

WATERWORKS ADVISORY COMMITTEE MEETING AGENDA

All-Virtual Public Meeting

December 9, 2025; 9:30 AM to 12:00 PM

Subject	Time (Estimated)
<ul style="list-style-type: none">• Congratulations to reappointed members and new members, and establish quorum – Grant Kronenberg	9:30 – 9:35 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 September WAC meeting – Grant Kronenberg	9:35 – 9:40 AM
<p style="text-align: center;">ODW Staffing and Budget</p> <ul style="list-style-type: none">• Status update on staffing and planned hiring – Bailey Davis• Federal funding update – Bailey Davis• State budget update – Bailey Davis	9:40 – 10:00 AM
<p style="text-align: center;">Executive and Legislative Update</p> <ul style="list-style-type: none">• Executive branch transition update – Grant Kronenberg• General Assembly session preview – Grant Kronenberg	10:00 – 10:20 AM
<p style="text-align: center;">Lead and Copper Rule</p> <ul style="list-style-type: none">• Lead and Copper Rule revisions and Lead and Copper Rule improvements update – Bob Edelman	10:20 – 10:35 AM
<p style="text-align: center;">Late Reporting</p> <ul style="list-style-type: none">• Late reporting violation update – Bob Edelman	10:35 – 10:45 AM
<p style="text-align: center;">PFAS</p> <ul style="list-style-type: none">• PFAS update – Bailey Davis	10:45 – 11:00 AM

<p style="text-align: center;">Infrastructure Funding</p> <ul style="list-style-type: none"> Infrastructure funding update – Anthony Hess 	11:00 – 11:15 AM
<p style="text-align: center;">Regulations</p> <ul style="list-style-type: none"> Regulations update – Jane Nunn 	11:15 – 11:20 AM
<p style="text-align: center;">Compliance and Enforcement</p> <ul style="list-style-type: none"> Revised Enforcement Manual update – Grant Kronenberg Serious Violators and Enforcement Actions update – Grant Kronenberg 	11:20 – 11:30 AM
<p style="text-align: center;">Cybersecurity</p> <ul style="list-style-type: none"> Cybersecurity update – Grant Kronenberg 	11:30 – 11:40 AM
<p style="text-align: center;">Plan Review and Data Management</p> <ul style="list-style-type: none"> Status update – Aaron Moses 	11:40 – 11:45 AM
<p style="text-align: center;">Public Comment Period</p>	11:45 – 11:50 PM
<p style="text-align: center;">Other Business</p> <ul style="list-style-type: none"> Planned upcoming meeting dates Final meeting discussion opportunity Well wishes for 2026 	11:50 – 12:00 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:

If accessing via a mobile device, you will need to download the WebEx Meet app prior to joining the meeting.
<https://vdhoep.webex.com/vdhoep/j.php?MTID=mc8dfc3257761e933c9063d6781d91509>

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

Meeting number (access code): 2633 723 3010

Meeting password: bmUJfgdm522

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 Katie Sallee at 804-221-3088.

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.

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Waterworks Advisory Committee Meeting Minutes

Libbie Mill Library
2100 Libbie Lake East St.
Henrico, Virginia 23230
Tuesday, September 23, 2025, 9:30 a.m.

Members Present: David Van Gelder (Chair), Water Operator; Geneva Hudgins, VA AWWA; Joey Hiner, VA SERCAP; Tom Fauber, VA ABPA; W. Weedon Cloe, III, DEQ; Russ Navratil, VA AWWA; Shane Wyatt, DCLS; Ignatius Mutoti, VSPE; Skip Harper, Virginia Plumbing and Mechanical Inspectors Association; Andrea Wortzel, Troutman Pepper Locke

Members Absent: Jesse L. Royall, Jr., Sydnor Hydro; Caleb Taylor, VML; Whitney Katchmark, Principal Water Resources Engineer; Christopher Pomeroy, Virginia Municipal Drinking Water Association; Mark Estes, VRWA; Michelle Caruthers, VWEA

Stakeholders and Public: L. Jordan Combs, Thomas Hamner, Isabelle Stitt-Fredericks, Mitchell Smiley, Ivy Ozmon, Justin Curtis, Anurag Mantha, Andrew Krakie, Ashley Pierce, Charles Paullin, Jessica Edwards-Brandt, Katelyn Rose Jordan, Tanya Pettus, Tom Fore

Virginia Department of Health (VDH) Staff: Dwayne Roadcap, Bailey Davis, Robert Edelman, Anthony Hess, Grant Kronenberg, Jeremy Hull, James Reynolds, Daniel Horne, Ray Weiland, Steve Kvech, Jane Nunn, Aaron Moses, Mark Wise, William Sanford

Welcome and Establish Quorum

The Waterworks Advisory Committee (WAC) met with an in-person quorum at Libbie Mill Library in Henrico County on Tuesday, February 23, 2025, at 9:30 a.m. The meeting was also available via WebEx. WAC Chair David Van Gelder presided over the meeting.

Mr. Van Gelder called the meeting to order at approximately 9:35 a.m. The WAC members, VDH staff, and members of the public attending in-person introduced themselves.

Dwayne Roadcap acknowledged that Russ Navratil was attending his last meeting of the WAC. Dwayne thanked Mr. Navratil for his years of service on the WAC.

Review and Adoption of Meeting Minutes of March 2025 Meeting

Grant Kronenberg stated that during the WAC's June 2025 meeting, it adopted meeting minutes for its March 2025 meeting. Mr. Kronenberg stated that after that meeting, a member of ODW staff noted that he was incorrectly listed as attending the meeting. Mr. Kronenberg stated that he revised the meeting minutes to reflect who was in attendance at the March 2025 WAC meeting. Mr. Kronenberg suggested the WAC consider the draft revised March 2025 meeting minutes to replace the previously approved minutes for that meeting. A motion was made and seconded and the WAC unanimously approved the revised March 2025 meeting minutes as written.

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Review and Adoption of Meeting Minutes of June 2025 Meeting

Mr. Kronenberg presented the draft June 2025 meeting minutes for consideration of the WAC for approval. A motion to approve the meeting minutes was made and seconded. The WAC unanimously approved the meeting minutes as written.

Renewal of Electronic Meeting Policies

Mr. Kronenberg stated that under a law passed last year, the Code of Virginia requires that public bodies adopt electronic meeting policies annually if they wish to hold all-electronic meetings or have individual participation at meetings by electronic means. Mr. Kronenberg stated that the WAC adopted these policies at its September 2024 meeting and now must adopt them again if the WAC wishes to continue to allow electronic meeting participation. Mr. Kronenberg stated that the law has not been changed since it was adopted last year. Mr. Kronenberg stated that the proposed policies in the meeting packet are identical to the policies adopted by the WAC at last September's meeting. A motion to approve the electronic meeting policy for all-virtual meetings was made and second. The WAC unanimously approved the motion. A motion to approve the electronic meeting policy for individual electronic participation was made and seconded. The WAC unanimously approved the motion.

ODW Staffing and Budget

Mr. Roadcap provided an update on staffing and budget for the Office of Drinking Water (ODW).

Mr. Roadcap gave a federal budget update. Mr. Roadcap discussed the federal government is considering a continuing resolution and if one is not passed then the federal government can put a halt to grants. Mr. Roadcap stated that VDH has been preparing internally for this possibility. Mr. Roadcap stated the House of Representatives has passed a continuing resolution and the Senate has it under advisement. Mr. Roadcap stated that discussion seems to be around how long will the continuing resolution be for and not whether to have one.

