

# Environmental Update

August 2019 (Issue 5)

## OHIO EPA RULEMAKINGS AND ANNOUNCEMENTS

### Air

No updates at this time.

### Water - Drinking and Groundwater

**Division of Drinking and Ground Waters (DDAGW) Proposed Rulemaking Regarding Public Water Systems:** DDAGW seeks comments on its proposed rulemaking governing public water system license to operate. The Public Notice can be found [here](#). The Business Impact Analysis can be found [here](#). Comments are due by **August 16, 2019**.

**Division of Drinking and Ground Waters (DDAGW) Proposed "no changes" Rulemaking Governing Primary Drinking Water Standards Rules and Drinking Water Source Protection Plan Rule:** DDAGW has proposed "no changes" to several primary drinking water standards rules in Chapter 3745-81 of the Ohio Administrative Code (OAC) and OAC rule 3745-91-10 source water protection plan rule to Joint Committee on Agency Rule Review (JCARR). The Business Impact Analysis can be found [here](#).

### Water - Surface

**208 Water Quality Management Plan Certification Update:** Director of Environmental Protection is proposing to update water quality management plans, as required by Sections 303 and 208 of the Clean Water Act. These plans describe and promote efficient and comprehensive programs for controlling water pollution from point and nonpoint sources in a defined geographic area. The Public Notice can be found [here](#). A hearing will be held at 3:00 p.m. on **August 13, 2019** at the following location: Ohio EPA Central Office 50 W. Town Street, Suite 700, Conference Room A, Columbus, Ohio 43215. Comments must be received by 5:00 p.m. on **August 18, 2019**.

**Statewide Biological and Water Quality Monitoring and Assessment:** Ohio EPA is currently accepting comments on the Proposed Two-Pronged Approach to Surveying and Monitoring Aquatic Life in Ohio's Streams and Rivers. Information regarding the monitoring strategy can be found in the Fact Sheet [here](#). The comment deadline is **August 12, 2019**.

### Waste - Hazardous

No updates at this time.

### Waste - Non-Hazardous

**Explosive Gas Monitoring Rule, OAC 3745-27-12:** Ohio EPA's Division of Materials and Waste Management (DMWM) is proposing to update the rule to reflect statutory changes and amend the rule to be compliant with Legislative Service Commission and Ohio EPA rule writing standards. The content of the rule has also been reorganized for better clarity. The draft rule Fact Sheet can be found [here](#). The Business Impact Analysis can be found [here](#). Comments on the draft rules must be received no later than 5:00 p.m. on **August 26, 2019**.

**Licensing Rules Interested Party Release:** The Division of Materials and Waste Management (DMWM) proposes to rescind the licensing rules in OAC Chapter 3745-37 and amend OAC 3745-501 to make it applicable to all solid waste, infectious waste treatment, and construction and demolition debris facilities. The Interested Party Fact

Sheet can be found [here](#). The Business Impact Analysis can be found [here](#). Comments on the draft rules must be received no later than 5:00 p.m. on **August 19, 2019**.

### Department of Environmental Response and Revitalization

No updates at this time.

## OHIO DEPARTMENT OF NATURAL RESOURCES

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## Oil and Gas

**Proposed Rule Filings with JCARR:** The Ohio Department of Natural Resources, Division of Oil and Gas Resources Management will hold a public hearing to accept testimony on proposed changes to Ohio Administrative Code sections 1501:9-1-01, 1501:9-1-04, 1501:9-1-05, 1501:9-3-07.1, 1501:9-3-10, 1501:9-5-08, 1501:7-13, 1501:9-9-07. The proposed rules can be found [here](#). Additional information can be found [here](#). A public hearing will be held at 10:00 a.m. on **August 21, 2019** at the Ohio Department of Natural Resources, Building F, First Floor Hearing Room, 2045 Morse Road Columbus, Ohio 43229. All written comments received before the hearing or those received until 5:00 p.m. **August 30, 2019** will be accepted into the record.

**Public Comment Welcomed for Draft Well Plugging Rules Submitted to CSI:** The Ohio Department of Natural Resources, Division of Oil and Gas Resources Management (Division), has submitted draft rules regarding Well Plugging to the Common Sense Initiative. The Division proposes to amend and or rescind portions of well plugging rules located in OAC 1501:9-11, Plugging of Wells. The Executive Summary can be viewed [here](#). The Division welcomes comments from all interested parties regarding these draft rules. Comments may be submitted in writing until the close of business **August 13, 2019** to [dogrm.rules@dnr.state.oh.us](mailto:dogrm.rules@dnr.state.oh.us) and or [CSIPublicComments@governor.ohio.gov](mailto:CSIPublicComments@governor.ohio.gov).

## Mineral Resources

No updates at this time.

## Geology

No updates at this time.

