

# Texas Commission on Environmental Quality Drinking Water Advisory Work Group (DWA WG) Meeting

October 15, 2019

## Program Updates

### - *Welcome*

**Vacant – Manager** - Drinking Water Standards Section

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Steven Swierenga – Special Assistant – Drinking Water Standards

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**Michele Risko – Manager** - Drinking Water Special Functions Section

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Sean Ables – Special Assistant – Drinking Water Special Functions Section

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## Permitting & Registration Support Division

### *Occupational Licensing Section*

**Shannon Watson** – Section Manager

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(512) 239-6543

**Tamara Calhoun** – Team Leader

Occupational Licensing – [tamara.calhoun@tceq.texas.gov](mailto:tamara.calhoun@tceq.texas.gov)  
(512) 239-2262

Fiscal Year 2019  
BPAT, CSI, Water Operator Program Results  
4th Quarter (June 1, 2019 – August 31, 2019)

	New Apps Received	Renewal Applications Received	Total Applications Received	Tests Administered	Tests Passed	Percent Passed	New Licenses Issued	Renewal Licenses Issued	Total Current Licenses
Backflow Prevention Assembly Tester	144	268	412	243	100	41.2	87	278	5,799
Grand Totals:	144	268	412	243	100	41.2	87	278	5,799

	New Apps Received	Renewal Applications Received	Total Applications Received	Tests Administered	Tests Passed	Percent Passed	New Licenses Issued	Renewal Licenses Issued	Total Current Licenses
Customer Service Inspector	97	125	222	137	61	44.5	53	127	2,157
Grand Totals:	97	125	222	137	61	44.5	53	127	2,157

	New Applications Received	Renewal Applications Received	Total Applications Received	Tests Administered	Tests Passed	Percent Passed	New Licenses Issued	Renewal Licenses Issued	Total Current Licenses
Ground Water Treatment Operator - B	31	54	85	38	17	44.7	18	52	755
Ground Water Treatment Operator - C	129	226	355	200	71	35.5	65	225	3,372
Surface Water Treatment Operator - B	43	52	95	104	27	26	27	57	960
Surface Water Treatment Operator - C	67	119	186	99	61	61.6	61	111	1,890
Water Distribution Operator - B	47	39	86	87	21	24.1	22	38	624
Water Distribution Operator - C	140	218	358	228	103	45.2	93	233	3,593
Water Operator - A	35	85	120	47	27	57.4	27	83	1,195
Water Operator - D	360	121	481	696	270	38.8	271	95	4,409
Grand Totals:	853	914	1,767	1,499	597	39.8	584	895	16,915

Fiscal Year 2019

# Office of Compliance and Enforcement

## *Program Support Section*

### **Kristi Mills-Jurach – Division Director**

OCE Program Support and Environmental Assistance Division – [Kristi.Mills-Jurach@tceq.texas.gov](mailto:Kristi.Mills-Jurach@tceq.texas.gov)  
(512) 239-1261

### **Vacant – Section Manager**

OCE Program Support Section – posting coming soon

### **Shannon Frazier - PWS/Water Liaison**

OCE Program Support Section – [Shannon.Frazier@tceq.texas.gov](mailto:Shannon.Frazier@tceq.texas.gov)  
512-239-6313

- **Public Water System (PWS) Regional Activity**

Information below represents the number of PWS activities conducted by the OCE regional staff in FY19 (9/01/18 – 08/31/2019):

- 1,025 Complaint Investigations
- 253 Focused Investigations
- 221 Compliance Record Review Investigations
- 47 Follow-up Investigations
- 365 Recon Investigations
- 2,126 Comprehensive Compliance Investigations (CCIs)

## **Environmental Assistance Division (EAD)**

### *Small Business and Local Government Assistance Section*

### **Diana Steele, Team Leader –**

Small Business and Local Government Assistance (SBLGA) Section

[Diana.Steele@tceq.texas.gov](mailto:Diana.Steele@tceq.texas.gov)

(325) 481-8061

No updates.