Mr. Roadcap stated there is lots of funding for ODW positions through federal grants. ODW can use indirect cost recovery for administrative overhead. In the event of a federal government shutdown, VDH plans to use that indirect cost recovery to pay staff and is analyzing whether it can cover one or two pay periods. Mr. Roadcap noted that if the federal government shutdown went into November, then VDH would have to give a hard look at furloughs and other things. Mr. Roadcap stated that we think ODW will be okay but there are lots of unknowns as to what will happen with the federal budget.

Mr. Roadcap stated that the General Assembly gave the drinking water program about \$1.8 million in new money. A report is due to the General Assembly on October 1 regarding the intended use plan for that additional funding. Mr. Roadcap noted that ODW went through the discussions with the WAC and some reports sent to the General Assembly. Mr. Roadcap said ODW looked at the Office of the State Inspector General (OSIG) report and looked hard at a workload analysis done by CADMUS through the EPA from a couple of years ago with respect

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to the drinking water program. The workload analysis was a key driver of the intended work plan. The workload analysis said ODW was 53 to 54 positions short of what is needed to implement the minimum requirements of the drinking water program. Mr. Roadcap said ODW has been working as best it can given its funding. Mr. Roadcap stated that he thinks ODW has done a good job given its funding and the General Assembly recognized that with additional funding this year.

ODW's plan, which is under executive branch review, is to add 16 positions to the program. ODW is starting to advertise positions. ODW has already hired an emergency planner, which is one of the positions. That position is focused on getting good contact information and communication with facilities and trying to do more planning for emergency events. ODW is trying to hire a position in compliance and enforcement, looking at centralizing some things as ODW has had success with some of that with centralized permitting. ODW thinks it can gain some efficiencies in centralizing some of the enforcement and compliance items. Mr. Roadcap noted there have been some incidents over the last year that placed renewed focus on compliance and enforcement. ODW is getting a procurement person as it needs additional support with procurement. ODW is looking to hire a manager position for the Sampling Verification Program, which was a product of OSIG analysis. OSIG said there is a trust element with systems taking samples but we want more independence and oversight of that sampling program so there is "trust but verify." This program makes sure waterworks are taking samples correctly. ODW is also trying to add technical specialists or engineers in the field offices.

Mr. Roadcap stated that the turnover ratio for ODW on a yearly basis is about 8%, which is relatively good. There is maybe an 18-19% vacancy rate that continues to weigh on ODW some. Currently, there are 23 vacancies. Mr. Roadcap stated that ODW is currently advertising for an executive administrative assistant position.

Mr. Roadcap stated that on the budget, he thinks ODW will be good through next year and if the General Assembly offers anything additional once ODW submits its report for intended use of the \$1.8 million, he hopes there will be consideration for additional resources to ODW.

Mr. Van Gelder stated that ODW should let the WAC know if the WAC Finances Committee needs to reconvene. He will leave it to ODW on whether reconvening the Committee is necessary.

Implementation of § 32.1-174.5 (Two-Hour Reporting Requirement)

Overview

Mr. Roadcap provided an overview of what has happened with the two-hour reporting requirement since it went into effect on July 1, 2025.

Mr. Roadcap provided a list of events that led to the two-hour reporting requirement law being proposed, including the Richmond water crisis, an Orange County water odor event, and a warehouse fire in Emporia. Those events in particular raised awareness at the General Assembly about the need for communication to ODW about water events. That led to the new law, which beginning July 1 requires reporting within two hours of certain events. ODW staff developed a

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policy and set up an emergency response process. From July to now, there have been 127 two-hour reports. Mr. Roadcap stated he has accepted all the phone calls after hours from the two-hour reports. He wanted to find out what kind of calls and reports ODW is getting. During this process, he came to understand that if there is a small impact – 50 customers or less – ODW does not need to know about that within two hours and those events can generally be reported the next business day. Mr. Roadcap provided examples of things that ODW does not need to know about within two hours, such as a business losing water but the business was closed. Mr. Roadcap stated that ODW is trying to apply a practical understanding about what the law requires. Mr. Roadcap stated that ODW is telling waterworks that the intent is not to send a Notice of Alleged Violation for not reporting within two hours, but ODW may tag it on to another violation if there was a more serious issue that should have been reported and was not.

Mr. Roadcap referred to a slide in the meeting packet with examples of unnecessary two-hour reports. Mr. Roadcap stated there have been some occasions where it was helpful to have the two-hour report. One example is a small town in Culpeper that got bad alum and were within hours of losing service. They got the ODW field office involved and looked at nearby systems to see if a temporary supply could be moved over. They had staff going to the manufacturer in Maryland to get the supply back. Another instance involved the City of Staunton where there was a major waterline break in a bad location. ODW helped the city manager and team there to get off the boil water advisory.

Mr. Roadcap discussed graphs contained in the meeting packet concerning two-hour reporting. He noted a consistent decrease in the number of two-hour reports over time. Mr. Roadcap discussed a graph showing the various causes of two-hour reports, noting that most of them are associated with line breaks. One example is losing pressure in an elevated storage tank and waterworks personnel have not located the water line break. They actively look for it and then eventually will report it was located and they are addressing the leak. Another big cause of two-hour reports is loss of power. There has been an increase in storms causing power outages leading to two-hour reports. A lot of the time these reports are from small businesses that are not open but feel compelled to do a two-hour report. That's where the 50 customers impacted threshold comes in. Another basis for two-hour reports is SCADA issues where a disconnect with SCADA arises with a tank and the plant. Usually, this does not result in a risk of widespread disruption, just loss of communication.

Mr. Roadcap addressed the graph showing what two-hour reports in fact needed to be reported within two hours and which did not (the “yes”-“no” graph). Mr. Roadcap noted nervousness in the waterworks community about getting a violation and that ODW has tried to emphasize that it is not issuing violations just for a reporting violation, but they can be included if there is another regulatory violation.

Case Studies

Robert Edelman discussed the two-hour “real world” reporting slides in the meeting packet. Mr. Edelman stated that if a boil water advisory is issued a two-hour report is required. In some cases, it may be a very small number of customers involved. Mr. Edelman discussed a situation where a water leak was discovered. The effect was limited, but because a boil water advisory

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was issued a two-hour report was required. Mr. Edelman discussed a situation where there are two water treatment plants, but the whole system can be served by one. If the system demand was able to be met by only one plant, then it would not be a critical equipment failure or malfunction and would not need to be reported, but if it is essential that both plants are online and one could not meet demand by itself, that would be different.

Mr. Edelman discussed a situation with a water main break with a controlled shutdown. It was determined a boil water advisory was not needed so a two-hour report was not required. The key factor in not needing a boil water advisory was determining there was a low chance for contamination.

Mr. Edelman stated that if there is backflow into the distribution system, that is a contaminant release so a two-hour report is required. The scope of the affected area of a contaminant release is not considered in the law.

Dr. Ignatius Mutoti said he is not sure where the 50 connections threshold comes from and he asks if there is a distinction between community systems and transient noncommunity systems. Mr. Roadcap responded that the law says widespread disruption and does not reference the type of waterworks. Mr. Roadcap stated there is some discretion on ODW's side as the law requires reporting two-hour events to ODW so ODW has to determine an appropriate threshold for reporting.

Guidance Document Update

Grant Kronenberg provided an update on the status of the guidance document for two-hour reporting. Mr. Kronenberg stated that ODW modified the draft guidance document based on real world events since the law went into effect. The edits included simplifying the flow chart, making a specific reference to boil water advisories when it comes to pipe breaks, narrowing the scope of what is a "widespread disruption" to establish a general 50 connection standard, adding wholesale waterworks to the guidance on widespread disruptions, and revising for readability.

