

WATERWORKS ADVISORY COMMITTEE MEETING AGENDA
Fairfield Library, 1401 N. Laburnum Ave, Henrico, VA
June 14, 2023 – 10:00 AM – 12:30 PM

In Person Meeting (access to the meeting is also available via WebEx)

Subject	Time
<ul style="list-style-type: none"> • Welcome message, establishment of quorum, change in membership, and introductions – Dwayne Roadcap 	10:00 – 10:10 AM
<p style="text-align: center;">Waterworks Advisory Committee Administrative Matters</p> <ul style="list-style-type: none"> • Introduction and review of agenda items – Chair David Van Gelder • Review and adoption of minutes from April meeting – Grant Kronenberg <p style="text-align: center;">Drinking Water Program Discussion</p> <ul style="list-style-type: none"> • Compliance, Enforcement & Policy update – Grant Kronenberg • Project Review and Permit Procedures Manual Update – Grant Kronenberg • PFAS Phase 2 testing – Dr. Tony Singh • Lead and Copper Rule revisions and courses – Dr. Tony Singh • Centralized Plan Review, Sampling Verification, Drinking Water Viewer implementation update – Aaron Moses • Cybersecurity Assessment Requirement – Aaron Moses • Emerging Contaminants in Small or Disadvantaged Communities – Raven Jarvis • Training Updates – Barry Matthews • Waterworks Regulations Periodic Review – Jane Nunn • Waterworks Operation Fee Regulations update – Grant Kronenberg • ODW Budget – Dwayne Roadcap 	10:10 – 11:45 AM
Public Comment Period	11:45 – Noon
<p style="text-align: center;">Other Business</p> <ul style="list-style-type: none"> • Planned upcoming meeting dates: September date to be discussed (electronic), December 13, 2023 (in person). 	Noon – 12:30 PM

The method by which the Waterworks Advisory Committee chooses to meet shall not be changed unless the Waterworks Advisory Committee provides a new meeting notice in accordance with Code of Virginia § 2.2-3707.

Information and Protocol for Joining the Meeting Electronically

Access to the meeting can be achieved via computer, phone or mobile device with the meeting link below:
<https://vdhoep.webex.com/vdhoep/j.php?MTID=me366c9ef2399dc138278d2952dfb87a5>

If accessing via a mobile device, you will need to download the WebEx Meet app prior to joining the meeting.

When joining the meeting, please use the meeting number and password below:

Meeting number (access code): 2631 900 0480

Meeting Password: 6JGpkdmau72

You can use your computer audio or join via telephone by calling [1-844-992-4726](tel:1-844-992-4726) United States Toll Free.

Please log into the meeting at least 10 minutes before the meeting begins.

If you have problems logging in or if there is any interruption in transmission, please call Kris Latino at 804-664-4403.

Please sign into the meeting and identify yourself so we can verify that you are attending the meeting.

After you have identified yourself, please mute your phone to reduce any unwanted noise.

Waterworks Advisory Committee Meeting Minutes

All-Virtual Meeting via WebEx

10:00 am, Wednesday, March 8, 2023

Members Present: David Van Gelder (Chair), Water Operator; Bailey Davis, DCLS; Skip Harper, Virginia Plumbing & Mechanical Inspectors Association; Steve Herzog, PE, VWEA; Mark Estes, VRWA; Geneva Hudgins, VA AWWA; Russ Navratil, VA AWWA; Chris Pomeroy, Virginia Municipal Drinking Water Association; Joey Hiner, VA SERCAP; Tom Fauber, VA ABPA; Chloe Van Zandt, Virginia Health Catalyst.

Members Absent: Whitney S. Katchmark, PE Principal Water Resources Engineer; Caleb Taylor, VA Municipal League; Jesse Royall, PE, Sydnor; Andrea Wortzel, Mission H2O; Ignatius Mutoti, VA Society of Professional Engineers; Scott Kudlas, DEQ

Stakeholders: Ben Barber, VA Health Catalyst; John Kingsbury, Fairfax Water; Mitchell Smiley, Tanya Pettus, DPOR; Taylor Valencia, Stantec; Scott Morris, DEQ

Office of Drinking Water (ODW) Staff: Dwayne Roadcap, Tony Singh, James Reynolds, Barry Matthews, Aaron Moses, Jeremy Hull, Kelly Ward, Dan Horne, Brian Blankenship, Christine Latino, Ray Weiland, Jack Hinshelwood, Grant Kronenberg, Robert Edelman, Jane Nunn

Meeting Overview

This was an all-virtual meeting of the Waterworks Advisory Committee (WAC), held by electronic communication means through WebEx. Stakeholders, ODW staff, and the public also joined by electronic communication means via WebEx. Dwayne Roadcap called the meeting to order at 10:03 a.m. and David Van Gelder reviewed the agenda and led the meeting.

