

**SUMMARY**  
**Texas Commission on Environmental Quality**  
**Drinking Water Advisory Work Group**  
**December 10, 2002**  
**9:00 am - 12:00 noon**

! **Welcome / Introduction - Buck Henderson**

! **PDW Program Update - Tony Bennett- (hand out)**

1. A handout was provided on the Public Water System Rule Schedule.
2. The Rad-Chem adoption by TCEQ has received an extension until 12/2004.
3. CCL Determination- EPA determined that no new standards were needed at this time EPA may make further determinations at a later date.
4. GWR will be final by next year.
5. LT2 and DBP2 are being delayed several months; EPA will probably propose in the summer.
6. Six Year Review - EPA identified only the Total Coliform Rule as needing revision.

! **Source Water Assessment & Protection Update-Greg Rogers**

1. Source Water Assessment software is installed and being tested. The program is working on the text to support and explain the results of the assessment and finalizing the mapping methodologies for the report. A major effort of one last review of the public water system data is underway to ensure the highest quality assessments possible.
2. We are still on target for completing the assessments by the federally mandated May 2003 deadline. Public drinking water systems will receive a detailed report and then a more condensed version may be provided to the general public. All homeland security concerns will be adhered to when making the report available to the general public.
3. The program is continuing to review new data and incorporate ideas for future incorporation into the SWAP process. The SWAP program is committed to updating the assessment information and will work to included the most recent research for the most scientifically sound assessments possible.
4. The SWAP Public Forum will meet some time in February where some assessments results will be made available and we will review the progress towards the May 2003 deadline.

! **Perchlorate Update-Ken May**

1. Perchlorate has been an issue in Texas since it's discovery in 1998 after being notified by the EPA of federal sites in Texas with a history of storage or use of perchlorate prompted monitoring through sampling and analysis. We presently monitor approximately six water systems in Central Texas in and around the Lake Waco and Lake Belton area, monitor onsite at five federal facilities, participate in the EPAs Unregulated Contaminant Monitoring Rule (UCMR) Program, and have outsourced West Texas perchlorate investigations to the Texas Tech University.
2. In West Texas, we have found perchlorate in 8 of 9 counties sampled in the Midland area. We have sampled 69 water systems. 13 water systems presently provide water greater than our

**Texas Commission on Environmental Quality  
Drinking Water Advisory Work Group**

Page 2

Interim Action Limit (IAL) of 4 parts per billion (ppb). 10 water systems are currently removing perchlorate levels as high as 27.00 ppb through Reverse Osmosis. 24 water systems have perchlorate levels less than 4 ppb. And 22 water systems tested had no detectable levels of perchlorate.

3. TTU has also been researching potential sources for this contamination. Stage II will initiate in 1/2003 with 106 Grant Funding. This stage will include an increased study area and the drilling of wells to gain geophysical data on the aquifer. There is a possibility that there are naturally occurring formations of perchlorate in West Texas and the TTU researchers hope to identify this through the drilling core analysis.
4. Steve Walden and Ken May will be presenting at the 2003 Texas Water Conference in April on public drinking water data and the TTU staff will be presenting on their investigation findings as well.

**! Capacity Rule Update - James Pope**

1. We went to the Commissioners with a request for approval to publish for 30 day public comment (Sept 16th agenda). A number of individuals spoke in support of the rule proposal. No opposition was received. The Commissioners approved the publishing of the rule package for public comment.
2. The package was subsequently printed in the Texas Register on October 4, 2002 for a 30 public comment period.
3. The comment period ended November 4, 2002 at 5:00 pm. We received six written comments (Cities of Henrietta and Princeton, Gastonia WSC, North Texas Municipal Water District, Texas Rural Water Association, and Texas Water Conservation Association) during the official comment period. No commenter was in opposition to the package. All six were in general support. One commenter (City of Princeton) brought a potential source of misinterpretation to our attention. Staff agreed that the language could potentially be misinterpreted and a change was made to address this concern.
4. The revised rule package is complete and will go before the Commissioners on January 8, 2003 for final adoption.