Mr. Kronenberg stated that after receiving feedback from stakeholders on the revised guidance document, ODW made still further revisions. The revisions included clarifying when a wholesale waterworks must report a loss of service, adding a reminder of the requirement to report pressure below 20 psi within 24 hours even if the event does not require a two-hour report, reiterating that a "chemical contaminant" does not require a health risk or concern, and removing the recommendation for consecutive waterworks to notify ODW when the system is informed of an event by a wholesaler.

Mr. Kronenberg stated that the guidance document is undergoing internal review within ODW and the next step after that is executive branch review followed by being posted on Virginia Town Hall for public comment.

Dr. Mutoti asked about the wholesale waterworks' responsibility to report service disruptions. Mr. Edelman responded that ODW wants communication and in one draft of the guidance document ODW had downstream waterworks notify ODW, but ODW struck that language on

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the expectation there would be a conversation between the wholesaler and purchaser and an evaluation of what happens downstream.

Monthly Operating Report Update

Aaron Moses provided an update on Monthly Operating Reports (MOR) in the context of the two-hour reporting law. Mr. Moses stated the MOR process went into effect in the beginning of August. There were some hiccups that first month as some systems did not have to submit an MOR before. Also, Aqua reached out to ODW because it has a very large number of systems so ODW developed an automated process to help Aqua. Mr. Moses reported that things are going better overall in the second month. ODW can extract data from Excel spreadsheets to help waterworks with the data effort.

Training, Outreach, and ODW Website Update

Mr. Kronenberg provided an update on the two-hour reporting law resources on ODW's website. These include the reporting flow chart, a "Frequently Asked Questions" document, and a couple of recorded training webinars. Additionally, ODW's Capacity Development team is able to assist waterworks in reviewing standard operating procedures and implementing two-hour reporting requirements.

Regulatory Amendments Update

Jane Nunn provided an update on amendments to the Waterworks Regulations required by the new two-hour reporting law. Ms. Nunn said that regulatory amendments were drafted, feedback was received from the WAC, there were further internal discussions at ODW, and a final draft amendment was sent for VDH internal review. The final exempt process is being used to get the regulations approved within 90 days of the law going into effect. ODW received concurrence from the Office of the Attorney General that the proposed regulatory amendment satisfies the requirements of the exempt regulatory process. ODW expects the new regulation will go into effect around November 1.

Question and Answer Period

A question-and-answer period was provided for the WAC to raise questions and comments about the two-hour reporting law and ODW's implementation of it.

Skip Harper asked whether ODW wrote to every licensed operator to let them know about the new requirement. Mr. Roadcap stated that question goes to the webinars ODW provided to educate about the new requirement. Mr. Roadcap stated that larger systems developed internal reporting procedures. Mr. Roadcap thinks waterworks personnel were pretty conservative at the beginning in reporting events and he would give feedback when a reported event did not fit within the two-hour requirement. Mr. Roadcap noted that ODW had only from April until July 1 to figure out how to implement the new law. Mr. Harper stated he is surprised by the overwhelming compliance.

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Geneva Hudgins asked whether there are more avenues to report than the 800 number that ODW has provided. Mr. Edelman stated that ODW directs waterworks to the 800 number, but waterworks can also call the ODW field office. Mr. Edelman noted that leaving a voicemail or sending an email to the field office does not satisfy the report requirement.

Mr. Roadcap stated that if he does not return the call from the 800 number, the waterworks personnel get nervous and start doing work arounds. Sometimes the person will call the call center back and the call center will let him know. Mr. Roadcap tries to remind people that calling is all they have to do, and the law is about reporting and not about the regulator returning the phone call. He has noticed people want to have a follow-up call.

Ms. Hudgins suggested having the Call Center tell the waterworks caller that they have met their obligation and will be contacted if ODW needs to do follow-up. Mr. Roadcap noted that the Call Center is supposed to pick up in two minutes, deliver a message to ODW within two hours using a phone tree that starts with Mr. Roadcap. Mr. Roadcap stated that the information the Call Center collects is limited. When people give the Call Center more detail, that is delivered to Mr. Roadcap, which is how he gets complete information and decides if he needs to call someone back.

Mr. Hiner asked about situations where the waterworks contacted the field office in person. Mr. Roadcap responded that event was with the ODW Culpeper Field Office. Mr. Roadcap noted that during normal business hours, and sometimes after hours, a report is made to the field office because there is an existing working relationship. Also, waterworks personnel use that cell phone connection they have with the field office if Mr. Roadcap does not make a connection with them after they report an event to the 800 number.

Dr. Mutoti stated that he thinks that the reduced risk of a Notice of Alleged Violation for just having a two-hour reporting failure will greatly alleviate concern and lessen over reporting. Mr. Roadcap agreed that is probably happening too.

Mr. Van Gelder suggested updating the two-hour page to have standalone language on contacting ODW to report a two-hour event. Mr. Roadcap stated ODW can look at updates on that point.

Lead and Copper Rule Update

Mr. Edelman provided an update on the Lead and Copper Rule Revisions (LCRR) and the Lead and Copper Rule Improvements (LCRI).

Mr. Edelman discussed a slide on lead service line inventory statistics. There are now 12 waterworks that have not submitted their inventory, down from 250 waterworks. EPA is enforcing on 13 systems, having sent enforcement orders to community systems that had not submitted the inventory. Water systems continue to update their inventory and the number of unknown lines is dropping. There have been some systems that have revised their inventory and now have zero lead service lines, so he has asked the ODW field offices to do some checking on that. There are now 24 systems with lead service lines. The number was 28.

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Mr. Edelman stated that ODW is encouraging systems to prepare now for the Lead and Copper Rule Improvements. The biggest lift will be with the baseline lead service line inventory. The priority now is identifying the unknowns. If a waterworks identifies unknowns it will save time, money, and heartache as unknowns must be replaced after 2027.

Mr. Edelman stated that EPA has provided a definition of connector and he discussed the accompanying slide with the definition. It is a transition from the water main in the street to the service line and is not considered part of the service line, so it does not make the service line lead or GRR.

Mr. Edelman stated the requirement is that water systems need to look through records to discover if they show the presence of connectors or not. There is a long list of records that need to be reviewed. Mr. Edelman discussed connector classifications.

Mr. Edelman recommended that systems work on a service line replacement plan now as it is required for waterworks with lines that are lead, galvanized requiring replacement, and unknown. He said that some of it can be covered in a template and the heavy lift will be funding and communication strategies. Waterworks need to communicate to customers about service line replacements that will be required and that is something that should be worked on now by waterworks.

Mr. Edelman said that tiering of sample locations for lead and copper tap samples is also being modified and he discussed the slide on this topic.

Mr. Edelman said some systems will need to return to standard monitoring of two six-month rounds. Systems with lead and/or galvanized requiring replacement service lines will need to plan and budget for it as standard monitoring starts in January 2028. There is a possible out if the waterworks has already identified their lead and galvanized requiring replacement service lines and are following LCRI tap sampling requirements, including first and fifth liter samples, now. Mr. Edelman is not aware of any waterworks doing that yet, though. Systems that exceeded the revised lead action level or copper level before November 1, 2027, also qualify for standard monitoring. Some systems fall into that today.

Mr. Edelman noted that consumer notifications will be a heavy lift and waterworks will have to prepare for that now. Waterworks will need a new business process to address consumer notifications. One thing that will take a lot of effort is notice of service line disturbances for those with lead, galvanized requiring replacement or unknown service lines. This is a reason why waterworks want to classify their unknowns as non-lead if possible.

Mr. Edelman stated that LCRR also requires Tier 1 PN after lead action level exceedance.

