparing for ESO – Step 1

- **Operator Certification (Chapter 3745-7)** *Aug-Sept*
 - Proposed addition of “contract operator or contract operations companies” to the requirements for submitting professional operator of record notification changes
 - Clarifying continuous monitoring requirements for water treatment staffing reductions
 - Consider adjusting small system population determination language
- **Asset Management (Chapter 3745-87)** *Aug-Sept*
 - Fact sheet coming soon

Rule Update

Early Stakeholder Outreach (ESO)

- **Lead and Copper Rules (3745-81-80 thru 3745-81-90)**
(Comment Period ended July 1)
 - To be filed as No Change
- **CCR Rules (3745-96)** *(Comment period ended July 25th)*
 - Clarification on purchased ground water, addition of master meter definition, removal of an old date reference, and removing Nickle from the appendix

Rule Update

Interested Party Review (IPR) – Step 2

- **Financial Assurance (Chapter 3745-92) – Chapter to be Rescinded** (IPR comment periods ends 8/12/22)
 - Regulations are duplicated in Asset Management rules
- **Miscellaneous Primary Drinking Water Standards (Chapter 3745-81)** - *IPR comment period ended June 20th and no comments received*
 - Minor revisions including removing out of date references and effective dates, adjusting table formats, and minor language changes for continuity and clarity

DDAGW Rule Status

Original Filing – Step 3

- **Backflow Prevention & CCT (Chapter 3745-95)** *Original Filed on 7/20/22; Public Hearing on 8/22/22*
 - Allow PWS to forgo an initial assessment of each residential premises if an alternate methodology is used to identify backflow hazards
 - Apply slightly different requirements to non-community and some small community systems than those of larger community systems
- **Ground Water Rules (Chapter 3745-81)** *Preparing to Final File*
 - Minor revisions to replace term “fecally contaminated” with “E. Coli”; removal of out-of-date references

DDAGW Rule Status

Final Filing – Step 4

- **Plan Approval (Chapter 3745-91)** *Ready to File, waiting on Greenbook*
 - Significant revisions to the General Plan and increased requirements of submission when substantial changes
 - Minor revisions allowing electronic submissions and submittal signers
 - Treatment requirements for manganese testing for new and existing NTNC PWS
- **Water Well Standards (Chapter 3745-9)** *Final File soon*
 - Clarifying language for siting non-potable wells and determining sanitary isolation radii and variances
 - Clarified well construction material and use of concrete as an acceptable grout in the sealing of wells
 - Updated definitions and radiological sampling criteria for new Non-Community wells
 - Added 6 PFAS chemicals to 3745-9-09 appendix

DDAGW Rule Status

Final Filing

- **Operational Requirements (Chapter 3745-83) *Final File soon***
 - Minor revisions to align with RTCR and GWR rule language
 - Revised testing requirements for PWSs using chlorine
 - If use nanofiltration or reverse osmosis for treatment must report and record the silt density index and the amount of total dissolved solids
- **Harmful Algal Blooms (Chapter 3745-90) *Final File soon***
 - Modified definitions, defined the parameters of HAB season and “offseason”
 - Reduced monitoring requirements at both raw and finished water sampling points
 - Ending the same day requirement for total microcystin and cyanobacteria screening samples

Certified Operator Paper and Pencil Examinations

- Ohio EPA will be transitioning away from conducting the paper and pencil exams
- Conversations with OAWWA, OWEA, OTCO
- We will maintain the ability to give our own exams, but in order to have one consistent set of standards for operators to study, we will focus on having operators take the third-party examinations
- We will hold final 2 paper and pencil examinations
 - December 1, 2022
 - May 3, 2023

ePlans (Electronic Plans Portal)

- DDAGW has been accepting electronic plans since March 2020
- Planning to transition to **ePlan platform** for submissions with a soft roll out in September with multiple phase approach
- **If you want to participate in the soft roll out, please contact:**
Tanushree.Courlas@epa.ohiogov
- The ePlans will be the portal for submission of:
 - General plans (including HAB general plans)
 - Detail plans
 - Pilot Protocols/Studies
 - Corrosion Control Studies
 - Well Site Applications
 - Source Water Protection Plans

Plan Review

- Working on improvements to the process
 - With ePlans software, DEFA and DDAGW will coordinate to provide comments at the same time
 - Creating summary sheets to reduce the time drafting the approval package
 - Consolidation of engineering staff to ensure consistency and balance of plan review workload
 - For large and complex plans, DDAGW will meet with system and consultant to walk through the plans

External feedback welcome, please send to amy.klei@epa.ohio.gov and Tanushree.Courlas@epa.ohio.gov



