

**Texas Commission on Environmental Quality
Summary for Drinking Water Advisory Work Group
TCEQ Complex, Building F, Room 2210, March 1, 2005
12015 Park 35 Circle (I-35 North between Braker and Yager), 9:00 am - 12:00 noon**

Welcome/Introduction: Buck Henderson, Section Manager, PDW, Water Supply Division (WSD).

- Drinking Water Advisory Work Group (DWAAG) members, guests, and attendees introduced themselves and their affiliation.

**TCEQ Staff Updates:Federal Rules: Tony Bennett, Technical Specialist, WSD-Rule Schedule
(See handout)**

TOPIC 1: Rules and Implementation

- Rule Schedule (See Gantt chart handout)
- Timeline for final rules on different chemicals
- Ground Water Rule due out in late summer
- Distribution system rule already in the state rules, but no consistent federal rule for pressure, etc.
- Lead/copper rule based on corrosive activity while proposed rule based on maximum contaminant level (MCL)
- Time-weighted averaging method is due by date arsenic rule is adopted (Jan 23, 2006)
- Definition of a PWS (4 items). Exception is those systems that don't sell water. Disagreement between TCEQ and the EPA.
- Provisions of Radionuclides Rule and Arsenic Rule were both adopted in to Texas Administrative Code by the Commission in December 2005 (TR 12/.

TOPIC 2: Arsenic Removal Demonstration Project

- EPA demo on small systems
- Wellman, Texas - no bids because of remote location
- Fair number of arsenic violators expected south of Houston
- Three systems were ultimately selected: Fort Bend, Bruni Independent School District, and • Oak Manor MUD (Brazoria County)
- EPA pays for installation, capital costs; PWS funds operation, maintenance
- Different processes: Iron adsorption media, ion exchange
- Three projects in Texas are in planning stage, six are up and running nationwide

TOPIC 3: State Revolving Fund (SRF)

- Requests for funding under SRF were due February 7, 2005.
- TCEQ will prioritize funding requests by May 1, 2005, then Texas Water Development
- Board will provide grants or loans to systems, money will be available in September 2005.
- Have Board adopt intended use plan.

Questions for Tony Bennett:

Q1: Will the state revolving fund (SRF) experience funding cuts?

A1: Safe Drinking Water Act SRF was not impacted as adversely as Clean Water Act programs.

