

**Summary**  
**Texas Commission on Environmental Quality**  
**Drinking Water Advisory Work Group**  
**March 9, 2004**  
**TCEQ Complex, Building F, Room 2210**  
**12015 Park 35 Circle (I-35 North between Braker and Yager)**  
**9:00 am - 12:00 noon**  
**Welcome/Introduction - Buck Henderson**  
**Federal Rules - Tony Bennett**

1. New Rules to be published in late January to early Feb 2005.
  - New rules for Arsenic, LT2 and LTB2 to come out early Summer 2005
  - Enhanced WT rule
  - Refer to the web for the most up to date and detailed info on new rules
2. EPA Workshop - Distribution systems
  - To cover disinfection, phase I and II treatment
  - There are sampling concerns for small systems due to the difficulty of sampling the same sample schedules assigned to large systems; especially for the more costly sampling needed for LT2, LTB2 and crypto. He discussed the need for an early implementation period, in which methods and processes are developed and provided to small systems. This will assist smaller systems with accomplishing a quicker turnaround of their sampling, which will be necessary to meet these sampling requirements.

**PDW 290 Rules - Ruben Alvarado**

1. Revisions made to new PDW rules available online
  - Stated that some rules were re-numbered, but they were not reworded.
  - Certain requirements contained in the proposed rule were not included in the rule as adopted. The most important example is that small surface water systems using only two filters can monitor for turbidity in the combined filter effluent (CFE) rather than having to monitor the individual filter effluent (IFE) from each filter.
2. *Question from attendee : How can new rules be adopted externally?*
  - A brief description of the differences between the source for a rule change coming from an external or an internal source. Ruben stated that TCEQ rule changes are an open and public process.
  - a. External process - Customer / Business may petition the TCEQ. Based on the justification provided the commission may direct staff to initiate the rule making process.
  - b. Internal process - TCEQ staff may provide a recommendation to revise a rule internally. The rule is 1<sup>st</sup> evaluated for its merit internally, then there will be an opportunity for public comment prior to the adoption of the rule.
3. Subchapter D - involves regulations affecting construction of water systems -State & Federal Rule changes are considered completely separate from each other due to the complexity and differences in jurisdiction and existing rules.
4. *Question from attendee: Who does one contact within the TCEQ to have their concerns and needs for a new rule change considered?*
  - Contact Ruben Alvarado of the PDW Section to discuss one's concerns and need for new rules or rule updates one wishes to be considered and adopted by the TCEQ.
  - Ruben stated the following in conclusion regarding the question listed above:
    - DWA WG is the open forum that provides a format for this type of discussion regarding the need for rule changes and/or other needs between the public sector, external agencies, and affected parties to the TCEQ.
    - If there are problems with the effectiveness of established rules or if there are concerns and needs from the public and affected parties for new rules to be adopted, the place for these concerns to be raised is at a DWA WG meeting.

## **Source Water Assessment & Protection - Greg Rogers**

### 1. Source Water Assessment (SWA) Activities–

-the Edwards Aquifer software is complete

-the Source Water Assessments have recently incorporated the Water Quality Sampling data from the Bacti Team.

-Team is in the process of acquiring new PSOC data sets, WQ data sets to update data for large systems.

-Future Goals with SWA's:

Attempt to synchronize the output of SWA data with the WQ reporting schedule Send out SWA electronically/digitally to systems who have this capability Incorporate Drinking Water rules into those assessments for GW (ground water) systems

### 2. Source Water Protection Activities--

-Beginning a new phase in their Source Water Protection Program

-Currently developing a new contract submittal that will be going out the end of March

### 3. Draft SWAP CCR Language-

SWA reports incorporated into the CCR's (Consumer Confidence Reports) Requirements by EPA for reporting SWA info into the CCR's are as follows:

a. Inform the public of the SWA overall susceptibility of the water system

b. Provide how the complete SWA report may be acquired from TCEQ

Currently providing systems with SWA data that is very concise and general in order to keep the cost of publishing CCR's low for small systems.

