

Waterworks Advisory Committee Meeting

July 18, 2013

Polycom Meeting

Chair: John Aulbach, Virginia Department of Health
Secretary: Mark Anderson, Virginia Department of Health
Timekeeper: John Aulbach, Virginia Department of Health
Members Present: Greg Boardman, Virginia Tech (Academia)
Elmer Handy, Virginia Rural Water Association via phone
Jerry Higgins, American Water Works Association – Virginia Chapter
Grier Mills, Virginia Department of General Services
Craig Nicol, Department of Environmental Quality (representing Tammy Stephenson)
Russell Rice, Southeast RCAP (on behalf of Hope Cupit)
Jesse Royall, Sydnor Hydro, Inc.

Guests in Attendance:

Jillian Churchill, Virginia Department of Health
Susan Douglas, Virginia Department of Health
Hugh Eggborn, Virginia Department of Health
Allen Hammer, Virginia Department of Health
Angie McGarvey, Virginia Department of Health
Robert Payne, Virginia Department of Health
Richard Puckett, Virginia Department of Health
Ray Whitner, Virginia Department of Health

Minutes

Agenda Item: Call to order

Discussion: Mr. Aulbach convened the meeting at 10:04 a.m.

Conclusions: Move to next item

Action items: None

Agenda Item: Introductions

Discussion: Mr. Aulbach asked attendees to introduce themselves and their organizations.

Conclusions: Move to next item

Action items: None

Agenda Item: Agenda Adoption/Adoption of May 2013 Meeting Minutes

Discussion: Agenda was adopted unanimously without revision. There was a motion to approve the draft minutes that were circulated for comments before the meeting. There was no additional discussion. Minutes were adopted unanimously.

Conclusion: Move to next item

Action items: **Mr. Anderson to distribute May's minutes as approved.**

Agenda Item: Public Comment

Discussion: There was no member of the public in attendance.

Conclusion: Move to next item

Action items: None

Agenda Item: Chairman's Report

Discussion: Mr. Aulbach briefed members on personnel issues that ODW was allowed to hire the new DWSRF Project Officer, Howard Eckstein, to overlap with the retiring incumbent to allow a smoother transition. The vacant Business Manager's position closed with 16 interviews occurring later this month. Mr. Aulbach keynoted the regulatory review process, to be discussed later in the agenda in more detail. He reinforced that the process is intended to be flexible.

Conclusion: Move to next item

Action items: None

Agenda Item: Legislative Update

Discussion: Mr. Payne updated the committee on the status of primacy on the LCR. EPA has not yet approved primacy for the revised rule.

Conclusion: Move to next item

Action items: None

Agenda Item: Compliance Update

Discussion: Mr. Payne illustrated the complexity of taking criminal action against a waterworks owner using a recent action before a grand jury. Mr. Payne described the various steps in the process and the attention to detail that ODW staff has to take throughout the process. The grand jury returned a true bill for a Class I misdemeanor against the owner. The grand jury determination allows the case to be heard at the circuit court level.

Conclusion: Move to next item

Action items: None

Agenda Item: Water Policy

Discussion: Ms. Douglas and Mr. Higgins briefly discussed the draft policy developed for issuing boil water notices. To date, no comments have been received in opposition. Mr. Higgins reminded that stakeholder comments would be received until the end of the month. Mr. Higgins was also pleased with the process as an excellent example of the service that the WAC can provide the drinking water community.

Conclusion: Move to next item

Action items: **Ms. Douglas to send the draft policy to WAC members once all the comments are received and compiled.**

Agenda Item: Regulatory Review Process Update:

Discussion: Ms. Douglas referred to the handout provided members and discussed how the WAC involvement will be ongoing through the revision process. She explained the review will occur on a part-by-part basis beginning with Part I. It is envisioned that Part I will include standardized forms and that appendices will no longer appear in the regulations. Ms. McGarvey clarified the third bulleted item on the handout. Mr. Hammer discussed a recommendation from the ODW regulation review meeting held on the 16th, that some staff though a name change to the WAC was in order as the committee did not advise waterworks, but rather ODW. Ms. Garvey indicated that the regulatory advisory panel (or RAP) would not see any revisions to review before summer 2014. Mr. Handy asked Ms. Garvey when she thought members to the regulatory advisory panel would occur and that he was volunteering. Ms. Garvey replied that all WAC members can be on the RAP if they so desire. Mr. Aulbach instructed Ms. Garvey and Ms. Douglas to backwards plan from June 2014 to establish the date for nominating RAP members. Mr. Higgins asked if the waterworks owners were aware of the process. Mr. Anderson suggested that articles be written for publication in the VRWA and VA AWWA quarterly magazines. Mr.

Handy supported that for suggestion for VRWA and Mr. Higgins said that he was hoping the WAC would use those publications to promote the process. Mr. Higgins volunteered to write the article for publication by VA AWWA. Mr. Aulbach said that to “front end load” the process with information was preferred so that there would be no last minute surprises from public comments.

Conclusion: Move to next item

Action items: **Ms. Douglas and Ms. Garvey to present the WAC with the RAP schedule at the next meeting.**

Agenda Item: SCC Update:

Discussion: No SCC representative in attendance.

