

Texas Commission on Environmental Quality

Drinking Water Advisory Work Group

April 20, 2010, Building E, Room 201S, 9:00 am - 12:00 noon

SUMMARY

Welcome: Elston Johnson

TCEQ Staff Updates:

Occupational Licensing Update - Allan Vargas, Section Manager

Job Task Analysis:

- Occupational Licensing is currently working with the Texas State University, San Marcos, on the Job Task Analysis for the Surface Water and this project should be completed on August 31, 2010. We are currently in the survey portion of the Job Task Analysis and with over 60% participation across the A, B and C operators. We are asking for all invited operators to please go on line and fill out the survey.
- For next fiscal year beginning September 01, 2010, the Occupational Licensing section is currently working towards another contract with the Texas State University, San Marcos. This contract will be another Job Task Analysis for the Ground Water and Distribution Operations.

Computer Based Testing (CBT):

- We currently have 12 proctoring locations (Universities) through the state and on March 15, 2010, we signed a contract with a private vendor that has 24 sites. We are working with the vendor to complete the administration functions of getting all 24 sites up and running.
- Water exams currently on CBT: D, C and B. See: [Program Activity Report](#)
- Wastewater exams D, C and B are in progress to be converted into CBT, starting in May, 2010.
- Water and Wastewater exams are estimated to be converted into CBT by late December.
- You can find more information about the CBT [here](#).
- For further assistance please call Occupational Licensing at 512-239-6133 or [email us](#).

Texas Small Public Water System Training Program (TSPWSTP) Avery Castillo

- EPA will reimburse the costs of training 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 in 2002. Through the grant, the TSPWSTP was implemented and offers classroom training, cluster training, and licensing fee reimbursement.
- You can find more information about the TSPWSTP [here](#).
- Frequently Asked Questions (FAQs) for the TSPWSTP can be found [here](#).
- 3,520 (76%) of eligible Public Water Systems (PWSs) are enrolled in the program
- 1,109 PWSs are eligible and not enrolled (TCEQ continues outreach efforts)
- Cluster Course I Training: 712 courses held since 2004
- Cluster II Training: 375 courses held since 2004
- 1,153 classroom events held since 2004
- TSPWSTP is working with the Texas Workforce Solutions Office to look for interested potential D water operators. Matches found are referred to host PWS for volunteer work and program enrollment for training and licensing cost coverage.
- The TSPWSTP will expire on August 31st, 2010, for more information call 1-877-822-5349

Technical Oversight and Review Team (TROT) Reyna Holmes

- SB-361 Update: TROT is continuing to re-visit the applicability of Senate Bill 361 (“Generator Bill”). We are re-evaluating it to determine if non-community PWSs are affected by it. This relates to Harris County only.
- Purchased Water Subcommittee Update: This group meets monthly to explore alternative ways to meet the intent of the rules. They are meeting today in Room E254 at 1pm.

Purchased Water Subcommittee -Marlo Wanielista Berg

- Recently the group has been discussing the operations and contract requirements for a group of municipal utility districts (MUDs) that operate as a single PWS in terms of pipes but are all different regulated PWSs. On the agenda for today’s meeting: what is/is not a PWS? What does a good contract look like? What are some alternatives to a contract?

Utilities and Districts Section – Tammy Benter, Manager

- There have been some staff changes in this section recently. Doug Holcomb is now a Special Assistance to the Water Supply Division Director. Tammy Benter is Section Manager.
- There are a couple of vacancies in the office that need to be filled. The position of Team Leader for the Utility Financial Review Team will be advertised soon, as well as a Lead Financial Analyst position.

- The Districts Review Team has been divided into 2 sub-groups: District Creation Team and the District Bond Review Team.
- There were 64 rate applications completed (which is significant) during the 2nd Quarter of the fiscal year. There seem to be more appeals coming through than what is typical.
- There were 308 District Bond Applications processed by the end of the 2nd Quarter of the fiscal year.
- We have processed 110 CCN Applications (mostly amendments).
- Rule Packages:
 - o There is one rule package that just closed for comment. This was related to CCNs and sub-metering.
 - o There is another rule package that closes on Monday April 26th and it relates to depreciation.
 - o The group received a non-legislative rule package, which is proposing rules changes to the Chapter 290 and 291 Rules. Tammy will let the group know when that is available to view and she will look forward to your comments on it at the next DWA WG meeting.

Drinking Water Protection Team (DWPT) – John Schildwachter

- DWPT received 49 triggered source water monitoring plans.
 - o 13 were approved
 - o 8 were denied
 - o 14 are incomplete and we are working with the systems on those
 - o 7 are pending
- 181 CT Studies has been approved and 3 are pending.
- The Groundwater Rule webpage has been updated. Take a look and provide your comments.
- Drinking Water Watch is a good tool to view compliance information.
- Source Water Assessment Viewer project has been delayed but is now expected to be available online around mid-June 2010. This will replace the mass mail outs that DWPT did.
- Clarification from Elston: Only compliance information regarding the Total Coliform Rule and the Surface Water Treatment Rule are currently in Drinking Water Watch. Chemical compliance information will be going into Drinking Water Watch in summer 2010. We plan to have a demonstration of Drinking Water Watch at the Public Drinking Water Conference in August.

