

## Texas Commission on Environmental Quality

### Drinking Water Advisory Work Group

January 20, 2009, Building E, Room 201S, 9:00 am - 12:00 noon

#### SUMMARY

**Welcome: Elston Johnson**

**TCEQ Staff Updates:**

**Occupational Licensing Update - Allan Vargas, Section Manager**

For the period of 09/01/2008 through 01/15/2009:

1267 New License Applications Received

890 New Licenses Issued

1356 Renewal Applications Received

1223 Renewal Licenses Issued

Total Number of Current Licensed Professionals in TX: 14,707

**Texas Small Public Water System Training Program (TSPWSTP)**

**Update – Sandi Mota**

EPA will reimburse the costs of training of persons operating community or non-transient non-community systems serving 3,300 persons or fewer. The TCEQ was awarded a grant by EPA to administer this grant. Through the grant, the TSPWSTP was implemented.

The TSPWSTP offers classroom and cluster training.

Please view the webpage for: [TSPWSTP](#)

3,296 Public Water Systems (PWSs) have enrolled in the program

6,397 Operators have enrolled in the program

1285 PWSs are pending (TCEQ is actively trying to reach these entities in an effort to enroll them.)

72% of eligible PWSs have enrolled in the program.

Cluster Course I: over 490 events held to date.

Cluster Course II: over 200 events held to date.

EPA has asked the TSPWSTP to focus its training efforts to hurricane impacted areas in Texas.

The Governor's Department of Emergency Management, 88 counties has been designated as impacted by Hurricane Ike and 61 counties as impacted by Hurricane Gustav.

EPA has granted TCEQ an extension through August 2010. Therefore, the TSPWSTP will have until then to spend the remaining funds.

The TSPWSTP is always looking for opportunities to market the program. If you have training events or meetings that staff can attend, please notify [Sandi Mota via email](#) or call toll free, 1-877-822-5349.

**Drinking Water Quality Team – Alicia Diehl, Team Leader**

Alicia Diehl introduced the staff in her team who will present information.

Inorganic Contaminants Program– Kristine Krieg

- Fluoride: 43 violators of primary MCL (as of 4<sup>th</sup> Quarter 2008)
- Arsenic: 95 violators (as of 4<sup>th</sup> Quarter 2008)

- Radionuclides: 41 violators (as of 4<sup>th</sup> Quarter 2008)
- Selenium: 2 violators (as of 4<sup>th</sup> Quarter 2008)

Unregulated Contaminant Monitoring Program (UCMR) – Mike Howell

- Results from the UCMR sampling across Texas are sent to the U.S. EPA and they'll be used to determine if the contaminants will be regulated in the future.
- 359 public water systems (PWSs) are participating.
- 3 year program, with each PWS participating for 1 year.
- Surface water PWSs are sampled four times per year under this program.
- There is no cost to small water systems (<10,000 people served) for sampling or analyses costs. Larger water systems pay for sample analyses but not the sample collection costs.
- Data are uploaded to the EPA's database/website.
- There are "List 1" contaminants and "List 2" contaminants. List 1 are contaminants with commonly used analyses whereas List 2 contaminants are those that have unique analyses. We have completed the List 1 part of the program and are currently sampling for List 2 contaminants.
- So far the only List 2 contaminants detected in TX systems are NDMA (N-nitroso-dimethylamine) and NPYR (N-nitroso-pyrrolidine).

**Disinfection Byproducts (DBP) Program– Jessica Huybregts**

- DBP1 - number of current active violators (as of 1/14/2009):
  - TTHM = 127
  - HAA5 = 42
 (But total number of violating PWSs = 132, so some of the TTHM and HAA5 violators are the same PWS)
- IDSE General:
  - Number of systems required to comply (all community systems of any size plus NTNC systems >9999 population) = 4695
  - Number of 40/30 waivers: 1751
  - Number of Very Small System Waivers (VSS): 1967
  - Number of System Specific Studies: 19
  - Number of Systems conducting Standard IDSE Monitoring: 850
- IDSE Compliance:
  - The first deadline for IDSE Reports was for Group 1 (Schedule 1) systems on January 1st 2009. These IDSE Reports identify a system's DBP2 compliance monitoring locations for 2012/2013.
  - Number of Systems Group 1 Systems doing Standard IDSE Monitoring that submitted their IDSE Report (due Jan 1st, 2009): 116 (out of 186 SM-Group 1s). Percentage compliant = 62%
  - Number of Group 1 Systems doing a System Specific Study that submitted their IDSE Report (due Jan 1st, 2009): 13 (out of 14 Group 1 SSS due on that date). Percentage compliant = 93%
  - Number of Systems conducting Standard IDSE Monitoring that have not submitted IDSE Plan: 30  
Percentage compliant= 96%

- Number of Systems eligible for 40/30 waiver who have NOT completed their reporting requirements: 16  
Percentage compliant = 99.1%
- Number of Systems eligible for VSS waiver who have NOT completed their reporting requirements: 21  
Percentage compliant = 99%
- We will be following up with Group 1 systems who did not submit their IDSE Reports and, for those who did send in their reports; we will review the DBP2 sites selected and send out confirmation letters for the sample sites in the next 2 months. Group 2 systems will be next and they'll need to send their IDSE reports in by July 1st 2009.

