

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

January 21, 2020

## Program Updates

### - *Welcome*

**Michele Risko – Manager** - Drinking Water Standards Section

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Steven Swierenga – Special Assistant – Drinking Water Standards

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**Vacant – Manager** - Drinking Water Special Functions Section

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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**Tamara Calhoun** – Team Leader

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Fiscal Year 2020  
 BPAT, CSI, Water Operator Program Results  
 1st Quarter (September 1, 2019 – November 30, 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	176	320	496	223	96	43%	83	308	5,822
<b>Grand Totals:</b>	<b>176</b>	<b>320</b>	<b>496</b>	<b>223</b>	<b>96</b>	<b>43%</b>	<b>83</b>	<b>308</b>	<b>5,822</b>

	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	81	117	198	125	60	48%	50	110	2,181
<b>Grand Totals:</b>	<b>81</b>	<b>117</b>	<b>198</b>	<b>125</b>	<b>60</b>	<b>48%</b>	<b>50</b>	<b>110</b>	<b>2,181</b>

	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	42	48	90	33	13	39.4%	18	49	757
Ground Water Treatment Operator - C	112	213	325	200	71	40.5%	78	211	3,398
Surface Water Treatment Operator - B	41	64	105	67	17	25.4%	17	65	954
Surface Water Treatment Operator - C	40	117	157	93	45	48.4%	46	122	1,887
Water Distribution Operator - B	46	30	76	84	17	20.2%	16	29	629
Water Distribution Operator - C	151	211	362	206	75	36.4%	70	193	3,599
Water Operator - A	39	69	108	36	20	55.6%	20	69	1,205
Water Operator - D	468	103	571	633	261	41.2%	271	95	4,409
<b>Grand Totals:</b>	<b>939</b>	<b>855</b>	<b>1,794</b>	<b>1,352</b>	<b>529</b>	<b>39.1%</b>	<b>513</b>	<b>836</b>	<b>16,809</b>

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

### **Kendra Houston – Program Support Section Work Leader**

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(512) 239-1080

### **Marilyn Gates – Program Support Section Manager**

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### **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 (9/01/19 – 12/1/2019):

- 278 Complaint Investigations
- 81 Focused Investigations
- 54 Compliance Record Review Investigations
- 32 Follow-up Investigations
- 97 Recon Investigations
- 453 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

[Kenneth.dykes@tceq.texas.gov](mailto:Kenneth.dykes@tceq.texas.gov)

(512) 239-4753

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

Stephanie Escobar – Team Leader

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## *Plan Review Team (PRT)*

Number of plans and specifications submittals processed by the Plan Review Team in September to December 2019: 718. The team currently has two FTE vacancies and one contractor vacancy.

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. Data collection for DWINS is anticipated to begin in April 2020.

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

Number of Exception and Alternative Capacity Requirement requests processed by the Technical Review and Oversight Team during September 2019 – November 2019: 334.

TROT has recently added the following Challenge Test Approval Documents:

- Challenge Test Approval for the Removal of Microbial Contaminants: Scinor Water America, LLC SMT 600-S26 Hollow Fiber Ultrafiltration Modules (October 30, 2019)
- Toray HFU-B2315AN Hollow Fiber Ultrafiltration Membrane (January 6, 2020)

These and all TROT's Challenge Study Documents are posted on the TCEQ website. You can find them here:

<https://www.tceq.texas.gov/drinkingwater/trot/membrane-challenge-studies>

### ***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 October – December 2019: 199. 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), Texas American Water Works Association (TAWWA) and Communities Unlimited. The next TWICC meeting will be hosted by the Texas Rural Water Association at their office on Wednesday, February 19, 2020. Entities are invited to attend TWICC meetings; if you are interested in talking to TWICC members about potential projects, funding and other assistance you 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 October to December 2019:

- TOP staff and TOP Support contractors participated in six Revised Total Coliform Rule (RTCR) Level 2 Assessment
- TOP staff and TOP Support contractors performed two Comprehensive Performance Evaluations (CPE) at surface water treatment plants.
- TOP staff and TOP Support contractors performed customized technical assistance activities at five PWSs throughout the state.
- TOP Support contractors attended the AWWA Water Quality and Technology Conference held in Dallas.
- TOP staff hosted an AWOP event at TCEQ.

