

**Drinking Water Advisory Work Group
Meeting Summary
March 20, 2001**

Welcome and Introduction - Jack Schulze and Doug Holcomb

State Revolving Fund - Bruce Crawford - Texas Water Development Board

- February 15 was deadline for FY 2002 Intended Use Plan
- Approximately 79 solicitations with 69 consolidation projects were received
- Sent to TNRCC for review, then back to TWDB, then to EPA
- More systems are beginning to understand the program
- Applicants are primarily municipalities and districts

Source Water Assessment and Protection - Greg Rogers

- Assessments should start coming out next year, with the remainder done by March 2003
- Approximately 18,000 assessments to be done
- Assessments will relate Water Quality to seasonal flow
- Data from Clean Rivers Program will be incorporated into assessments
- Main purpose of Source Water Assessment and Protection- frequency a source should be sampled for contamination
- Sensitivity has become central issue
- If SWAP shows source is vulnerable, utilities might want to proceed with protection measures
- SWAP forum meeting April 26 to address SWA reporting to systems & public
- Forum, made up of utilities and consumers, is giving input about how assessments are delivered

Drought Management Summary - Mike Lannen (Handout #1)

- Map show that about 64 systems were practicing some kind of rationing at beginning of the year
- Some utilities use restrictions as part of city ordinance
- Critical Facilities Team - working on revisions to Drought Reference Manual - more information for utilities

Radionuclide Rule Implementation - Tony Bennett (Handout #2)

- EPA published NODA (Notice of Data Availability) on April 21, 2000
- Regulations say not to subtract laboratory error from counting results - Counting error doesn't exist
- Radionuclide schedule - Effective date December 2003
- Compliance date - January 2004
- Two year allowance under SDWA to come into compliance - some systems need capital improvements
- Department of Health Lab will do Radium 228 on every sample

- Increased costs will be from samples collected at entry points
- Sampling fees will be included in the contract

Radon Multimedia Mitigation Status - Tony Bennett (Handout # 2)

- Congressional Report required GAO (General Accounting Office) evaluation
- EPA will proceed without GAO
- Arsenic rule - No new state legislation introduced
- Arsenic rule - under 60 day review - bill introduced to roll back arsenic standards
- EPA proceeding with rule as if it were already adopted
- Two years of capital expenditure is built into arsenic rule

TRWA Contract Update - Jack Schulze

- Sampling contract is caught up
- Chemical monitoring contract going well
- FMT contract includes:
 - < Drought Contingency Plans for IOUs
 - < Financial, Managerial, Technical Assistance
 - < Referrals encouraged
 - < Increased requests for consolidation assessments
 - < FMT assessments for DWSRF and EDAP applicants

Legislative Update - Doug Holcomb

- 4000 bills filed in the session so far
- March 9 is the cut-off date
- SB2 - creates Texas Water Policy council, groundwater district
- Sunset Bill - Commissioner's training, complaint process, advisory work groups, performance-based regulations
- HB3362 - Board member training, creates Colonia advisory group
- SB1335 - Consolidates River Authorities, creates Texas Water Policy council
- Conservation bills include:
 - < Submetering
 - < Washing machines - water use labeling requirement
 - < Sales tax on water
 - < Programs and organizations that promote water conservation
- HB724 promotes moving water and sewer utilities back to PUC
- Pipeline Bill - requires utilities to have CCN and TNRCC approval for rates if pumping more than 50 miles
- HB2558 - Manner for distributing water after water shortage

More Legislative Update - Jack Schulze

- HB2912 - Sunset Bill - Laboratory certification program would be moved to TNRCC, then require TNRCC to adopt certification standard or adopt NELAC standard which may increase cost

- Electronic data reporting will be increased 40% if labs are certified across the country
- Sunset Bill also calls for regulatory flexibility - The Public Drinking Water Program already exercises regulatory flexibility, already makes exceptions, recognizes different membrane technology. However, the Sunset Bill requires the TNRCC to consider compliance history in its decision-making process
- Longhorn Pipeline bill - If line built before 1970 carried crude and now carries petroleum products, company must now get easements
- HB3111 Occupational Licensing - technical requirements still in Health and Safety Code
- Chapter 37 requires TNRCC to establish fees and set requirements

Monitoring Plans - Alicia Diehl (Handout #3)

- Monitoring Plan Guidance Document still in draft form
- Appendix 1 - contains Monitoring plan outline
- Appendix 3 - contains Lab approval form and instructions
- Lab analysts are not required to be licensed operators, but Lab must be certified
- Surface Water Treatment Plants greater than 10,000 must have turned in MOR with TOC by February 15

G-Rate Application for IOUs - Teresa Rogers

- Costs for systems have increased - IOUs must come to TNRCC for rate approval
- New application for small, less than 200 utilities based on rate making procedures that has not been used before
- Advisory group of small systems owners is already meeting to give input on application
- Consumer focus group will begin meeting March 28 to provide input

Next Meeting Date/ Location/Topics

- Next meeting will be held at TNRCC, Building F, Room 2210
- Date will be **June 12**, 9:30 - 12:00
- Topics will be similar to ones discussed today