**Nitrification – Debra Cerda**

- There are 42 current Nitrate Violators in TX.
- 7 of the violators have been sent back to Enforcement for new Compliance Agreements.

**Consumer Confidence Reports (CCRs) – Debra Cerda**

- Annual consumer confidence Reports (CCRs) were due July 1<sup>st</sup> 2008. As of January 1<sup>st</sup> 2009, there were 270 public water systems that have not submitted a CCR. We will be providing assistance to those systems through our contractor (University of Texas at Arlington).
- 40 systems who did not send in CCRS are historical SNCs (system Significantly Not Compliant). 33 of these have been referred to Enforcement. 7 systems are having affiliations issues (problems determining responsible parties).

**Sample Cost Estimate Letter – Alicia Diehl**

- The 2009 Sample Cost Estimate Letter is being sent out this week. The letter summarizes the chemical sampling requirements for Public Water Systems in 2009 and provides a cost estimate for them. It is not a bill but allows the system to budget for their sampling costs over the year. It also states the next sample collection year so they can begin budgeting for future sampling. The letter will be sent to Responsible Parties of PWSs and also those PWSs that have a “PWS Primary Contact” in our database.
- The letter estimates the cost of coliform samples, and lead/copper samples, although the PWS collects those samples, not TCEQ's contractor.

**Disinfectant Level Quarterly Operating Reports (DLQORs) – Alicia Diehl**

- DLQOR reporting began in 2002 for larger systems and in 2004 for smaller systems.
- All groundwater or purchased water systems must complete DLQORs. All Community and Non-Transient Non-Community Systems must submit those to TCEQ. (Transients may keep them on file at the PWS).
- 68-72% of systems required to send in their DLQOR do consistently submit them.
- In the 1<sup>st</sup> quarter 2009 we will send out the first set of DLQOR reporting violations to those that have not submitted them.

### **Technical Oversight and Review Team (TROT) Update – Reyna Holmes**

- TROT is getting ready to pilot test version 14 of the SWMOR. This will mean you will no longer be able to print out incomplete reports. Monitoring and Reporting violations have also been added. Please sign up to participate in the pilot test so we can get the kinks sorted out. Contact Reyna Holmes at 512-239-6183.
- If you have problems with version 13 of SWMOR, DAM3 may be able to help you. Contact Margot Taunton for assistance (512-239-6403).
- There will be a Cross-Connection Control survey mailout occurring around the end of January. Contact Joel Klumpp (512-239-4453) or Amy Rivera (512-239-1407) for information/questions.

### **Utilities and District Updates - Doug Holcomb, Utilities and Districts Section Manager**

- The Districts Review Team has been working to eliminate the backlog of Applications. A 50 major application backlog was reduced to 0.
- Since September, 2008 UD's received 517 and processed 546 plan sets, received 85 and processed 105 CCN applications, received 44 and processed 39 rate applications, received 88 and processed 146 major district applications, and received 124 and processed 186 minor district applications.
- Map Viewer is complete. You can view CCN area and other boundaries from IWUD.
- With the Legislative Session underway the Utilities and Districts Section are already reviewing bills and we anticipate many more utility and district related bills as the session moves along.
- The Texas Water Development (TWDB) Board sent out the latest round of State Revolving Fund solicitation letters. Responses are due by January 23<sup>rd</sup>. We anticipate a lot of responses to the SRF solicitation based on the number of phone calls Utilities and Districts are getting (likely due to the forthcoming Economic Stimulus Package). It is likely the Federal Government will try to utilize Economic Stimulus money for infrastructure improvements, including water/wastewater infrastructure. Watch the TWDB and EPA websites for stimulus bill information in the water/wastewater field.

### **Drinking Water Protection Team Update – Sean Ables**

- We're wrapping up the Surface Water Protection projects in the San Marcos and the Trinity Aquifer area. We will be scheduling community events to present the information. The new project will be in the Highland Lakes area.
- TRWA has hired staff to do source water protection projects, working with USDA, probably in the panhandle area.
- TCEQ will be adding Drinking Water Protection information to the Texas Small Public Water System Training Program.
- We will be sending out a survey to PWSs asking what type of drinking water protection activities they are currently implementing and what they would be interested in doing more of.

