

Texas Commission on Environmental Quality

Drinking Water Advisory Work Group

April 8, 2009, Building E, Room 201S

9:00 am - 12:00 noon

SUMMARY

Welcome, Introductions & TCEQ Staff Updates-Elston Johnson

- Meeting opened up by Elston stating we have the webcast available for questions to be E-mailed to mhowell@tceq.state.tx.us with the address also available on the agenda. The meeting included with introduction of everyone attending the meeting.

Occupational Licensing Updates-Allan Vargas

- The first two quarters of the FY year starts with starts 9/1 to the end of end of February.
- For the first quarter of Oct and Nov there were 1638 new license, 3433 renewal licensing, 2nd 1709 renewal 3482.
- The House Bill affecting everyone is HB 6998. Something asked from the representatives by giving an extension of 60 days. This bill will help give the extension to continue of education for water servers.
- We have gone live with computer base testing (CBT). We have approximate seven universities signed up for to proctor exams at their locations. This will allow us to use their facility as a third party for example; the City of Houston is going to allow individuals from his or her staff to be allowed to go to a computer base area and take his or her water testing needed of what ever exam they need at that location. Before going to the computer base area he or she will need to have an appointment and pay for what ever fee the exam is. Some of the benefits of this program (CBT) offers are instead pass or fail scores within the 30 to 60 seconds. The results will have an analysis of what areas one has failed to show what he or she needs assistance in. If one passes the test, TCEQ receives a notice at the end of the business day and within five days the license will be sent in the mail. We don't have all of the (ten) programs into CBT format but we do have plans to have at least nine completed by December 2009. Currently we have about seven Jr Colleges or universities on board and five are working with seven more with signatures approving the CBT and we are constantly looking for more universities. The goal is to have at least 50 test centers by the end of December. Currently we do not have testing set up for water nor waste water but a goal is to have some entry level exams formatted by the end of September.
- **Question** for Elston: Is there is a list of university of the school of the testing base?
- **Answer:** yes, with the attached one can upload the list.
- TCEQ has two staff members constantly looking for base-testing. What is needed is having a point of contact by requesting if anyone want to help with contacting a university in your area.
- If anyone has any questions please contact Allan Vargas at: alvargas@tceq.state.tx.us

Texas Small Public Water System Training Program Update- Eloy Flores

- Texas Small Public Water System Training Program Update Up to the end of March 31, 2009
- The total license fee reimbursed was \$24,677.00
- Water systems enrollment was 3,414
- 51 enrolled month of March
- Operator enrolled 153 for a total 6,800 enrolled
- 584 classroom training events
- 525 cluster course training I events
- 212 cluster course training II events
- The total was 737 hands on and advance training provided by the program
- In Jan 09 EPA approved to begin offering the BPAT courses as part of the program, training with license fees for reimburse. We are still posting contracting to train in hurricane impacted areas.
- As of March the grant is 64% expended with a remaining balance to be expended by August 2010 being 3.4 million.

Drinking Water Quality-Alicia Diehl

Michael Lentz update about lead copper information:

- Rules of lead copper was adopted 10/07 by EPA to require of minimal number of samples detentions for compliance and reduced monitoring criteria, consumer for led tap with having water monitoring results, advance notification for water treatment changes, public education requirement, notice in CCR, re-evaluation of led service lines hoping to have effective by July 2010 by TCEQ. Extension was requested. For questions please call or e-mail.
- Summer sampling in June with the LCRA is the contractor for TCEQ by shipping out a package to be received from the lab the first week of June. 2009 second round July 1 to Dec 31 is shipping out. Summer round of sampling is due to lab by Sept 30, 2009.
- CCRs are due back certified by July 1, 2009.

Kristine Krieg: Inorganic Violators

- Fluoride-47
- Arsenic-99
- Radionuclides
- 39 violators
- We will no longer use the error margin to calculate radionuclides. Because of this, we have 55 potential violators who are on quarterly monitoring. We will not know if these systems will violate the Maximum Contaminant Level (MCL) until end of 2009 or beginning 2010.

Lisa Sandars: Disinfectant level quarterly operating report program:

- We recently sent out about 1300 notice of violations letters to the systems that did not send in the fourth quarter of 2008 disinfectant level of quarterly operating report of which tells TCEQ what their chlorine residuals of levels are for that quarter. We got an overwhelming response about 1300 phone calls because of the NOV's. About one month we are going to send out an alert letter to systems if they did not send in their reports of 2009. If they do not respond to the alert letter the systems will be receiving a NOV in about mid June. It is highly recommended to use the PDF form on the

TCEQ website of which allows TCEQ to calculate and update data errors and allows TCEQ to save to the data base.