It was established that there were enough members present to establish a quorum.

Review and Adopt Minutes of Meeting

The WAC membership unanimously adopted the meeting minutes from the December meeting. No additions or corrections were made to the draft meeting minutes as presented.

Bylaws and Electronic Meeting Policies

Grant Kronenberg stated that the bylaws and two electronic meeting policies, as approved at the December 2022 meeting of the WAC, were included in the meeting packet for this WAC meeting for the information of the members.

Compliance, Enforcement & Policy Update

Grant Kronenberg introduced Jane Nunn, who has been hired as the Policy and Program Coordinator for ODW. Grant Kronenberg gave a bit of background information about Jane Nunn.

Grant Kronenberg announced that the Division of Compliance and Enforcement will now be called the Division of Compliance, Enforcement and Policy.

Grant Kronenberg reported that there was another good quarterly Enforcement Targeting Tool report from EPA in January. There were only two water systems that qualified as a serious violator because they had an ETT score of 11 or higher. The two systems are already under consent orders. ODW was able to close one consent order in the last month because that waterworks had completed all tasks required under the order.

The next quarterly ETT report will come out in April.

Grant Kronenberg provided an update on several items that are currently open for public comment on Town Hall.

The Waterworks Regulations are undergoing the quadrennial periodic review process. The Notice of Periodic Review was posted on Town Hall in late January or early February and the public comment period is open until March 20. There are currently no public comments. At the end of the periodic review process, ODW will have to make a recommendation to repeal, amend or keep the regulations as is.

The Field Operations Manual is also on Town Hall and open for public comment. So far, no comments have been received. The new Field Operations Manual consolidates and voids over 30 working memos.

The Policy on Administration of the Equitable Access to Drinking Water Fund is also on Town Hall and open for public comment. The public comment period closes on March 29. So far, no comments have been received. Once the public comment period closes, ODW should be in position to put the policy into action to distribute \$1 million that is in the fund for Fiscal Year 2023 to assist and promote small waterworks to consolidate with larger systems.

PFAS

Tony Singh provided an update regarding PFAS.

Updates:

- ODW is currently waiting on the PFAS regulations. With the completion of the OMB review, ODW should be getting the MCLs soon.
- ODW expects a 60-day comment period.

- PFAS Phase II sampling – ODW is in the process of training staff for the Phase II samples.
- ODW is also finalizing the PFAS workgroup.
 - o The objective of the workgroup will be shared with the group at the next meeting.
- Funding:
 - o The Bipartisan Infrastructure Law included \$5 billion for emerging contaminants nationwide including making available \$2 billion for small and disadvantaged communities.
 - o ODW is waiting for the EPA to let us know how the funding will be awarded.
 - o ODW is working internally to establish grant management personnel.

Lead and Copper Rule (LCR)

Robert Edelman provided an update on the Lead and Copper Rule Revisions. EPA has not changed the requirements or the compliance deadline. EPA issued guidance in August last year and to date EPA has not issued additional guidance.

The ODW has published guidance on our website. ODW is working on sampling protocols to identify lead service lines, and other guidance documents. (For the list of ODW guidance documents, please see the slides).

Water systems should know that ODW is procuring services of a technical assistance provider to provide in person training sessions at 12 locations across Virginia to prepare water systems for the EPA compliance deadline. ODW is procuring technical assistance for the waterworks to help with understanding the service line inventory, lead service line replacement plan, consumer notification and school lead sampling programs. The contractor will develop and shoot a lead and copper tap sampling video which ODW plans to post to our website.

Water systems should focus on the lead service line inventory and prepare to submit their data. They will need to prepare a lead service replacement plan if lead service lines, galvanized requiring replacement or unknown service lines are present. Water systems will need to compile a list of school and childcare facilities served, update their LCR compliance tap sampling locations, and prepare for the enhanced consumer notifications. If financial assistance is needed, water systems should apply using the Lead Elimination Assistance Program (LEAP) application.

Centralized Plan Review Program –

Aaron Moses provided an update on the Centralized Plan Review implementation. Staff for the Centralized Plan Review Program include one partial full-time employee and one part-time employee. ODW is working to hire a supervisor and two project engineers. One should be starting March 27th. ODW's plan is to repost the supervisor and project engineer position. ODW will expand upon the coverage area to include all of Virginia.

The Centralized Plan review coverage includes Culpeper since April and now Lexington.

Questions –

Once the program is statewide what does ODW need to do? The information will initially go to the field offices then move to the Centralized program.

Is there an estimated plan or date? ODW expects to branch out in the next week or two.

