

Texas Commission on Environmental Quality
WATER UTILITY OPERATOR LICENSING ADVISORY COMMITTEE
Meeting Minutes

Date: April 15, 2024
Time: 9:00 a.m.
Location: 12100 Park 35 Circle, F2210, Austin, Texas and
Virtual Meeting through Microsoft Teams

Members Attending

Larry Bell
Angel Bustamante
David Garza
David Harris
Karen Menard
Joseph McDaniel
Cory Moose
Harold Burris

Members Absent

Jake Hollingsworth
Robb Starr
Crystal Ybanez
Raymond Perez

Visitors

James Fischer
Fanta Bayo
Haddijatou Bayo
Jose Cardenas
Edward J Williams
Laura Wilson
Crystal Bowman
Nathaniel Smith
James Fischer
Laura Wilson

*Members attending virtually were directed to turn on their cameras to facilitate participation.

**Visitors were directed to turn off their cameras to alleviate buffering and internet bandwidth.

TCEQ Staff Attending

Jaya Zyman, Occupational Licensing and Registration Division (OLRD)
Tamara Calhoun, OLRD
Teresa Etheredge, OLRD
Megan Brown, OLRD
Benjamin Sakmar, OLRD
Paul Mungia, OLRD
Cynthia Alejo, OLRD
Erika Crespo, WQD
Dorothy Young, WSD
Leticia DeLeon, WSD
Brian Matthews, WSD
Jason Robinson, SBLG

Call to order:

Quorum check - quorum present.

A motion to approve the meeting minutes from (October 18, 2023), was made by (Angel Bustamante) and seconded by (David Harris), all members approved.

Attendee introduction:

All current and new members introduced themselves.

Water Supply Division (WSD) Updates: Dorothy Young, Brian MatthewsTexas Optimization Program (TOP)

Within TOP: Backflow and Cross Connection Program, Capacity Development and Temporary Management and at-Risk Programs

In future:

- Planning more technical training options - virtual format and in person (schedule a date and time to teach certain courses in hybrid forms, in person/online)
- Hybrid courses will count for continued education hours and will have to be sent to TCEQ and approved; this is still in the planning phase.
- Training at TCEQ internal to test and scale to across the state
- Assist with knowledge base lost due to high turnover in the field.
- Hoping that these courses will provide investigators with the necessary tools to prevent such high turnover in the field and solve issues before they get to big problems.
- 20 Directed Assistance Modules (DAMs)
- As requested through WSD, will come out to facility free of charge.
- Contact TOP@tceq.texas.gov or through regional TCEQ offices.

TCEQ Directed Assistance Modules

DAM: technical assistance to include technical training, and requested through TOP, WSD, people will come out to your area/site/treatment plant free of charge.

- There are 20 DAM's available to avoid violations and preventing violations in the future. You could get a violation when people go out to your site if things are not in working order, but DAM's do not work solely from reported violation. DAM's can help prevent future issues, and want to provide knowledge and training.

Resiliency DAM 13

- Expected to be full day course.
- In person course.
- Will be counted for continuing education hours, will need to be sent in for approval, but this is still in the testing phase.
- Pilot test in May 2024 to be out soon - Jaya & Paul plan to attend in person.

Public Drinking Water Conference (PDW)

- August 6-7, 2024
- TOP is heavily involved in workshops and presentations.
- Providing drought/ weather presentations

Leticia DeLeon, Technical Specialist WSDCybersecurity Updates:

If your site suffers a cybersecurity event you DO need to report anything you find.

Requirements

- September 21, 2023 - Businesses, organizations, & local governments that experience data breach of system security required to report to DAR within 48hrs of discovery including all non-profit water supply (municipalities, counties, districts, water supply corporations and water authorities)
- [EPA - Cybersecurity](#) - As of September 1, 2023, Texas Law requires businesses and organizations to report information security breaches (and DATA information), to the Attorney General's office that affect 250 or more customers no later than 30 days following discovery of the security breach.
- [Texas Identity Theft Enforcement and Protection Act](#) required reporting.
- [Immediate Notification](#)

TCEQ Water Division Webpage - Updated Information & Hyperlinks:

WSD: posts any federal laws or regulations relating to cybersecurity on their website often and keeps them updated.

- State resources & requirements.
- Federal resources and EPA
- Cybersecurity and Infrastructure Agency
- EPA Cybersecurity Water Sector Best Practice

Cybersecurity and Infrastructure Agency (CISA)

Recently posted an incident response guide to help utilities recover, also a fact sheet that was posted to further help utilities recover.

- Federal agency are there for assistance
- Recently posted incident response guide
- Fact sheet for utilities recovery assistance
- Can meet with sites and providers for free, to promote information about cybersecurity information.
- All about the municipalities having cybersecurity access.

Ransomware Incidents

Anyone affected by ransomware incidents must reach out to:

- FBI and EPA
- Both CISA and EPA are offering free cybersecurity assessments to anyone who would like one to help put a stop to these incidents.

Cybersecurity

These incidents are happening so fast that people can hardly keep up with them.

- Five small water utilities within the last 6 months were impacted.
- Always be prepared. These instances are happening more often and utilities who are not prepared often lose a lot of information and data.
- CISA and EPA offer free cyber security assessments for any utility interested.
- Texas Department of Information Resources also offers free assessments (non-profits only).
- 2023 training was generator maintenance-based training and hands on.

2024 Training

- Cybersecurity trainings will be reviewed for resiliency continuing education hours.
 - NTMWD IT personnel assisting TCEQ contractors in development.
 - Will be held in Waco, date TBD and posted once available.

- Hands-on generator maintenance resiliency training - requests for additional trainings
- North-Texas municipal water district will be helping provide cybersecurity training. Potentially to be held in Waco.