# Water Supply Division

## *Plan & Technical Review Section (PTR)*

### **Plan and Technical Review Section**

Joel Klumpp - Manager

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Brittney Wortham-Teakell – Technical Specialist/Special Assistant

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### **Plan Review Team**

Vera Poe - Team Leader

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(512) 239-6988

### **Response and Capacity Development Team**

Kenneth Dykes – Team Leader

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(512) 239-4753

### **Technical Review and Oversight Team**

Stephanie Escobar – Team Leader

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(512) 239-2439

## *Plan Review Team (PRT)*

Number of plans and specifications submittals processed by the Plan Review Team during June 2019 – August 2019: 610

Drinking Water Infrastructure Needs Survey: the EPA has indicated the four-year survey of infrastructure needs is on for 2020. The survey is very important for water systems funding as the sum of the state needs are used to determine the Drinking Water State Revolving Fund (DWSRF) allotment Texas will receive. The DWSRF has become a major funding source of water system projects in Texas and careful completion of the survey benefits many Texans. The survey includes all systems with a population greater than 100,000 and a sampling of systems with populations less than 100,000. The American Water Infrastructure Act requires that the

upcoming survey include an inventory of lead service lines and the cost to replace those lines. TCEQ is requesting that systems greater than 100,000 begin estimating their lead service lines if they are unsure of the inventory of lead service lines.

### ***Technical Review and Oversight Team (TROT)***

Number of Exception and Alternative Capacity Requirement requests processed by the Technical Review and Oversight Team during June 2019 – August 2019: 354

### ***Response and Capacity Development Team (RCDT)***

Number of free on-site Financial, Managerial, and Technical (FMT) Assistance assignments made for public water systems by the Response and Capacity Development Team July – September 2019: 233. This number excludes assignments made for wastewater systems and contractor training events.

### **Capacity Development:**

- Do you need funding or other assistance? The Texas Water Infrastructure Coordination Committee (TWICC) is an umbrella organization designed to help water and wastewater systems find funding. TWICC is made up of state and federal funding, regulatory and assistance agencies including the United States Department of Agriculture (USDA), Texas Rural Water Association (TRWA), Texas Water Development Board (TWDB), Texas Department of Agriculture (TDA), Federal Emergency Management Agency (FEMA), General Land Office (GLO) and Communities Unlimited. The next TWICC meeting will be hosted by the Texas AWWA tentatively at R+TCEQ on Thursday December 5, 2019. Entities are invited to attend TWICC meetings. Anyone interested in talking to TWICC members about potential projects, funding and other assistance can contact Dorothy Young at (512) 239-6064. Information on TWICC members, funding sources and other resource links are available at [www.twicc.org](http://www.twicc.org).

### **Texas Optimization Program (TOP):**

From July to September 2019:

- TOP staff and TOP Support contractors participated in one Revised Total Coliform Rule (RTCR) Level 2 Assessment
- TOP staff and TOP Support contractors performed two Special Performance Evaluations (SPE) at surface water treatment plants.
- TOP staff and TOP contractors attended and gave presentations at the Public Drinking Water Conference.
- TOP staff and TOP Support contractors performed customized technical assistance activities at five PWSs throughout the state.
- TOP staff held Corrective Action Plan coordination meetings with three PWSs.
- TOP staff attended the AWOP Small Systems Workshop.

### **Drought:**

- As of October 7, 2019, approximately 6.32% of the state is in extreme drought, 22.3% of the state is in sever drought, 46.05% of the state is in moderate drought, and 68.26% of the state is abnormally dry. None of the state is in exceptional drought.
- As of October 7, 2019, the state's monitored water supply reservoirs are 81.4% full, a drop of 9% since June 2019.

- Staff continue to monitor and provide additional resources to one High-Priority system and three Watch List systems until their current projects are completed

**Assistance for At-Risk Public Water Systems:**

- Staff continue to monitor nine systems in receivership, seven systems under temporary management and eleven systems designated as “Primary At-Risk.”

