

## **Waterworks Advisory Committee Meeting Minutes**

Electronic Meeting via WebEx

Tuesday, December 9, 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; Shane Wyatt, DCLS; Ignatius Mutoti, VSPE; Skip Harper, Virginia Plumbing and Mechanical Inspectors Association; Andrea Wortzel, Mission H2O; Caleb Taylor, VML; Mark Estes, VRWA; Michelle Caruthers, VWEA; Isabelle Stitt-Fredericks, VA Health Catalyst; Ivy Ozmon, HRPDC; Mark Titcomb, VWWA; Christopher Pomeroy, Virginia Municipal Drinking Water Association; Jesse L. Royall, Jr., Community Waterworks Owners

**Members Absent:** None

**Stakeholders and Public:** Christopher Gill, Taylor Valencia, Jonathan Cosby, Zach Pauley, Stephanie Collins, Anurag Mantha, Jessica Edwards-Brandt, Tanya Pettus, Joe Barnes, Justin Curtis

**Virginia Department of Health (VDH) Staff:** Dwayne Roadcap, Bailey Davis, Robert Edelman, Anthony Hess, Grant Kronenberg, Aaron Moses, Jane Nunn, Katie Sallee, Steve Kvech, Jarrett Talley, Julie Floyd, Jeremy Hull, Ray Weiland, Franklin McMillian

### **Welcome and Establish Quorum**

The Waterworks Advisory Committee (WAC) met with a virtual quorum over Webex on Tuesday, December 9, 2025, at 9:30 a.m. 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 and VDH staff introduced themselves.

Dwayne Roadcap, ODW Director, acknowledged the three new WAC members, Mark Titcomb, Ivy Ozmon, and Isabelle Stitt-Fredericks, and welcomed them to the committee.

Andrea Wortzel introduced Stephanie Collins who would be representing her for part of the meeting.

### **Review and Adoption of Meeting Minutes of September 2025 Meeting**

Grant Kronenberg briefly reviewed the meeting minutes from the WAC's September 2025 meeting. A motion was made and seconded to approve the meeting minutes as drafted, and the WAC unanimously approved the September 2025 meeting minutes. WAC member Christopher Pomeroy had not yet joined the meeting at the time the minutes were considered and adopted, so he did not vote.

## **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 noted that the EPA Region 3 office remained open throughout the federal government shutdown and was not impacted, though it did have slower communications with ODW staff. He noted that VDH created contingency plans for the possibility of losing access to federal grants, though these plans were not needed.

Mr. Roadcap outlined the annual budget, stating that the total operating budget is \$20 million per year. \$4.8 million is derived from fees, \$6 million from state funds, and the rest from federal funds. He stated that ODW had submitted a budget request to the Governor's office to maintain the drinking water program. Any funding will be mentioned in the Governor's budget when it is released.

Mr. Roadcap stated that the General Assembly gave the drinking water program \$1.8 million in new funding. ODW submitted a report on plans to use the funding. The report is currently under executive branch review. He noted that the report outlines a plan to hire 15 new positions: two in each field office, and four support positions in the central office. He stated that the report will be made public once it is approved by the Governor's office.

Mr. Roadcap mentioned ongoing structural reorganization in each field office. Following the creation of two new positions in each field office, offices will be reorganized. Under the new system, engineering positions will report to the deputy director in each field office. This will allow for separate duties between engineers and field sampling technicians.

Mr. Roadcap discussed metrics from the past year. He noted an 8% turnover rate, due to several retirements. Transition planning is currently in progress to prepare for future retirements. He mentioned the vacancy rate is associated with the 16 newly created positions, making a total of 23 current vacancies. He estimated that ODW has an 18-19% vacancy rate. ODW staff are working with HR to hire for new positions.

Mr. Roadcap introduced Katie Sallee, who has taken over as ODW's Executive Assistant. He also noted that Raven Jarvis recently resigned and that her duties will be covered by Bob Edelman. Lastly, he mentioned the resignation of ODW's HR analyst and stated that ODW is hiring for that position.

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.

## **Executive and Legislative Update**

Grant Kronenberg gave an update on the executive branch transition. He stated that Governor-elect Spanberger will be sworn in on January 17<sup>th</sup>. He mentioned that the Governor-elect has recently appointed Marvin Figueroa as the new Secretary of Health and Human Resources. He

noted that the State Health Commissioner is a political appointee, and it is not yet known what will happen with that position.

Mr. Roadcap stated that he met personally with Governor-elect Spanberger along with the Virginia Department of Emergency Management on emergency response and preparedness. He stated that ODW is a 24/7 organization with support for emergency services and is therefore present for spills and releases to assess any impact on drinking water supplies.