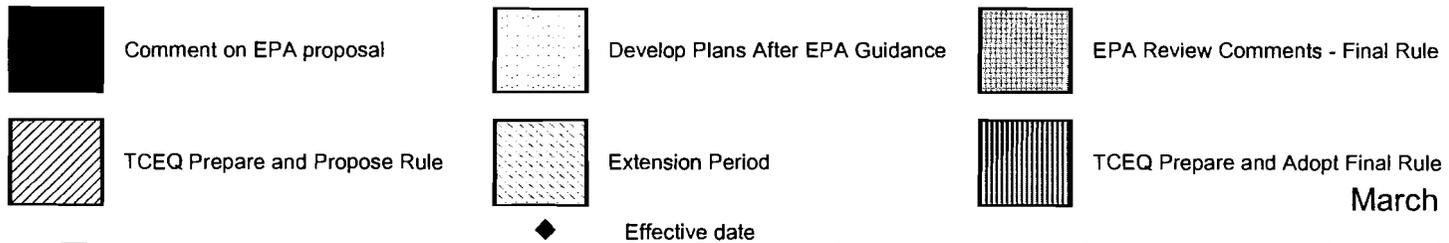
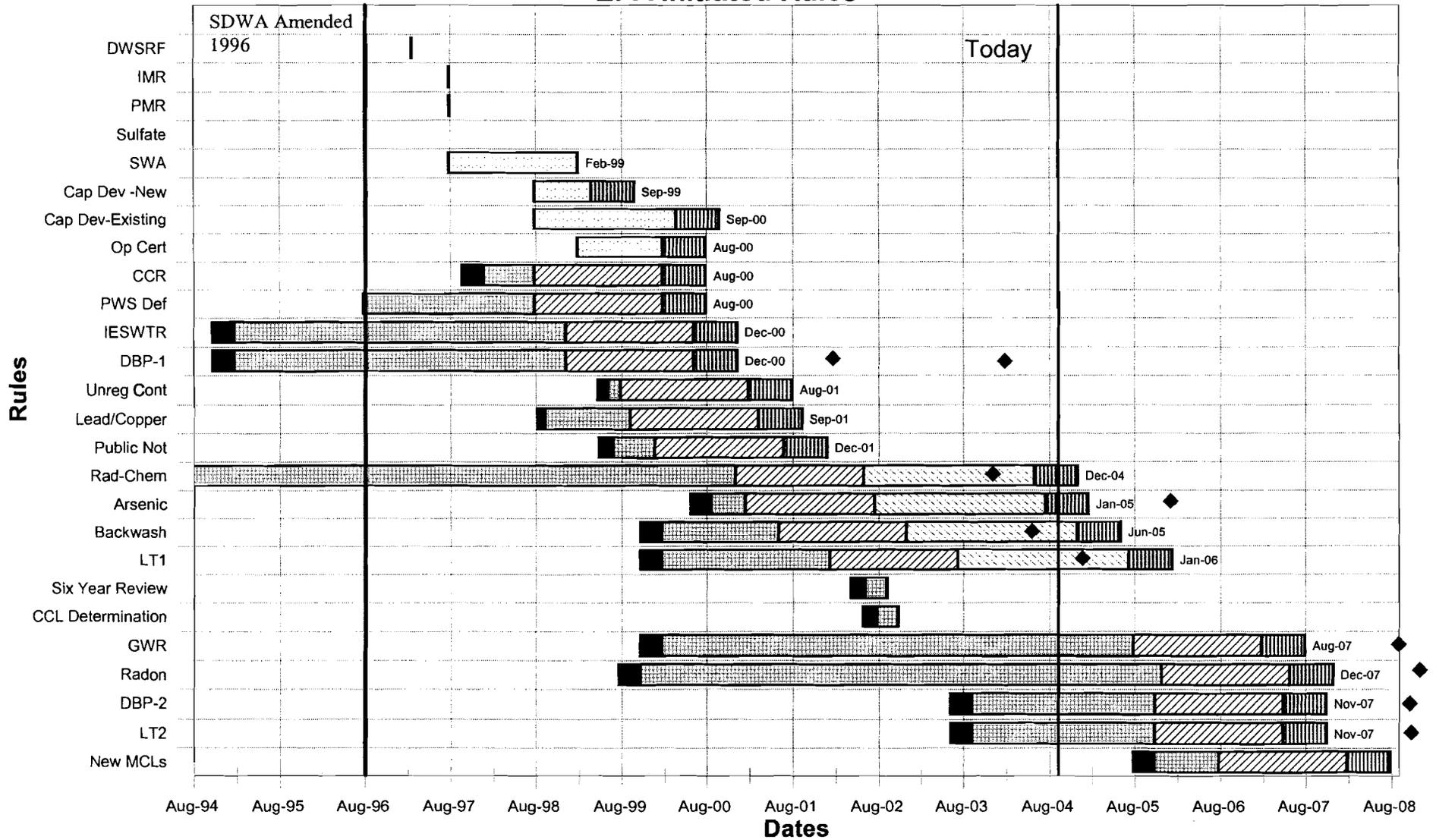
Q2: How much money is distributed?

A2: 100 direct projects received, Texas gets \$50,000,000 and matches 20%. Requests must be prioritized because of large number of applicants. Match funds can be obtained through bond issue - this depends on type of ownership.

Q3: Suggestion from CWA: TCEQ Staff should let legislators know that SRF funding may not be available from EPA in future, which would adversely affect our ability to protect public health.

A3: TCEQ concurs with perception of potential negative impacts to any reduction in SRF funding both to Texas communities as well as to TCEQ drinking water programs. PWS PH Fee is how PDW program gets funded. Utilities and Districts Section gets Plan Review fee. If general revenue gets cut, fees must go up. We have limitations.