Debra Cerda: DVP:

- Disinfection Byproducts (DBP) status:
- Currently on Stage 1 of DBP rule we have 93 trihalomethanes violators and 28 haloacetic acids (HAAs). For now this is where we are now and soon will know where we are with Stage II.
- CCR and the templates update: We are almost done with the final tweaks. We will be sending to the printer within the next 24 hours and will be mailing out soon. This may take a little long because we have over 4700 water systems and the mail out process is a little lengthy. Expect will be out in the next two weeks. As far as the templates being online this will be after we have the final go with other programs things to do and have up on the web. We have over 270 files to create to cover all the counties.
- Reporting reminders: What is different for systems is that any group 3 having initial distributions evaluations from 2008 need to report the results the range and average; not necessary to be; listed by individual sites.
- Any systems that participated in UCMR sampling and had detects will need reported by the name of the contaminant along with the range and the average with any data received thru TCEQ or EPA.
- Compliance determination will be migrating CCR compliance schedule into SDWIS CCR
- The Public Drinking Water Section is addressing systems not in compliance with having lots of systems to be in compliance. At this time we have 204 systems out of compliance for not submitting the 2007 CCR which was due by July 1, 2008. We are in the process of sending these systems to enforcement or having them meet compliance by completing and delivering the 2008 CCR.
- Guidance is available for the CCR online through information included in all the letters. We have the <http://www.tceq.state.tx.us/goto/ccr> to index with CCR and have a contractors available 866-941-5237.
- For each CCR TCEQ must receive a separate certificate of delivery submitted for each water system. If you manage more then one system, then you will need to submit individually. This is an EPA reporting requirement

Gary Regner: Chemical Ethylene Dibromide (EDB), Entry Point GPS

- Early this past quarter sampling by TCEQ identified a groundwater contamination with a chemical not previously seen and above the MCL. TCEQ has decided to conduct some limited additional monitoring based on vulnerability.
- Some PWSs may have received letters stating that their entry point may be at risk for Ethylene Dibromide (based on close proximity to grain elevators or petroleum storage tanks).
- TCEQ has sampled at least 90 sites at highest risk and has seen no further detections; we believe this may be an isolated incident.
- Ethylene Dibromide was used as a fuel additive and a pesticide that was banned in the mid 1980's. We hope this was a single occurrence with only one system affected.
- We have begun to examine records from the past and plan to work with source water protection in the future to identify systems at potential risk. Once risk is identified we will work with our sampling contractor to schedule sample collection.
- The sampling contractor will be collecting GPS locations and tagging entry points at water systems as authorized by TCEQ for identification purposes.

- The sampling contractor will be collecting GPS locating for entry points at systems and tagging to perform the task authorized by TCEQ.

Utilities & District Updates- Vera Poe

- Have not had any staff turnover Rules
- 291.147 allowing certain rate authority for utilities to take over certain rate non function systems approved the end of January to be effective 2/19/09
- The period for Applications were processed from September to March 2009
- 920 plans
- 192 STMS and CCNs
- 84 Rates changes
- 490 District applications
- Legislation session
- Kept everyone busy, as of last Friday the WSD was monitoring Over 600 bills we have had more district related bills than normally having more than 150 to 200 the type of bills are still coming in. The regular bill filing ended in March but the local bills which are districts bills will be able to still come in till May 1st.
- What districts are working on now are the local bills still able to review them Involving:
 - Fire Flow
 - Hydrant Bills
 - CCN
 - Rate Bills
- The trade fair 12 to 15 of May will be having a previewing the map viewer available as s training.
- Free FMT training by TCEQ in McCallen July 7 & 8, 2009 concerning FMT Contracts Utility applications recently updated to include requiring zip code information on the notices of applications for filing CCN, STM and Rate applications.

Dorothy Young: State Revolving Fund Update:

- TCEQ works with the Texas Water Development Board (TWDB) on the Drinking Water State Revolving Fund (DWSRF) program. TCEQ ranks the Intended Use Plan (IUP) projects that applicants submit to TWDB for the DWSRF loan program.
- Normally we get about 85 projects a year to rank with about 40 consolidations. This year the American Recovery and Reinvestment Act (ARRA) (aka the stimulus bill) added another 155 million to our usual 70 million dollars for the DWSRF for State of Texas. The number of applicants jumped from 85 to 735 and the number of individual projects ranked rocketed up to 1300. TCEQ sent the ranked list to TWDB on April 9, 2009. Because of the ARRA money requirements, the TWDB is making a final ranking based on:
 - The percentage of “green” projects
 - The applicant’s readiness to proceed and, American made requirements
 - The board sent out a survey on April 22, 2009, for anyone that has applied for the DWSRF ARRA funds to help determine if applicants are ready to proceed.
 - **Questions** for Dorothy: do you have required permits and plans?
 - Do you have your contracts yet?
 - **Answers:** There is still going to be the regular pot of DWSRF money to be allocated later. For more information about the ARRA funds go to the TWDB web page, on the left hand side you will see a big red box, click on the box and you will see the DWSRF and Clean Water State Revolving Fund photos that will lead you to information on those projects.