Mr. Edelman stated that customer-requested sampling will be a significant effort for water systems. Systems must offer to sample for lead for anyone who requests it if there was a lead action level exceedance or the consumer is served a service line that is lead, galvanized requiring replacement, or status unknown. Labs will need to be set up for these one-off sampling events.

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There is no requirement for waterworks to pay for the sampling so the lab must be ready to receive payment from one-off customers and report the results to the system and the state. Waterworks will need to figure out how they will work this process with the lab. Waterworks will also have to prepare consumer notices of tap sampling results.

PFAS Update

Bailey Davis provided a PFAS update.

Mr. Davis stated there have been legal challenges to the PFAS rule and he discussed slides related to the litigation challenges. On September 11, 2025, EPA filed a motion to partially vacate the PFAS rule. This follows EPA's plan to vacate the maximum contaminant level (MCL) and the maximum contaminant level goal (MCLG) for PFHxS, PFNA, HFPO-DA (Gen-X) and the Hazard Index, so EPA would only regulate PFOS and PFOA. EPA says it could pick the other PFAS chemicals back up in a later regulatory action if they decide to do so.

Mr. Davis said that while EPA intends to rescind the regulations, they are in place until then. ODW is following the current requirement until there is a new rule. The intention is to extend the compliance deadline from 2029 to 2031. EPA says it will have a proposed rule this fall and finalized rulemaking in spring 2026.

Mr. Davis stated that UCMR5 data has been coming in. He discussed data findings contained in the slide. Labs will need to reprocess some of their data to see if they want to use it for initial monitoring and the rule. EPA has contact labs for small system data and reprocessed that data and ODW has received the reprocessed data. ODW is in the process of transitioning it to SDWIS. Medium and large systems were asked to contract with the labs performing their UCMR data and reprocess that data if they intend to use it for initial monitoring.

Mr. Davis discussed information on slides concerning the number of systems that have a full set of results by system size, and the percentage of systems with averages in excess of the MCL by system size. PFOS and PFOA are the drivers of exceedances. For Gen-X chemicals, only one large system and one medium system exceeded. Mr. Davis noted that about 15% of large systems exceeded and 8.4% of medium systems. The estimated nationwide amount is 8.5%. When the rule was originally released, EPA thought 10-12% would exceed, so the data is showing it is a little lower than anticipated. This estimate is based on the waterworks that have reported UCMR data.

Mr. Davis said that ODW is accepting data through CMDP from labs. ODW has a Laboratory FAQ on the ODW website with information and labs should reach out to ODW's lab tech liaison with questions.

Mr. Davis discussed additional ODW initiatives on PFAS, discussing a slide on the topic. This includes a new Environmental Health Coordinator for ODW. Mr. Davis noted that a webinar from August 25, 2025, is posted on the ODW website and focuses on regulations, sampling, and initial monitoring requirements. The Phase 4 sampling plan for 2026 is focused on small waterworks. A data tool was developed for systems that want to know if what they have done

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meets the initial monitoring requirements. VDH is collecting and about to submit data to DEQ about PFAS levels. Additionally, ODW is looking at an extension for the primacy package with EPA based on EPA's intent to change the regulation. ODW plans to hire a project analyst to assist with PFAS-related project funding.

Dr. Mutoti asked what does EPA's action mean when it comes to PFAS removal by waterworks. Mr. Roadcap stated that he does not think it changes for the monitoring period because systems still have to monitor for the six compounds. Also, EPA may get sued for removing regulation of certain compounds. Mr. Davis stated that the initial monitoring period is still in place. Waterworks still have to collect two or four samples for submission in April 2027. There is the potential they will not have to submit all the compounds originally proposed in rule, but PFOA and PFOS will have to be monitored even if EPA is able to change course. Mr. Davis said that it is essentially status quo for the waterworks. If there is an extension to the compliance deadline, it will give waterworks two additional years if they are exceeding MCLs during the initial monitoring period. If it is extended to 2031, it probably means there is also a reduction in the compounds required for compliance.

Dr. Mutoti asked what about those facilities moving forward with design and implementation of PFAS removal. Mr. Davis said the data is showing statewide that if there's an exceedance of one of those compounds intended to be dropped from the rule, there are also exceedances of PFOA or PFOS. There were only two systems that have an exceedance that does not also include a PFOA or PFOS exceedance. Mr. Davis stated that the waterworks community should be moving forward with treatment, taking samples, and understanding the scope of the problem for their system. The data suggests that if there is a change to the rule, it will not have as much impact as thought.

Ms. Hudgins asked whether Virginia is in the same range as the national data – 8.5%. Mr. Davis said Virginia is higher, but the data Virginia has to compare with are from PFAS initiatives and some of those were based on identified contamination sites so the results are somewhat biased from that. Once ODW gets initial monitoring data from systems that have not submitted yet then there will be a clearer view. Last he checked, Mr. Davis thinks Virginia is at 13% for exceedance.

ODW Website Update

Mr. Kronenberg provided an update on the ODW website.

The ODW website committee has cataloged the entire website, removing old/duplicate information. As a part of that effort, ODW decided to redesign the website's landing page for a fresher look and easier navigation. Anyone visiting the ODW website will be able to navigate directly to what they are looking for from the home page via the hot topics banner, drop down menus, or subject buttons. ODW expects to have it forward-facing prior to the next WAC meeting. ODW leadership has been briefed on the demo version and provided unanimous support.

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Mr. Kronenberg also mentioned the cybersecurity and emergency management survey that ODW sent out late last year and earlier this year. ODW has been reviewing the results and posted notable findings on ODW's cybersecurity webpage. Cybersecurity will likely be a topic for a future WAC meeting.

Regulations Update

Jane Nunn provided an update on the Waterworks Regulations.

Ms. Nunn stated that PFAS is on hold until the court cases have been settled. ODW will be requesting a primacy extension, which is two years since that went into effect.

Ms. Nunn stated that ODW is working on amendments related to LCRR and LCRI. ODW has received the primacy package from EPA. Despite the court case, ODW plans to hold fast to LCRI. ODW needs to request another extension due to the delay from the court cases. ODW received one extension to December this year and probably will ask for at least another extension of a year or maybe two years.

On the Consumer Confidence Report Rule Revisions (CCR3), ODW decided to split this package from PFAS because ODW cannot wait for PFAS. In revising the Waterworks Regulations, ODW will work around language on CCR3 about PFAS and LCRI so it will work with those regulations when they are finalized. ODW will send EPA a copy of ODW's CCR3 regulations for preliminary approval so ODW can move forward with the state regulatory process.

Ms. Nunn stated that thanks to the dedicated work of field directors and some in central office, the proposed amendments to the Waterworks Regulations from the periodic review process have been completed internally. ODW has already presented everything to the WAC except for regulatory reduction, which has been discussed with the ODW field directors. ODW prepared a Notice of Intended Regulatory Action (NOIRA) and it has been sent for internal review in VDH. Once that is through it gets posted on Town Hall. Meanwhile, ODW will work on the proposed regulation stage, which follows the NOIRA. Ms. Nunn stated that ODW is probably looking at 6-9 months until it gets the regulations approved after that.

Ms. Nunn said that regulatory amendments for mandatory reporting under two hours should get done by October 1.

Mr. Van Gelder asked if input is needed from the WAC on the regulatory reduction aspect. Ms. Nunn stated that ODW made changes to reflect technological changes, repetitive items, requirements elsewhere, or other things that are just outdated.

Compliance and Enforcement Update

Mr. Kronenberg provided a compliance and enforcement update.

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Mr. Kronenberg stated a revised Enforcement Manual was posted on Town Hall for public comment in August. Feedback was received from Mission H2O and the Virginia Municipal Drinking Water Association. ODW extended the effective date of the revised Enforcement Manual by 30 days in order to consider the feedback.