Future hopes of SWA data provided in CCR's include:

Incorporate more geologic and contaminant details within SWA's.

a. Discuss the complexity of the geology related to the Edwards Aquifer

b. Discuss any new PSOC data acquired from systems, et cetera

c. Narrow the scope/tailor psoc's to be useful for each system

## **Disinfection Guidance & Monitoring Plan - Debra Cedra**

### 1. Disinfection guidance

-The first Disinfectant Level Quarterly Operating Report (DLQOR) will be due by April 10, 2004 for Ground Water (GW) / Public Water (PW) systems.

### 2. Monitoring Plan

-Compliance determination for small systems has begun, and regional inspectors are currently reviewing their monitoring plans. Regional inspectors have assisted these systems in completing their plans.

### 3. CCR:

a. Source Water Assessment (SWA) - All systems are required to notify the public of the availability of the report and the means to obtain it.

b. Recommended language- "The source water assessment has been completed and the report is available for viewing. It allows us to focus on our source water protection activities."

c. TCEQ PDW Section encourages systems to utilize and incorporate information from their SWAs, vulnerability assessments, and spill response reports. Sources of contaminants language is available at 290.272(g), (A)-(c). Reminder: Providers are required to provide drinking water quality analysis results to their purchasing systems by April 1, and certify to us by May 1. Certification forms are available on the web. The 2003 CCR templates will be available in May. We will not have these available in electronic format. Certification forms, however, are available on the web.

### 4. Disinfection Byproducts (DBPs)

a. Groundwater sampling starts in May.

b. Between Jan and March 9, 2004, we have identified the following:

1). Total Trihalomethanes (TTHM)- 4 new violators, 103 at risk of violating within the year (surface water systems)

2). Haloacetic Acids (HAAs)- 1 new violator, 40 potential within the year Compared to less than 10 violations last year. This is a concern because optimal conditions for DBP formation are greater in the summer, plus more systems will be violating.

Any system exploring the option of changing from chlorination to chloramination should contact our Utility Creation and Plan Review team, as well as our Financial, Managerial, and Technical (FMT) Assistance program. Call FMT staff for assistance with addressing these potential violations. FMT assistance is available at no cost to the system. Regional inspectors have been and will continue to assist small systems with sampling and monitoring issues.

Directed assistance is being provided to the violating systems, and recommended to the potential violators. DAR will also be focused on addressing seller/purchaser relationships and DBP occurrence. Debra, Marie, and Chrissy will be working on a guide for reducing sample sites. This guidance document is being developed to assist systems with meeting the new sampling requirements.

### **The Perchlorate Study Update- Tony Bennett**

- Texas Tech University has been funded for the data collection and data analysis portion of the study.
- Need to determine whether perchlorate is mainly natural occurring or a manmade problem. This will affect how the Federal Government will regulate this contaminant.
- High Plains report to be available to the public this summer.
- TCEQ action level of perchlorate = 4 ug/L
- If no perchlorate is detected it is reported as less than 4 ug/L (micro grams per Liter)
- Report any detectable level of perchlorate, but will flag detectable levels less than 4 ug/L.

### **Field Operation Division - Elston Johnson**

1. Pilot study is being conducted to test and develop a process of inspectors using palm pilots to collect data during field inspections.
  2. New committee being formed to re-evaluate Enforcement SOP's for effectiveness -Complaints and enforcement actions processes are being evaluated and reassessed
- Public input regarding these procedures were obtained in Dallas Fort Worth on March 1 and in Houston on March 9<sup>th</sup>

### **Utilities & Districts - Doug Holcomb**

1. Supplemental schedules--
  - Section is working to package a guidance manual that will be made available on the web or a hard copy may be requested by mail
2. State Revolving Fund (SRF) Update—
  - 70 systems to be prioritized by TCEQ for the SRF list
  - The timeline for the priority list will be available the 1<sup>st</sup> week of May
  - By the end of May or early June, the list will be incorporated into the TWDB's SRF list
  - \$70 million was acquired by TCEQ to complete the need surveys
3. Quad Review— Rules and SOP's are re-evaluated every 4 years
  - Rules currently being re-evaluated are the following:
    - a. 292 - River Authorities
    - b. 293 - Districts
    - c. 281 and 305 - Application Processes
    - d. 291 - HB 1152. - Ability of WSC's to complete a drought contingency plan
    - e. HB 1152.3034 - Investor owned utilities (IOU) requirements and submetering with apartments
4. To send request for written feedback of public comment by mail or e-mail by the end of August. It will depend on the Commissioner's Agenda on when the approval will be granted. Publication of rules to occur in approximately 2 months
5. A Receivership Handbook for IOU's is being revised and updated; he mentioned the need for volunteers

