

Waterworks Advisory Committee Meeting

Thursday, March 17, 2016

Sydnor Hydro, Inc.
2111 Magnolia St,
Richmond, VA 23223
10:00 am – 11:35 am

Acting Chair: Drew Hammond, Virginia Department of Health
Secretary: Cathy Hanchey, Virginia Department of Health
Timekeeper: Drew Hammond, Virginia Department of Health

Members Present:

David Raines, Virginia Association of Counties
Andy Crocker, Southeast Rural Community Assistance Project, Inc.
Dr. Ignatius Mutoti, Virginia Society of Professional Engineers
David Van Gelder, Water Operator Class I
Steven Herzog, Virginia Water Environment Association, Inc.
Craig Nicol, Department of Environmental Quality
Eric Lassalle, Nontransient Noncommunity Representative
Jesse Royall, Community Waterworks Owner
Dr. Greg Boardman, Faculty (via telephone)

Guests in

Attendance:

Cathy Hanchey Virginia Department of Health
Robert Payne, Virginia Department of Health
Howard Eckstein, Virginia Department of Health
Trisha Henshaw, Department of Professional and Regulatory Development
Kristin Clay, Department of Professional and Regulatory Development
Greg Arrington, Sydnor Hydro, Inc.
Barry Matthews, Virginia Department of Health
Robert Bohannon, Hunton & Williams (Fairfax Water)
Mark Anderson

Minutes

Agenda Item: Call to Order

Discussion: Mr. Hammond convened the meeting at 10:03 a.m
Conclusions: With Mr. John Aulbach attending the quarterly Board of Health meeting and Mr. Elmer Handy out due to health reasons, it will be necessary to elect an Acting Chair.
Action items: Jesse Royall moved that Drew Hammond be nominated to serve as Acting Chair for this meeting. That motion was seconded. The vote was unanimous in the affirmative.

Agenda Item: Agenda Adoption/Adoption of January 21, 2016 Meeting Minutes

Discussion: There was a motion to adopt the draft minutes as revised and the motion was seconded. There was no discussion. Draft agenda and minutes were adopted unanimously.
Conclusion: Move to next item
Action items: **Ms. Hanchey to distribute January’s minutes as approved.**

Agenda Item: Public Comment

Discussion: Mr. Mark Anderson stated that he was merely visiting.
Conclusion: Move to next item
Action items: None

Agenda Item: Chair's Report and Director's Report

- Discussion:* Mr. Hammond provided the following updates:
- Introduced himself as the new Office of Drinking Water (ODW) Deputy Director and provided his background.
 - Mr. Nate Mathis, an ODW State Revolving Fund Project Engineer, will be leaving ODW as of March 24, 2016 to take a job with Chesterfield County. ODW is moving forward with advertising the position on Virginia Jobs. Until the position is filled, Capacity Development will provide assistance to SRF.
 - ODW is proceeding with updates to replace the position vacated due to Mr. Anderson's retirement, and ODW anticipates having this completed within the next 30 days.
 - With the recent departure of a wage employee under Technical Services, ODW is seeking to elevate the GIS position to a FTE to provide continuous support for the Source Water Assessment and Protection Program.
 - ODW briefed Secretary William Hazel on lead in drinking water on February 9, 2016. VDH also met briefly with Secretary Hazel on March 15, 2016. Dr. Marissa Levine, the State Health Commissioner was also providing a lead briefing to the Board of Health. ODW was also providing additional support concerning coal ash with DEQ Director David Paylor.
 - Ms. Susan Douglas, ODW Technical Services, is providing weekly updates to lead and copper questions from the EPA.
 - On February 29, 2016, EPA Headquarters sent a letter to Governor McAuliffe and to the State Health Commissioner advising of increased oversight of the Lead and Copper Rule (LCR). The letter to the State Health Commissioner was read by Mr. Hammond.
- Conclusion:* Mr. Hammond advised that the State Health Commissioner asked ODW to look at strengthening language in the Consumer Confidence Rule (CCR) templates. Mr. Herzog questioned when the CCR changes would be effective, and Mr. Hammond advised that it would not be for the CCR due this year. Mr. Herzog also suggested that ODW could incorporate non-detect language into the CCR template.
- Action items:* **Ms. Hanchey will distribute a copy of the EPA's LCR letter forwarded to the State Health Commissioner. ODW will also try to get a copy of the EPA's letter addressed to the Governor.**

Agenda Item: Drinking Water Lead Testing

- Discussion:* Mr. Hammond informed members of the following:
- On February 29, 2016, the EPA forwarded its "Clarification of Recommended Tap Sampling Procedures for Purposes of the Lead and Copper Rule," and the Memorandum has been forwarded to DCLS.
- Conclusion:* Discussion centered around Pre-Stagnation Flushing, and "Suggested Directions for Homeowner Tap Sample Collection Procedures" indicates that the water line should not be intentionally flushed prior to sample collection. Clarification regarding what is meant by "excessive" was also requested. Clarification was also requested concerning what a waterworks should do for LCR samplings plans that are already approved, and what is VDH's expectation.
- Action items:* None