Mr. Kronenberg discussed the third quarter Enforcement Targeting Tool report from EPA. Six systems are on the list and considered to be “serious violators” by EPA. Of those, all six are either back in full compliance, not currently operating, or under an administrative order. There are five systems under the current “real-time” Enforcement Targeting Tool Assistance that would be a “serious violator” based on their score.

Plan Review and Data Management Update

Aaron Moses provided a plan review and data management update.

Mr. Moses stated that the ODW plan review department is short staffed, but is still reviewing permits. Mr. Moses stated that general permits give authority to issue owners construction permits for certain projects.

Mr. Moses stated that ODW is testing a new piece of GEC software called project tracker to replace SWEPT. One aspect of that is a portal for project submission. Also, work is ongoing with field office personnel on a new SOC waiver application process that was implemented this year. It uses an online form to streamline things for staff so they have everything they can consider in one place and over 1,200 applications have been received already. Systems find it easier to use than the prior paper-based process.

Mr. Moses stated that ODW is working on a new process for monitoring/reporting violations. It is part of looking at centralizing some compliance and enforcement processes. It will also help ODW be more consistent in issuing those violations.

Mr. Moses stated that Ms. Nunn is leading a committee looking at document management software that will help replace some existing GEC software.

Mr. Moses stated there have been a few minor updates to Drinking Water Viewer, but nothing newsworthy.

Public Comment

None.

Other Business

Ms. Wortzel stated that DEQ has a water supply planning regulation out for public comment. She noticed that several aspects of it impact VDH and asked whether VDH is reviewing it and does VDH plan to comment. Mr. Roadcap stated he is not aware of anything on that. Mr. Weedon said there has not been coordination on it between DEQ and VDH. Mr. Weedon said

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there is still time to provide input and he can work on that with ODW directly or go to Town Hall. Ms. Wortzel stated that it is very good guidance and comprehensive, and she thinks it would be good for ODW to look at it.

Mr. Kronenberg stated that the next WAC meeting still needs to be scheduled. He noted that it will be virtual and three new appointments to the WAC are expected to be made soon, so they will all be included in the poll. Mr. Kronenberg also stated that ODW is moving forward with recommendations for WAC appointments to the Commissioner.

Mr. Van Gelder adjourned the meeting at approximately 11:40.

Lead and Copper Rule Revisions

Lead and Copper Rule Improvements

Rule Implementation

December 9, 2025

Robert D. Edelman, PE

Director, Division of Technical Services



Initial Service Line Inventory - Statistics

1,556	Total active community and NTNC waterworks
1,550	Waterworks submitted Initial Service Line Inventories
6	Waterworks without Initial Service Line Inventories
23	Waterworks with lead service lines
3,656	Lead service lines
127	Waterworks with galvanized requiring replacement service lines
9,928	Galvanized requiring replacement service lines
1,704,766	Non-lead service lines
686,535	Unknown material service lines
2,404,855	Total service lines inventoried

Data pulled 11/10/25

LCRR Requirements Effective October 16, 2024

1. Initial Service Line Inventory - submit to VDH
 - Must be publicly available. If serving 50,000+, then available online
2. Notification of known or potential service line material containing lead and associated reporting
 - Annual notification (calendar year)
 - New customers notified at time of service initiation
 - Annual certification due July 1
3. Tier 1 public notification for action level exceedance (15 ppb AL until LCRI Compliance Date) and associated reporting
4. Consumer Confidence Reports
 - LCR tap sample information
 - A service line inventory is available and how to access it
 - A short information statement about lead in drinking water
5. Revised health effects language - public notices

Inventory Updates

<https://www.vdh.virginia.gov/drinking-water/lcrr-guidance/>

Lead and Copper Rule Revisions (LCRR) and Lead and Copper Rule Improvements (LCRI) Guidance

Template and Guidance: Customer notification of Lead and Potential Lead Service lines [Click Here](#)

Training: Submitting Your Baseline Inventory - September 2025 [Click Here](#)

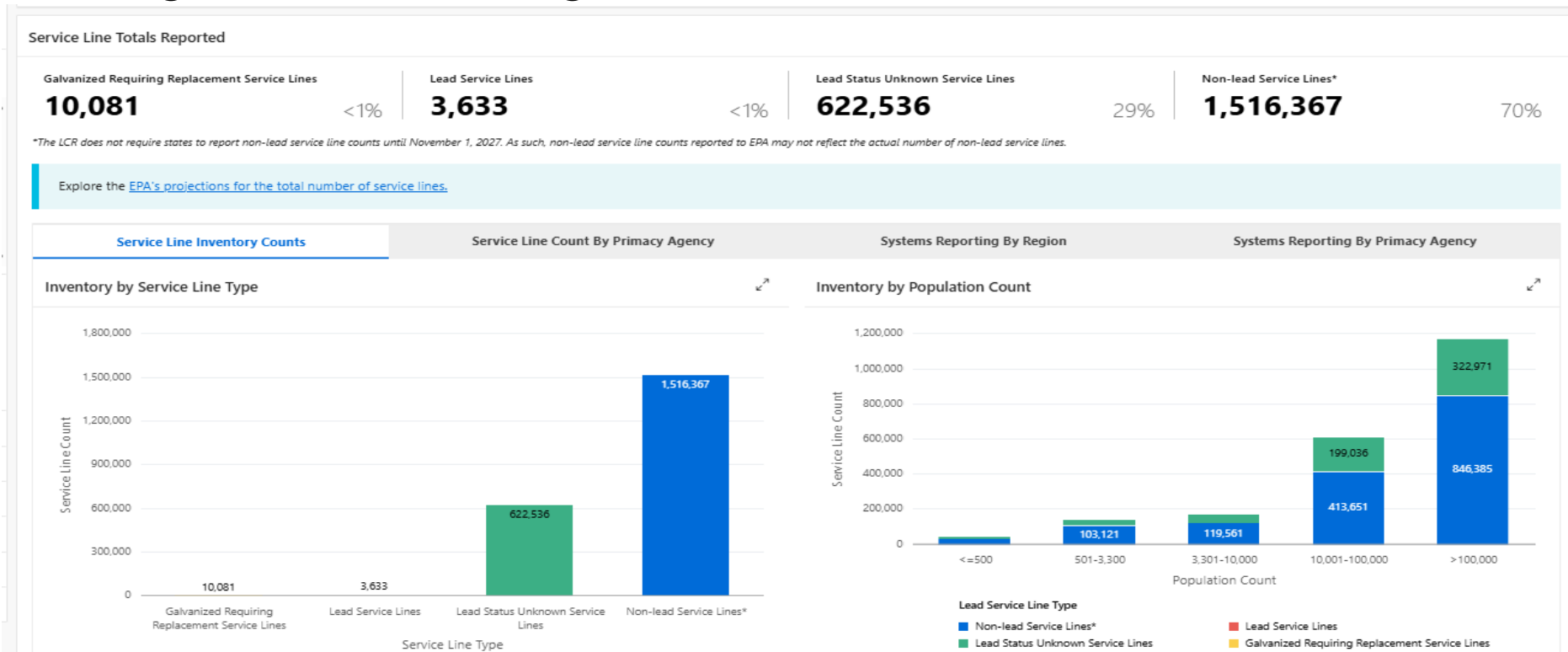
Data Summary: Service Line Inventories reported by Virginia waterworks [Click Here](#)

- Inventory Summaries are posted on the LCRR Guidance Webpage
- Reporting updates to inventories is not required between now and November 1, 2027.
- Counts of Lead, GRR, Non-Lead, Unknown, by Waterworks

EPA Service Line Inventory Website


EPA has published [Service Line Inventory](#) Data

- Includes data as of 3Q 2025 (September 15 upload)
- Significant time lag



What should waterworks do for November 1, 2027?