**Cross-Connection Control:**

- Katherine McGlaughlin is the new Cross Connection Control Program Coordinator.
- Program staff completed nine on-site Cross-Connection Control Program (CCCP) Surveys of a water systems between July and September.
- Program staff will be performing CCCP surveys for approximately nine public water systems in numerous TCEQ regions this fiscal year.
- The TCEQ Cross-Connection Control Subcommittee conducted its quarterly meeting on September 5, 2019. It was well attended with participation amongst members. Topics discussed included expanding customer service inspection training.
- The Cross-Connection Control Program continues to receive many requests for approval of alternate forms.
- Program staff participated in the biannual TCEQ PWS Investigator training on June 4-6, 2019. Program staff hosted a field trip to conduct hands on at a training backflow prevention assembly facility for investigators. Additionally, staff conducted a presentation regarding cross connection control for investigators.

***Drinking Water Standards Section***

**Vacant - Manager**

**Steven Swierenga** – Special Assistant

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(512) 239-6611

### ***Drinking Water Assessment Team***

**Team Leader – Jessica Hoch**

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### **Revised Total Coliform Rule (RTCR) Program**

*(Mia Gonzales, Claire Carlton, Lillian Johnson, Charlotte Pope, Jacqueline Hernandez, Edgar Leon)*

#### **Routine Microbial Compliance**

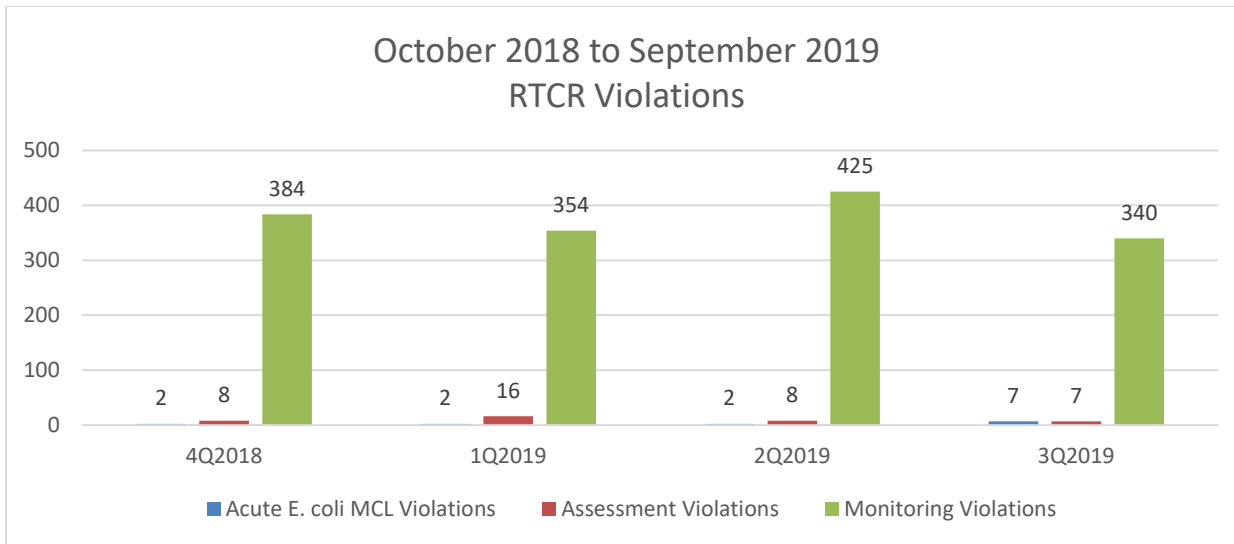
Proper bacteriological monitoring, including the documentation of monitoring, is critical for the protection of public health.

- Microbial Reporting Form (MRF) guidance can be found on the RTCR and PWSS webpages.

Direct links are provided below:

- Public Water System (PWS) MRF Guidance:
  - <https://www.tceq.texas.gov/assets/public/permitting/watersupply/pdw/tcr/Complete%20the%20Microbial%20Reporting%20Form.pdf>
- Laboratory MRF Guidance:
  - <https://www.tceq.texas.gov/assets/public/permitting/watersupply/pdw/tcr/Laboratory%20Guidelines.pdf>
- The RTCR program is reviewing documentation submitted with samples for compliance with QAPP requirements.
  - The PWS should review the MRF for accuracy prior to laboratory submission.
  - The laboratory should review the MRF for adequacy prior to samples acceptance.