### **Operator Certification Update - Buck Henderson**

1. -Starting a job analysis for BPAT and CSI on March 15, 2004; conducted by the Texas State University -call Linda Salidino (x0178) for any questions.
  2. EPA Advisory Group on Safety Security issues and nominations to the committee
- Asked DWAWG members and attendees for nominations/recommendations for members
  - See handout for more information
  - Will discuss new rules affecting waste and water treatment plants

### **Stakeholder Updates & Issues - Mr. David Buzan (speaker) -**

Contact Info.: Mr. David Buzan

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1. Speaker gave a presentation on the Harmful Affects of Blue green Algae
2. Discussed the functions and development of this new workgroup called the Harmful Algae Bloom Workgroup (HAB)

-The HAB is a workgroup for the Subcommittee of Toxic Substances Coordinating Committee

-Members include staff from state agencies and universities

3. Workgroup developed a statewide contingency plan for addressing Red-Tides

-Red Tide is commonly known as blue-green algae (or cyanobacteria)

-Comments made by the City of Houston:

There's a data gap present in regards to pharmaceutical byproducts. Red tides occur due to these byproducts, so there's a need to gather data about these occurrences and to add pharmaceutical byproducts to the contaminant list.

### **(HANDOUT)**

Report to the Florida Harmful Algae Bloom Taskforce

Frequently Asked Questions About Blue Green Algae (Cyanobacteria) and Their Toxins Lora E Fleming MD PhD MPH Msc Wendy Stephan MPH NIEHS Marine and Freshwater Biomedical Sciences Center University of Miami Miami, FL December 2001

### **Acknowledgments**

The following individuals have provided information and review for the creation of the Frequently Asked Questions About Blue Green Algae (Cyanobacteria) and Their Toxins; any errors are those of the authors alone.

Lorrie Backer PhD

Bart Bibler BS

John Burns BS

Richard Clark MS

Karen Steidinger PhD

Richard Weisman PharmD

### **Q: Whom can I contact to report a blue green algae bloom or to get more information about water quality?**

**A:** There are several toll free hotlines available for people to report unusual water events such as dead fish in the water or illness associated with water contact. Fish Kill Hotline (FL Fish & Wildlife Conservation Commission ) 1-800-636-0511 Human Illness (Poison Information Center) 1-800-232-8635. If you have been exposed to possibly toxic blue green algae and are experiencing symptoms, be sure to mention your exposure to your doctor. It is important for public health authorities to record cases and take action to prevent the exposure of others. For more information about blue green algae, please visit the Florida Marine Research Institute Website (<http://www.Floridamarine.org/>).

**(End of Handout)**

### **Other Issues of Immediate Concern - Buck Henderson**

1. Upcoming training, conferences, meetings & public forums
  - TWUA at College Station Short School - larger #'s in attendance this year than in past years
  - New annual meeting discussed
2. Next DWAAG Meeting scheduled for **June 8, 2004**
  - It was suggested that next years DWAAG meeting during the month of March be moved to either the last week in Feb. or to the beginning of April.
3. Water Research Foundation - Abry is looking to setup this new foundation to assist local operators in Texas
  - The TRWA and AWWA are represented by the following organizations to be board members
  - TRWA Annual Conference in San Antonio Wed - Friday (this week)
  - May find other activities by TRWA and AWWA on the web
  - Portland, Oregon - AWWA Annual Conference (Community Resource Group)
4. City of Austin - Charles Maddox
  - Upcoming stakeholder group meeting regarding CCR's
  - Next meeting on April 5-8 in Arlington