

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY WATER UTILITY OPERATOR LICENSING ADVISORY COMMITTEE

Meeting Minutes

Date: October 16, 2024
Time: 9:00 a.m.
Location: 12100 Park 35 Circle, B129, Austin, Texas and
Virtual Meeting through Microsoft Teams

Members Attending

Raymond Perez
Adam Farguson
Eduardo Montaña
Harrold Burris
Zachary Lille
Joseph McDaniel
Leanne Wilson
Larry Bell
Angel Bustamante

Members Absent

David Garza
Melissa Loyd
Cory Moose
Wesley Negen

Visitors

Steve Ash
Ariane Walker
Jose Cardenas
Crystal Bowman
John Walden
Edward J Williams
Zachary Jackson

TCEQ Staff Attending

Jaya Zyman, Occupational Licensing and Registration Division (OLRD)
Tamara Calhoun, OLRD
Teresa Etheredge, OLRD
Paul Munguia, OLRD
Samantha Royall, OLRD
Erika Crespo, WQD
Dorothy Young, WSD
Leticia DeLeon, WSD
Jason Robinson, SBLG

Call to order:

Quorum check - quorum present.

A motion to approve the meeting minutes from July 15, 2024, was made by Larry Bell and seconded by Angel Bustamante, all members approved. Motion carried.

Attendee introduction:

All current and new members and TCEQ staff introduced themselves.

Committee President & Vice President Elections:

The committee needed to elect a president and vice president for WUOLAC. The duties of the president are to provide agenda topics for the meeting. The president should be in contact with all members to request agenda topics. The topics will be presented to TCEQ to finalize the agenda. The president will also lead the WUOLAC meetings. The vice president covers these duties when the president is not available. These positions and voting were limited to WUOLAC members. These positions are for the remainder of the service period of the individual, unless they at any point they choose to step down from their position or become delinquent in status as a committee member, either of which would initiate a new election.

Nominations

Zachary Lille self-nominated for President.

Angel Bustamante self-nominated for Vice President.

No additional nominations.

Elections

Paul Munguia asked for a motion to accept Zachary Lille as President and Angel Bustamante as Vice President. A motion to accept was made by Adam Farguson and seconded by Larry Bell, all members approved. Motion carried.

Water Supply Division (WSD) Updates: Dorothy Young & Leticia DeLeon

Annual Public Drinking Water (PDW) Conference

At the PDW conference in August there was a panel on workforce development and training. This panel and conference will be available on our [TCEQ YouTube channel](#) later this month.

[The Texas Optimization Program](#) (TOP)

This group will be hosting a free training November 14th in Round Rock.

- Topics: operator math, corrosivity, measuring how much water you have left during drought, chloramination, and nitrification.
- More details and [registration form](#) available on the TCEQ TOP website.

[Lead Service Line Inventory Under Lead and Copper Rule Revisions](#) (LCRR)

Due date is today, October 16, 2024 by midnight.

Please be sure to accomplished this if you have not already.

[Drinking Water Advisory Work Group](#) (DWAAG)

At the October 15, 2024 DWAAG meeting, EPA did a presentation on America's Water Infrastructure Act. This is a reminder of the five-year submission cycle in 2025. Use their website to look at the deadlines for water systems.

- [AWIA Section 2013/SDWA Section 1433: Risk and Resiliency Assessments and Emergency Response Plans](#)
- If you serve more than 3300 in population, you're required to conduct an emergency response plan and put together your risk assessment which will help you build your plan.

- EPA has templates you can use, or you can make your own. Make sure your headings match the EPA headings and cover the same information assist during water system inspections. Inspections include verifying whether what you certified and you submitted meets the intent of the plans.

Public Water System Emergency Contact Update

Submitting emergency contact information is now done via an [electronic form](#).

- Update your emergency contact information at least once a year.
- Verify in [Drinking Water Watch](#) that under points of contact all individuals listed still work with you and that they still have the same responsibilities they are listed for.
- Make updates using the electronic form link or call Leticia DeLeon.

Cybersecurity

EPA has been sending TCEQ lists of compromised water systems.

- SCADA operations including the information concerning their water system are posted on a public internet service. This could allow these SCADA systems to be taken over by outside and unauthorized sources.
- Have routine check-ups and monitoring of the security on your SCADA system done.
- TCEQ is attempting to call and notify systems identified on these lists from the EPA, to give these systems all the information available as well as try to help fix the problem.
- Assistance with a cybersecurity problem is available through TCEQ's collaboration with the Texas Information Resources Agency. They provide free assistance to all nonprofit water systems to help them recover from impacts of a cybersecurity breach.
- If a cybersecurity involves billing, the FBI will need to be called. In these cases, CISA may also be called. Be aware that there are other reporting requirements when billing is involved. For example, if you serve more than 250 customers and your billing is compromised, you're required to report it to the Texas Attorney General's Office.

