

Waterworks Advisory Committee Meeting

September 20, 2012
DEQ Piedmont Regional Office, Innsbrook

Chair: Steve Pellei (acting), Virginia Department of Health
Secretary: Mark C. Anderson, Virginia Department of Health
Timekeeper: Steve Pellei, Virginia Department of Health
Members Present: Elmer Handy, Virginia Rural Water Association
Grier Mills, Department of General Services
David Raines, Virginia Association of Counties
Jesse L. Royall, Jr., Sydnor Hydro, Inc. (community waterworks owner),
John Danielson, Virginia Water Well Association, Inc.
Eric Lassalle, Virginia Manufacturers Association (NTNC waterworks)
Mary Ann Massie, Department of Environmental Quality

Guests in Attendance:

Allen Hammer , Virginia Department of Health
Robert Payne, Virginia Department of Health
John Aulbach, Virginia Department of Health
Larry Wallace on behalf of Hope Cupit, Southeast RCAP, Inc.

Minutes

Agenda Item: Call to order

Discussion: Mr. Pellei convened the meeting at 10:03 a.m.

Conclusions: Move to next Agenda Item

Action items: None

Agenda Item: Introductions

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

Conclusions: Move to next agenda item

Action items: None

Agenda Item: Adoption of May 16, 2012 Meeting Minutes

Discussion: Minutes were adopted unanimously.

Conclusion: Move to next item

Action items: None

Agenda Item: Adoption of Agenda

Discussion: Agenda was adopted unanimously.

Conclusion: Move to next item

Action items: None

Agenda Item: Public Comment

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

Conclusion: Move to next item

Action items: None

Agenda Item: Chair Report

- Mr. Pellei introduced the incoming ODW Director, Mr. John Aulbach
- Mr. Pellei reported that a uranium working group created in VDH to study the moratorium on uranium mining. ODW is tasked as part of the VDH effort.

Conclusion: None

Action items: ODW will keep WAC members informed on new developments.

Agenda Item: Legislative Update

Discussion:

- Mr. Payne discussed the legislative proposal to change the current definition of waterworks. “Public” is not defined in the in SDWA definition of a public water system. The word “public” is problematic and the proposal is to strike the word “public” from the definition of a waterworks to bring the Waterworks *Regulations* in line with the federal definition. Also the term ‘Domestic Use’ is not in Fed definition. Virginia is the only Region 3 state that does not use “Human Consumption” in its definition. Mr. Pellei asked if EPA supported the two terms being deleted. Mr. Payne responded that EPA Region 3 staff supported the definition change. Mr. Royall identified concern from confusion between a ‘waterworks’ vs. ‘community well’ within the mortgage industry. Ms. Massie suggested calling all “community water supplies.” Mr. Danielson asked what term(s) were used in other VDH programs. The private well regulations use the term “domestic use.” Mr. Lassalle commented that consistency in definitions nationally is good. The committee agreed on the proposed definition revision.
- Mr. Handy said that the technical assistance fees for connections have increased. In the past, the WAC recommended increasing the amount of the cap as well. He asked the WAC members on the WAC position on increasing the cap. WAC position has not changed.
- Mr. Wallace asked whether there was any development on increasing the technical fees to fund land conservation explored by the JLARC. Nothing more was heard on the inquiry. Mr. Wallace stated that SE-RCAP did not support raising the fee for the financial burden it would place on small waterworks.

Conclusion: Move to next item

Action items: The Vice Chair is to prepare a letter from the WAC supporting the change.

Agenda Item: SRF Update

Discussion: Mr. Pellei reported that disbursements of over 20 million of ARRA projects are completed.

- ARRA Projects – completed disbursements >\$20 million. EPA capped the amount of funds that can be awarded as grants to 35%. There used to be minimum of 30% grant funding. The ‘Buy America’ provision under ARRA is still under consideration and may be inserted into future awards. Because of the difficulty in managing, EPA backed off of green project reserves.
- FFY 2012 IUP – should be approved by end of month
- FFY 2013 IUP – solicitation went out; 45 complete applications were received. Offers were made to every eligible project

Conclusion: Move to next item

Action items: None

Agenda Item: Water Policy Update:

- Mr. Anderson reported that the vacant drinking water security coordinator position was filled. Mr. Kenneth Eisenhart is the new coordinator.
- Mr. Anderson summarized the impact and lessons learned from the June 29 Derecho.

Conclusion: Move to next item

Action items: None

Agenda Item: SCC Update:

Discussion: No SCC representative attending.

Conclusion: Move to next item

Action items: None

Agenda Item: DEQ Update

Discussion: Ms. Massie reported that the storage of generator fuel is being examined. The effort is collaborative with ODW's Technical Services Director, Ms. Susan Douglas. Outreach material in the form of guidelines and best management practices will be developed.

Conclusion: Move to next item

Action items: None

Agenda Item: DCLS Update

Discussion: Mr. Mills reported that DCLS has a new Director -- Dr. Tom York who was interim director is now the Director. DCLS is in the process of hiring a new Deputy Director. There are 97 new courier sites bringing the total to 247. Two occurring certifications this fall -- clinical and NELAC.

Conclusion: Move to next item

Action items: None

Agenda Item: DHCD Update:

Discussion: No DHCD representative attending.

Conclusion: Move to next item

Action items: None

Agenda Item: SE-RCAP Update

Discussion: Mr. Wallace reported that all funding has been obligated. The USDA loan fund pooled with DHCD grant money for a 50/50 mix that results in an attractive interest rate. Carroll County was first to be approved. There are three projects in Wythe County for waterworks on the ETT list. Funding for preliminary engineering reviews awarded. Financial outlook has some good grants/funding sources on the horizon. SE_RCAP is now offering utilities energy audits. One audit has been completed; the first one was done at Low Moor in Alleghany County.

Conclusion: Move to next item

Action items: None

Agenda Item: VRWA Update

Discussion: EPA reviewed one-year contract for EPA trainer; difficulty is in hiring an individual for only one year. Goal is to offer more free training.

Conclusion: Move to next item

Action items: None

Agenda Item: New Business

Discussion:

- After several conversations about individual home booster pumps used in areas where pressure needs exceed that at the service connections, Larry Wallace asked if WM 514 was still in effect. WM 514 is still an active working memo.
- Ms. Massie recommended adding organizations behind members name in the minutes and listing members that did not attend.
- Mr. Pellei asked about the 2013 General Assembly calendar. Mr. Hammer responded that pre-filing of bills typically begins in late November for new sessions. [Since this GA is in the middle of a session, pre-filing began after the 2012 GA recessed.]
- Mr. Mills thanked Mr. Pellei for serving in an acting capacity until a permanent replacement was on board.
- Mr. Pellei thanked the members for their contributions in supporting ODW and safe drinking water over the years.

Conclusion: Move to next item

Action Item: Add Mr. Aulbach to the WAC member list

Mr. Aulbach stated that he looked forward to working with the WAC as the New Chairman and said

that the WAC's role was very important in supporting ODW's primacy mission.

Agenda item: Adjournment

Discussion: Mr. Handy moved to adjourn and the motion was seconded by Mr. Grier. The motion passed unanimously. Meeting Adjourned at 12:17 p.m.

Conclusions: None

Action items: None

Mark C. Anderson, Secretary

Steve Pelli, Acting Chair