Agenda Item: DPOR Update

- Discussion:* Ms. Clay reported the following to members:
- The WWWOSSP is adding new education options for applicants to include Associates degrees and experience exchanges. Public comment period closed with 105 comments, primarily addressing the onsite changes. The comments will be taken to the WWWOSSP Board at its April 21, 2016 meeting.
 - The WWWOSSP is considering reciprocity options, including the possibility of a national exam. The Exam Committee recommended adopting a national exam.
- Conclusion:* Additional discussion concerning consistency at testing centers occurred. Any complaints concerning testing centers should be addressed to Ms. Clay to be investigated and addressed. Mr. Anderson noted that the Exam Committee noted that a national exam would be a closed book exam and would require a major training effort. Additional discussion suggested that applicants be provided an idea of where material would be coming from. A Virginia-tailored exam was rejected due to the cost.
- Action items:* None

Agenda Item: RTCR Update

- Discussion:* Mr. Hammond reported the following to members at the request of Ms. Susan Douglas, VDH ODW Technical Services:
- VDH ODW presented 14 workshops on the Revised Total Coliform Rule (RTCRC) that were attended by 586 people. The RTCRC is effective as of April 1, 2016.
 - VDH ODW is updating SDWIS March 23-25, 2016.
 - VDH ODW anticipates forwarding the revised draft primacy application package to the EPA for review by March 18, 2016. Following the EPA's approval, we will be able to move through the adoption process.
- Conclusion:* One member noted that the rollout was not as timely as it could have been, and that training missed the Richmond area. Everyone knew it was coming, but then the dates seemed rushed. It seemed that those who wanted to attend had to travel a bit far out. Another member noted that his conversations with Rule Team members felt the delay was partially a result of VDH ODW decisions concerning optional provisions of the RTCRC.
- Action items:* **VDH ODW will make note of the issues and concerns for future rule adoptions.**

Agenda Item: Capacity Development Update

- Discussion:* Mr. Matthews informed members of the following items:
- The Capacity Development Division has hired a third Sustainability Coordinator. Misty Johnson, who previously worked for ODW as an Inspector, is returning February 10, 2016 and will work out of the Danville Field Office. A map outlining the service areas for each Sustainability Coordinator was provided to members.
 - Waterworks Business Operation Plans (WBOPs) have been a major theme and Cap Dev is trying to make them easier to follow. Nontransient Noncommunity WBOPs have been finalized, and Community WBOPs are almost finished. However, updated WBOP forms are not on the VDH ODW web site.
 - Mr. Anthony Hess is a contributing writer for Virginia Rural Water Association (VRWA), and the Cap Dev web site will have links for articles written by Cap Dev staff. Any research ideas or initiatives for

- future articles should be directed to Mr. Matthews.
- Cap Dev is revising and upgrading the Annual Capacity Development Report to the EPA to make it more user-friendly. The report is not published for the public; however, it will be shared on the Cap Dev web site in the near future.
- Cap Dev is also working to document success stories and case studies.

Conclusion: Move to next item

Action items: **Cap Dev will make the new WBOP forms available on its web site once they are finalized.**

Agenda Item: Legal Affairs Update

Discussion: Mr. Payne provided the following updates:

- VDH ODW has recently seen an influx of small towns requiring enforcement intervention because of their limited of technical, managerial, and financial capabilities to operate a waterworks in compliance with the *Waterworks Regulations* and aging infrastructures. Legal Affairs has a graduated enforcement approach and will continue to work with the field offices and other ODW divisions to address these issues timely.
- VDH ODW will file a written application for an Inspection Warrant with the Appomattox Circuit Court to enable staff to inspect a mobile home park where the owner has been nonresponsive.
- Legal Affairs continues to develop a plan to compel owners, specifically Noncommunity waterworks owners, to comply with bacteriological and nitrate sampling requirements to protect public health.
- Advertisement for a legal person to staff Legal Affairs is ongoing to help handle the influx of Noncommunity waterworks.
- VDH ODW is also looking at Compliance / Enforcement staff in each field office to improve service to the regulated community.

Conclusion: Move to next item

Action items: None

Agenda Item: EPA Update

Discussion: Ms. Patti Kay Wisniewski, EPA Drinking Water Security Coordinator, provided the following information that was reported by Mr. Hammond:

- The EPA issued letters to the Governors and Primacy Agencies regarding lead in drinking water in February 2016. Sample letters are posted on the EPA's web site at: <https://www.epa.gov/dwreginfo/epa-letter-governors-and-state-environment-and-public-health-commissioners>.
- The RTCR takes effect April 1, 2016.
- EPA has overhauled its web pages, with many of the older links not working or forwarding to the new pages.
- EPA is planning for National Drinking Water Week in May. A Water Utility Public Awareness Kit is available at: <https://www.epa.gov/communitywaterresilience/water-utility-public-awareness-kit>.

Conclusion: Move to next item

Action items: None

Agenda Item: DCLS Update

Discussion: No update.