Asset Management Updates

- Opening rules for 5-yr review –seeking your input
 - Continued integration into agency and PWS programs
 - Evaluation of areas of greatest needs and needed support (technical and financial)
- 2022 changes for transient PWS
 - No online metric reporting; still required to maintain
 - More streamlined templates
 - Only ask AMP question on Sanitary Surveys when compliance issues

Lead and Copper Rules

- LCRR – Expected to implement
 - 2024 Inventory requirements
- LCRI – Areas to be strengthened (*closely watching; final by 2024*)
 - Replacing all Lead Service Lines
 - Compliance Tap Sampling
 - Action and Trigger Levels: to reduce the complexity and confusion
 - Prioritizing Historically Underserved Communities

LCRR = Lead and Copper Rule Revision

LCRI = Lead and Copper Rule Improvements



2024 Inventory Requirements

- Inventories required under the Lead and Copper Rule Revision (LCRR) due by October 16, 2024
 - Still Waiting on USEPA guidance
 - OEPA Inventory Template coming soon
- For each service line connected to the system, provide the material(s) for the **public side**, connector, and **private side**
- Inventories must be made publicly available

Ohio Lead Maps Requirements 2022 and 2024

2022 Maps

- Due [December 31, 2022](#);
- >150 already submitted; H2Ohio LSL grant map submittals count
- Content and format for these maps same as 2017 submission
- Include any new information about known or potential lead service lines
 - “No Lead Verification” now includes that the PWS verify that **BOTH** private and public services are not lead

2024 Maps

- Expanded content and format requirements
- Developing state platform
- Expected to incorporate 2024 inventory information
- Ohio EPA will provide guidance for the map and inventory requirements and conduct outreach

2022 LSL Survey

- DDAGW conducting survey in 2022 (680/1700 received so far)
 - Scoping exercise
 - Provide better information on known/unknown service line materials in the state
 - Inform where public funding and technical assistance needs are greatest for identifying lead service lines
 - **Originally due July 1, extended to Aug. 31, 2022**

Lead Status Unknown (LSU)	Lead Service Line (LSL)	Galvanized requiring replacement (GRR)	Non-Lead (NL)
Service lines where there is not enough documentation or knowledge to determine their lead status. Materials are unknown for these lines.	Service lines made of lead (A lead connector, such as a gooseneck, attached to a non-lead pipe is not considered a LSL)	Galvanized pipe that is currently or was previously downstream from a lead pipe, lead connector, or other source of lead)	Service lines made from materials that are not lead or GRR

Lead and Copper Reduced Monitoring

- Ohio's LCR rule currently requires 6-month monitoring with options for annual and triennial reduced schedules with Director of Ohio EPA's approval
- Ohio EPA is currently evaluating reduced monitoring options
- **While future monitoring requirements are evaluated, the following determinations apply for 2023:**
 - PWSs currently on triennial can apply and remain on triennial monitoring if they continue to meet eligibility requirements
 - PWSs on annual monitoring in 2022 who applied for reduced triennial monitoring for 2022, will not be approved for reductions beyond annual
 - All lead and copper schedules are subject to revision in 2024

Lead and Copper 2022 Priorities

- Identify and Map lead service lines and other lead material in public water distribution systems
- Remove lead service lines – both public and private side (ongoing)
- Stakeholder Engagement - ID needs, barriers and solutions
- Improve Communication, Outreach, Education

PFAS - Recent USEPA Actions

- Revised Lifetime Health Advisory Levels – issued 6/15/22
 - Interim
 - PFOA = 0.004 ppt (0.000000004 mg/L)
 - PFOS = 0.02 ppt (0.00000002 mg/L)
 - Final
 - GenX = 10 ppt (0.00001 mg/L)
 - PFBS = 2,000 ppt (0.002 mg/L)
- Draft NPDWR/MCLs by end of 2022
 - Final by end of 2023
 - May go beyond PFOA and PFOS
- Ohio EPA will evaluate interim HALs with the draft NPDWR

PFAS - Next Steps in Ohio

- Based on our 2020 Statewide Sampling we know where to start
 - 46 systems have finished water detections of PFOS and PFOA
- OEPA conducting additional testing this summer at select GW PWS
- OEPA/ODH working to revise website, guidance, fact sheets
- UCMR 5 starts in 2023
- While we wait for final regulatory numbers
 - Evaluate options to reduce levels
 - Identify short- and long-term planning needs; take advantage of funding
 - Develop communication plan
- Webinar on 8/9/22 with known detection systems, future webinars and information as we go through the regulatory and funding process

