



**Minutes of the
Environmental Affairs Advisory Board
Wednesday, February 1, 2023, at 6:30 PM
Location: Lake House**

The meeting was called to order at 6:30 p.m.

Welcome/Attendance/Meeting Minutes

Present: Rita George, Kayla Goodwin, Sam Naumann, Jen Miller, Marty Patton, Terry Robison, Rob Shahmir, and Terry Wyrock, citizen members.

Tom Sulzer (Avient™), Michelle Hall (Ford), Mike McCormick (Applied Specialties), and Ron Spears (Lubrizol), industry members.

Absent: Scott Cameron (Charah Solutions), industry member.

Also in Attendance: Council Representatives Billie Jo David and Jennifer Fenderbosch and Mayor Zilka.

Approval of Minutes: Mr. Sulzer moved to approve the minutes of December 7, 2022, and January 4, 2023. Mr. McCormick seconded. All ayes. Motion approved.

Residential Accountability

Mrs. Miller reported on the speaker series, Environmentally Speaking: Recycling Right! offered by the Board in partnership with the Avon Lake Public Library. The event was well attended and very engaging. The final edits of the video are in process and, when completed, it will air on the City's website and ALCTV. The series included a presentation from Brandi Schnell of the Lorain County Solid Waste Management District on recycling efforts in Lorain County. Also, a group from the Good Neighbor Thrift Shop talked about how they distribute donated items with zero waste and dispose of unsaleable or unsold goods.

The topic for the next series is Environmentally Speaking: Thrifting and Repurposing Your Wardrobe and will be held on Tuesday, February 21st from 7 to 8 p.m. This program will offer tips on how to repurpose clothing purchases from thrift shops.

- Trash Consortium

Mrs. David informed the Board about a joint effort with the Public Service Committee and Environmental Committee to prepare for the next waste and recycling contract. The City's current contract with Kimble expires in 2024. The Trash Consortium will be going out to bid, and they need feedback from residents regarding their trash and recycling collection needs. Their input will be included in the bid specifications. The City will host a Trash Contract Roundtable Forum at Avon Lake High School on April 26th at 7:00 p.m. The forum will be held in the "Commons" as a café conversation format. The Committees need assistance from the EAAB to help identify topics that are important to the Board and to be table facilitators. The table facilitator's role will be to encourage dialog on a question posed at the volunteer's assigned table. Residents will move from table to table and write their responses on butcher block paper at each location. There

will probably be a rotation of three or four times, and the same question at each table with three café conversations by different people. These conversations will be included in the bid process to ensure that the items that are important to residents and the Committees are placed into the bid proposal.

Mrs. Fenderbosch reported that previously the trash contract was handled by former Public Works Director Joe Reitz. The City joined a consortium along with 12 other communities to gain strength in the contract negotiation. The communities consist of townships and cities in Lorain County. The negotiations and spec writing are handled by the Lorain County Solid Waste District attorney and this legal representation is funded through the trash collection fees. A small percentage of the collection fees from the public and Kimble are deposited into the consortium fund. That money is designed for two services: 1) a trash industry consultant; and 2) legal representation.

Mrs. Fenderbosch stated that some residents have concerns about the various types of services, i.e. trash, recycling, and yard waste, and whether the City should continue to offer yard waste or recycling. The size of the trash and recycling containers (35, 65, or 90 gallons) is another topic for discussion. Currently, Kimble is in the City four days a week. Should a hauler only be in the City for one day? Should bulk pickup be available every week, once a month, or every other month? Regarding vacation suspension services, should that be part of the contract? Apartments and multi-family residences do not recycle; should this be offered? Residents who live on a private street are not included in the trash contract and they use a different hauler. Should they be involved in this discussion and possibly included in a new contract?

Mayor Zilka informed the Board that Kimble was one of three bidders and the only bidder who offered yard waste collection. The City of Avon joined the Trash Consortium and when the bids were received, they made a side deal with Republic Services. Avon Lake is the largest entity in the Trash Consortium as most communities are villages and townships. When the City joined, some of those communities were paying \$110-\$120 for trash pickup while Avon Lake was paying \$50. Those communities greatly benefited by joining the Consortium. Sheffield Village was also a member who negotiated with Republic Services outside of the bid. Kimble is unable to collect trash throughout the City on the same day, and many residents think one day a week is the only way to go. Bulk pickup is another issue to discuss regarding how much is acceptable and how often it should be available to residents. It is not possible to satisfy every resident; however, the City will work towards a better and fairer deal.

Mrs. Fenderbosch will email a copy of the scope of work from the last bid packet to the Board in preparation for the Roundtable meeting.

Action: The Board will discuss the Roundtable Forum at the next meeting.