**! LT1ESWTR and FBRR Rules Package – Jack Schulze (3 handouts)**

- < First draft of rule language has been prepared and the development of draft preamble language is underway.
- < We would like to get some DWA WG and field investigator input into the proposal before we finalize the draft that we send through the official intra-TCEQ, pre-proposal review process. Because we have not been able to get the handouts out before this meeting, we are going to give the DWA WG a little time to review the drafts and give us some feedback. **For those DWA WG members that are interested, we will be extending this discussion during an “LT1 & FBRR pre-proposal” DWA WG meeting on December 18, 2002. The meeting will be held**

**Texas Commission on Environmental Quality  
Drinking Water Advisory Work Group**

Page 3

**from 9:00 am – 4:00 pm, on Wednesday, December 18<sup>th</sup>, at the Sheraton Four Points Hotel. The hotel is located on the northwest corner of the I-35 and US183 intersection in north central Austin.**

- < We are proposing to:
  1. Adopt the Long-Term, Stage 1 Enhanced Surface Water Treatment Rule (LT1ESWTR) monitoring requirements for individual filters.
    1. Option 1: Turbidimeters and recorders on all filters even those at plants with only two filters.
    2. Option 2: Turbidimeters and recorders on all plants with three or more filters but allow small plants with only two filters to monitor and record combined filter turbidity instead of individual filter turbidity.
      - i. Option 2a: Adopt option 2 but lower the trigger level that results in a special Filter Assessment.
      - ii. Option 2b: Adopt option 2 and use federal trigger levels for special Filter Assessments.

There is draft language and the pros and cons for each option in the handout.

2. Adopt Filter Backwash Recycle Rule (FBRR) requirements.
  3. Extend the design requirements for chemical storage at surface water treatment plants to the storage facilities at all public water systems.
  4. Extend the design requirements for chemical feed systems at surface water treatment plants to the feed systems at all public water systems if those feeders are needed to meet Maximum Contaminant Levels and Treatment Technique requirements.
  5. Add several minimum design requirements for the laboratories at surface water treatment plants.
  6. Update some of the rules to address some new technologies.
  7. Clarify several provisions in the section on minimum capacity requirements.
  8. Make several changes to the subsection that deals with the number and type of operators required at various systems to clarify regulatory intent.
  9. Delay the effective date for the requirement to have a BSW operator at surface water treatment plants.
    1. Allow small plants to use contractors to meet the BSW operator requirement.
    2. Clarify that supervision requirements for systems serving more than 1000 connections.
  10. Make several cleanups.
- < During this “pre-proposal” meeting, we and the DWAAG will be:
    - A. discussing handouts in much greater detail,
    - B. selecting the regulatory options that we are going to propose to the agency,
    - C. tweaking the regulatory language,
    - D. deciding what issues will have to be delayed because they don’t meet the “Tier II” criteria, and
    - E. determining whether there is any chance that we can meet the federal deadline . . . if we can

**Texas Commission on Environmental Quality  
Drinking Water Advisory Work Group**

Page 4

we will procedure furiously but if not we will like slow down so that we can have more time for feedback before sending the proposal to the commissioners for authorization to publish in the Texas Register.

If you can't attend the meeting, DWA WG members can call or e-mail me with their recommendations.

- < After the meeting we will have a second "pre-proposal" draft that will only contain our recommended regulatory approaches. The field investigators will get a few days to review and comment on this second draft before we produce the final draft of the rule and preamble materials and begin the official intra-agency review.

**! Operator Certification & Field Operations - Bob Burrell**

No updated comments.

**! Utilities Districts Program Update - Doug Holcomb (handout)**

1. Regionalization Guidance Document is going through final signoff and should be published soon. It will be available on the TCEQ webpage.
2. Submetering - the number of registered submeterers is near 5,000. After January 1, 2003 all new apartment construction will have to be plumbed for Submetering.
3. There have been several cases before the Commissioners recently involving CCN issues. Staff will be briefing the Commissioners at a February worksession on some of these issues.
4. TCEQ's Permit Timeframe Reduction Project information is available on the agency webpage so the public can track the number of backlogged uncontested applications.
5. A copy of a recent letter updating efficiency developments for district creations and bond applications was handed out. The letter was a follow up to the DWA WG's Water Districts Subgroup Stakeholders meeting of April 29, 2002. Copies of the minutes from that meeting have been mailed and are available on the Texas Commission on Environmental Quality's TCEQ web page.
6. It was announced as mentioned on the DWA WG's agenda, that a DWA WG focus group meeting is scheduled for today (12/10/02) at 1:30-3:30 pm seeking input regarding TCEQ's Accounting/Auditing manual revisions and issues concerning GASB 34.

