

Waterworks Advisory Committee Meeting

Thursday, September 21, 2017

Sydnor Hydro, Inc.

2111 Magnolia St,

Richmond, VA 23223

Acting Chair: Robert Payne, Virginia Department of Health

Co-Chair none

Secretary: Sarah Hinderliter, Virginia Department of Health

Timekeeper: Robert Payne, Virginia Department of Health

Members Present:

Drew Hammond, Department of Environmental Quality

Steven Herzog, Virginia Water Environment Association

Amanda Howe, Southeast Rural Community Assistance Project

Geneva Hudgins, Virginia Section American Water Works Association

Steve Herzog, Virginia Water Environment Assoc.

Eric LaSalle, Non-transient/Non-community Representative

Jesse Royall, Sydnor Hydro, Inc. (Community waterworks owner)

Guests in Attendance:

Robert Bohannon, Hunton and Williams/Fairfax Water

Barry Matthews, Virginia Department of Health

Hughes Melton, Virginia Department of Health

Jim Moore, Virginia Department of Health

Steve Pellei, Virginia Department of Health

Jeff Wells, Virginia Department of Health

Minutes

Agenda Item: Call to Order

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

Conclusions: Move to next item

Action items: None

Agenda Item: Agenda Adoption/Adoption of Previous Meeting's Minutes

Discussion: The draft minutes from the previous meeting and the draft agenda for this meeting were adopted unanimously.

Conclusion: Move to next item

Action items: Secretary to distribute previous meeting's final minutes as approved.

Agenda Item: Public Comment

Discussion: Dr. Hughes Melton, Virginia Department of Health Chief Deputy Commissioner, addressed the committee.

- Thanked committee members for their service and support.
- He and Virginia Health Commissioner, Dr. Marissa Levine, anticipate drinking water issues to continue to grow in prominence for the foreseeable future.
- Thanked Robert Payne and Jim Moore for their interim leadership of the VDH Office of Drinking Water.

Conclusion: Move to next item

Action items: None

Agenda Item: Director's Report, Legal Update, Regulations Update

Discussion: Mr. Payne reported as follows:

- Introduced Jeff Wells, Danville Field Office Director, as ODW Acting Deputy Director (DD)
- After a year seeking a full time Office Director (OD), the OD and DD positions have been revised.
 - OD position will be no longer require an engineering degree or license as a professional engineer. The focus will be on an individual with significant managing experience, preferably in a regulatory environment. The ODW Business, Capacity Development, Finance and Construction, and Security/Training Divisions will report directly to the OD.
 - DD position will be the technical/engineering position that require an engineering degree and a license as a professional engineer. The ODW Field Offices, Technical Services and Data/Information Management Divisions will report directly to the DD.
- Results of a recent VDH employee engagement survey reveal several issues for ODW. Those mentioned include:
 - Division of workload between field offices – existing boundaries will be reviewed and perhaps redrawn
 - Engineers prefer to focus on technical/engineering tasks vs. data entry, supervising Inspectors, etc.
 - Inspectors request training and career progression opportunities, and agree with Engineers that having Engineers as Inspector supervisors is not working.
 - Lack of accountability
- Harmful algal blooms (HABs)
 - ODW is working on a protocol
 - ODW has general authority but no specific Virginia regulations exist
 - Some other states do have HAB regulations
- Pipelines
 - Best Management Practices (BMPs) should be employed on the project site, including Erosion & Sediment Controls as well as Spill Prevention Controls & Countermeasures.
 - Care should be taken while transporting materials in and out of the project site, as

- to prevent impacts to surface water intakes within 5 miles.
- There may be impacts to public drinking water sources due to this project if the mitigation efforts outlined above are not implemented.
- Hampton Roads Sanitation District (HRSD) Sustainable Water Initiative for Tomorrow (SWIFT) Project
 - ODW is involved in the development of plans to monitor the project to protect public health.
 - The treated wastewater being injected into the aquifer must meet drinking water standards.
- Regulations Update
 - Distributed handout outlining the standard regulatory process; see Appendix A. ODW's regulations revisions are at Stage 1, Block 2, Executive Branch Review. Governor's office has had the document for 44 days and has no deadline for its review. With a new Governor in January 2018, approval of the Notice of Intended Regulatory Action could be deferred to the new administration.
 - ODW has requested active participation from the WAC on the Regulatory Action Panel (RAP) to vet the proposed regulations revisions. The WAC members concurred and suggested that they will recommend that a few key individuals be added and perhaps some non-technical people to bring a common sense perspective to the table.
- Transient Non-community (TNC) Regulation transitioning to ODW:
 - Effort to transition the regulation of TNC waterworks from local health to ODW is ongoing with a goal to complete the initial phase by the end of the calendar year.
 - Additional staff may be needed to regulate the additional waterworks.

