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Committees:
Energy & Natural Resources
Public Utilities

John Bocchieri
State Representative

January 27, 2016

Craig Butler, Director
Ohio Environmental Protection Agency
50 W. Town Street, Suite 700
Columbus, Ohio 43215

Director Butler,

On behalf of the community I represent, I would like to thank you for the recent short-term response you provided to the Village of Sebring regarding the crisis surrounding contaminated water. The robust effort involving cross-coordination of multiple state agencies with geographic and logistical challenges, truly illustrated a well thought-out, organized response to this evolving crisis.

This region of Mahoning County is not unfamiliar to crises involving children. A few years back, the community suffered greatly when several children died from a meningitis outbreak. Fortunately, the Ohio Department of Health moved with a sense of urgency, partnering with local officials to prevent any further loss of life. In the short term, your quick response to send bottled water and state experts to run additional tests demonstrates you are now taking on this crisis with a sense of urgency.

We can all agree on two points. First, that the residents of Sebring, and every community, deserve safe, reliable drinking water. Second, that public officials at all levels who have a legal and moral obligation to protect consumers from harm should instill confidence in the public during such crises through their words and deeds. It is clear to me that the water superintendent in Sebring should have moved with more urgency to notify the public of the positive lead results in the water, and improve the corrosion control efforts of an aged delivery system. But while the EPA's rules require the water authority to report any indications of lead to consumers, state law identifies the EPA's legal and moral obligation to notify consumers should the water authority fail in that endeavor.

On January 22, we requested answers to many questions that still remain about the timeline regarding when the Ohio EPA received the positive lead test results from the state certified vendor. We now know that date to be August 21, 2015. Since this crisis erupted last week, your

press relations team has been sending documents through the media, instead of answering our questions directly, and assigning blame based upon the facts as presented in your timeline. We finally received an official response from you on January 27, but these documents were as incomplete as the data you accuse the water superintendent of providing. The information you sent Legislators are the same documents you 'dumped' to the media on Sunday evening, January 24, at 6 PM.

The lingering question for state lawmakers is the following: after receiving the lab results in late summer 2015, where was the robust response from the Ohio EPA after receiving the lead-positive test results? Do you believe it is acceptable that children in this community drank lead-tainted water for nearly six months while your regional staff failed to manage a public health crisis in a timely manner? You make further allegations that the water superintendent in Sebring endangered residents in 2009. While this is unrelated to the present lead crisis, the question remains as to why the Ohio EPA renewed the annual water license of an official it believed was placing residents at risk? What level of training did you provide to get the superintendent back to state standards? In an earlier press release, you admitted to problems regarding the Ohio EPA's protocols for 'cracking down' on water systems that do not meet notification and compliance deadlines. In what ways will you promptly improve this process in the short-term?

It is clear you are deflecting such pressing questions about the Ohio EPA's legal responsibility to notify residents of a health crisis when a water authority does not do so in a timely manner. I am formally requesting a public records request for all documents pertaining to the Ohio EPA's receipt of state certified test results on August 21, 2015 and any immediate actions thereafter. Further, I am requesting you to conduct a thorough internal investigation as to why the regional office did not respond to the crisis last summer in the way you are responding to the crisis today.

Please advise me if the General Assembly can help you with your efforts to bring these facts to surface quickly.

Sincerely,

A handwritten signature in black ink that reads "John Bocchieri". The signature is written in a cursive style with a large, looping initial "J".

JOHN BOCCIERI
State Representative
59th House District