1. Continue work on service line inventories:

- Identify unknowns
 - Unknowns trigger annual consumer notifications and new customer notifications
 - Unknowns inflate the number of required LSL replacements and the replacement rate after 2027
- Continue gathering SL material information during normal operations
 - Meter replacement projects
 - Home visits
 - Meter reading
 - Break/leak repairs
 - Water line replacements
- Identify lead connectors 
- Prepare baseline service line inventory - due 11/1/2027

Connectors



EPA defines as “a short segment of piping **not exceeding three feet that can be bent** and is used for connections between service piping”

- Commonly known as a “pigtail” or a “gooseneck”
- Corporation or curb stops, pipe joints, couplings, etc. are **considered fittings, not connectors**

Typically connecting the service line to the main

- Not considered to be part of the service line
- Lead connectors do not make service lines lead or GRR



Connectors



Here is the list of records that must be reviewed:

- (i) All construction and plumbing codes, permits, and records or other documentation that indicate the service line and connector materials used to connect structures to the distribution system.
- (ii) All water system records on service lines and connectors, including distribution system maps and drawings, recent or historical records on each service connection and connector, meter installation records, historical capital improvement or master plans, and standard operating procedures.
- (iii) All records of inspections in the distribution system that indicate the material composition of the service connections and connectors that connect a structure to the distribution system.



Connectors Classifications

Lead

Connector is made of lead

Unknown

Connector exists but material is not known

Non-Lead*

Connector determined through an evidence-based record, method, or technique not to be made of lead

No Connector

No connector at the location

What should waterworks do for November 1, 2027?

2. Prepare your Replacement Plan if you have LSLs, GRR or Unknowns

- Identify funding
- Identify replacement methods
- Lead mitigation methods, including pitcher filters
- Pitcher filters
- Due 11/1/2027

3. If you have Lead Service Lines

- Reach out to the DWSRF - Apply for LSL funding
- Talk to your customers
- Make replacements of known LSLs - before 11/1/2027
 - Reduce burdens under LCRI: Consumer notifications, lead mitigation requirements
 - Funding is available now

What should waterworks do for November 1, 2027?

4. Prepare for lead sampling in schools and child care centers:
 - Prepare list of schools and child care centers in service area.
 - Identify excluded schools (Constructed on or after 1/1/2014)
 - Identify waived schools (already tested)
 - Prepare public outreach materials, begin outreach

5. Corrosion Control Treatment:
 - Prepare for lead action level of 10 µg/L
 - Review past lead and copper tap sample results
 - Review CCT performance against operational goals
 - Take some special non-compliance lead tap samples at key locations

6. Tap Sampling:
 - Prepare tap sample pool based on new tiers
 - Prepare for standard monitoring if LSLs and/or GRR present
 - Prepare to offer to sample the tap if any for customer with a LSL, GRR or unknown service line requests it

Reminder: Laboratory Reporting Deadline

December 9, 2025

Robert D. Edelman, PE
Director, Division of Technical Services



Laboratory Reporting Deadline

- 10th day of the month following the month during which the results were received, or
- 10th day of the month following the end of the monitoring period, whichever is shorter (12VAC5-590-530A)
- Applies to all waterworks
- Includes laboratory reports for: total coliform, lead and copper, nitrates, inorganics, metals, volatile organic compounds (VOCs) and synthetic organic compounds (SOCs)

Reporting Deadline Examples

Example 1: Waterworks collects monthly coliform samples. Sample results are due to ODW on the 10th day of the following month.

Example 2: Waterworks collects a quarterly coliform sample.

Sample Collection	Result report to WW	Result due to ODW
January 15	January 20	February 10

Example 3: Waterworks collects lead and copper tap samples for the June 1 through September 30 monitoring period.

Sample Collection	Result report to WW	Result due to ODW
June 10	June 20	July 10
June 30	July 10	August 10
September 30	NA	October 10

Lead and Copper Rule Timely Reporting

- 2016 Water Infrastructure Improvements for the Nation Act required EPA to add a Tier 1 Public Notice requirement when a lead Action Level Exceedance (ALE) occurs
- EPA expects ODW to promptly determine if a lead ALE has occurred and notify the waterworks owner of the Tier 1 Public Notice requirement.
- ODW is required to review lead and copper rule tap sample results no later than the 15th day following the end of the monitoring period. 40 CFR 142.15(c)(4)(G).

Late LCR Tap Laboratory Reports

Monitoring Period	Late Laboratory Reports	% Late	Laboratories	Waterworks
June – September 2025	285	6.4%	9	40
January – June 2025	20	3.9%	2	3
July – December 2024	28	6.9%	5	7
June – September 2024	94	2.2%	9	12

Actions to avoid late laboratory reports

- Inform your laboratory of the reporting deadline in 12VAC5-590-530 A.
- Incorporate the reporting deadline in 12VAC5-590-530 A into your laboratory contract and hold your laboratory accountable for meeting this requirement.
- Learn your laboratory's turnaround time, from receipt of the sample to reporting to ODW for your specific samples.
- **Take your samples early in the monitoring period** to allow time for analysis, reporting, and recovering from mishaps.
- Follow laboratory guidance on sample submission schedules. Avoid holidays and weekends and reach out to the laboratory to discuss submitting samples near holidays or weekends.

Actions to avoid late laboratory reports

- Deliver your samples to the laboratory promptly after sample collection to avoid exceeding the sample hold time and allow the laboratory time to complete its analysis and reporting.
- Inform ODW of any LCR tap sample location changes in advance of submitting samples to the laboratory to allow ODW time to update ODW's SDWIS database to facilitate reporting.
- Do not assume that ODW receives the sample results at the same time as the waterworks. Check ODW's [Drinking Water Viewer](#) to make sure ODW has received results from your lab.

Conclusion

- Waterworks, not laboratories, are held accountable by the Waterworks Regulations
- During 2025, ODW is reminding waterworks and laboratories of the reporting deadline
- In 2026, ODW will increase its compliance actions for late laboratory reports
- ODW will share late sample data with DCLS laboratory certification program
- Timely laboratory reports are necessary to comply with the Waterworks Regulations and allow ODW to timely complete compliance activities
- Owners and operators should take actions to prevent late laboratory reports

WAC Meeting PFAS Updates

December 9, 2025
Bailey Davis
Chief of Field Operations



PFAS Litigation Updates

- The U.S. Court of Appeals for the DC Circuit ordered that *AWWA, et al. vs. EPA* be held in abeyance pending further order of the Court. New motions to govern further proceedings will be due from litigants within 10 days of the conclusion of the federal government shutdown that began on October 1, 2025.
- EPA announced new rulemaking to address changes with a draft rule released Fall 2025. EPA has not provided an update on the progress of the new rule.