#### **RTCR Violations Numbers**



Note: September monitoring violations (included in 3Q2019 data) have not been determined as of 10/10/2019, as data is still being reported and evaluated.

## **Groundwater Rule (GWR) Program**

*(Matt Court, P.G., Ken Quinney)*

### Triggered Source Monitoring (TSM) Compliance

A groundwater system that has a positive in the routine, monthly distribution coliform sampling must collect a TSM “raw” coliform sample at each active well.

If there are **multiple** routine, monthly distribution coliform samples that are positive; you must collect a TSM “raw” coliform sample for each routine positive, at each well.

- TSM is a one-to-one relationship between routine distribution positives and required raw well samples.
- For example: A PWS collects three routine distribution positive samples, all on the same day. If a groundwater system had three wells in use at the time of the positives, the system needs to collect three “sets” of well samples. For a total of nine raw well samples.

## **Lead and Copper Rule (LCR) Program**

*(Jason Williams, Seth Kramer, Colin Gearing, Lauren Medlin, Eric Stinson, Threesa Webb)*

### Proposed Revisions to the Lead and Copper Rule

- EPA announced release of the proposed revisions on 10/10/2019.
  - EPA is taking public comment on the proposal for 60 days after publication in the Federal Register.
    - <https://water.regulations.gov>



- Docket ID No. EPA-HQ-OW-2017-0300
  - Stakeholders are encouraged to provide comments to the EPA.
- Proposed Revisions to the Lead and Copper Rule EPA website:
  - <https://www.epa.gov/ground-water-and-drinking-water/proposed-revisions-lead-and-copper-rule>
- EPA Lead and Copper Rule Proposal Infographic:
  - [https://www.epa.gov/sites/production/files/2019-10/documents/proposed\\_lead\\_and\\_copper\\_rule\\_infographic.pdf](https://www.epa.gov/sites/production/files/2019-10/documents/proposed_lead_and_copper_rule_infographic.pdf)
- EPA Reference Guide for Public Water Systems:
  - [https://www.epa.gov/sites/production/files/2019-10/documents/lcr\\_proposal\\_comment\\_request.pdf](https://www.epa.gov/sites/production/files/2019-10/documents/lcr_proposal_comment_request.pdf)

### Lead and Copper Tap Sample Compliance

#### Reduced 2019 Monitoring Period (June-September)

- Systems are encouraged to review sample data using Texas Drinking Water Watch.
  - [www.tceq.texas.gov/goto/dww](http://www.tceq.texas.gov/goto/dww)
- Reminder: Delivery of Lead Consumer Notice (LCN) is required within 30 days of receiving laboratory results
- Proof of delivery of the LCN must be certified by the system and delivered to the TCEQ no later than 12/31/2019

### ***Drinking Water Quality Team***

#### **Team Leader – Kasy Stinson**

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#### **Chemical Compliance Program**

*(James Lamanna, Emily Smith, Colt Kernan, Rhea Cypert, Ian Sharp, Nathalie Bello)*

- New staff members
  - Colt Kernan – Inorganic and Radionuclide Compliance Officer
  - Rhea Cypert – Disinfection Byproducts Compliance Officer
  - Ian Sharp – Operational Evaluation Level Reports
- Compliance Determinations
  - Chemical Monitoring and Reporting (M/R)
  - Disinfectant Level Quarterly Operating Report (DLQOR)
    - E2 crash 10/10/2019
    - Do not wait until the due date to submit

#### **Surface Water Treatment Rule (SWTR) Program**

*(Donald Hunter, Christina Barrera, Aaron Vu)*

- New Staff Member
  - Aaron Vu – Surface Water Treatment Rule Compliance Officer
- RG211 Updates

## ***Drinking Water Special Functions Section***

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☆ Upcoming rule package to implementation House Bill 3552, notification to the ED and customers regarding termination of fluoridation.

☆ Upcoming PWS proactive notification system, House Bill 3142.

☆ Feedback on CCR format, generator, use by stakeholder.

☆ Feedback on BWNs.