Conclusion: Move to next item

Action items: None

Agenda Item: DEQ Update

Discussion: Mr. Nichol updated that the State Water Control Board did approve the Agencies recommendation to adopt the revised regulations. (9VAC25-610) and final *Eastern Virginia Groundwater Management Area Regulations* (9VAC25-600). The regulations will now undergo executive review. As part of the executive review process, the Governor must approve the final regulations; however, there is no time deadline placed on the Governor’s review of the regulations. Once the regulations are approved by the Governor, the regulations will be published in the *Virginia Register* and will list the effective date of the regulations. It is not known at this time when the regulations will become effective.

At the request of the State Water Commission, DEQ and others presented Groundwater Management Issues associated with the coastal plain aquifer during the July 16 Commission meeting. The presentation conveyed the complex hydro-geological and economical situation facing Virginia. DEQ emphasized the value of developing thoughtful and well structured strategies to address the concerns. The meeting resulted in press coverage regarding the potential for re-use at the Rock-Tenn paper mill located in WestPoint.

Conclusion: Move to next item

Action items: None

Agenda Item: DCLS Update

Discussion: Mr. Mills reported that DCLS revised the drinking water laboratory regulation (1VAC30-40) to incorporate by reference the most recent federal guidance used to certify drinking water laboratories, to revise the fees charged to the laboratories for certification (including state and federal public laboratories), and to add an alternative for environmental laboratories that also perform drinking water testing to obtain certification. The proposed revisions were published for comment on June 17, 2013. The 60-day public comment period ends on August 16, 2013. The revisions were so extensive that DCLS has proposed a new regulation, 1VAC30-41. This proposed regulation and the background document can be found online on TownHall (<http://townhall.virginia.gov>) and in the June 17th Register of Regulations (<http://register.dls.virginia.gov>). Comments on the proposed revisions to the regulations should be sent to Nancy S. Saylor, in c/o DCLS, 600 North 5th Street, Richmond, VA 23219 or nssaylor@verizon.net, 804-231-7980. Ms. Saylor would be delighted to answer any question related to this rulemaking.

Conclusion: Move to next item

Action items: None

Agenda Item: DHCD Update:

Discussion: No DHCD representative in attendance.
Conclusion: Move to next item
Action items: None

Agenda Item: VWRRC Update:

Discussion: No representative in attendance.
Conclusion: Move to next item
Action items: None

Agenda Item: SE-RCAP Update

Discussion: Mr. Rice reported that through a grant by the Virginia Department of Social Services, SERCAP is offering job training and job placement services for eligible Temporary Assistance for Needy Families participants in the Roanoke Valley area who are interested in a career as public water or wastewater system operators. SE-RCAP is working with the Virginia Western Community college. The program offers coursework and field training experiences necessary for 20 individuals to complete the requirements for Virginia state licensure as water or wastewater system operators. The program takes a minimum of six months to complete. Participants will be provided with course materials and safety gear. Participants must be 18 years old. Mr. Rice said that finding employment after the end of the certification process may present a hurdle.

Conclusion: Move to next item
Action items: None

Agenda Item: VRWA Update

Discussion: Mr. Handy reported that Expo 2013 is scheduled in August in Augusta County. Funding remains a concern. VRWA has a wastewater circuit rider for at least another 11 months. With offering training for a fee, VRWA is still grappling with how to offer more training at a lower cost.

Conclusion: Move to next item
Action items: None

Agenda Item: VA AWWA Update

Discussion: Mr. Higgins thanked ODW for the efficient way in which the BWN proposed guidance was developed. He also reminded attendees that the Water JAM will be held in Richmond this year September 9-12. Over 1,200 participants are expected for this year's JAM. Mr. Aulbach recounted ODW's participation this year with attendance, presenters, and volunteers.

Conclusion: Move to next item
Action items: None

Agenda Item: VT Update

Discussion: Professor Boardman reported that the first VT-VDH Capacity Development Course will be held week. The class size is limited at 25 and 25 participants are enrolled. Attendance for the August Operator Short Course is at 110. The EESW Short Course will be held in September and the Hands On Training at a Surface Water Treatment Course in October at Salem. The groundwater Math Course is scheduled for November. The Continuing Professional Education (video teleconference) Series had "Contaminants of Concern" in July and October's broadcast will be on microbiology. September's topic and presenter

have not been confirmed. He also reported getting requests from several parts on the Commonwealth to conduct hands-on training in those areas.

Conclusion: Move to next item

Action items: None

Agenda Item: New Business

Discussion: There was no new business.

Conclusion: Move to next item

Action items: None

Agenda Item: Update member Contact Information

Discussion: Mr. Handy reported that the name has changed on his authority on his contact information.

Conclusions: None

Action items: **Mr. Anderson to have the member roster updated to reflect the change.**

Agenda Item: Next Scheduled Meeting

Discussion: The next WAC meeting is tentatively scheduled for September 19, 2013. Meeting will be in person.

Conclusions: None

Action items: **Mr. Anderson to schedule meeting space with the DEQ Piedmont Regional Office.**

Agenda item: Adjournment

Discussion: There was a motion to adjourn and that motion was seconded. The motion passed unanimously. Meeting Adjourned at 11:29 p.m.

Conclusions: None

Action items: None

Mark C. Anderson, Secretary

John J. Aulbach II, PE, Chair