ODW now accepting data through CMDP

- Laboratory FAQs developed and posted on the ODW website [here](#)
- Require the use of method codes EPA 533, EPA 537.1.V2, or EPA 537.1
- Require the six regulated analytes but prefer full method lists
- Reporting limits to 1/3 of the PQL of each regulated analyte
- Report FRB results associated with samples that have quantitative or qualitative results as sample type Field Blank or FB
- Contact Laboratory Technical Liaison Leslie Fleury

Leslie.Holt@vdh.virginia.gov for more info

Analyte	PQL (ppt)	Reporting Limit (ppt)
PFOA	4.0	1.3
PFOS	4.0	1.3
PFHxS	3.0	1.0
HFPDO-DA	5.0	1.7
PFNA	4.0	1.3
PFBS	3.0	1.0

EPA Announces release of SDWIS/state 3.8

- EPA met the stated release goal of November 2025; ODW will schedule upgrade in near future
- No mention of initial monitoring evaluation tools that were stated to be included in the release
- Release includes tools for ODW to monitor PFAS compliance including:
 - Compliance schedules for initial monitoring requirements for PFOA and PFOS
 - A SDWIS Results Alert report to assist with the tracking of PFOA and PFOS results that are greater than or equal to the trigger levels
 - A new unit of measure called “unitless”
 - New federal violation codes:
 1. 3E - PFAS initial monitoring violation
 2. 3F - PFAS compliance monitoring violation
 3. 4J - PFAS initial reporting violation
 4. 4K - PFAS compliance reporting violation

PFAS Initial Monitoring Data Tool

PWSID:	6000000						
Waterworks Name:	Ankh-Morpork						
Waterworks population served:	99						
Facility Sampled:	A-M WTF Entry Point						
Entry Point Source Water Type:	Ground Water						
Initial Monitoring Requirement:	2 samples collected 5 to 7 months apart.						

Sample Date	PFOA	PFOS	PFNA	PFBS	PFHxS	HFPO-DA	Hazard Index*
1/1/2023	ND	22	0	4	0	<2	0
8/25/2025	0	20	<4	<2	15	<2	1.5
Average of your results	0.0	21.0	0.0	2.0	7.5	0.0	0.8
PMCL (ng/L-ppt)	4.0	4.0	10	-	10	10	1
Trigger Level (ng/L-ppt)	2.0	2.0	5	-	5	5	0.5
Health Based Water Concentration (HBWC) (ng/L-ppt)	-	-	10	2000	10	10	-

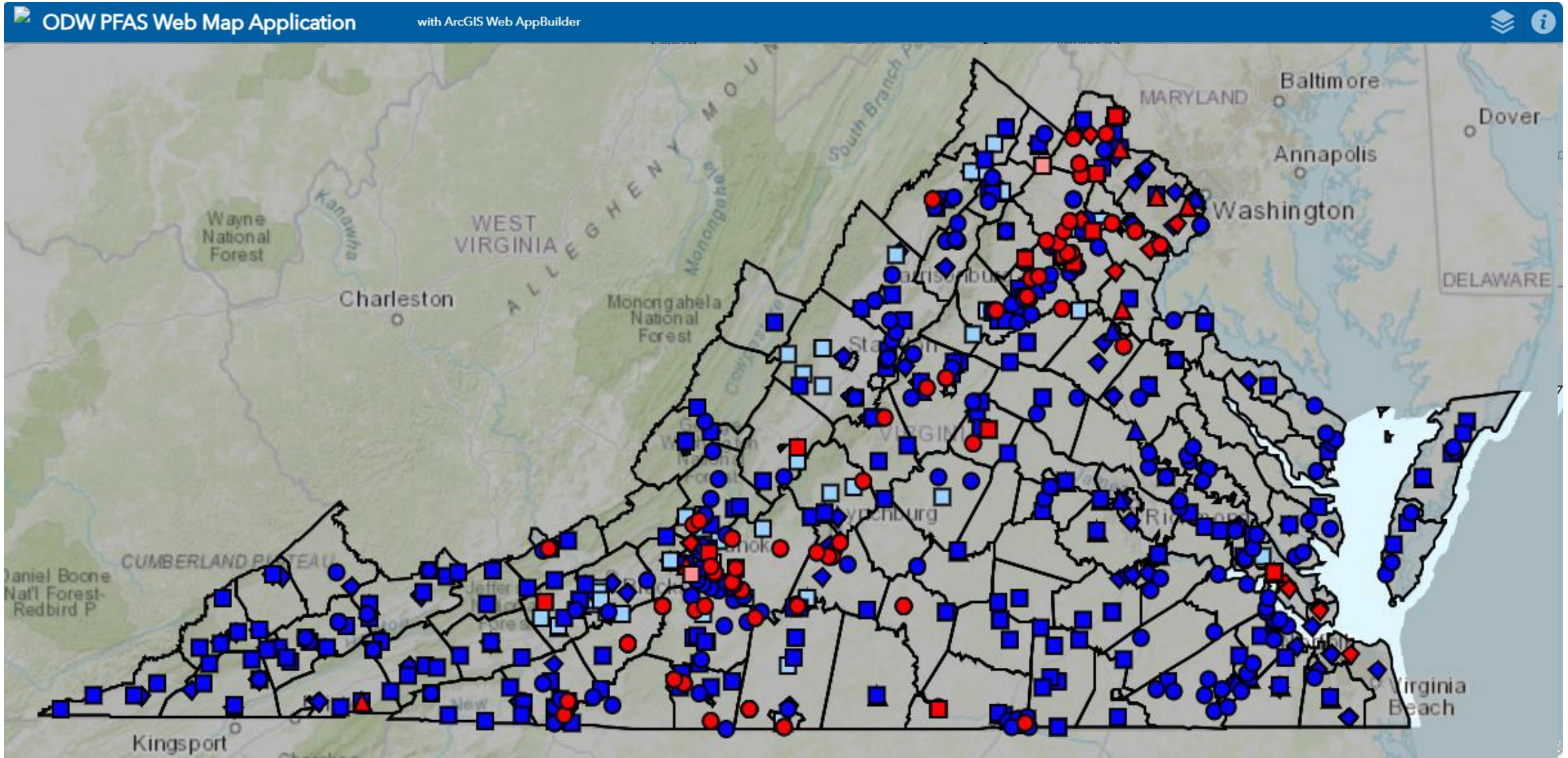
*Hazard Index is a dimensionless calculated value representing the aggregate health risk presented by PFNA, PFBS, PFHxS, and HFPO-DA, based on the HBWC factors above.

PFAS Result Compliance Punchline	PFOA	PFOS	PFNA	PFBS	PFHxS	HFPO-DA	Hazard Index
Possible MCL Violation starting 2029?	N	Y	N	N	N	N	N
Any Result Exceeds MCL?	N	Y	N	N	Y	N	Y
Any Result Exceeds Trigger Level?	N	Y	N	N	Y	N	Y

You could be out of compliance starting 2029. Contact your ODW Field Office to discuss options for

- Tool is posted on the ODW PFAS webpage [Per- and Polyfluoroalkyl Substances \(PFAS\) in Drinking Water - Drinking Water](#)
- Assesses Initial Monitoring data for compliance with the PFAS rule.

PFAS Data at www.vdh.virginia.gov/drinking-water/pfas



Phase 4 Sampling Initiative

- **Link to request for proposals:**
https://mvendor.cgieva.com/Vendor/public/IVDetailsV2.jsp?rfp_id_lot=108241&rfp_id_round=0
- **ODW is seeking proposals for sampling and laboratory analysis**
- **Focused on groundwater systems serving populations of 10,000 or fewer**
- **Data can be used for initial monitoring compliance**
- **Up to 850 systems meet eligibility requirements**
- **Collect and process drinking water samples in accordance with EPA Method 533**
- **Kickoff in early 2026 and continue until initial monitoring deadline**

Other activities

Outreach Initiative Underway

- ODW personnel reaching out to eligible waterworks in November and December
- Documenting state of initial monitoring compliance
- Providing rule information and tools
- Informing Phase 4 sampling plans

Primacy Package Extension

- Extension application required by 4/2026 and will extend deadline for two years

Division of Consolidated Laboratory Services Laboratory Certification Status Update

Financial and Construction Assistance Program (FCAP)

FCAP Construction Funding - Sources in 2026 (Applications in 2025)

