

## Waterworks Advisory Committee Meeting

November 21, 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)  
John Danielson,  
Jerry Higgins, American Water Works Association – Virginia Chapter  
Grier Mills, Virginia Department of General Services  
Craig Nicol, Department of Environmental Quality (representing Scott Kudlas)  
Caleb Taylor, Virginia Municipal League  
Larry Wallace, Southeast RCAP (on behalf of Hope Cupit)  
Jesse Royall, Syndor Hydro, Inc.

### Guests in Attendance:

Doug Caldwell, Virginia Department of Health  
Michelle Caruthers, Virginia Department of Health  
Susan Douglas, Virginia Department of Health  
Hugh Eggborn, Virginia Department of Health  
Jim Moore, Virginia Department of Health  
Richard Puckett, Virginia Department of Health  
Bennett Ragnauth, Virginia Department of Health

## Minutes

### Agenda Item: Call to order

*Discussion:* Mr. Aulbach convened the meeting at 10:03 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 September's minutes as approved.**

### Agenda Item: Public Comment

*Discussion:* There was no public comment.

*Conclusion:* Move to next item

*Action items:* None

### Agenda Item: Chairman's Report

*Discussion:* Mr. Aulbach reported that VDH, through the DWSRF, has awarded \$330 million to

waterworks for infrastructure improvements. The USEPA goal nationally is for states to have no more than 12 percent unliquidated obligations. Virginia's unliquidated obligations are at six percent. He also related that ODW staff is reviewing procedures for the determination of GUDI of surface water and looking ahead at impending federal regulation, guidance, and standards.

Mr. Aulbach briefed that some waterworks commercial customers, especially hospitals and hotels, are looking at installing treatment, such as adding ClO<sub>2</sub> and copper silver ionization, with concerns over Legionellosis outbreaks in that disinfectant residuals may be inadequate. Treatment as described would make customers choosing treatment options consecutive waterworks. The public health concern to the water purveyor is the possibility of contamination through cross connections.

In wrapping up his chair's report, Mr. Aulbach informed WAC members that ODW and OEHS are collaborating to ensure that transient and nontransient noncommunity waterworks are properly permitted. Mr. Royall asked what inconsistencies are being encountered. Mr. Aulbach provided clarification and examples, such as restaurant, not previously permitted, had expanded its operations rendering it a waterworks or like a church, not previously permitted, adding day care.

*Conclusion:* Move to next item  
*Action items:* None

#### Agenda Item: Water Policy

*Discussion:* Ms. Douglas announced that ODW is accepting UV disinfection as a result of the LT2ESWT Rule. However, a conditional construction permit and provisional operating permit would be issued until efficacy was proven. VDH also staff would review and approve the UV reactor validation test and report. She also discussed the three UV disinfection projects

*Conclusion:* Move to next item  
*Action items:* None

#### Agenda Item: Regulatory Review Process Update:

*Discussion:* Ms. Douglas referred to a GANTT chart on the screen that might be easier to follow the review process. She explained that the four parts and appendices of the current regulations are being revised into three parts. Mr. Royall asked what the process is for ODW staff review. ODW has a regulatory review team reviewing the proposed revisions (including those previously complied), making revisions as necessary. After central office vetting, each part is sent to the field staff for review. All comments received from the field are addressed by central office staff (akin to addressing public comments). She continued that Phase 2 would include the solicitation of members for the regulatory advisory panel. Processing of APA paperwork would likely occur in the latter half of 2014. Ms. Douglas referred to her handout on the panel's formation. She believed a panel not exceeding 20 members (with alternates) would be more manageable. After her presentation Ms. Douglas solicited ideas and suggestions. Several members offered possibilities for participation by other key stakeholder groups.

Ms. Douglas then discussed her handout on proposed changes for consideration by the WAC members on metering requirements under acceptable operating practices and water loss reporting under reporting requirements. A brief discussion followed with no consensus reached.

*Conclusion:* Move to next item

*Action items:* None

Agenda Item: SCC Update:

*Discussion:* No SCC representative in attendance.