### **Drought:**

- As of January 8, 2020, approximately 0.74% of the state is in extreme drought, 9.19% of the state is in severe drought, 36.12% of the state is in moderate drought, and 55.31% of the state is abnormally dry. None of the state is in exceptional drought.
- As of January 8, 2020, the state's monitored water supply reservoirs are 80.9% full, a drop of 0.5% since October 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 eleven systems in receivership, six systems under temporary management and twelve systems designated as "Primary At-Risk."

### **Cross-Connection Control:**

- Program staff completed three on-site Cross-Connection Control Program (CCCP) Surveys of a water systems between October and December.
- 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 December 5, 2019. It was well attended with participation amongst members, and new members continue to attend. Topics discussed include updating regulatory guidance documents, the new landscape irrigation program rule changes, and improving CSI training. The next meeting is scheduled for March 5, 2020.
- The Cross-Connection Control Program continues to receive many requests for approval of alternate forms.
- Program staff attended 1 DAM 12 "Establishing and Managing an Effective Cross Connection Control Program" trainings conducted through the FMT program. Staff verified that curriculum was adequately communicated and assisted with technical questions.

## ***Drinking Water Standards Section***

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**Steven Swierenga** – Special Assistant

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### ***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, Sharika Thompson)*

#### **Data Integrity and Adequacy**

- Continuing program efforts to work with laboratories to ensure all data is reported.
  - TCEQ issues corrective actions to laboratories that do not adhere to the QAPP.
    - When laboratories do not adhere to the QAPP, systems are at risk of receiving violations.
  - Hold labs accountable for the requirements you need them to adhere to in order to remain in compliance.
    - File a complaint directly with the laboratory, when needed.
    - Laboratory Accountability Presentation Laboratory MRF Guidance:
    - <https://www.tceq.texas.gov/assets/public/permitting/watersupply/pdw/tcr/Laboratory%20Guidelines.pdf>
- QAPP Addendum 4 is available on the RTCR Program and Public Water Supply Supervision (PWSS) webpages.
  - The requirements are applicable to laboratories and PWS.
  - Be knowledgeable in order to hold your lab accountable.

## Groundwater Rule (GWR) Program

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

### Triggered Source Monitoring Reminders

- A groundwater system that has a positive sample in the routine, monthly distribution coliform sampling must collect a Triggered Source Monitoring (TSM) “raw” coliform sample at each active well.
  - If there are multiple routine, monthly distribution coliform samples that are positive on the same day; you must collect a TSM “raw” coliform sample for each routine positive at each active well.
- If the raw well sample is *E. coli* positive, the system must perform corrective action under the GWR.
  - If you receive notification of an *E. coli* positive raw sample result, please contact the TCEQ’s GWR program staff for corrective action guidance.

## Lead and Copper Rule (LCR) Program

*(Jason Williams, Seth Kramer, Colin Gearing, Lauren Medlin, Thressa Webb)*

### Proposed Lead and Copper Rule Revisions

- EPA published proposed revisions in the Federal Register on November 13, 2019.
  - EPA extended public comment period to February 12, 2020.
    - <http://www.regulations.gov>
    - **Docket ID No. EPA-HQ-OW-2017-0300**
  - Stakeholders are highly encouraged to provide comments directly 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)

### Tap Sampling

Systems scheduled to collect lead and copper tap samples during 6M1-2020 are reminded to sample and follow the steps summarized below.