DWSRF Annual Capitalization Grant and Bipartisan Infrastructure Law (BIL) General Supplemental
\$38.1 Total (33.1 Million Total BIL General Supplemental & Guestimate \$5 Million DWSRF Base Grant)
PENDING Federal Budget & PENDING EPA ALLOTMENT ANNOUNCEMENT

Bipartisan Infrastructure Law (BIL) Emerging Contaminants
\$10.7 Million FY2026 BIL Emerging Contaminants available
PENDING EPA ALLOTMENT ANNOUNCEMENT

Bipartisan Infrastructure Law (BIL) LSL Replacement
\$67.2 Million (\$38.55 Million BIL LSL remaining available in FY2024 allotment & \$28.65 Million BIL LSL FY2025)

SA-HMW “Hurricane Helene” Resiliency
\$23.155 M - Documented proof of impact from Hurricane Helene. Cannot be eligible for FEMA

General Assembly House Bill 1600 – Chapter 757 – Item 280
\$25 Million Available

FCAP Construction Funding - Sources in 2026 (Applications in 2025 Continued)

DWSRF Annual Capitalization Grant and Bipartisan Infrastructure Law (BIL) General Supplemental

- \$48.1 Million Total available
 - \$33.1 Million FY2026 BIL Gen Supplemental (\$42.1 M - \$ 9 M set aside budget)
 - \$5 Million FY2026 DWSRF Guestimate from current Senate and House budgets
 - \$10 Million Repayment from previous loans
- 78 Applications totaling \$254.5 Million
- VDH will be providing offers of \$43.1 Million BIL Gen Supplemental funding to top scoring applicants
- EPA has asked VDH to hold sending offers until EPA provides final allocation to states – due any day now
- This is the last year of BIL General Supplemental Funding
- DWSRF guestimate based upon information from CIFA lobbyist's educated guess for whole year Continuing Resolution (CR) which provides \$15.4 Million FY2026 DWSRF Base Grant, with an Omnibus subtracting \$11 Million in earmarks leaving around \$4.4 Million total available to VDH FY2026 DWSRF Base Grant

FCAP Construction Funding - Sources in 2026 (Applications in 2025 Continued)

Bipartisan Infrastructure Law (BIL) Emerging Contaminants

- \$10.7 Million FY2026 BIL Emerging Contaminants available
- 10 applications totaling \$91.5 Million
- VDH will be providing offers of \$10.7 Million to top scoring applicants
- EPA has asked VDH to hold sending offers until EPA provides final allocation to states – due any day now
- This is the last year of BIL Emerging Contaminants funding

FCAP Construction Funding - Sources in 2026 (Applications in 2025 Continued)

Bipartisan Infrastructure Law (BIL) LSL Replacement

- \$38.55 Million BIL LSL remaining available in FY2024 allotment
- \$28.65 Million BIL LSL FY 2025 allotment
- 8 applications totaling \$71.7 Million
- VDH will be providing offers of \$67.2 Million to top scoring applicants by the end of December
- FY2026 Re-allotments pending from EPA will be available to fund next year's applications

FCAP Construction Funding - Sources in 2026 (Applications in 2025 Continued)

SA-HMW “Hurricane Helene” Resiliency

- \$23.155 M - Documented proof of impact from Hurricane Helene. Cannot be eligible for FEMA for reimbursement
- 38 Applications totaling \$99.6 Million
- VDH will be providing offers totaling \$23,155 M to 8 top scoring applicants
- This was a one-time allotment for funding and will not be available next year

FCAP Construction Funding - Sources in 2026

General Assembly House Bill 1600 – Chapter 757 – Item 280

- \$25 Million Available
 - 31 Applications totaling \$174.9 Million
 - VDH will be providing offers totaling \$25 M to 3 top scoring applicants

FCAP Construction Funding - Sources Expected in 2027 (Applications due May-June 2026)

DWSRF Annual Capitalization Grant

- 4.4 Million estimated
- \$10 Million Loan Repayments
- \$14.4 Million Total

Bipartisan Infrastructure Law (BIL)

- BIL General Supplemental and Emerging Contaminants funding has ended, no longer funded
- \$28.65 FY2026 BIL Lead Service Line Funding estimated based upon FY2025 allocation

General Assembly House Bill 1600 funding

- Uncertainty about future funding

Construction Loan Eligibility Criteria

- **Project priorities:**

- Correct/prevent public health compliance problems
- Improve the Technical, Managerial, and Financial (TMF) Capacity of the waterworks
- Improve reliability, sustainability or resiliency

- ***Not meant for:***

- *Growth or economic development*
- *Fire protection*
- *Reservoirs (waiver - eligible under certain conditions)*
- *Emergency projects*
- *Waterworks lacking Technical, Managerial, & Financial Capacity*

Compliance, Enforcement and Policy (CEP) Update

Waterworks Advisory Committee
December 9, 2025

Grant E. Kronenberg
ODW, Director of the Division of
Compliance, Enforcement & Policy

CEP Enforcement Manual

- Revised Enforcement Manual is in the Executive Branch review process.
- If not approved before the current administration ends, will take up the status with the incoming administration.
- Last month, ODW held an in-person training session with ODW's six compliance specialists. This included an exercise focused on working with waterworks in developing corrective action plans and schedules.

CEP Update - Statistics

- Fourth Quarter Enforcement Targeting Tool (ETT) Report from EPA.
- Seven systems considered to be a “serious violator” by EPA on account of their ETT score.
- ETT lags behind current data by about six months.
- Six of the seven are back in full compliance or under an administrative order. The seventh waterworks is in the process of connecting to a locality’s water supply.
- Currently, only two systems would be a “serious violator” under the real-time Enforcement Targeting Tool Assistant (ETTA).

CEP Update - Enforcement Actions

- Issued 26 warning letters in October and November. Up from 8 the prior quarter. Began using State Violation Scoring System in identifying warning letter targets.
- Two consent orders recently terminated because the waterworks have completed all requirements of their order.

Grant E. Kronenberg
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Cybersecurity Update

Waterworks Advisory Committee
December 9, 2025

Grant E. Kronenberg
ODW, Director of the Division of
Compliance, Enforcement & Policy

Cybersecurity Update

- ODW has updated its cybersecurity webpage:
<https://www.vdh.virginia.gov/drinking-water/waterworks-cybersecurity/>
- Includes resources related to cybersecurity incidents.
- Along the top of the screen, there is a banner that includes cybersecurity training opportunities and alerts about cybersecurity incidents.

Cybersecurity Update

- ODW Cybersecurity and Emergency Management Survey
 - Sent to all waterworks owners.
 - Conducted over late last year through the spring of this year.
 - Over 660 waterworks responded.

Cybersecurity Update

- ODW Cybersecurity Survey - several key takeaways
 - 54% of community waterworks and 9% of non-community use operational technology.
 - 46% of waterworks had conducted a cybersecurity assessment in the last year.
 - Two-thirds of community and non-community waterworks were interested in learning more about cybersecurity assessment options.
 - 70% of community and 27% of non-community waterworks currently remotely monitor operations
 - 57% of public bodies were aware of the requirement to report certain cyber incidents to the Virginia Fusion Center.
 - More information on the results:
<https://www.vdh.virginia.gov/content/uploads/sites/14/Survey-Results-Summary-Final.pdf>

Cybersecurity Update

- Cybersecurity Tabletop Exercise
 - On the survey, 65% of all waterworks, including 71% of community waterworks, indicated an interest in attending a tabletop training exercise regarding a cybersecurity incident.
 - ODW's Cybersecurity Committee is developing a cybersecurity tabletop training exercise.
 - ODW has engaged with members of the VMDWA's Cybersecurity Committee to gain their insights as ODW develops the training event.