### **Field Operations Division – Shawn Stewart**

- Legislation being proposed has the potential to impact investigator work

### **Discussion of Texas AWWA Legislative Meeting – Charles Maddox, City of Austin**

- The Texas AWWA Chapter is having a meeting January 21<sup>st</sup> at 10am. They have invited legislators and their staff. Senator Avery should be there to talk about funding. There are two generator Senate Bills in discussion.
- Pharmaceuticals and Personal Care Products (PCPs) in drinking water may be an issue discussed at the meeting and in the Senate.
- There is a Chemical Facility Act that exempts water and wastewater systems nationally. Watch out for this in Congress.
- [Email Staff](#) for more information.

### **Groundwater Rule Implementation Discussion (TCEQ and EPA Region 6 Staff)**

- John Schildwachter, Team Leader of the Drinking Water Protection Team of the Public Drinking Water Section introduced the following presenters: Dawn Ison (EPA Region 6), Amy Comacho (EPA Region 6), Joaquin Montes (TCEQ), Matt Court (TCEQ) and Cindy Haynie (TCEQ).

### **Dawn Ison (EPA Region 6)**

Dawn presented EPA's key points with regard to the Groundwater Rule (GWR):

- To whom does the GWR Apply?
  - 100% groundwater systems;
  - Consecutive systems receiving groundwater; and
  - Mixed surface water and groundwater systems.
- Four Key Provisions of the GWR:
  - Sanitary Survey of all groundwater systems;
  - Source water monitoring;
  - Compliance monitoring; and
  - Corrective actions for significant deficiencies and fecal contamination.
- PWS Requirements:
  - PWSs required to comply with the notification of 4-log treatment of viruses and triggered monitoring aspects of the GWR by December 1<sup>st</sup> 2009.
- Current TCEQ Implementation Status
  - Primacy package was to be due to EPA by November 8<sup>th</sup>, 2008. TCEQ requested an extension and it was approved. Primacy package is now due to EPA by November 8<sup>th</sup> 2010.
  - However, the GWR still becomes effective December 1<sup>st</sup>, 2009.
  - TCEQ needs to complete a Crosswalk. It has been submitted and EPA is currently reviewing it.
  - EPA retains enforcement responsibility until Primacy is approved.
- Resources
  - See fact sheet on the [EPA website](#)
  - Coming soon on the website will be Triggered Source Monitoring Plan Guidance and a CT Calculator.
  - Dawn Ison: 214-665-2162.

## **Joaquin Montes (TCEQ Public Drinking Water Section)**

- Timeframes:
  - Time is of the essence.
  - We need to make labs aware of the 24 hr source sample requirement.
  - If groundwater systems are going to request an invalidation of the results you need to make sure you have a good reason. It may take time for the request to be approved (couple of days) so by the time you find out the request has been rejected then you have violated the 24 hr re-sample and you have a monitoring violation. Therefore systems should review the reasons why a sample can be invalidated and think about that before they make the choice to request the invalidation.
  - If you are a purchaser of groundwater with Total Coliform found in the distribution system you need to immediately notify your wholesaler.
  - If you are a wholesaler of groundwater with Total Coliform found in one distribution system you need to immediately notify all the distribution systems you sell water to.
- Fecal Indicators:
  - E. Coli (primary indicator)
  - Enterococci (secondary indicator)
  - Coliphage (secondary viral indicator; we will use on a case by case basis)
- Fecal Indicator Positive Source Sample:
  - TCEQ can require corrective action.
  - Optional Corrective Actions could be assessment source monitoring for no less than 12 months or well disinfection in accordance to AWWA.
- Source Water Sample Invalidation:
  - If the lab identifies an improper sample collection or analysis performed; or
  - If TCEQ determines that the positive fecal indicator result is not related to the source water quality.
- Corrective Actions:
  - Correct all significant deficiencies
  - Provide alternative source of water
  - Eliminate source of contamination
  - 4-log inactivation
- Assessment Source Water Monitoring Option
  - If directed by TCEQ the PWS must conduct source water monitoring, which may include 12 consecutive monthly source samples (pro-active approach).
- Preparation and Cost of the GWR
  - The costs will increase if you have multiple groundwater sources.

- Cost also depends on the hydrogeology of the system, sample history (does the system have 4-log treatment already?), treatment costs, consultant fees.