- EPA is not the only federal agency getting ARRA funds for water and wastewater projects. USDA's Rural Development has ARRA funds and Housing and Urban Development is providing Office of Rural Community Affairs ARRA funds.

Technical Review and Oversight Team- Reyna Holmes:

- Updating guidance docs L2 requirements, membranes, cross connection control

Drinking Water Protection- John Schildwachter

- source water assessments due early 2010
- source water assessment viewer is being developed
- Source Water Protection Survey mailed out with CCR
- new contract for electric reporting/TCR for laboratory reporting electronically

Field Operations Division- Shawn Stewart

- See Attached [TCEQ Significant Deficiencies Point 3](#) as “Draft”

Drinking Water Watch Demonstration-Grant Evens

The Public Drinking Water Data Project will be doing changes on the core data systems to improve the transparencies between what is reported from the public so TCEQ can report to EPA of which are the representatives from the Government concerning the water utilities in Texas.

- The state version is an application called [Safe Drinking Water Information System \(SDWIS\)](#).
- The next update will be before October 1st, 2009
- The data migrations into [SDWIS](#) are ongoing - looking to complete on time ~3/30/2010.
- The first release of [Texas Drinking Water Watch](#) was February 1st 2009 for the public.
 - The watch is user friendly and simple to use.
 - If anyone has SDWIS questions, can email SDWIS@tceq.state.tx.us
 - A primary tool will be to have the most updated information available for water systems.
 - Data from [North Carolina](#) is used as an “example” of how the information will be available for the water systems in Texas.
- Grant Evens can be reached at (512) 239-6055 or by e-mail at gevans@tceq.state.tx.us

Survey Project to improve the DWA WG Meeting- Celia Aguirre- TRWA

- [Return surveys by May 31](#). The results will be available in July.

Update on National Drinking Water Program Activities- Elston Johnson

- presentation about state drinking water administrators meeting ([See Presentation](#))
- updates on federal drinking water activities and initiatives
- renewed interest in public health and environmental issues
- more science and transparency in government activities
- recognize the important role that drinking water plays in citizens lives
- American recovery and reinvestment act
- sustainable/green infrastructure
- funds distributed through State Revolving Fund Process
- regulatory development
- CCL3

- Six Year Review
- Perchlorate
- Pharmaceuticals
- rule implementation
- Groundwater Rules
- Tools under development
- Water security
- metrics development
- emergency response preparedness
- division priorities
- operator workforce issues
- raise visibility
- Green workforce

Current Legislative Initiatives on Emergency Generators- Elston Johnson

- Five Generator Bills
- HB 632: Water systems (retail public utility) within 100 miles of the coast must submit an emergency preparedness plan annually which we must approve
- HB 1014: Relating to the requirement that certain retail water and sewer utility services maintain auxiliary generators for use during an extended power outage.
- HB 2405: Relating to the requirement that certain retail water and sewer utility services maintain service during an extended power outage.
- SB 221: Relating to the requirement that retail water and utility services maintain auxiliary generators for use during an extended power outage.
- SB 361: Relating to the requirement that certain water service providers ensure emergency operations during an extended power outage. If they are located in a County with a population of 3.3 million.
- SB 361 includes the Definition of emergency power and provisions for borrowing power from another utility in lieu of a owning a generator
- Minimum pressure is 35 psi
- HB 4299: Allows people connected to a public water system to use rainwater for indoor potable uses. This is a reversal of a bill from last session.
- Fire hydrant bill (HB 3661): Relating to standards for installing fire hydrants in certain residential areas. It is a continuation of HB 1391 from the 80th legislative session that required certain utilities within the city limits or ETJ of a city with a population of 1 million to provide fire hydrants that provide a flow of 250 gallons per minute for two hours. The Standard was based on the International Standards Organization (ISO) flow standard for fire hydrants. The standards are utilized by the insurance industry.

Other Issues Stakeholders Wish to Discuss- Elston Johnson

- Fee Rules: Comment period has closed Adoption agenda on July 8th.
- TCEQ's Decisions on the need for Purchase Water Contracts - Elston Johnson
- Create subcommittee to make criteria for exceptions for water system's to comply with requirements of contracts and meters

Upcoming TCEQ, Conferences, Meetings and Public Forums- Elson Johnson

- Environmental Trade Fair May 12-14 in Austin
- Public Drinking Water Conference August 11-12
- Tex Horn May 14 San Antonio-Emergency Preparedness, ICS, Alternative Power Supply, Hands on generator demonstrations, Sizing generators for emergency backup, how to install, how to form a switchover

- July 17 statewide AWWA teleconference on how to implement the groundwater rule
- Association of Water Board Directors summer conference June 18-20 Corpus Christi

Next DWA WG Meeting: October 20, 2009, Building E201S

[Available by Web cast \[texasadmin.com\]](http://texasadmin.com) by clicking on “Agenda Room” the time of the meeting.

The following e-mail address will be available for questions or comments during the time of the meeting by sending to: MHOWELL@tceq.state.tx.us