Mr. Kronenberg gave a General Assembly session preview. He stated that the General Assembly will convene on January 14<sup>th</sup>, and that it will be a “long” session, lasting 60 days, with consideration of a new budget. He mentioned that the actual session calendar will officially be set once the General Assembly convenes. Mr. Kronenberg discussed ODW’s role in the legislative process, which is to provide internal review and analysis of all bills that impact the drinking water program. He reiterated that ODW will reach out to the WAC for stakeholder feedback when bills are introduced, but there are not currently any pre-filed bills that impact the program.

Mr. Kronenberg notified the WAC that ODW expects a bill to amend the waterworks receivership statute to remove the word “private” before “waterworks” wherever it appears in the statute. The statute currently only allows private waterworks to be placed into receivership. There is a defined process for doing that in statute, including requiring a court order, which provides due process. The expected bill would allow any waterworks to be placed into receivership following due process. Mr. Kronenberg stated that the vast majority of waterworks customers in Virginia are served by a system that is owned by a local governmental entity.

Chris Pomeroy asked if public receiverships had been previously allowed, what candidates in past would have been likely to be impacted. Mr. Roadcap answered that receivership is an enforcement action only used in most dire situations after other enforcement actions have been unsuccessful. Since 2003, the law has been used for two waterworks ownership issues. In these situations, the owner was not present or neglected duties over time. The legislative proposal requires active due process through the court system. Mr. Roadcap stated as an example the issues in Jackson, Mississippi where there was chronic non-compliance in dire situations.

Mr. Pomeroy noted that the US EPA has this authority and used it in Jackson, Mississippi, and asked if the EPA has ever used this authority in Virginia to date. Mr. Roadcap answered in the negative.

### **Lead and Copper Rule**

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. He stated the number of initial service line inventories tracked by ODW have decreased because several water systems are no longer considered waterworks and some are being combined with other waterworks.

Michelle Caruthers asked about unknown material service lines. Mr. Edelman answered that unknown material service lines were reported in inventories regardless of method. 23 systems have identified lead service lines, which has decreased from 28. He mentioned waterworks are updating inventories and re-submitting them, leading to a downward trend in lead and unknown lines. Mr. Edelman reminded the committee of the requirements for notification of customers when service lines contain lead. His team is following up with water systems that did not complete a notification in 2024.

Mr. Edelman noted that the inventory updates are available on the ODW website. It is also available on the EPA service line inventory dashboard.

Mr. Edelman stated that before the deadline of November 1, 2027, waterworks should be identifying unknown service lines, gathering service line material information, and identifying connectors as lead, unknown, non-lead, and locations with no connectors.

Mr. Edelman stated that EPA has provided a definition of connector, and he discussed the accompanying slide with the definition and a picture. 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 galvanized requiring replacement (GRR).

Mr. Edelman stated that waterworks should be preparing replacement plans for lead service lines (LSLs), GRR, and unknowns. Waterworks can apply for LSL funding and make replacements if possible. Waterworks should prepare for lead sampling in schools and childcare centers, check their corrosion control treatment, and prepare for tap sampling.

Ignatius Mutoti requested additional information on funding criteria for replacement work. Mr. Edelman answered that Anthony Hess will be discussing that later.

Joey Hiner requested additional information on funding for sampling of schools. He asked if the WIIN grant for schools is available for this program. Mr. Edelman answered that Jose Garcia is leading the school and daycare lead sampling program and can answer questions about school sampling methods. It is ODW's intention to count school lead testing toward the requirements in the LCRI. Mr. Hess mentioned that all the information is available on ODW's website and provided a link.

### **Late Reporting**

Mr. Edelman presented the laboratory reporting deadline for water systems and gave examples of monthly samples and when they are due to ODW.

Mr. Edelman stated that LCRR also requires Tier 1 PN after a lead action level exceedance. June-September 2025 reporting period had over 285 late laboratory reports. Mr. Edelman discussed actions waterworks can take to avoid late laboratory reports, including checking ODW's drinking water viewer to ensure results have been received. Refer to the slides for more details.

Mr. Mutoti stated that DCLS issues testing kits and asked if DCLS is aware of these requirements so they can send out testing kits in accordance with testing schedule. Mr. Edelman

stated that the testing schedule is available on ODW's Drinking Water Viewer database. It is the responsibility of waterworks to track the testing requirements. DCLS sends sampling kits after the invoice is paid, and waterworks will need to pay invoice on time to receive kits on time.

Ms. Caruthers requested additional information on the official reporting date to VDH. Mr. Edelman confirmed that ODW uses the result received date from when the report was delivered through the Compliance Monitoring Data Portal (CMDP).

### **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 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. He says it will have a proposed rule this fall and finalized rulemaking in spring 2026.