Question from committee member:

Best resources for cybersecurity news, incidents, and risks?

Most of these incidents do not make the news, how do we warn and train people who are not aware of these immense risks?

- Water ISAC membership
 - Free articles to do with water utilities, but charge per size of utility for membership.
- Information not in regular news to not encourage additional incidents/attacks.
- One system infiltrated and its wells were turned on. Ground storage tanks overflowed.
- High priority
- AWWA is working on a federal level bill proposal to increase regulation on water utilities.
- A letter sent out to all state governors to bring cybersecurity to the forefront of their priorities. We have been lucky that a big water plant has not been targeted so far.

Water Quality Division (WQD) Updates: Erika Crespo

Annual Homeland Security Information Update

Currently in the thick of the homeland security update for all wastewater treatment systems in Texas. All participation is completely voluntary. Any and all information that can be provided prior to an emergency response situation or natural disaster is helpful. This information helps to assist the people with boots on the ground and recovery tactics.

Wastewater can include harmful and concerning things, so information about emergency events is always helpful in preparing.

If you have not already provided your 2024 update to homeland security, please do so. We are in the second stage, so we like to have all necessary and helpful information prior to hurricane season which starts on June 1st.

- All wastewater treatment systems in Texas.
- Letters and emails sent.
- Participation is voluntary.
- Provide updated information prior to an emergency response situation or natural disaster.
- Includes annual/primary contacts, the amount of lift stations throughout your collection system, and other applicable information for Region 6 of EPA and TCEQ regional staff prior to hurricane season (officially starts June 1st).

Capacity, Management, Operation & Maintenance (CMOM) 2024 Conference

- August 5-6, 2024
- This year is at the same time as the Public Drinking Water Conference (Water Supply Division).
- For more wastewater information please consider attending CMOM

[Water Quality/ Stormwater Seminar](#)

- April 16th

Occupational Licensing (OL) Updates: Jaya Zyman, Tamara Calhoun

B Exam Revisions

We are in the process of revising the wastewater B exam. Thank you to WUOLAC members who helped review the new exam questions.

- Historically after exam revisions there is a dip in the pass rates for a period of time.

Instructional Qualification Fees

- Currently there is no fee for submitting independent requests for additional instructors to instruct training providers previously approved courses.
- In the future there may be a fee for independent reviews.
- For courses submitted with a number of instructors you want for that course, there's no additional fee, you are charged the normal rate.
- Submit qualifications of new hires and that's where the fee would be implemented.

Spanish Courses:

- There was an inquiry as to what courses are available in Spanish and TCEQ does not currently have a way to generate that list.
- Demonstrated how to access to the exam in Spanish.
- Encourage training in development/translation.
- Concerns of Members:
 - Once someone has their license (a more niche license, as a Spanish speaker) and needs to be inspected, inspectors may not be fluent in Spanish.
 - Reports sent to the state are in English, the rules are in English, etc.
 - A bilingual instructor would make more sense. Trying to teach a class in Spanish, but then having to report them in English seems potentially problematic.

Resiliency:

- Now required as of April first.
- Requirements:
 - Only required for water licenses at this time.
 - TCEQ strongly recommends resiliency for wastewater.
 - Overview course is required for all water operators no matter the level of license and must be completed during one of your next two renewals.
 - After this, you must get two hours every renewal cycle of approved resiliency training. The overview course cannot be taken again for credit.
 - If you do not do the overview course within this upcoming renewal period, you will need to take another resiliency continuing education course.
- Approved resiliency training options are listed on the TCEQ website.
- If training has not been approved or reviewed by TCEQ OL, it will not count towards hours needed for TCEQ OL Licenses. Do not just take anything.
- One time waiver: only applies to those individuals who renew on or after April first and have already completed all their continuing education hours by December 31st of 2023. Request waiver for this one upcoming renewal period. It is only a waiver for the upcoming cycle.
- Encourage development of additional continuing education courses for resiliency.

- License holders may reach out to TCEQ for specific resiliency courses that may meet the current standards and potentially be added to the TCEQ approved list.

Proposed rule changes:

- Resiliency
- Digital licenses
- Provisional licenses
- Fingerprinting
- Decrease in continuing education hours for the petroleum storage tank license. Currently 32 hours, decrease to 20.
- Revision Timeline:
 - March stakeholder meeting
 - Currently finalizing the draft of rules
 - Go to agenda in June.
 - Comment period around July.
 - Rulemaking meeting in August
 - Implement in December
 - Website dedicated to these rules.

Basic Water to be offered in high schools:

- Texas American Water works Association is working with TEA for development.
- Summer pilot class
- Over four hundred high schools have been in contact to get on the queue.
- Potentially Spanish adaptations of this Basic Water course for high school students.

Computer Based Testing:

- Confidentiality agreement - exam cannot be reproduced or notes taken.
- Scenarios/example to go to or be referenced.
- Charts and attachments needed to complete questions.
- Spanish is the translated English version.
- Limited negative feedback for this computer-based system.
- End of exam has a review "stop" to make sure all the questions are answered before submission.
- Basic formulas are available in the attachment in the top left corner for applicable questions only.
- All exams are now on Computer Based Testing programs.

Designative Representative License:

- Potential new license to give DRs authority to evaluate the advanced OSSF systems.
- At minimum year-long process
- Updates as available

Irrigator exam:

- Job task analysis completed.
- Determined critical knowledge and tasks.
- Currently developing more exam questions

Proctor Assessment:

- Assessment in development
- Intention – determine if qualified to proctor specific exams.

Motion to approve the minutes for the October meeting by Angel Bustamante seconded by David Harris.

Licensing Statistics to be emailed.

Adjourn

Paul Munguia adjourned the meeting.

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