Field Operations Support Division (Public Water Supply Liaison) – June Ella Martinez

The following numbers represent the regional activity from January 2010 to April 20, 2010:

- 164 complaints received
- 67 focused investigations conducted
- 22 compliance record reviews conducted
- 15 follow-ups conducted
- 8 reconnaissance investigations conducted
- 578 Comprehensive Compliance Investigations (CCIs) conducted
- The Ground Water Rule pamphlet has been edited based on your comments (thank you). This will be published soon.

Drought– Mike Lannen- [Handout](#)

- Texas is not currently experiencing any drought.
- There are 53 water systems asking their customers to adhere to mandatory water restrictions, and 26 are asking customers to voluntarily limit usage.
- There are still some lakes in areas of the state that need significant amounts of rainfall.
- E.g. Lake Meredith.
- Experts are saying we should stay in this current weather pattern for at least another month.
- Numerous interconnections have been completed between water systems that have helped in providing needed water during drought conditions.

Pharmaceutical Disposal Study (SB1757) – Jessica Huybregts

- Senate Bill 1757 requires the TCEQ to study and make recommendations regarding the methods to be used by consumers, health care providers, and others for disposing of unused pharmaceuticals so that they do not enter a wastewater system.
- We developed the Pharmaceutical Disposal Advisory Group to help us understand the issues involved. Participation is open to all. We also conduct the meetings via LiveMeeting/teleconference
- January, February and March meetings have focused on current methods of disposing of unused pharmaceuticals and also what is required in the regulations.
- The April 22nd meeting (9am, in Room E201S) will focus on alternative methods of disposal for consumers and health-care providers.
- May 25th and June 24th will be less structured meetings and all discussion.

Consumer Confidence Report (CCR) – Elston Johnson

- TCEQ Public Drinking Water Section had planned to deliver the 2009 CCR templates electronically this year, however, due to technical issues; we are unable to do that.
- Because we understand the importance of those CCR templates to the regulated community, we have decided to go ahead and do the CCR templates this year in the same way as previous years (and for the 2010 CCR we will have it ready electronically).
- We will mail out the 2009 templates but it will be a little later than normal. We usually have them sent out in mid-May but this year it will more likely be late May. That will still allow systems 30 days to distribute those to their customers.

Direct Supervision – Elston Johnson

See Direct Supervision Handout

- This topic was discussed in the July 2009 DWA WG meeting and with regional field staff a few weeks ago.
- We would like to put together internal staff guidance but also want to have something publicly available. We would like a Direct Supervision Sub-committee to help develop this.
- Please have a look at the handout during the break and we will discuss it when we return.

Break – 9.45am-10.00am

Direct Supervision – James Beauchamp- [Handout](#)

- There is a sign-up sheet being handed around. Please sign your name if you would like to be involved in the Direct Supervision Sub-committee.
- The objective for this Sub-committee is to develop guidance to decide what direct supervision means. Historically, the definition of direct supervision has been an issue. We know there are some inconsistencies in how violations have been assigned/handled with regard to direct supervision.
- The proposed definition on the handout is a place for the Sub-committee to start and work from.
- Comment from Texas Parks and Wildlife Department (TPWD) representative: TPWD oversees about 30 Transient Non-Community PWSs and they are all operated by contractors. Please clear up the issue of whether or not the staff of the licensed contracting company all must be licensed.
- Comment from attendee: You should consider if there can be some type of exclusion for small systems if, for example, there is an emergency and the licensed operator is unable to work for a short amount of time.
- Response from James Beauchamp: We will try to address that as part of the Sub-committee.

- Comment from attendee: In terms of setting up dates for the Direct Supervision Sub-committee meetings, would they (can they) be on the same days as the DWAWG meetings?
- Response from James Beauchamp: Sure, we will consider that and try to work out a day that works for all the Sub-committee members.