Mr. Davis stated that ODW is now accepting data through CMDP. He mentioned a FAQ document on the PFAS website with additional information. He stated the required reporting limit is 1/2 pql and that the recommended reporting level is 1/3 pql. Labs will need to reprocess some of their data to see if they want to use it for initial monitoring and the rule. 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 stated that EPA has announced the release of an updated SDWIS in November 2025. This update includes compliance schedules for initial monitoring requirements, a SDWIS results alert report, and new federal violation codes. He reviewed the PFAS initial monitoring data tool.

Mr. Davis stated that ODW has a request for proposals for phase 4 sampling initiatives. He stated that 850 systems will be eligible, and the project will kick off in early 2026 and will run until the end of the compliance deadline in 2027.

Mr. Davis discussed ODW's new outreach initiative, where ODW staff will reach out to eligible waterworks and provide rule information and tools. Additionally, ODW is looking at an extension for the primacy package with EPA based on EPA's intent to change the regulation.

Shane Wyatt with DCLS presented on laboratory certification status. He stated DCLS is in the process of changing the accrediting body. Accreditation will likely occur in early 2026 for EPA methods 533, 537.1, 1633A, and will be seeking accreditation for fish tissues as well.

Ms. Caruthers asked if small well systems have been notified of the Phase 4 initiative. Mr. Davis answered in the affirmative, eligible water works are being notified through outreach initiative.

Mr. Mutoti asked for guidance on how to move forward during this time with possible changes being enacted due to the lawsuit. Mr. Davis answered that waterworks follow the guidance as enacted by EPA until those changes occur. He noted that according to the data, if there is an exceedance of the compounds that will be dropped from the rule, generally there is still an exceedance of PFOA or PFOS which will not be impacted by the lawsuit.

### **Infrastructure Funding Update**

Anthony Hess gave an update on ODW funding sources.

Mr. Hess discussed applications submitted thus far in 2025 for funding available in 2026. He had several slides outlining the different types of funding. He also noted that the demand for funding is much higher than the amount of funds available. Mr. Hess highlighted challenges due to federal budget uncertainties, especially with BIL funding which has been delayed.

He stated that 2026 will be the last year ODW has money from the BIL Emerging Contaminants fund and the BIL General Supplemental fund. He noted that the BIL LSL Replacement fund 2024 allotment has lasted longer than expected due to fewer applicants; however, current applicants outpace the amount of funding available for 2025.

Mr. Hess discussed special funding for Hurricanes Helene and Milton, and for wildfires. The fund is a one-time allotment to address the impact of Hurricanes Helene and Milton, and from wildfires. He noted that the funds would provide emergency generators and backup storage in certain cases. He also discussed the General Assembly budget bill which was a new source of funding for ODW. Mr. Hess stated that he is hoping this funding will be continued.

Mr. Hess discussed potential 2027 funding sources and outlined each of the funds he hopes will be continued, including DWSRF Annual Capitalization Grant, BIL, and continued General Assembly funding. He stated that ODW anticipates less funding and is planning for that. He reviewed the eligibility criteria for projects applying for funding.

### **Regulations Update**

Jane Nunn gave an update on the Waterworks Regulations.

Ms. Nunn stated that regulatory amendments for mandatory reporting under two hours have gone into effect. She also noted that the proposed amendments to the Waterworks Regulations from the periodic review process are in the Notice of Intended Regulatory Action (NOIRA) stage. She expects VDH's internal review to be completed in early 2026.

Ms. Nunn stated that ODW will not be requesting a primacy extension for CCR3, as ODW has two years to amend the Waterworks Regulations since CCR3 went into effect. She also discussed the Lead and Copper Rule Revisions and Improvements, stating that EPA does not plan for any changes so ODW is moving forward with the primacy package. She stated the ODW team is hoping to send the primacy package to EPA in fall 2026.

Lastly, she noted that there would not be a primacy package for PFAS. She stated the team is in a holding pattern until the package is semi-finalized from EPA.

### **Compliance and Enforcement Update**

Grant Kronenberg gave an update on the proposed revised Enforcement Manual.

He stated that the revisions are in the executive review process, and if not completed soon, it will be taken up by the new administration.

Mr. Kronenberg noted that ODW held a training for its compliance specialists. He stated that a piece of the training focused on working with waterworks in developing corrective action plans and schedules. Mr. Kronenberg stated that ODW is focusing on more proactively engaging with waterworks while the waterworks is developing its corrective action plan and schedule under a consent order. Some waterworks do not need much direction, but others do. Mr. Kronenberg noted that ODW has a template corrective action plan and schedule that ODW will share with waterworks. He noted it is to everyone's benefit for early engagement by ODW on the corrective action plan and schedule. It will help waterworks avoid wasting time developing a corrective action plan and schedule that ODW may not be able to approve and it helps ODW be in position to approve the corrective action plan and schedule earlier on, which will help get the waterworks on the path to addressing the substantive problems, which is to the public's benefit.