## Soil and Water Resources

**Ohio Department of Natural Resources (ODNR) Awards More than \$400K in Grants for Lake Erie Projects:** ODNR has approved more than \$437,000 in funding through the Coastal Management Assistance Grant (CMAG) program for five projects in Toledo, Eastlake, Ashtabula County, Lorain, and Bay Village that will improve coastal planning, public access, and water quality. This year's projects include installing ADA-accessible parking spaces and walkways, implementing green stormwater infrastructure, and enhancing stream and wetland habitats which will help filter and improve water quality, and developing plans and engineering designs needed to improve public access and restore coastal habitat. For more information about projects and funding for each grantee, please visit <http://coastal.ohiodnr.gov/cmagrants>.

**Ohio Wildlife Council Receives Fishing Regulations Proposals for 2020:** The Ohio Wildlife Council received several new fishing proposals at its regularly scheduled meeting Wednesday, July 10, 2019 according to the Ohio Department of Natural Resources (ODNR) Division of Wildlife. If approved, proposed regulations will take effect January 1, 2020. A complete list of proposals is available [here](#). A statewide public hearing on the proposed rules will be held at the ODNR Division of Wildlife's District One office at 9:00 a.m. on **Thursday, September 12, 2019**. The office is located at 1500 Dublin Road, Columbus 43215.

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## **OHIO DEPARTMENT OF AGRICULTURE**

### Administration

No updates at this time.

### Animal Health

No updates at this time.

### Dairy

No updates at this time.

### Food Safety

#### Recalls

**July 29, 2019:** Premium Foods USA, Inc., a Woodside, New York establishment and importer of record, is recalling approximately 76,025 pounds of various Siluriformes fish products that were not presented for import re-inspection into the United States. Additionally, the products were imported from Bangladesh and Myanmar, countries ineligible to export Siluriformes fish product to the United States. Additional information is available [here](#).

**July 29, 2019:** JuJu Bakes, LLC, DBA The Cookie Dough Cafe of Bloomington, Illinois is recalling 15 cases of 1.6 ounce Chocolate Chip Chilled Gourmet Edible Cookie Dough Bars, because they may contain peanuts. People who have an allergy or severe sensitivity to peanuts run the risk of serious or life-threatening allergic reaction if they consume these products. Additional information is available [here](#).

**July 29, 2019:** The Lennox Intl Inc. located in Edison, New Jersey, is voluntary recalling its Natural Pig ears because they have the potential to be contaminated with Salmonella. Additional information is available [here](#).

**July 29, 2019:** Pita Pal Foods, LP of Houston, Texas has issued a voluntary recall of certain hummus products made between May 15, 2019 through July 11, 2019, due to concerns over *Listeria monocytogenes*, which was identified at the manufacturing facility (not in finished product) during an FDA inspection. Additional information is available [here](#).

**July 26, 2019:** The U.S. Food and Drug Administration (FDA), along with the Centers for Disease Control and Prevention (CDC), and state and local partners, are investigating a multistate outbreak of *Cyclospora* illnesses potentially linked to fresh basil exported by Siga Logistics de RL de CV located in Morelos, Mexico. Additional information is available [here](#).

**July 26, 2019:** Williams Foods LLC has initiated a voluntary and precautionary recall of the following items: Great Value Mild Taco Seasoning Mix, item number 564829444, product UPC 0 78742 24572 0; HEB Taco Seasoning Mix Reduced Sodium item number 050215, Product UPC 0 41220 79609 0. Additional information is available [here](#).

**July 26, 2019:** Euphoria Fancy Food Inc. of Brooklyn, New York is recalling its 500 gram packages of "Tainy Vostoka Assorted Dry Fruits-Apple" because they contain undeclared sulfites. Consumers who have severe sensitivity to sulfites run the risk of serious or life-threatening allergic reactions if they consume this product. Additional information is available [here](#).

**July 25, 2019:** Herbal Doctor Remedies is voluntarily recalling all drug products within expiry to the consumer level. These products have been marketed without FDA approval and were manufactured outside of the controls required by current Good Manufacturing Practices (cGMP). Additional information is available [here](#).

**July 23, 2019:** Mountain Rose Herbs (MRH) of Eugene, Oregon is recalling all sizes ranging from 4 ounce to 50 pounds of its Fennel Seed Whole, Lot #25031, because they have the potential to be contaminated with *Salmonella*, an organism which can cause serious and sometimes fatal infections in young children, frail or elderly people, and others with weakened immune systems. Additional information is available [here](#).

**July 22, 2019:** Elevation Foods is voluntarily recalling containers of Archer Farms-brand egg salad; Freskëtbrand egg salad, tuna salad, and Thai lobster salad; and Archer Farms-brand deviled egg sandwiches produced on June 18, 2019 due to possible contamination with *Listeria monocytogenes*. *Listeria monocytogenes* is an organism which can cause serious and sometimes fatal infections in young children, frail or elderly people, and others with weakened immune systems. Additional information is available [here](#).

**July 19, 2019:** Mizkan America, Inc., announced the voluntary recall of select production codes of certain RAGÚ® pasta sauces in the U.S. because the sauce may contain fragments of plastic. There have not been any reports of consumer injuries or complaints. Mizkan America is taking this action out of an abundance of caution. This recall is at the retail level and all impacted retailer customers have been notified of this voluntary recall prior to this press release. Additional information is available [here](#).