Conclusion: Move to next item

Action items: None

Agenda Item: DEQ Update

Discussion: Mr. Nicol presented the following items:

- No legislative actions resulted from the 2016 General Assembly session impacted Office of Water Supply.
- Changes to the surface water withdrawal requirements will be presented to the State Water Control Board on April 1, 2016. Responses to comments received during the public comment period will be available five days prior to the meeting. There will be some changes. Based on public comments.
- A Fast-Track action that amends the Groundwater Withdrawal Regulations to include requirements for submittal of well construction data to DEQ is continuing to move through executive review and was sent to the Governor’s Office on February 25, 2016.
- Water Supply Planners will be conducting outreach efforts for the rest of the year to discuss the 2018 water supply plan updates and items needed to meet compliance items identified in 2013 correspondence. Expressed thanks to VDH (specifically Mr. Bob Hicks) for its role in the Middle Peninsula PDC meeting.
- VDH and DEQ staff attended the Virginia Water Well Associates Winter Conference February 17-18, 2016, and conducted two training/information sessions. One was for environmental specialists (VDH employees), and one for the well drilling community. Additionally, VDH and DEQ staff is scheduled to meet with VWWA Board members at the end of April to prioritize the remaining changes that need to be made to the forms and online platform prior to July 1, 2016. The revisions may become public at some point in the future.
- VDH ODW and OWS staff is in the process of revising the VDH permit coordination procedures for Groundwater and Surface Water applications/permits that affect waterworks.
- The Eastern Virginia Ground Water Management Area Committee began meeting again. Work Group met March 10, 2016, and Workgroup 1 met March 10, 2016, and Workgroups 2A and 2B will be meeting March 25, 2016.

Conclusion: Move to next item

Action items: None

Agenda Item: DHCD Update

Discussion: No update.

Conclusion: Move to next item

Action items: None

Agenda Item: SE-RCAP Update

Discussion: Mr. Crocker reported the following items to the members:

- He will be the State Manager for Regional Programs due to Larry Wallace’s passing last fall.
- SE-RCAP requested a budget amendment during the 2016 General Assembly session, with Senator Carrico as the patron. SE-RCAP requested \$1.5 million (current budget is for \$1 million) to address a \$600,000 backlog of projects. The budget amendment was passed by the Senate; however, the House rejected the amendment.
- SE-RCAP participated in a Congressional fly-in to visit with the federal

- Appropriations committee members. All asked about Flint, Michigan.
- Mr. Crocker will be speaking at a community dinner in Altavista concerning issues for private well owners.
 - SE-RCAP is partnering with Cap Dev on a grant to provide training for pump metering and a membrane filtration class for waterworks operators.
 - The annual Water Is Life! Luncheon and Conference will be held in Roanoke on April 20, 2016.

Conclusion: Move to next item
Action items: None

Agenda Item: VT/Education Update

- Discussion:* Dr. Boardman reported the following:
- CPE Lectures: Dr. Mark Edwards, Virginia Tech, presented a CPE workshop on February 17, 2016 on Premise Plumbing and the Flint, Michigan situation; Dr. Paolo Scardina, Virginia Tech, presented a CPE workshop on Hydraulics, Part II. There will be a Part III. On April 20, 2016, Jared Linkous, PE, Pulaski County PSA, and Carlos Mantilla-Pena, a PhD student at Virginia Tech, will conduct a workshop on Meters and Meter Replacement.
 - Spring Short Courses offered through Virginia Tech are: Basic Groundwater at VT Richmond Center (February 8-10, 2016); Groundwater Math at The Hotel Roanoke and Conference Center (March 14-16, 2016); Hands-on Training at Salem Water Plant (April 28-29, 2016); and Operation and Maintenance of Distribution Systems at Virginia Beach Public Utilities (May 2-6, 2016). Classes filled very quickly for the O&M course. It can accommodate 18 students at a time.
 - During summer 2016, a Focus Group will meet to discuss development of a Water 4 Short Course for the Annual VT Short School for Operators, projected to take place during summer 2017.

Conclusion: Move to next item
Action items: None

Agenda Item: VRWA Update

Discussion: No update.
Conclusion: Move to next item
Action items: None

Agenda Item: VA-AWWA Update

Discussion: No update.
Conclusion: Move to next item
Action items: None

Agenda Item: New Business

- Discussion:*
- Mr. Howard Eckstein, VDH ODW, noted that the State Revolving Fund program would receive \$13.7 million from the EPA, a reduction of 5.4% from the previous year. Deadline for filing construction application is April 1, 2016. A change is that a PER will no longer be required with the application. Options in the project (schedule a PEC with the field office) may require a PER later.
 - Mr. Hammond mentioned that HJ88 designating June 30, 2016 as Drinking Water and Wastewater Professionals Appreciation Day was passed during the General Assembly.

Conclusion: In response to concerns that no longer requiring a PER would compromise an SRF award, Mr. Matthews noted that there was a trend toward design-build projects.

Action items: None

Agenda Item: Adjournment

Discussion: Meeting was adjourned at 12:26 p.m.

Conclusion: None

Action items: None

Cathy M. Hanchey,
Secretary

John Aulbach
Chair