**Matt Court (TCEQ Public Drinking Water Section)**

- The Drinking Water Protection team is currently preparing a guidance document that details the procedures for developing a Triggered Source Monitoring Plan. Information required for the monitoring plan will include well logs, operational status of wells, distribution system maps, pressure plane maps, well identification tables, and sample site tables.
- This guidance document will be available soon.

**Cindy Haynie (TCEQ Public Drinking Water Section)**

- GWR and 4-log Viral Inactivation
  - If you choose to achieve 4-log inactivation or if you must do it as your Corrective Action, you will be required to complete an additional monthly operating report. The report requires daily entries and continuous disinfection residual monitoring at the entry point.
  - If you use free chlorine, have information such as temperature, pH, flow, storage and your minimum design requirements are met then you will be able to you a modified groundwater CT Study template.
  - If you do not use free chlorine or meet the design requirements for storage you won't fit the template so a new template will need to be developed for that.

**Jim O/Connor (San Antonio Water System)**

- San Antonio Water System (SAWS) has developed a plan for the GWR.
- SAWS recently had some issues in their distribution system so they went through the plan to see how it would perform. They found some areas that they're a little confused about but they are continuing to revise the plan and review how it implements in the field.
- **Question:** When you do get a "hit" [source water fecal positive result] what kind of turnaround time will TCEQ provide?

**Response from Joaquin Montes** (Public Drinking Water, TCEQ): Both the system and TCEQ will get notified by the lab when the fecal positive occurs. So by the time you call us TCEQ will be aware of it (may be trying to get in touch with you) and will work with you to deal with it as soon as possible.

**Questions from Charles Maddox** (City of Austin): Have there been stakeholder group meetings to determine TCEQs approach to the GWR? Is it time for there to be some?

**Response from Alicia Diehl** (Public Drinking Water, TCEQ): Stakeholder input was sought through the initial rule process

**Response from Charles Maddox** (City of Austin): TWUA and AWWA etc. will try to do what they can to get the word around to pay attention to this.

**DWA WG Meeting Improvements – Elston Johnson**

- We are looking at way to improve the DWA WG meetings and the interaction between TCEQ and stakeholders. Also interested in hearing about improvements

people may want when it comes to the location, format, topics, time, dates, and frequency of DWA WG meeting.

- We will be surveying attendees to find out how to make the meetings better/more interactive.

#### **Lead/Copper (Pb/Cu) Rule Update – Alicia Diehl (provided later in the meeting)**

- The Pb/Cu Rule applies to Community and Non-Transient Non-Community systems. TCEQ pays to provide the sample bottles and the PWS pays for sample analyses.
- The samples are now being analyzed at the Lower Colorado River Authority (LCRA) laboratory. LCRA has a help line which systems can call for assistance. LCRA are rolling the shipping costs into the costs of analysis and a system can track shipments on the LCRA website. So feel free to use that if you need assistance.
- There were about 600 Community and Non-Transient Non-Community systems activated in Texas in the 2008 calendar year. New systems must sample for lead and copper (and water quality parameters) in their first year of operation which means more sampling is taking place in 2009. There were about 500 systems inactivated in 2008.
- The Concept Memo for the Lead Copper Short Term Revisions (LCSTR) rule is being developed at the moment. TCEQ will have no deviations from Federal requirements for the LCSTR.
- A Commissioners' Agenda to propose the Texas LCSTR Rule Revisions is tentatively scheduled for June 17<sup>th</sup>. There will be a 30-day comment period, so it is likely there will be a hearing on it set for July 2009.
- NOTE: After this meeting, it was determined that a pre-proposal stakeholder meeting will be held on March 10, 2009.

#### **Announcements and Closing**

- TRWA Annual Meeting/Convention to be held March 4<sup>th</sup>-6<sup>th</sup>, 2009.
- USDA Research and Development Program Engineering Conference will be held on March 4<sup>th</sup> in conjunction with the AWWA meeting)
- Cindy Haynie noted that the Area Wide Optimization Program meeting will be held at the TCEQ head office February 3<sup>rd</sup>-5<sup>th</sup>. Contact Cindy Haynie (512-239-3465) if you would like to attend.
- Texas Water 2009 Conference will be held in Galveston, April 14-17, 2009.
- TCEQ Environmental Trade Fair will be held May 12-14, 2009.
- TCEQ Public Drinking Water Conference will again be in August 2009. If you have ideas for topics to be presented at the PDW Conference please email [staff](#).
- Please [view live and archived webcasts](#) for the DWA WG meetings.
- Elston Johnson thanked all for attending today.
- Next meeting date: [April 28, 2009](#)

9:00 a.m.

TCEQ Campus

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