- Review guidance on the TCEQ’s Lead and Copper Website and ensure all steps associated with lead and copper tap sampling are completed and accurately documented. Set your system up for success and sample early.
  1. Contact an accredited laboratory for bottles and analyzing samples.
  2. Visit the TCEQ Lead and Copper website for forms and instructions.
  3. Complete the Lead Consumer Notice form after sampling and deliver to customers and the TCEQ.



4. Follow up with Texas Drinking Water Watch to make sure your data has been reported and accepted.
- QAPP Addendums 2 & 3 are available on the LCR Program and PWSS webpages.
    - These requirements are applicable to laboratories and PWS.
    - Be knowledgeable in order to hold your lab accountable.

The TCEQ encourages public water systems to make available to the public any information regarding the location of lead plumbing, fixtures, and/or pipes including lead service lines. Methods to make this material publicly available include posting maps or other locational information on your system's website, and adding into your Consumer Confidence Reports, Lead Consumer Notices, and Lead Public Education documents, as applicable. The TCEQ also encourages that the information be made available to your customers upon request.

- The EPA also highly encourages making public all discoveries of lead in your system.

### ***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, Matthew Munro)*

- Staff and Program Areas
  - James LaManna x2374
    - Organics Compliance
    - Chemical Sample Collection Contract
  - Emily Smith x5282
    - Chemical Monitoring and Reporting Compliance
    - Disinfectant Level Quarterly Operating Report (DLQOR)
    - Chlorine Dioxide, Chlorite, and Bromate
  - Colt Kernan x4752
    - Inorganics Compliance
    - Radionuclides Compliance
  - Rhea Cypert x5728
    - Disinfection Byproducts (DBP) Compliance
    - Operation Evaluation Level (OEL) Compliance
  - Nathalie Bello x2533
    - Lab Approval
    - Sample Scheduling
  - Ian Sharp x0542
    - OEL
  - Matthew Munro x5821
    - DLQOR
- Chemical Monitoring and Reporting

- Ensure:
  - Points of contact are updated in Texas Drinking Water Watch
  - If an Entry Point is offline temporarily:
    - Notify via email at [PWSCHEM@tceq.texas.gov](mailto:PWSCHEM@tceq.texas.gov)
  - If an Entry Point is offline permanently:
    - Notify via email at [PWSCHEM@tceq.texas.gov](mailto:PWSCHEM@tceq.texas.gov)
    - Notify via email at [PWSINVEN@tceq.texas.gov](mailto:PWSINVEN@tceq.texas.gov)
  - All lab fees are paid

### **Surface Water Treatment Rule**

*(Donald Hunter x4661, Christina Barrera x0537, Aaron Vu x5216)*

- Regulatory Guidance-211
  - This RG is undergoing final review and should be ready in time for the PDW Conference in 2020
- SWMOR Housekeeping
  - Make sure you are using the most up-to-date forms
    - Can be found on TCEQ website: [Forms, Instructions, and Guidance for Surface Water Monthly Operating Reports \(SWMORs\)](#)
  - Recommendations
  - If you have questions, contact TCEQ

## ***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 (DWTRT)***

**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 – **30**
- PDW stated it had no responsive documents – **18**
- PDW provided individual response and/or data package – **12**

## **Data Support**

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

- Continued maintenance of NOV letters and Drinking Water Watch
- Started implementation period for courtesy reminder project
- Federal Reporting of Compliance Data to EPA
  - Texas submitted **474,821** 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 **0.08%**

## **Sample Migrations**

*(Lee Apostolo, Santhini Thompson)*

- Environmental Electronic (E2) Reporting
  - 139,877 sample records submitted through E2
  - **83** labs are reporting through E2
- Chem Reporting
  - Sample records migrated **18,248**
- Lead and Copper Migrations
  - Sample records migrated **13,262**

## **Enforcement**

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

### **Enforcement**

- 4th Quarter 2019
  - **49** Enforcement cases
  - **0** Data maintenance case
- 3rd Quarter 2019
  - **49** Enforcement cases
  - **0** Data maintenance case