**! Security Issues & Grant-Tony Bennett (handout)**

Security Issues & Grant- Tony Bennett (handout)

1. Counter Terrorism Coordination Activities

Summary of Tasks from work plan Submitted and approved by EPA. The goal of these tasks are to improve security at water systems.

Training for Water Systems

Task-Security Module: Develop and deploy a one hour security module to be integrated into existing

**Texas Commission on Environmental Quality  
Drinking Water Advisory Work Group**

Page 5

classroom training for water utility operators.

Task-Security Class: Develop and deploy a one day (8 hour) security class to be available as classroom training for water utility operators, managers, owners, and board members.

Task-Emergency Response Plan Class: Develop and deploy a Emergency Response Plan development class to be available as additional classroom training for water utility operators, managers, owners board members and consultants.

Task-Vulnerability Assessment Class: Develop and deploy a Vulnerability Assessment class to be available as additional classroom training for water utility or consultant staff that will be conducting vulnerability assessments.

Task-Water Watchers Training Class: Develop and deploy a “Water Watchers” class to be available as training for citizens and citizens groups who live near water facilities that can be utilized to provide additional monitoring of facilities.

Task-Emergency Response Sample Collection Class: Develop and deploy a sample collection and response class to be available for TCEQ staff, contractors and potentially water system staff on appropriate sample collection in response to and emergency.

Things to that will be implemented by TCEQ

Task-Collection of PWS emergency contact information: Develop and deploy a survey to each water system serving >3300 population which collects emergency contact information; including name, address phone numbers, fax and email.

Task-Webcast training information: Develop and deploy a system to webcast training information.

(a)TCEQ dose not have any available at this time, but working on it.

(b)We will deploy through password coding available to water systems only.

This is a three year grant, we will try to get the most high priority issues first.

1. EPA is working on getting two workshops for training a self assessment tool to be used for systems with less then 10 thousand population.
2. Rule making process sub-groups
3. Plan on proposing Arsenic and Radionuclides rules in June 2003
4. Will need to form Stakeholders sub-group by February
5. Many water systems from many parts of the state are potentially impacted by these rules.

**! TRWA -Ken Petersen**

1. TRWA will be watching the upcoming legislative session attentively because of redistricting and all of the newly elected senator and representative.
2. TRWA is interested in several issues including some cleanup revisions to the Nonprofit Corporation Act in relation to Water Code Chapter 67, adding wastewater funding to the Rural Water Assistance Fund and security related bills.

**! AWWA Texas Chapter-Mike Howe**

Not much news this meeting. Also working on security issues.

**Texas Commission on Environmental Quality  
Drinking Water Advisory Work Group**

Page 6

! **Association Water Board Directors**

Security issues are on the Web site

! **TWUA -James Fisher**

James Fisher is Acting Executive Director for TWUA

James is expecting the TWUA Board to select a director soon.

! **Upcoming Training, Conferences, Meetings & Public Forums**

S December 10, 2002 at 1:30-3:30 pm GASB 34.

S Pre Proposal DWAWG meeting- December 18, 2002, Sheraton Hotel northwest corner of the I-35 and US183 intersection in north central Austin

S TRWA Marriott at the Capitol Law Seminar, January 23 & 24, 701 E 11<sup>th</sup> Street, Austin

S AWWA-2003 Mid Winter Conference, January 24 & 25 Austin Convention Center

S IWSCOT Friday, February 14, 2003

S Annual Meeting March 26-28 at the Renaissance Hotel in Austin

S TWUA\_ 85<sup>th</sup> Annual Training, Brian Collage Station March 3-5, 2002

S March 13, 2003 Water Storage and Security Conference

! **Next Meeting Date/Location/Topics**

***PLEASE NOTE DATE OF MEETING HAS CHANGED:***

**March 25, Bldg F 2210 from 9-12**

Noon Adjourn