Public Water System Rule Schedule EPA Initiated Rules



March 1, 2005

Technical Review & Oversight - Marlo Wanielista Berg: PDW 290 Rules & Technical Review & Oversight Team (TROT)

- PDW §290 Rules and technical review initiated by vendors of high density polyethylene (HDPE) pipe
- Update §290 rules
- Technical review for rules requiring atmospheric breaks
- Technical review for rules requiring wholesale alternatives
- Incorporate requirements for PWSs replacing free chlorine with chloramines in the distribution system. Currently this is done through exception, rule will simply codify existing requirements.
- No controversial measures. Stakeholder activities will be announced through mail outs, including DWA WG contact list.
- Upcoming PDW conference tracks will include PDW, Districts

Questions for Marlo Wanielista Berg:

Q1: Will the rule changes address calibration of on-line chlorine concentration analyzers?

A1: No, that is outside the scope of this rule change, but can be addressed in the next rule change. TCEQ recognizes that the current rules only address technology designed for manual sampling. A system can request written clarification or an exception to the calibration requirements as appropriate for their system, and consistent with public health protection.

Q2: When will these rule changes be occurring.

A2: This is the very beginning of the process; the Concept Memo has just been developed. Stakeholder input will be sought in two to four months, a proposal will likely be made in nine months to a year.

Drinking Water Protection: Greg Rogers, Team Leader, Drinking Water Protection Team

- SWP Best Management Plan (BMP) Manual will be developed in FY 06. New information brochures are being developed this summer.
- Hydrogeologic susceptibility Assessment
Aquifers that are hydrogeologically susceptible
Anticipation of Ground Water Rule
Approximately 15,000 active PWS wells in Texas
Karst aquifers
Wells that are under the influence of surface water and may be susceptible to fecal contamination
- Item 3
Consumer Confidence Report (CCR)
SWAP Items.
Required to place system specific information in CCR.
In the future may include more detail such as reporting by the five major contaminant groups.
Susceptibility information placed on PWS web site without the locations of wells or intakes.
When the templates are sent to PWSs the SWAP language will be included.
Goal: Inform public the source water susceptibility assessments and generate local participation in Source Water Protection activities.

Questions for Greg Rogers

Q1: When will source water assessment language for inclusion in CCR be determined?

A1: A stakeholder meeting was held in January, the minutes will be on the TCEQ Public Drinking Water web site soon, and the draft language is available now and the final wording will be included in the CCR templates.

Drinking Water Quality: Alicia Diehl, Team Leader, Drinking Water Quality Team

TOPIC 1: Discussion of Stage 2 Disinfection Byproducts (DBP2) and Long Term Enhanced Surface Water Treatment (LT2)
Rules: EPA incorporated stakeholder comments through regulatory negotiation process and proposed rules in August 2003. The proposal includes early implementation requirements. Early implementation requirements are those that become effective for PWSs before TCEQ has had the opportunity to adopt rules as stringent as EPA's. These are requirements that become effective immediately upon adoption of the rule by EPA. EPA is still projecting adoption of these rules in 2005.

- LT2 requires early Cryptosporidium monitoring for systems that treat surface water, and whose water is served to 10,000 or more people.
 - Monitoring must start three months after rule is adopted by EPA.
 - A list of labs that can perform this analysis is available on EPA's web site.
- DBP2 requires that an Initial Distribution System Evaluation (IDSE) be performed by PWSs with 10,000 or more customers.
- State must approve sampling plan.
 - PWS may perform site-specific study with TCEQ approval.
 - PWSs that have all of their first years of compliance data at less than half the maximum contaminant level may receive IDSE waiver.
 - PWSs with 500 or fewer systems may receive IDSE waiver.

TOPIC 2: Baseline testing in state for nitrification in distribution systems: Nitrification forms nitrite, which is a significant risk to public health. The TCEQ will perform testing for free ammonia and nitrite in distribution systems this summer. The intent is to determine the extent of nitrification in distribution systems at the current time. The cost of testing will be borne by TCEQ, and sample results will not be used for compliance in any way.