*Conclusion:* Move to next item

*Action items:* None

Agenda Item: DEQ Update

*Discussion:* Mr. Nicol reported that review for all Water Supply Plans has been completed. Letters will be mailed to the planning partners in December that will provide notification that the review process has been completed and what conditions may apply to their plans. The majority of plans will contain conditions to be addressed in the next five years. The Groundwater Characterization Program staff is moving forward with the Ambient Groundwater Quality Monitoring Strategy. The purpose is to characterize and monitor groundwater geochemical conditions throughout Virginia. This will allow for a better understanding of dynamics and long-term trends in ambient groundwater chemistry and help to improve the Coastal Plain chloride monitoring network.

The expansion of the Groundwater Management Area and the revision of the Groundwater Withdrawal Regulations have continued to move forward. The Governor's Office completed the final regulatory review in October and the regulations shall become effective January 1, 2014. These actions currently appear in the Virginia Register of Regulations.

These three actions currently appear in the Virginia Register of Regulations and are available at:

<http://townhall.virginia.gov/l/viewchapter.cfm?chapterid=1445&display=chapterinfo> for the Eastern Groundwater Management Area (9VAC25-600),

<http://townhall.virginia.gov/l/viewchapter.cfm?chapterid=1451&display=chapterinfo> for the Groundwater Withdrawal Regulations (9VAC25-610), and

<http://townhall.virginia.gov/l/viewchapter.cfm?chapterid=1461&display=chapterinfo> for the Order declaring the Eastern Shore of Virginia – Accomack and Northampton Counties – as a critical Ground Water Area (9VAC25-620).

*Conclusion:* Move to next item

*Action items:* None

Agenda Item: DCLS Update

*Discussion:* Mr. Mills reported that the Drinking Water Regulation, Chapter 41, was signed by the Agency head and is on the Regulatory Town Hall awaiting Executive review and approval. Approval is expected next year by the new Governor. DCLS presented training information on the method Update Rule (MUR), Part 136 of Title 40 of the Code of Federal Regulations (CFR) and Corrective Actions to the Shenandoah Valley Pure Water Forum meeting, with 70 attendees, in Verona on Wednesday, November 13<sup>th</sup>.

*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. Wallace updated the committee on the Virginia Department of Social Services, SERCAP 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. Ten students who enrolled are now taking classes at Mountain Empire and Virginia Western Community Colleges. Mr. Wallace reported that he attended the Capacity Development Strategy focus group meeting in Roanoke on November 7. He also reported that the USEPA NDWAC has two open seats for RCAP representation of small, rural waterworks. Seats are expected to be filled in the spring of 2014.

*Conclusion:* Move to next item  
*Action items:* None

Agenda Item: VRWA Update

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

Agenda Item: VA AWWA Update

*Discussion:* Mr. Higgins reported that the VA AWWA Utility Management Committee thanked ODW for the efficient way in which the BWN proposed guidance was developed and is developing a subgroup to assist with regulatory review.

*Conclusion:* Move to next item  
*Action items:* None

Agenda Item: VT Update

*Discussion:* Professor Boardman reported on recent training for waterworks staff: the financial capacity short course in September, the hands-on training short course at a surface water treatment plant in October, and the groundwater math course in November. He also thanked, by name, the ODW staff who served as instructors. Professor Boardman reported on the focus group meeting last week for a new hands-on short course for distribution system workers tentatively scheduled for April 2014 at Virginia Beach.

*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:* None

Agenda Item: Wrap Up and Closing Remarks

*Discussion:* Mr. Higgins asked for an update from an earlier meeting on the enforcement case in

Southwest Virginia discussed by the ODW Hearing Officer. Mr. Aulbach replied that a Grand Jury indicted the owner on several criminal accounts. The court date is December 11, 2012.

Agenda Item: Next Scheduled Meeting

*Discussion:* The next WAC meeting is tentatively scheduled for January 16, 2014. Meeting will be in person. Mr. Aulbach stated that he has a conflict with the DPOR licensure board meeting on the same day. The WAC meeting may be rescheduled.

*Conclusions:* None

*Action items:* **Mr. Anderson to schedule meeting space once the date has been confirmed.**

Agenda item: Adjournment

*Discussion:* There was a motion to adjourn and that motion was seconded. The motion passed unanimously. Meeting Adjourned at 11:15 p.m.

*Conclusions:* None

*Action items:* None

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Mark C. Anderson, Secretary

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John J. Aulbach II, PE, Chair