Conclusion: Move to next item.

Action items: ● **Secretary to forward the informal RAP roster to WAC members for review to solicit names to attend the "official" RAP for the revisions to the Waterworks Regulations..**

Agenda Item: Drinking Water State Revolving Fund Update

Discussion: Mr. Pelli provided the following information.

- Staffing Status
 - Dale Kitchen, SRF Supervisor, passed away after suffering an injury at home. Keith Kornegay is Acting SRF Supervisor. The position will be posted in October.
 - Tom Slack, former SRF employee, passed away in May from Alzheimer's
 - Dee Dee Forsgren accepted a position with the ODW Business Division.
- Program Overview
 - 88 projects to proceed to loan closing representing \$95M.
 - 33 projects under construction representing \$24M.
 - For this SFY2017 we had the following activities:
 - \$14.2M in construction funds disbursed.
 - 20 projects closed loans for \$17.4M
 - 47 new projects applied requesting a total of \$74M.
- 2017 Grant Cycle
 - In June, we applied for the 2017 grant in the amount of \$13,654,000. This represents a loss from the prior year of \$100k.
 - Award came on August 24.
- 2018 Grant Cycle
 - A good year for the quantity of applications, resulting from DWSRF's increased marketing and outreach
 - Funding offered to all of those that met the requirements.
 - Currently conducting initial project meetings.

- Completed the required public notice and public meeting for the draft IUP (intended use plan). Comments were all in favor. However, one comment raised concerns about giving any grant or principal forgiveness to no-public health related projects. They recommended that those projects get just loan offers. ODW SRF respectfully disagreed with those comments.
- What's new:
 - We started a brand new program which is the Lead Supply Line (LSL) replacement rebate program. We had three applicants who applied and were award approximately \$500,000 each.
 - After the pilot of those projects, ODW SRF will make any necessary changes and will plan to include the same or similar program next year.
- EPA Related Items
 - EPA conducted annual review in February (no action items and no findings). One item of concern was staffing related to impending retirements. Report is available upon email request.
 - Nationally there is still significant discussion about continued investing in ageing infrastructure.
 - Continuing to promote asset management, and long term sustainability through reasonable/affordable user rates and as a condition to access the grant/principal forgiveness funds.

Conclusion: Ms. Douglas outlined next steps as follows: 1) Registrar prepublication review and internal legal review by the end of May, 2) Notice of Regulatory Action goes out, 3) Draft published for public comment

Action items: None

Agenda Item: Closing remarks

Discussion: None

Conclusion: Move to next item.

Action items: None.

Agenda Item: Capacity Development Update

Discussion: Mr. Matthews updated the committee as follows.

- Report to the Governor
 - EPA Capitalization Grant conditions require this report every three years.
 - Failure to submit on time can result in a withholding of 20% of the Grant total.
 - Due to the Governor on September 29, 2017; report is still in review internally in ODW.
- Annual Report to EPA
 - Reporting period follows Federal fiscal year, October 1 to September 30.
 - Once the reporting period concludes, Mr. Matthews will issue a call for data for inclusion in the report to all Divisions.
 - The report is due November 30 each year.
- Planning and Design Fund
 - Recent issues with "Planning Grants" include extended offers and allowing grants to linger past completion timeframes.
 - CapDev plans to strengthen the program with more stringent tracking of project progress.
 - In future funding years, grants will only be offered to the level of budget funding available for that given year.
 - Additionally, CapDev is considering:
 - reducing the amount of the funding from \$50,000 with local match to \$35,000 with no match monetary requirements.
 - placing managerial requirements such as AM Plans, WBOP Plans, etc. on

waterworks that need help with their capacities. This may increase the request for assistance with these efforts both in time and financially.

- Sustainability Coordinator Position Hiring
 - Misty Johnson resigned her position earlier this year.
 - Her replacement will work from the Central Office vs. the Danville Office to better service the entire Southside and Southeast areas of Virginia.
 - The position advertisement and application screening process produced an interview pool of four. Three of the candidates withdrew their applications, in part due to the location of the position in Richmond. The one candidate interviewed did not receive an offer of employment and the position was re-advertised.
- Triennial Assessments
 - Completed last year with results appearing in a portion of the Governors report.
 - Point of interest: Southwest Virginia as a region has the highest scored capacities in the state.
- Training ABC
 - Failure rate has increased compared with the previous testing process.
 - Division of Operator Certification working on this issue with vested parties such as AWWA and others to determine how to bring the pass rate back up again.

Conclusion: Move to next item.