Questions for Alicia Diehl

Q1: Who will implement early elements of DBP2 and LT2 - EPA or TCEQ? Regulated community would prefer TCEQ implementation.

A1: Though neither EPA or TCEQ has staff available for early implementation, TCEQ will make every attempt to manage early elements, as we are sensitive to the regulated community's preference to deal with only one Agency, not two.

Q2: What about Unregulated Contaminant Monitoring Rule language in CCR?

A2: The CCR will be useable for the Tier 3 notice required. The CCR Templates mailed to systems will include this language. Also, the language will be posted on the web, under CCR on the Public Drinking Water web site.

Presentation by Richard Weatherly on experiences with the City of Grand Prairie's Unidirectional Flushing Program.

Slides are available on Public Drinking Water web site under "Presentations."

Questions for Richard Weatherly

Q1: Do you recommend pigging for pipes greater than 16" in diameter?

A1: Pigs may break off, plug with scouring bristles, or cause oxidation of iron pipe.

Homeland Security Judy Rogers, Ph.D., TCEQ PDW Homeland Security Coordinator

Vulnerability Assessments for medium and large systems

Texas Rural Water Association - systems with less than 3,300 customers.

911 - stresses are put on systems during natural, as well as man-made, disasters

Development of NIMS

On-line courses for NIMS

Respond to anyone who has an emergency

NIMS training

Delineation of roles should be better

Questions for Judy Rogers

Q1: Bill 328?

A1: Rewritten to state vandalism. Buck Henderson testified in South Texas regarding vandalism. In Polk County, chlorine cylinders were stolen, and TCEQ was not notified immediately. It is important for TCEQ to remain central, immediate contact point in order to track trends. TCEQ may send mass mailings.

Q2: Suggestion that statutory action be taken. Stakeholders are willing to provide comment letter stating their suggestions.

A2: Rule is option if there is committee directive.

Earl Lott, Manager, Utilities and District Section

- Bombarded with legislative bill requests
- Two Certificate of Convenience and Necessity (CCN) requests exceeded timeframe because of notice requirement for developers and landowners
- The Section has two vacancies:
One on Plan Review, Team Leader position is vacant
- Two rules are on Agenda:
291 - Submetering - authorizes p.o.u. meter
293 - Stakeholder input - once management has been briefed, will provide draft rule
- CCN Petition:
Continue stakeholder issues
Mapping - Texas A&M will create study to determine if it is feasible to finish CCN conversion project
Program area tracts on U & D
DWSRF priorities

Q1: When will rules be available for viewing?

A1: Proposed rules will be posted on web site after management review.

From submetering to allocation

Allocation may be a mistake (by apartment complex)

Water causes meter problems

M. Howe will meet with Earl Lott later.

Q2: What is U&D's role?

A2: Legislative bills (hot)

District creation bills

OEPA merged into U & D

So now U&D must review bills

Homeland Security for critical infrastructure

More proposed bills for U & D

Streamline to smaller focus groups

SB 755 will have company

Will address

Presentation by Juanita Lopez, Manager, Operator Licensing Section Certification

• Kudos to Buck Henderson's group, field operations, and small business assistance staff for their help with the Expense Reimbursement Grant projects. They assist with reviewing training materials, identifying eligible systems, and recruiting eligible operators.

• Rule Changes being considered:

Have few items that address/impact drinking water folks & licensed personnel

Include military personnel - allowing them to renew and offer exemption from meeting renewal requirements if they have been on active duty.

Add items

License operators should be on-site during investigations

Language to address time frame for completing application deficiencies for renewal of licenses.

Enforcement - - not clear language in rules which could be used as citations for enforcement activities. We are currently grasping and using statute.

Specify a time period where training providers must submit the class rosters to TCEQ for training which has been conducted by approved training providers. A reasonable time frame which both the training providers and the TCEQ are comfortable with would be added.

