

**Texas Commission on Environmental Quality
Drinking Water Advisory Work Group
July 10, 2007
Building F, Room 2210
9:00-12:00**

Elston Johnson: New Section Manager for Public Drinking Water Section

- Introduction of Attendees

Doug Holcomb: Utilities & Districts

- Legislative rule implementation planned for Chapters 291 and 293 Rules
- For new district applications forms (escrow releases, surplus funds) will be available on TCEQ Website
- Workshop: July 13, 2007, Room 2210, TCEQ, Bldg F
See TCEQ Website for other workshop date/time/location
- Attempting to reduce plan review backlog
- Acknowledge submittal of plans/specs 10 % OR 250 connections (distribution systems only). Review is no longer required.
- Large municipalities (City of Houston) will have their engineer create specs according to TCEQ requirements. Review by TCEQ staff no longer required.
- Plans will be assigned to TCEQ staff.
- Aug. 28 Stake Holder Meeting –Workshop for CCN training, see TCEQ website for more info.
- Intended Use Plan-Friday 1:30 Stephen F. Austin Bldg

Mike Lannen: Legislative Update for Public Drinking Water

HB 1717 and companion SB 1441 both amend Section 1 Subchapter C, 341, Health and Safety Code by adding Section 341.0357. These bills known as the fire hydrant identification bills both state that a device having the appearance of a fire hydrant that is located in a place that an entity responsible for providing fire suppression services is an fire emergency would expect a fire hydrant to typically be located shall paint the device black if the device is nonfunctional or other wise unavailable for use by the entity providing fire suppression services in a fire emergency. The owner may place a black tarp over the device instead of painting the device back as required under this section if the device is temporarily unavailable for use in a fire emergency for a period not to exceed seven days.

Both bills say that for the purpose of this section, a device is considered to be nonfunctional if the device pumps less than 250 gallons of water per minute. This language establishes a minimum flow for fire hydrants.

HB 1391 requires that the regulatory authority for a public utility serving a residential area adopt public safety standards to maintain sufficient water pressure to fire hydrants in residential areas in a municipality with a population of 1,000,000 or more. HB 1391 will require the commission to assess residential areas to ensure that public safety standards are adopted and being met. The commission will require violators to comply within a reasonable time.

The effective date of HB 1391 is September 1, 2007. The effective date for HB 171 was June 15, 2007.

A letter will be sent to the cities of Houston, Dallas and San Antonio to inform them of the bill requirements and offer to assist them.

The Water Supply Division will need to write rules to establish standards that a utility will need to adopt regarding fire flow. Based on HB 1717 minimum flow will be 250 gallons of water per minute.

Comments for PWS: San Antonio Water System, What about communities outside of Corporate Limit of San Antonio? If those utilities provide fire hydrants the color code will affect them. Fire flow will not.

What if outside corporate city limits but inside CCN boundary?
1391 does not apply.

What about fire hydrants that cannot provide the require fire flow?
They can be painted black.

City of Houston: is the intent of the rule to require city or resident to verify fire flow of the system meeting in the rule?

The regulatory authority.

Laura Zent

- HB 1391 still will not require fire flow (minimum pressure requirements)

Pablo Martinez

- San Antonio Water System (SAWS) holistic approach has been taken to review number of fire trucks, size of line in small & large subdivisions.

Charles Maddox

- Rule is not requiring fire flow, but for volunteer fire departments to identify hydrants that can provide fire flow.

Ryan Hardin

- Reason why cities won't require fire hydrant is maintenance issue.

Mike Lannen

Drought only in Texas can you be dealing with drought and floods at the same week. West Texas and the Panhandle still need rain to recharge ground and surface water supplies. The drought list has seen a lot of public water systems being removed and returning to normal usage. More are expected in the future.

Cindy Haynie: Rainwater Harvesting

- TCEQ has guidance for customer of water system, but homeowner must have backflow prevention device.
>>Ques.: Is this different from irrigation? Does testable device have annual testing requirement?
<<Ans.: Yes.

Tony Bennett: (Turner Collin Brady)

- Cannot take chance of repressurizing water then re-introducing water to distribution system.