**July 17, 2019:** Northfork Bison Distributions Inc. of St. Leonard, Quebec is recalling its Bison Burgers & Bison Ground because they have the potential to be contaminated with *E. coli*: O121 and O103. This form of *E. coli* may cause diarrheal illness often with bloody stools. Although most healthy adults can recover completely within a week, some people can develop a form of kidney failure called Hemolytic Uremic Syndrome (HUS). HUS is most likely to occur in young children and the elderly. The condition can lead to serious damage and even death. Additional information is available [here](#).

**July 16, 2019:** Wismettac Asian Foods, Inc., Santa Fe Springs, California is issuing a voluntary recall for eight (8) types of Shirakiku brand imported fish cake products because of the possible contamination of some allergens (Milk, egg, and crustacean shellfish). People who have a sensitivity to milk, egg, or shellfish run the risk of serious or life threatening allergic reaction if they consume the product. Additional information is available [here](#).

**July 16, 2019:** Pita Pal Foods, LP of Houston, Texas has issued a voluntary recall of certain hummus products made between May 30, 2019 and June 25, 2019, due to concerns over *Listeria monocytogenes*, which was identified at the manufacturing facility (not in finished product) during an FDA inspection. Additional information is available [here](#).

**July 15, 2019:** DaVinci Laboratories, a division of FoodScience Corporation of Williston, Vermont has contacted FDA and is voluntarily recalling 256 bottles of Omega-3 1000 that may be labeled as Dim Plex. A small number of bottles may contain undeclared fish (anchovy & sardines) allergen. People who have an allergy or severe sensitivity to fish run the risk of serious or life-threatening allergic reaction if they consume these products. Additional information is available [here](#).

**July 12, 2019:** Baumer Foods, Inc. of Metairie, Louisiana is recalling 10 ounce PICS Soy Sauce, because it may contain undeclared fish. People who have an allergy or severe sensitivity to fish run the risk of serious or life-threatening allergic reaction if they consume these products. Additional information is available [here](#).

**July 12, 2019:** PROBAR LLC of Salt Lake City, Utah has initiated a voluntary recall of select flavors and lots of Meal@ bars, including Chocolate Coconut, Peanut Butter Chocolate Chip, Original Trail Mix, Wholeberry Blast, and Superfood Slam due to the possible presence of undeclared milk and soy allergens. People who have an allergy or severe sensitivity to milk or soy may run the risk of a serious or life threatening allergic reaction if they consume the affected products. No other PROBAR@ products are affected. Additional information is available [here](#).

**July 11, 2019:** Crab House Trading Corp., a Los Angeles, California establishment, is recalling approximately 49,000 pounds of frozen Siluriformes products, specifically yellow walking fish, that were produced without the benefit of federal inspection. Additional information is available [here](#).

**July 10, 2019:** Flowers Foods, Inc. (NYSE: FLO) is voluntarily recalling hamburger and hot dog buns and other bakery products due to the potential presence of small pieces of hard plastic that may have been introduced during production. Consumption of product may cause a choking hazard. The products being recalled were distributed to retail customers under a variety of brand names and distributed in AL, AK, FL, GA, IL, IN, KS, KY, LA, MO, MS, NC, OH, SC, TN, TX, VA, and WV. Additional information is available [here](#).

**July 8, 2019:** The U.S. Food and Drug Administration (FDA), along with the Centers for Disease Control and Prevention (CDC), and state and local partners, are investigating a multistate outbreak of Salmonella Uganda illnesses likely linked to whole, fresh papayas. Consumers in all states should not eat any Cavi brand whole, fresh papayas and should throw them away. If consumers are unable to determine the brand of papayas, they should be thrown away. Retailers, restaurants, and other food service providers in all states should not serve or sell whole, fresh papayas under the Cavi brand, which is distributed by Agroson's LLC. Additional information is available [here](#).

**July 8, 2019:** Pet Supplies Plus is recalling bulk pig ear product supplied to all locations by several different vendors due to the potential of Salmonella contamination. Salmonella can affect animals eating the products and there is risk to humans from handling contaminated pet products, especially if they have not thoroughly washed their hands after having contact with the products or any surfaces exposed to these products. Bulk pig ears were distributed to Pet Supplies Plus stores in AL, AR, CA, CO, CT, DE, FL, GA, IA, IL, IN, KS, KY, MA, MD, MI, MN, MO, NC, NE, NH, NJ, NY, OH, OK, PA, RI, SC, TN, TX, VA, WI, and WV. Bulk pig ears were stocked in open bins. Prepackaged branded pig ears are not included in this voluntary recall. To date, 45 individuals in 13 states have been diagnosed with Salmonella related illness. Additional information is available [here](#).

**July 3, 2019:** Growers Express is issuing a voluntary recall of select fresh vegetable products in an abundance of caution and in the interest of protecting its customers and end consumers. The fresh vegetable products include packaged varieties of butternut squash, cauliflower, zucchini, and a butternut squashed based veggie bowl. Additional information is available [here](#).

All recalls can be viewed [here](#).

**Meat Inspection**  
No updates at this time.

**Plant Health**  
No updates at this time.

**Soil and Water Conservation**  
No updates at this time.

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