Late/Erroneous Reporting Memorandum

Aaron Moses provided an update on the late/erroneous reporting memorandum to waterworks. ODW was not issuing notices of alleged violation for late lab results. The EPA has pushed ODW to ensure that labs are reporting on a timely basis. Since Bob Edelman discussed at the last meeting, ODW has worked to provide a memo to the waterworks to avoid violations. Along with that, ODW is preparing to issue reporting as required next month.

Questions:

- What is the follow up for step B – Aaron Moses is working on the next steps now.
- Do you have an enforcement response plan? On wastewater system you have a series of steps if it continues. ODW is still having discussions about that. The closest ODW has is the ETT report. ODW is determining if it will be entering the information into the database and if it will be a state or federal violation. If they are federal violations, that would trigger the ETT score.
- Is there a waiver or extension? ODW has not discussed any such extension process. The laboratories are required to use the portal. The waterworks would need to be in compliance, so the waterworks will need to work with the laboratories to ensure everything is on time.
- What if they take a sample that takes time? Included in the memo is that the waterworks work with the laboratories to ensure that samples will be on time.

GEC Software

Aaron Moses provided an update on GEC software updates. ODW is planning to decommission the R&R software; it does not meet security requirements. ODW is discontinuing use of this software soon.

ODW has also procured 3 new software from GEC. (See attached slides)

- Questions –
- Is ODW going to be doing any training for the software? The Abingdon Field Office and Danville Field Offices are going to be doing presentations. ODW will make the presentations available on our website and record additional videos.

Training Opportunities 2023

Barry Matthews provided an update on training and certification for waterworks. Available courses are located (please see slides) or go to: www.VT.EDU/water. ODW is also working with the Virginia Waterworks Association. (Please see slides)

When providing training courses, ODW asks for feedback. With this, ODW has found that the broadcast courses show a lower percentage of feedback than the in-person ones. ODW is now trying to make courses face to face whenever we can. Barry also presented a graph of persons attending courses and the pass rates of the courses. David Van Gelder has asked to work with Barry on this matter.

Waterworks Fee Regulations

Barry Matthews provided an update on the Waterworks Operation Fee regulations. Staff is currently working to finish the Waterworks Fee Regulations amendments. ODW has found that the modifications require additional work, and the revenue analysis is taking some time to put together. Staff are currently working through all the strikethroughs, comparing it to existing language and ensuring the revenue analysis falls in line. The package will need to be sent to the Government and Regulatory Affairs Office, then presented in June for a vote from the Board of Health. If it gets approval, then there will be an AG review, budget review, and Governor's review before it goes into the Register for public comments.

FCAP

Kelly Ward provided an update on funding and the DWSRF Intended Use Plan. Solicitations period for the 2024 SRF fund is currently open. ODW will be closing the solicitation period on May 5th. The biggest news is that ODW has reevaluated our scoring criteria and have made changes highlighting the infrastructure. ODW plans to post on Town Hall for 30 days review soon and are reevaluating old applications against the new scoring card. If you have any questions or thought, please contact Kelly. Currently, she does not have the exact amount of grants right now.

There is other funding that is handled out of the Office of Water and will be administered through the small system grants. The Governor submitted his letter of intent to apply for this

grant. It will be run in conjunction with the infrastructure side of the House. Currently, they are waiting on a little more guidance, but ODW thinks that Virginia will get roughly \$27 million.

ODW Budget and Programs

Dwayne Roadcap provided an update on the ODW budget and hiring.

Currently:

- The General Assembly has given ODW Lead Testing funds for schools and childcare. ODW has hired 3 FTEs for that program.
- A grant for remediation of lead is found in the above program.
- New sampling verification program for 7 FTEs. ODW has three hired. Staff will work to ensure quality control on how sampling is taken.
- Equity in Drinking Water – ODW has been given \$1 million for consolidation of small systems that have been abandoned by their owner.

ODW is learning to lean on to technology more by decommissioning some of our old databases and Kelly and Aaron are working with establishing new ones.

Budget –

The EPA has awarded \$11.4 million instead of \$17.9 million due to congressional earmarks. The loss of funding will affect ODW’s SRF program. In the past, the SRF program has supported as many as 51 FTEs. With the reduction in funding, ODW will be forced to put seven positions on hold. ODW plans to look at the harder to fill positions to hold at this time.

ODW has been actively trying to hire and currently has a 20 to 25% vacancy rate. There is a workload analysis coming out from the EPA that ODW will share in the near future. This report should ask for additional resources for the program.

Public Comment

None

Conclusion:

The next WAC meetings are scheduled for June 14, 2023, September 6, 2023, and December 13, 2023.