Combined Consecutive Systems “Am I a PWS?” – Elston Johnson

- See presentation [attached](#) titled “Consolidating Consecutive Systems”. Presentation explored how we determine if a public water system can be consolidated or not, and what documentation is required.
- Comment from attendee: There are issues when there are a number of districts have a master district that provides all the water/wastewater services. Investigators need to consider the water demands of the entire groups of systems and make sure that is met; as opposed to requesting that each individual system have their own capacity needs met.
- Response from Reyna Holmes: That is one of the reasons for the Purchased Water Sub-committee. Systems may request an exception to the rules in those cases and those requests would be reviewed on a case-by-case basis.
- Comment from attendee: There are systems currently responding to subsidence district requirements. Some systems purchase only a portion of their total capacity and the rest they supply with their own source. Please take those situations into consideration.
- Response from Reyna Holmes: There are rules regarding this issue. It is not expected, that because you purchase some water, it doesn’t mean you won’t add other sources. We will work with regional offices so they know we are trying to develop a process in reviewing/investigating these types of systems.
- Comment from Tony Bennett (AECOM): Some type of Advisory Committee will be established in the future to look at distribution issues. It is sometimes difficult to make the distinction between it it’s just premise plumbing or a distribution-only PWS. I suggest looking at what the Federal minimum requirements are, then determine how Texas rules make it easier or more complicated.
- Response from Elston Johnson: Are there any plans for clarifications on the distribution rule issues from EPA? (an Advisory Committee)
- Response from Tony Bennett: We don’t expect this to be an issue dealt with on a Federal level for several years.
- Comment from TPWD representative: If we have a service agreement with another PWS, are we still considered a PWS if we maintain/inspect our system, monitoring is at the master meter and no access to the system is granted? For example, McKinney Falls State Park is not classified as a PWS (and Alicia Diehl from the Drinking Water Quality Team said that the area is covered adequately in terms of monitoring the quality of the water provided to customers in the Park), however TCEQ has defined Cedar Hill State Park as a PWS.
- Response from Reyna Holmes: A service agreement may not be sufficient to exclude you from being a PWS. It will depend on if the provider is willing to take responsibility for the water quality in that area.

7th Annual Public Drinking Water Conference – Mason Miller

- Will be held August 10th and 11th, 2010 at the Doubletree Hotel, Austin (located north-east corner of Highway 290 and I-35).
- We will still have the TCEQ chat room but this year only Austin staff will be available.
- There will be approximately 40 exhibitors. If you are interested in being an exhibitor, contact Steve Walden by [e-mail](#).
- The event is free to attend, but you must register.
- The “heads-up” letter was sent out on Friday April 16th
- The conference brochure will be sent out May 6th.
- Registration opens May 7th, and limited to about 675 attendees.
- The agenda will be similar to past events and there will also be a workshop on chloramines and chlorine testing, and a Women of Water meeting.
- TCEQ has submitted a request for attendees to obtain 12 hours of CEU.

Texas PWS Recognition Program – James Beauchamp

- Information can be found about the Public Drinking Water Recognition Program 2010 [here](#).
- If you nominated your system last year you are eligible to do so again this year.
- Nominations must be submitted by May 31st, 2010.

Announcements

- Association of Water Board Directors: Summer conference June 17-19, 2010 in San Antonio.
- Jessica Huybregts – Disinfection Byproduct (DBP) compliance comments:
 - New DBP email [box](#).
 - Use for free chlorine burn notices and any DBP-related questions/issues.
 - DBP coordinators will respond within a day or 2.
 - Reminder on temporary changes in treatment (“free chlorine burn notices”):
 - There is no rule that requires you to notify us and there is no rule for us to delay TTHM/HAA5 sampling during the “burn” period.
 - However, if you give us 30 day notice we will request the sampler arrange for TTHM/HAA5 sampling outside the burn period, but samples must still be collected during a compliance period.
 - Please just try to keep us informed in advance so we have time to work with the samplers and try to avoid sampling in that time period.

- Debra Cerda - CCR:
 - Last week EPA sent out a revised CCR guide for PWSs. When that is available online we will post it on the [TCEQ CCR webpage](#).
 - April 1st 2010 was the deadline for systems that sell water to another PWS to provide the 2009 data (unless there is a contractual agreement for the selling system to actually provide the complete CCR to customers of the purchasing system, then the April 1st deadline is waived and they would follow the standard CCR deadline of July 1st).
- Tony Bennett
 - South Central Membrane Association workshops:
 - May 18th/19th, 2010 in Brownsville: Membrane Cleaning and Troubleshooting and Vertical Turbine Maintenance/Operation
 - June 10th, 2010 in Abilene: Introduction to Membranes
- Elston Johnson – Feedback from DWA WG Meeting Format Survey
 - This will be the last meeting with the current format. Next meeting the format will change based on the comments received from last year’s survey.
 - Comments included: provide staff updates prior to the meeting; have more targeted discussions; allow more lead time to review documents presented/discussed in the meeting; more presentations from subject matter experts; and generally a more interactive style.
- James Beauchamp – Purchase Contract Sub-committee meeting is in E254 at 1pm. I have reserved that room for the Direct Supervision Sub-committee if that’s what the members would like to do.
 - Comment from Charles Maddox: Let’s meet next time so we can prepare.
 - Comment from Tony Bennett: DWA WG and WQA WG are always on the same day. If you start having more Sub-committee meetings on the same day some people will need to decide which ones they can attend at one time.
- Response from Elston Johnson: I will contact WQA WG organizers and try to work out how best to arrange all these meetings so people can attend all that they want to.
- Texas Rural Water Association training:
 - June 17th/18th in San Antonio: Office Professionals
 - July 14th/15th in Galveston: TRWA Technical Conference

Closing

- Elston Johnson thanked all for attending today.
- The webcast of this DWA WG meeting is available [here](#)

Next meeting: **August 3, 2010 at 9am, Room E201S**. Also, the Water Quality Advisory Workgroup will meet that afternoon at 1:15 at the same location.