Action items: None

Agenda Item: Department of Environmental Quality Update

Discussion: Mr. Hammond presented the following information:

- Eastern Virginia Groundwater Management Advisory Committee Report
 - [This report](#) has been issued and submitted to the State Water Commission.
 - It features 12 recommendations in six areas:
 - Alternative Water Sources and Solutions
 - Changes in Permitting Criteria
 - Alternative Management Structures
 - Groundwater Trading and Banking
 - Necessary Data Improvements
 - Funding Needs and Options

The public has until November 1 to make comments. After that the report goes to the General Assembly and the Governor.
- Virginia Coastal Plain Groundwater Management Limits
 - Recently reviewed the top 14 withdrawal permits in the state
 - Goal to reduce these permitted amounts by 57%; actual reduction realized was 52%.
 - One permittee, City of Franklin, objected to the findings. Any appeals filed will go through the State Water Control Board.
- Groundwater Withdrawal Permitting Compliance Assistance Framework
 - Designed to help unpermitted withdrawal sites obtain permits
 - Held 10 pre-application meetings
 - Accomack County has the most unpermitted withdrawals, mostly poultry farms with wells.
- Compliance Inspection Program
 - Servicing groundwater facilities
 - Prioritization done on a risk-based basis
 - 35 inspections need to be done by the end of this calendar year
 - Not finding signs of technical compliance issues, mostly administrative matters.

Conclusion: Move to next item.

Action items: None.

Agenda Item: Southeast Rural Community Assistance Program

Discussion: Ms. Howe updated the committee as follows:

- SERCAP is in the process of updating its five-year strategic plan
- A North Carolina employee is leaving; that position will be moved to Virginia

Conclusion: Move to next item.

Action items: None.

Agenda Item: Virginia Tech Update

Discussion: Before the meeting, Dr. Greg Boardman provided the following information:

- 2017 Virginia Tech Short Course and TV Lecture Schedule

Short Course	Date	Location	Participants
Basic Groundwater	Feb 13-15	Richmond	25
Hands-on Training	Mar 9-10	Salem	14
Applied Math & Basic Science	Apr 10-14	Richmond	16
O&M Distribution, VB	May 1-5	Virginia Beach	20
Groundwater Math	June 5-7	Richmond	12
Capacity Development: MMM	July 18-20	Richmond	23
Water Short School	July 31-Aug 4	Blacksburg	Total = 101, 19 in Water 4 which is a new addition to the program
Wastewater Short School	Aug 7-11	Blacksburg	143
O&M Distribution Systems, SW	Sept 18-22	Roanoke	18, new course
Est. Successful and Sustainable Waterworks (ESSW)	Sept 25-28	Roanoke	
Contaminants of Concern	Oct 16-18	Roanoke	New course
Hands-on Training	Oct 26-27	Salem	
Groundwater Math	Nov 6-8	Roanoke	

- TV Lecture Topics

TV Lecture Topic Area	Date	No. Participants	Trainer
Nanotechnology	Feb 15		Dr. P. Vikesland
Water Chemistry	Mar 15		Dr. P. Scardina
Water Transients	Apr 19		L. Robinson
Coagulation/Flocculation	May 17	111	Dr. W. Knocke
Plant Upgrades	June 21		C. Taylor and D. Hudgins
Safety Programs	July 19	88	J. Harp
Membrane Technology	Sept 20		P. Delphos

Disinfection By-Products	Oct 18		Dr. Erik Rosenfeldt
Taste and Odor	Nov 15		Dr. A. Dietrich

Conclusion: Move to next item.

Action items: None.

Agenda Item: Virginia Section, American Water Works Association

Discussion: Ms. Hudgins updated the committee as follows.

- The Water Joint Annual Meeting (JAM) between VA-AWWA and Virginia Water Environment Association (VWEA) held September 11-14 in Hampton
 - record attendance (1600+)
 - record number of exhibitors (200+)
 - Water JAM 2018 and 2019 are set for Virginia Beach.
 - The location for 2020 is undecided with Richmond and Virginia Beach as the two contenders
- Upcoming VA-AWWA Events:
 - Predictive Maintenance Seminar, October 5
 - 39th Annual Customer Service Workshop, October 17 – 20
 - Fall Distribution Seminar, October 25
 - Effective Utility Management Workshop, November 9
 - Fall Plant Operations Seminar, November 9
 - VDH Backflow and Cross Connection, November 14-16
- Possible new training for development:
 - Operator series tailored to the ABC exam
 - Inform Ms. Hudgins of other topics needed.

Conclusion: Move to next item.

Action items: None.

Agenda Item: Adjournment

Discussion: Mr. Pellei asked that the WAC consider adding a Transient Non-community representative to its membership.

Conclusion: Next meeting is Thursday, November 16, at 10 a.m.

Action items: None

Sarah C. Hinderliter,
Secretary

Robert A. K. Payne, JD
Acting Chair

Appendix A

Standard regulatory process: Guide for state agencies