## ***Drinking Water Technical Review Team (DWTTRT)***

**Emma Jones** – Team Leader

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### **Public Information Requests (PIRs)**

*(Kent Steelman and Data Support Group)*

- PDW Section Responses to Public Information Requests Completed – **28**
- PDW stated it had no responsive documents – **12**
- PDW provided individual response and/or data package – **16**

### **Data Support**

*(James Stapel, Kent Steelman, Rylan Fields, Ben Wesley, Lee Apostolo, Santhini Thompson, Stephen Taylor)*

- Continued work on NOV letter generation
- Continued work on Annual Compliance Report
- Federal Reporting of Compliance Data to EPA
  - Texas submitted **472,616** records to EPA for review

- These data include information on public water system facilities, compliance samples, and violations and enforcement actions
- TCEQ has a current error rate of **0.09%**

### **Sample Migrations**

*(Lee Apostolo, Santhini Thompson)*

- Environmental Electronic (E2) Reporting
  - 129,561 sample records submitted through E2
  - **82** labs are reporting through E2
- Chem Reporting
  - Sample records migrated **25,432**
- Lead and Copper Migrations
  - Sample records migrated **21,816**

### **Enforcement**

*(Sally Paramo, Emily Greene, CarMello Manning, Caleb Ingle)*

#### **Enforcement**

- 3<sup>rd</sup> Quarter 2019
  - **49** Enforcement cases
  - **0** Data maintenance case
- 2<sup>nd</sup> Quarter 2019
  - **62** Enforcement cases
  - **1** Data maintenance case

#### **Pre-Enforcement**

- Notes for 3<sup>rd</sup> Quarter 2019
  - 42 new systems reviewed
    - 90 systems have been completed
    - 80 systems are still open and have unresolved violations

#### **Post-Enforcement**

- Notes for 3<sup>rd</sup> Quarter 2019
  - 1 new system reviewed
    - 7 cases have been closed
    - 46 cases are still open and have unresolved violations

### **Consumer Confidence Report (CCR)**

*(Kent Steelman)*

- CCR compliance should be run week of October 7<sup>th</sup>.

***Drinking Water Inventory and Protection Team (DWIP)***

**Patrick Kading** – Team Leader

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Leticia DeLeon – Technical Assistant

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### **Boil Water Notices**

(Mike Howell)

In Q3 2019, the DWIP team received notification of 575 issued Boil Water Notices and 525 Boil Water Notices rescinded.

### **Public Notice**

(Mike Howell, Kristi Krieg, and Nicole Frisbie)

#### **Public Notices Submitted (Data Entry):**

July 2019: 1,074

August 2019: 376

September 2019: 487

Q3 2019 Total: 1,937

#### **Public Notice Violations:**

July 2019: 259

August 2019: 126

September 2019: 126

Q3 2019 Total: 511

### **Public Health Service Fees**

(Teri Cisneros)

#### **CY 2020:**

Total invoices: 7,034 (approximately)

Amount invoiced: \$25,492,312 (approximately)

Date invoices will be mailed: November 2019 (dated 11/30/2019)

Due date: 12/30/2019

As of 10/01/2019 **99.88% collected for CY2019**

### **Regulatory Assessment Fees**

(Teri Cisneros and Stephanie Frederick)

**CY 2018:** 2,287 postcards mailed out December 20, 2018.

As of 10/01/2019 **92% collected**

### **Inventory Team Information:**

(Carmen Portillo, Hannah Evans, Brynton Johnson, Nicole Frisbie, Chris Frazier, Zach Spivey, Taylor Nickell, Samantha Litchke, Collin Goostree, and Kendall Adair)

In Q3 2019, DWIP Inventory Team received 1,471 requests and processed 1,688 requests.

### **Ground Water Source Inventory / Ground Water Under the Influence (GUI)**

*(Betsy Yockey)*

During Q3 2019, one new GUI designation was made.