Mr. Kronenberg gave a quarterly update on the fourth quarter Enforcement Targeting Tool (ETT) Report from EPA and discussed findings outlined on a slide. He explained how the ETT score works and that the report is often six months behind "real-time." Consequently, of the seven "serious violators" on the ETT Report, six of them are back in compliance, including one system that ODW has determined is no longer a waterworks. The seventh system is in the process of connecting to another waterworks. Due to the data lag for the ETT, ODW focuses its compliance and enforcement analysis on the Enforcement Target Tool Assistant (ETTA) Report. The most recent ETTA shows only two systems that would qualify as a "serious violator." One of those two systems is the same system mentioned earlier that is working to connect to another waterworks.

Mr. Kronenberg stated that 26 warning letters were issued as part of the most recent quarterly batch, which is up from only eight warning letters during the prior quarter. Mr. Kronenberg attributed much of the increase to ODW beginning to use the State Violation Scoring System (SVSS), which he noted he has discussed in prior WAC meetings, to identify warning letter candidates. Mr. Kronenberg stated that about 12 of the warning letters are attributable to the SVSS.

Mr. Kronenberg stated that ODW has recently been able to terminate two consent orders because all requirements of the orders had been met by the waterworks, which was good news.

### **Cybersecurity Update**

Mr. Kronenberg gave an update on ODW's cybersecurity webpage, which includes resources and training opportunities, and alerts on cybersecurity incidents. He stated that ODW sent out a

survey to waterworks owners and discussed key takeaways from the survey, which were on the slide he presented. He noted that only 57% of public bodies who responded were aware of the requirement to report certain incidents to the Virginia Fusion Center. Mr. Kronenberg noted that hopefully the survey helped get the word out further about this requirement.

Mr. Kronenberg discussed the interest waterworks have in a cybersecurity tabletop exercise, as 65% of all respondents and 71% of owners of community waterworks indicated an interest in such an event. Mr. Kronenberg stated that ODW is currently developing a cybersecurity tabletop exercise, including ODW's cybersecurity committee recently getting input from the chair and vice chair of the Virginia Municipal Drinking Water Association's cybersecurity committee about developing such an exercise. Mr. Kronenberg stated that Virginia Tech did such an exercise last year and ODW hopes to develop a training to cover more of the state geographically. Among the feedback ODW received on developing a tabletop exercise is targeting smaller and medium entities, as larger entities probably already have a robust cybersecurity program; considering who to target at the waterworks for the training, with senior technical staff and lead operators probably being the best targets; and to consider the type of cyberattack, with an OT ransomware attack probably being the most common. He also noted getting feedback on the positives and negatives of doing a fully in-person event as opposed to a virtual event or perhaps a hybrid in-person/virtual event.

### **Plan Review and Data Management**

Aaron Moses provided an update on plan review and data management and discussed changes his team is making in those areas.

Mr. Moses stated that he is taking over general permits from field offices to speed up the process. The team reissued 3 out of 27 expired permits. He noted they are also working with their IT contractor, GEC, to update tracker software and create an online portal to use for plan submission. He noted he hopes that it will be implemented early next year.

Mr. Moses stated that he and his team are working to increase timeliness in reporting sample results. His team is developing a sample correction form, which can be used by waterworks to request changes to result data if the lab uploads something erroneously. He noted that the correction form will require documentation for changes.

Mr. Moses stated that his team is working on creating a sample reminders email process, which would automate sending reminder emails to water systems to alert them of bacterial samples and reporting deadlines. He noted that this process will be expanded to include chemical samples in the future.

Mr. Moses also mentioned a project to streamline the data review process and investigation to issue violations, as well as a tool that will write up violations to save staff time drafting letters. He noted that his team is also working on a new process for submitting SOC monitoring waiver application reviews through Redcap. His team is monitoring the new processes and continues efforts to address issues as they arrive.

Ms. Caruthers noted that waterworks owners have seen a faster turnaround on projects internally and appreciates the efforts to make this more efficient.

Mr. Mutoti requested additional information on improvements in efficiency. Mr. Moses answered that the average time has decreased from 25 days to 16 days, noting that staff are becoming more efficient and projects have been more well prepared, which leads to fewer comments being issued.

Ms. Caruthers asked if Mr. Moses was keeping track of metrics and notices of violations as failure to sample, and if he was seeing any correlations. Mr. Moses answered that he has seen a decline in the monitoring violations metric from 11% to 7-8% over the past 2-3 years.

### **Public Comment**

None.

### **Other Business**

Mr. Kronenberg stated that the next WAC meeting still needs to be scheduled and that Katie Sallee will reach out to members with a poll. He also noted that the meeting will be held in person at the Henrico Public Library.

Mr. Van Gelder adjourned the meeting at approximately 11:50.