Cindy Haynie:

- TCEQ requires ‘physical separation’ of site when there is no backflow prevention device.
- This rule will strengthen requirement of backflow prevention device on rainwater capture device.
>>Comment: SAWS does not require homeowner to have a permit for rainwater harvesting device. We will have workshops for continued education on rainwater harvesting.
- See TCEQ Website

>END OF STAKE HOLDER MEETING<

Joel Klump

- Would like to recreate the Cross-Connection Control Workgroup. Previous participants of the workgroup would be invited to work on the recreated group.
- Steve Fain, Texas Engineering Extension Service, a former workgroup member, recommended that the workgroup review the new edition of the American Water Works Association’s M14 Manual: Recommended Practice for Backflow Prevention and Cross-Connection Control
- Bruce Rathburn, San Antonio Water System, the former workgroup chairman, stated some of the past accomplishments of the workgroup, including the development of two regulatory guidance documents

SAWS

- License was required-previous workgroup established customer service inspection license
- Joel Klump is Agency Contact for back flow prevention.
- Intend on establishing continuing education workgroups.
- Groups throughout the state should meet to exchange ideas.

Byron Hardin

- Recommends backflow prevention device group be formally recognized as a stakeholder group

Tony Bennett

Rules addressed are:

- Groundwater Rule
- Disinfection By-Product Rule (DBP)
- Long term enhanced Rule (LTZ)

Alicia Diehl

(1) Stage 2 Rule Package

- July 25th is Agenda at which commissioners will consider proposed Stage 2 Drinking Water Rule Package
- Comments are welcome from August 10 through September 10.
- Public Hearing scheduled for August 30, 2007.
- GWR Rules addressed are contained in §290.116 () & §290.109.
- Rules are located on TCEQ Website.

(2) HB 1656: Irrigator licensing

- Ques. From City of Ft. Worth: Will rule for irrigations affect other large municipalities?
- Comment: Made by SAWS: Not much happening outside large city CCN area. Irrigation is something the large PWS must look at. Large PWS must become the new irrigation system inspector. Problem is when the irrigation system is outside the corporate limits.

(3) Encouraging Electronic Submittal

- This rulemaking is intended to encourage electronic submittal of applications to the agency. Agency is considering providing a discount to the fee when application is submitted electronically. Current concept is that this rule will only apply to applications that have fees for submittal, and that are submitted through Web STEERS

Sean Ables: Ground Water Protection

- Completing current Source Water Protection projects in Lake Houston and Edwards Aquifer in Hays and Comal counties.

- Agency is reviewing bids for next Source Water Protection contract (FY08-10). This contract will include developing a toolkit so PWS can complete projects on their own.
- Doing real-time analysis to determine if well is groundwater under the influence of surface water (GUI) and when the optimal time is to conduct a Micro-Particulate Analysis (MPA).
- Still working on GW Rule. Developing monitoring plans for systems with large number of wells to reduce number of repeat samples following a positive result.
- Source Water Assessment progress: Almost completed second round of assessments for entire state. Planning on updating all systems once every three years.

Stephen Murchison: Operator Licensing

Expense Reimbursement Grant

- Executed by the Texas Small Public Water System Training Program
- Fees will be reimbursed, open enrollment to all community and non-transient/non-community public water systems servicing residential populations of 3300 or less.
- Have provided on-site cluster training in 194 counties in Texas.
- Attempting to get operators involved in the program.

Licensing Rule Update

- Responding to comments
- Rules go to agenda on Sept. 5th.

Monica Harris: Field Operations Attempting to fill Bob Burrells Position.

- Inspectors are very busy inspecting systems
- Risk based investigation is used to determine frequency in which PWS is inspected
- We are pursuing an inter-agency agreement with UT Arlington to conduct inspections at small non-community systems
>>Comment: TX Dot: Is there a checklist for non-community systems?
<<Ans.: No, but that is something we can work on developing.

Elston Johnson

- Contract is to inspect small non- community systems on a more frequent basis.
- Field ops will still inspect all community PWS.
- Transient non-community systems to be inspected through inter-agency agreement.
- See website for more information on EIC. or contact Jaime Sadler.

>OPEN FLOOR DISCUSSION<

Mike Howe

- TX Section AWWA
- TX WARM
- Can PWS absorb financial loss when PWS can't provide service for a few days?
- TX AWWA will have operator available by phone to assist PWS in distress
 - >HB 1481: Mutual Aid Agreement between two PWS, most mutual aid agreement can't begin until a disaster is declared. There are ~28 NIMS systems in the country
 - Marble Falls: Neighboring PWS such as Kingland, SAWS, offered assistance break of Raw Water Intake. There are 331 PWS that are members of TX Warn.

Brad

- WEET
- Casino night social scheduled this summer at UT Alumni Center
- Rule update for \$290 Rules
- Rule creation for \$217 Rule
- Petition for Rule Agenda to be considered by commissioners in 2 weeks
 - >IWSCOT from Sept 21, Embassy Suites Austin, TX

TCEQ: Public Drinking Water Conference- August 14-15, 2007

Next DAWG Meeting Oct. 9, 2007