### **Pre-Enforcement**

- Notes for 4th Quarter 2019
  - 37 new systems reviewed
    - 45 systems have been completed
    - 65 systems are still open and have unresolved violations
- Notes for 3rd Quarter 2019
  - 42 new systems reviewed
    - 90 systems have been completed
    - 80 systems are still open and have unresolved violations

### **Post-Enforcement**

- Notes for 4<sup>th</sup> Quarter 2019
  - 4 new systems reviewed
    - 5 cases have been closed
    - 38 cases are still open and have unresolved violations
- 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)**

(Arin Kent-Poole and Emily Greene)

- 275 CCR 71 (CCR Report) violations letters
- 90 CCR 72 (CCR Adequacy/Availability/Content) violation letters
- Reminder Provider and CCR letters to be mailed soon
- Work on CCR instructional video

### ***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 Q4 2019, the DWIP team received notification of 529 issued Boil Water Notices and 493 Boil Water Notices rescinded.

### **Public Notice**

(Mike Howell, Kristi Krieg, and Nicole Frisbie)

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

October 2019: 606

November 2019: 559

December 2019: 346

Q4 2019 Total: 1,511

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

October 2019: 253

November 2019: 318

December 2019: 111

Q4 2019 Total: 682

### **Public Health Service Fees**

(Teri Cisneros)

#### **CY 2020:**

Total invoices: 7,037 (approximately)

Amount invoiced: \$25,498,764 (approximately)

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

Due date: 12/30/2019

As of 12/02/2019 **99.89% collected for CY2019**

### **Regulatory Assessment Fees**

(Teri Cisneros and Stephanie Frederick)

**CY 2018:** 2,273 postcards mailed out December 20, 2019.

As of 12/02/2019 **94% collected**

### **Inventory Team Information:**

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

In Q4 2019, DWIP Inventory Team received 1,483 requests and processed 1,669 requests.

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

(Betsy Yockey)

During Q4 2019, no new GUI designations were made.

### **Emergency Preparedness Plan (EPP)**

(Leticia DeLeon and Taylor Nickell)

89 EPP letters went out from October to December 2019.

### **Homeland Security and Emergency Preparedness**

(Leticia DeLeon and Taylor Nickell)

2,091 Emergency Contact Update forms were processed from October to December 2019.

Additional Emergency Response Plan (ERP) workshops were performed on April 30<sup>th</sup> in Conroe and May 23<sup>rd</sup> in Kingsville. These were free to attend and allowed the operator to earn four water CEUs. Additional workshops are being planned for FY 2020. Please check in with the DWAWG website for up to date workshop information.

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 –

- March 31, 2020, in the case of systems serving a population of 100,000 or more;
- December 31, 2020, in the case of systems serving a population of 50,000 or more, but less than 100,000; and
- June 30, 2021, in the case of systems serving a population greater than 3,300, but less than 50,000.

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

Additionally, the TCEQ is coordinating with the EPA's Water Security Division to host a free Community Based Security Workshop in Fort Worth on September 4<sup>th</sup>. If you are interested in registering, visit <https://www.epa.gov/tx/public-meetings-and-events-texas>. This workshop is no cost to attendees and will focus on the water aspects of response with focus on communications, coordination with electric utilities (being a priority for restored service), as well as documentation and reimbursement.

### **Superior Systems**

*(Leticia DeLeon and Taylor Nickell)*

78 Superior System letter reviews were conducted from October to December 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 FY20 CDM Smith and subcontractors will complete source water protection plans for 26 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 September 2019 through November 2019: Trinity River Authority Lake Livingston WTP One Year, City of Waco – Riverside WTP One Year, City of Greenville WTP Five Years, City of San Marcos WTP Six Years
  - 21 surface water treatment plants participating in Recognition Program, currently five 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 DWAWG Meeting: April 21, 2020**