Water Quality Division (WQD) Updates: Erika Crespo

Homeland Security

Erika provided a link form information regarding homeland security disaster and recovery information for Public Water Systems: [Homeland Security for PWS: Disaster and Recovery](#)

Annual Voluntary Data Collection

Please begin collecting and updating your systems' emergency contact information. WQD compiles and shares this information with TCEQ's Office of Compliance & Enforcement and the EPA in preparation for hurricane season, emergencies and natural disasters that require agency response.

Notifications will be sent to all TCEQ Homeland Security contacts associated with permitted wastewater treatment facilities throughout the state.

- [Homeland Security Contact Information](#) - Instructional YouTube video available for how to use the WQEPS portal in [STEERS](#) when entering system emergency contact information.

In the event of an emergency or natural disaster, this information will assist with efficient response, customer service, and technical support. Having this information up-to-date and readily available is one less barrier in these stressful situations.

Proposed Rule Revisions

The proposed rule revisions to 30 TAC Chapters 210 and 321 Subchapter P, for implementing SB 1289 from the 88th Texas Legislative Session, were published in the Texas Register on Friday, October 11th, 2024. This is for alternate means of disposing of reclaimed water via the collection system of an associated wastewater treatment plant and removing the requirement that is currently in place in rule for that facility to have a TPDES or TLAP permit.

Proposed Rule Revisions Public Hearing:

- Hybrid - virtual & in-person
- November 12th, 2024, at 10am, Building D Room 191 TCEQ Headquarters, Austin.
- Register by November 7th. Email rules@tceq.texas.gov, providing your name, affiliation, e-mail address, phone number, and whether or not you would like to present oral comments during the hearing. Instructions on how to participate in the hearing will be sent out to everyone who registers.
- Open discussion will not be permitted during the hearing.
- The hearing is structured to receive oral or written comments from interested persons and staff members with the agency will be available to discuss the proposal 30 minutes prior to the hearing.

More information can be found at:

- <https://www.tceq.texas.gov/rules/prop.html>
- <https://tceq.commentinput.com/comment/search>

Question from committee member

When does TCEQ expect the proposed rules to be formalized and updates to the Texas Administrative Code website made?

The projections within the agency are to go before Commissioners agenda in 2025 to request adoption, but that is not set. It depends on the number of comments received, then the legislative session and other factors involving our agency.

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

Licensing Statistics for the 3rd & 4th quarter of FY24 were reviewed.

Resiliency Column – [Individual Search Website](#)

Paul clarified the Resiliency Column on the website and what it indicates. Below the column on the right labeled Resiliency indicates if resiliency **continuing education** training requirements have been fulfilled. The Resiliency column will be “N/A” for any license it is not applicable to. It is currently only applicable to water licenses.

In the example below this water operator has not taken resiliency continuing education training and the column states “NO”.

License(s)								
There were 5 Licenses found.								
Program ?	License Type and Level ?	License Number ?	Last Issued Date ?	Exp. Date ?	Status ?	BPAT Skill ?	Resiliency ?	CE Hours ?
WATEROL	WATER DISTRIBUTION OPERATOR C	WD [REDACTED]	02/21/2023	02/21/2026	CURRENT	N/A	NO	30

This water operator has taken the Resiliency Overview CORE course. This can be seen on their profile when they scroll down to their Courses.

Course(s)					
There were 22 courses found. Note: You may see the same course listed multiple times. This occurs because the towards multiple license programs.					
Program ?	Course Title	Course Code ?	Hours ?	Date ?	Provider
WATEROL	(RESIL CORE) RESILIENCY OVERVIEW	1664	2.0	10/22/2024	TRWA

“If they've taken this resiliency overview course, why does it say no?”

The Resiliency Overview CORE course is not recognized as continuing education and WILL NOT be allowed to be used for renewals in the future. The resiliency column is set to recognize continuing education resiliency courses only.

Exception

Now that the resiliency requirements have been newly implemented, during the first 2 renewal periods water operators may renew their license a single time using the Resiliency Overview CORE course to meet the resiliency requirements for that renewal. This may only be done once.

You may currently renew your license a single time using the Resiliency Overview CORE course and this column will say “NO”. All other future renewals this column will need to be “YES” indicating you took continuing education resiliency courses.