PFAS References and Contacts

Ohio EPA PFAS webpage

www.pfas.ohio.gov

USEPA PFAS webpage

<https://www.epa.gov/sdwa/drinking-water-health-advisories-pfoa-and-pfos>

Ohio EPA Contact

Colin White

colin.white@epa.ohio.gov

Funding Summary

- **H2Ohio (Round 3)**
 - State funding for water and wastewater
 - \$10 million each year for 10 years
 - Year 4 began on July 1, 2022
- **Drinking Water State Revolving Fund**
 - Our normal base funding
- **New Bipartisan Infrastructure Law /IIJA**
 - General Supplemental
 - Emerging Contaminants
 - Lead Service Line

H2Ohio – Round 3

Addressing Lead Service Lines

Identify and Map LSLs

- \$500,000 for Ohio Rural Community Assistance Program (RCAP)
- \$100,000 for Ohio Rural Water Association (ORWA)
- \$2.1 million for Ohio EPA’s Lead Service Line Mapping and Inventory Mini Grants (up to \$50K)

Remove LSLs

- \$2 million to 6 communities to remove and replace lead service lines



Mini-Grant Eligible Activities

- Identification and/or verification of lead service line material
 - Can include potholing/hydrovacating/trenching
 - Homeowner survey and outreach
 - Private side work
- Development of service line inventory and integrating inventory information into GIS and Asset Mgt Plans
- Hiring a third-party consultant(s)
- Purchasing tools or technology required for identification, inventory, or mapping purposes.
 - Computer hardware or software

H2Ohio

Lead Line Mapping

48 Projects in 31 Counties



MIKE DEWINE
GOVERNOR OF OHIO

hio
Ohio Environmental
Protection Agency

 **hio**
Ohio Environmental
Protection Agency

H2Ohio

Water and Wastewater Investments

- \$15.3 million for 28 drinking water and wastewater infrastructure projects in 23 counties across the state.
- \$1.25 million awarded for lead service line replacement projects at childcare facilities in Cincinnati and Cleveland.
- \$3.3 million awarded to health departments in 18 counties to address failing household sewage systems.

H2Ohio

Lead Service Line Replacement Grants



<u>City/County</u>	<u>Grant Amount</u>
Delphos - Allen, Van Wert	\$500,000
Lockland - Hamilton	\$500,000
Norwood - Hamilton	\$348,000
Scio - Harrison	\$150,000
Sebring - Mahoning	\$500,000
Hubbard - Trumbull	\$180,000



MIKE DEWINE
GOVERNOR OF OHIO

Drinking Water State Revolving Fund

- Base Funding
 - Principal Forgiveness for Disadvantaged Systems and Regionalization
 - Set asides will be used to fund technical assistance through ORWA
- BIL Supplemental
 - Principal Forgiveness for Disadvantaged Systems and Regionalization
 - Set asides will be used for mini grants: Emergency Generators, Well Abandonment and Asset Management Program Updates
- Lead Service Line
 - Projects focused on LSL replacements
 - Set asides grants towards service line identification, inventory and mapping

Funding - Next Steps

- Program Management Plan
 - Public comment period ended on 7/26
 - Final PMP in the coming weeks; Anticipating awards in October
- Additional nomination period next month
 - Remainder of LSL pot (~\$30M) – replacement projects only
 - Emerging Contaminants/PFAS (\$18M)
- H2Ohio
 - Potential launch as soon as next month for LSL
 - Proposed additional mini grants
- WIIN Emerging Contaminants Grant through BIL –next year
 - Potentially another \$20M

Emergent Contaminant (PFAS) Funding

- A call for project nominations will take place in August 2022
 - Nominate Planning and Design projects at any time
 - To be considered for Principal Forgiveness, nominations must be received during the nomination period
- An amended Program Management Plan (PMP) will be provided for public comment
- Final amended WSRLA PMP will be out around November
- Funds will be available early 2023

Upcoming Funding Webinar

There is a webinar on **August 10th at 1:30 PM** on the next round of nominations this month for BIL LSL and Emerging Contaminants funding.

<http://attendee.gotowebinar.com/register/3503993349430397710>

2022-2023 Priorities

- Prepare for Lead and PFAS regulations
- Be strategic and efficient with funding
- Build and strengthen partnerships
- Asset Management and Source Water Protection
- Ensure water needs remain visible and prioritized

Thank you

Justin Burke, Assistant Chief
Division of Drinking and Ground Waters
614-644-2752
Justin.Burke@epa.ohio.gov

<http://epa.ohio.gov/ddagw/>