Industry Accountability

- Avient™ – Mr. Sulzer reported that there were no OSHA or EPA incidents in 2022. Three remodeling projects at the facility have been completed, and approximately 350 fluorescent bulbs were replaced with LEDs. The 2022 Sustainability Report is available online.
- Applied Specialties – Mr. McCormick also reported that there have not been any OSHA or EPA violations at their facility.
- Ford – Ms. Hall reported that there have not been any additional odor complaints reported to the Ohio EPA, but Ford is continuing to investigate the complaints from last year to determine

if there is anything that needs to be modified. The expansion project has started, and work on the retention pond will begin in March or April. A third-party business verification audit was completed, and some recommendations were implemented to ensure that the environmental operating system works sufficiently.

- Charah Solutions – Chair Naumann reported that Charah’s representative, Scott Cameron, was unable to attend but emailed the following report: the asbestos abatement is continuing at the Power Plant, and the Unit 9 Precipitator demo is in progress.

Mayor Zilka reported that the removal of the electrostatic precipitator, which is the rust-colored structure on the west side, began on January 2nd and the anticipated completion date is May 1st. The City is interested in that part of the property because it will increase the size of Miller Road Park. The projected completion date of the Power Plant’s demolition is December 31, 2024.

In response to Chair Naumann, Mayor Zilka stated that it is still unknown what will be demolished by December 31, 2024. Many people wondered if the main building and the smoke stacks will remain. According to some realtors, keeping those parts of the property may make it difficult to market because of the expense needed to retrofit a business into that area.

Chair Naumann asked what is required for this development to move forward from an environmental standpoint because it is critical to understand what type of development will occur on the property. He asked if the City has any information about what exactly will be completed by December 31st.

Mrs. David informed the Board that the Community Improvement Corporation (CIC) has been meeting regularly with Charah, and if the Board has questions, they could be asked during those meetings. Having representation from this Board at those meetings will be crucial in determining timelines regarding the remediation and the economic development aspect of the property.

Mr. Shahmir stated that he attended the last CIC meeting on January 13th. On January 12th, he received an email from Director Esborn to the Board’s question of last October regarding PCBs at the site. Charah and their consultants’ response to this question was that the PCB data is unproven. The Board also asked to see their plan for the Phase 2 investigation. For over 100 years, two power plants have been in operation at the site, and PCBs were used at those facilities until the mid-80s. Historically, leaks occurred at most facilities. When the Board asked about PCBs, Charah responded that the environmental conditions do not support the data. The other concern pertains to groundwater. Since there has been a 900-yard coal pile at the site for over 50 years, groundwater testing is vital since acid mine drainage occurs when coal sits in the open. This is the biggest project that this City will have for the next 100 years, and the future of the community depends on proper development that includes proper cleanup that safeguards the community. The City must be informed about the groundwater and soil tests, asbestos abatement, and exactly what the Ohio EPA is overseeing because they do not have oversight on groundwater or soil testing. He stated that the City does not have an environmental consultant and the CIC does not have the technical capability on the environmental aspect to understand what is required. Environmental consultants that did the work previously should be engaged on behalf of the City. The City’s environmental lawyer is an expert in the field, but he does not have the technical knowledge required when dealing with groundwater issues, contaminants, and the state of the contaminants in the subsurface. The Board is the voice of the City Council and is an advocate for the community. He will attend all CIC meetings on behalf of the Board.

Mrs. Goodwin asked Ms. Hall if she could investigate the issues raised by the Board because she previously worked at the Ohio EPA and has experience with PCBs and soil testing. Ms. Hall agreed to assist the Board and reviewed some of the requirements Ford must complete during their expansion project regarding soil testing and the discovery of PCBs. The Ohio EPA will appear whenever asbestos is found. If there are stormwater and groundwater issues, they are not involved. From a corporate standpoint, she will have to see what Charah is allowed to do at the Power Plant site and will possibly contact the Ohio EPA.

Additional information on the collection of samples, the characteristics of the contaminants, and how to screen groundwater was provided to the Board. Mr. Shahmir stated that Charah has not provided information on how they gathered the water samples or released any results of the testing.

Mrs. David stated that she heard that Charah is not done collecting samples, that the results are inclusive at this point, and that the Ohio EPA will be involved at a certain point but is not involved now. Since this is private property, she questioned what type of access they would give to an environmental consultant if the City found one. This is three acres of lakefront property with plenty of development potential, and an interested buyer will hire an environmental consultant to ensure that they are purchasing property that can be developed the way they desire.

Mrs. Fenderbosch informed the Board that she and Mr. Shahmir met with the Ohio EPA department head on brownfields. They were told that Charah's contractor for the asbestos remediation is doing a very good job. If children will be in the area that will be developed, the Ohio EPA will be vigilant. If the area remains an industrial site, then they will not inspect the property but will only complete the paperwork. Therefore, how the property is going to be developed will determine how involved the Ohio EPA will become. The reclamation company hired two companies; a holistic company to market the property, and an engineering company to present how it could be developed.

Miscellaneous

Mrs. Miller reported that a resident, who attended the recycling session, asked about an artificial reef, and forwarded the information to the Board. This will be discussed at a future meeting.

The meeting adjourned at 7:31 p.m.

Respectfully yours,

/s/ Valerie E. Rosmarin

Valerie Rosmarin, Clerk