**Emergency Preparedness Plan (EPP)**

*(Leticia DeLeon and Taylor Nickell)*

41 EPP letters went out from July to September 2019.

**Homeland Security and Emergency Preparedness**

*(Leticia DeLeon and Taylor Nickell)*

167 Emergency Contact Update forms were processed from July to September 2019.

The TCEQ coordinated with the EPA’s Water Security Division and AWWA to host a free Community Water Resilience Workshop in Fort Worth on September 4<sup>th</sup>, there were approximately 85 attendees. A final workshop is planned for the week of January 15, 2020 in San Antonio. Registration information will be forthcoming within the next month and will be posted on the DWA WG webpage.

This free workshop will focus on a community-based response to an incident, be it a natural disaster or other event affecting the functionality of local sectors. The focus will include communications, coordination with electric utilities (being a priority for restored service), medical services, water and wastewater utilities, private entities, state/county emergency response staff (TDEM), and TCEQ emergency response staff. The workshop will include a panel made up of representatives from each of the sectors mentioned to give attendees an opportunity to ask questions and learn how each sector responds and/or provides assistance when an incident occurs and will include a table top exercise in the afternoon. This workshop has been approved for five continuing education credits.

☆ Reminder:

From the America’s Water Infrastructure Act (AWIA): Each community water system serving more than 3,300 population shall submit to the EPA Administrator a certification that the system has conducted a risk and resilience assessment in accordance with the Act prior to –

Population Served	Risk Assessment	Emergency Response Plan
≥100,000	March 31, 2020	September 30, 2020
50,000-99,999	December 31, 2020	June 30, 2021
3,301-49,999	June 30, 2021	December 30, 2021

Each community water system serving more than 3,300 persons shall also certify its completion of an emergency response plan, no later than six months after certifying completion of its risk and resilience assessment.

When determining population served in relationship to risk and resilience assessment and emergency response plan certification statement submittal dates, community water system wholesalers should account for the entire population(s) served of the community or communities to which they sell or provide water. The risk and resilience assessment or emergency response plan certification requirements of this law also applies to those community water systems with consecutive connections that individually serve less than 3,301 people, but their aggregate population served is greater than 3,300 people due to the additional populations that the system sells to.

For all questions regarding AWIA please reach out to: [dwresilience@epa.gov](mailto:dwresilience@epa.gov)

EPA AWIA Fact Sheet:

[https://www.epa.gov/sites/production/files/2019-04/documents/awia\\_factsheet\\_04-16-2019\\_v2-508.pdf](https://www.epa.gov/sites/production/files/2019-04/documents/awia_factsheet_04-16-2019_v2-508.pdf)

EPA information on AWIA applicability, requirements, resources, assessment tools, certification, and training:

<https://www.epa.gov/waterresilience/americas-water-infrastructure-act-risk-assessments-and-emergency-response-plans>

EPA Emergency Response for Drinking Water and Wastewater Utilities (tools and guidance)

<https://www.epa.gov/waterutilityresponse>

### **Superior Systems**

*(Leticia DeLeon and Taylor Nickell)*

29 Superior System letter reviews were conducted from April to June 2019.

### **Source Water Assessment & Protection (SWAP) / Source Water Protection (SWP)**

*(Mason T. Miller)*

- TCEQ DWIP Team manages the SWP contract and assists public water systems with completing and updating SWP plans.
- TCEQ SWP contract is with CDM Smith.
- During FY19 CDM Smith and subcontractors will complete source water protection plans for 27 groundwater systems and three surface water bodies.
- TCEQ DWIP Team assists Texas Rural Water Association as they work with public water systems updating SWP plans and implementing best management practices throughout the state.
- TCEQ DWIP Team staff continue to serve as the TCEQ GPS Coordinators and Trainers for TCEQ's staff and contractors.
- TCEQ DWIP Team assists with the Texas Optimization Program (TOP).
- TOP – Recognition Program Update:
  - Site visits were conducted at two PWSs.
  - Water Treatment Plants that received annual awards June 2019 through August 2019: City of Denton – Lake Ray Roberts one year
  - 21 surface water treatment plants participating in Recognition Program, currently four have met all the requirements continuously for 5 to 10 years, two for 10 to 15 years and one more for 15 years.
  - For more information on the TOP Recognition Program please contact Mason Miller at [mason.miller@tceq.texas.gov](mailto:mason.miller@tceq.texas.gov)

**Next DWA WG Meeting: January 2020**