TCEQ is receiving a lot of questions regarding this, so if instructors and supervisors, could explain this to your students and employees, it would be greatly appreciated.

Compromised Exams

The Surface Water C Exam was recently compromised. The majority of the questions have been revised. TCEQ OL training is requesting volunteers from WUOLAC to act as Subject Matter Experts (SMEs) to review the revised questions.

- Each SME will review a limited number of questions to ensure confidentiality.
- Review of exam questions with previous SME's has taken only 1-1.5 hours.
- Previous SME feedback example: some questions are valid in theory, but not applicable in real-world scenarios.
- Interested volunteers must:
 - hold an A or B license in Water – since this is a Water Exam
 - and have a minimum of three years of experience.
- An email will be sent for volunteers. Reply to Paul if interested.

Basic Water Exam Resiliency Questions

The Basic Water Exam will be revised to include new resiliency questions.

Previously we asked for volunteers to contribute resiliency questions, and feedback was gathered. The revision will involve replacing a few existing questions rather than overhauling the entire exam. It is not anticipated that the pass rate will decline due to these changes.

Proposed Rule Updates

A public hearing was held on October 10th, with no participants signing up for oral comments and no written questions submitted. The public comment period concluded on October 14th at 11:59 PM. Submitted comments will be reviewed and response will be provided to all comments. The tentative timeline to present this rule for adoption is February 2025.

Some rule changes were previously implemented because they were legislatively mandated this process is just formalizing those changes in our rules.

WEAT/AWWA collaborative Petition

On September 25th, a petition was received from the Water Environmental Association of Texas and the American Water Works Association. The petition requests revision of Chapter 30 of the Texas Administrative Code (TAC) to require 4 hours of ethics training for renewal of all levels of public water system (PWS) and wastewater (WW) operator licenses (D to A). Ethics training would count toward the required continuing education hours for license renewal.

The petition was forwarded to Occupational Licensing to study the potential merits then within 60 days make a recommendation for the commission. Recommendations can include approval, denial, or modifications to the petition. An executive summary of the petition will be available prior to the agenda date on November 20th. If approved by the TCEQ commissioners, it will be stated as “approving to initiate rulemaking with a stakeholder process”. The stakeholder process is where modification, comments and/or denial can occur. This process would likely occur after the next legislative session due to current open rules and upcoming legislative timelines.

Members expressed support for tailored ethics training specific to operators, acknowledging existing ethics training requirements for municipal employees and consideration of existing ethics training programs and their applicability. As a reminder that not all ethics training would qualify for credit. It would need to be reviewed and approved by TCEQ to ensure it meets the necessary standards.

Concerns About Burden on Operators:

Some members voiced concerns about adding mandatory training requirements that may complicate continuing education for operators and lead to many more areas of training being required.

Suggestion for a Subcommittee:

Consider Formation of Subcommittee: Discuss the potential for creating a subcommittee focused on a master plan for training needs.

Training Duration

Proposed Extension: There was a suggestion to extend core classes to 24 hours over three 8-hour days to allow for more comprehensive coverage of the material.

The group suggested no change in duration at this time. The discussion highlighted a need for balance between covering essential material and setting the expectation for operators to study for not only their exam but also their job duties outside the classroom. Other concerns were discussed including scheduling, course availability, methods of teaching, redundancies in training material, and class size that may make it harder to cover all material adequately within the 20 hours. It was noted 20 hours is the minimum time required for the course and training providers can extend that time for their classes.

Instructors expressed the need to prioritize operational knowledge over just passing exams. Some participants highlighted that some licensed operators lack practical knowledge and skills, but they can pass the exam which is concerning.

Spanish Exam Translations

All D and C level exams are now available in Spanish. When taking the exam, candidates initially see all questions in English, but these exams have the option to click a button to view the Spanish translation of each question.

Future Meetings

The next meeting is targeted for mid-January, ideally the 13th or 15th with regard to the next DWAAG meeting on the 14th, with additional meetings planned for April, July, and October. Efforts will be made to avoid conflicts with other committees and local government schedules. Members were encouraged to share any scheduling conflicts they may have, so the planning team can accommodate as many attendees as possible.

Input from Members

Members were encouraged to share any topics or questions for discussion during and after the meeting for future discussions.

Closing Remarks

The meeting concluded with a welcome to new members and gratitude to those whose terms have ended.

Adjourn

Adam Farguson made a motion to adjourn, seconded by Eduardo Montaña. Meeting adjourned.

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