CSI - -Continuing Education would be reduced from 24 contact hours in 3 years to some lower number since the tasks they perform are fewer than those of water operators.

General rule language clean-up. (Removing expiration dates no longer applicable).

Clarify that acceptable work experience for BPAT - also includes testing and repair on fire line suppressant systems.

RG-373

On-line renewal- this is being explored. To see if it would be feasible and affordable. If we pursue it, it may mean an increase in licensing fees.

Q1: What is an example of a deficiency?

A1: A Renewal Application deficiency would be, for example, an individual submitting his application for license renewal. We review the application and find that operator does not have the continuing education training or has not paid the license fee, therefore, we send them a letter letting them know that deficiency (ies) exist (s) and they are to let us know when these are met or completed. The rules do not specify when the deficiencies have to be completed in order for us to renew and issue the license. It would not be right if individuals come back a year later stating they wish to renew because they now have completed the training or paid the fee.

Noreen Helmle, Contract Coordinator for Texas Small Public Water System Training Program

EPA grant

Contractor provides training

Small water system doesn't pay fee; grant pays fee

www.txsmallwater.org

In 9th month of program

About 4,500 small water systems in state

about 1,361 systems and 2,204 operators enrolled

507 operators have used free training

EPA grant allows cluster training

10 classes of cluster training scheduled

10 training providers currently conducting cluster training

Can provide speakers, documents

Need 2 people to serve on advisory group for small surface water systems

Contact Noreen Helmle if interested in advisory group, if manager or operator of small surface water treatment plant

TCEQ Water/Wastewater Instructor Seminar scheduled for July 5-7, 2005, in Austin

Stakeholder Updates, Issues & Upcoming Training Events- Buck Henderson

TRWA

Conference next week

Operator expo in Tyler (May)

Ride a backhoe!

Galveston

Tied up in legislation for now

Texas AWWA

M. Howe

April 6 - 8 Galveston

JT Conference between Texas AWWA and WEAT

2 ½ days

Teleconference on Water Audit training

Water for people - - silent auction

Consumer Response Group

Offers free board member training

Work with small systems <3,300 connections

Free assistance and training

Water trust organization

Information on how to conduct a rate study

Request for feedback:

Are the meetings going well?

Kathy Ramirez

KRAMIREZ@TCEQ.STATE.TX.US

Short presentation on hot issues

Ammonia, nitrite, UNI-DIR flushing

How to make meetings better

List of Upcoming Training Conferences, Meetings, Public Forums

March 2005 AWWA Membrane Technology Conference Phoenix, Arizona March 6-9, 2005	TWUA 87 th Annual School (Texas A&M Short School) Bryan / College Station March 7 - 10, 2005
TRWA/USDA Rural Development Engineering Conference Austin, Texas March 9, 2005 Texas Rural Water Association 36th Annual Convention Austin, Texas March 9-11, 2005	AWBD Spring Breakfast Hilton Austin 500 East 4 th Street March 30, 2005 7:30 am to 9:00 am (Visit at Capital from 9:15 am - 1:00 pm)
April 2005 Texas Water 2005 (AWWA & WEA Texas Sections) Galveston, Texas April 6-8, 2005	AWWA Water Security Congress Oklahoma City, Oklahoma April 10 -12, 2005
May 2005 TCEQ Environmental Trade Fair Austin, Texas May 2 - 4, 2005	Water Environment Federation (WEF) Water Sector Stakeholder Workshop Philadelphia, Pennsylvania May 10 -12, 2005
June 2005 AWWA Annual Conference and Exposition San Francisco, California June 12-16, 2005	AWBD Summer Conference Corpus Christi June 23 - 25, 2005
August 2005 Public Drinking Water Conference 2005 Austin, Texas August 2005*	

***The TCEQ Public Drinking Water Conference is planned for August 9 and 10 at the Hyatt–Town Lake in Austin and will include presentations from the Public Drinking Water Section and the Utilities and Districts Section.**

Next Meeting: June 7, 2005, Building F, Room 2210, 9:00 am - 12:00 noon