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## **Waterworks Advisory Committee Meeting Minutes**

Libbie Mill Library  
2100 Libbie Lake East St.  
Henrico, Virginia 23230

In Person and Electronic Meeting via WebEx  
Monday, March 23, 2026, 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; Mark Estes, VRWA; Isabelle Stitt-Fredericks, Virginia Health Catalyst; Mark Titcomb, VWWA; Christopher Pomeroy, Virginia Municipal Drinking Water Association; and Jesse L. Royall, Jr., Community Waterworks Owners, were all present in person. Attending online pursuant to the approved Policy on Individual Participation in Waterworks Advisory Committee Meetings by Electronic Communication Means Pursuant to Code of Virginia § 2.2-3708.3 were Michelle Caruthers, VWEA and Ivy Ozmon, HRPDC.

**Members Absent:** Caleb Taylor, VML

**Stakeholders and Public:** Taylor Valencia attended in person. Online attendees also included: Stephen Crowe, Pauline Brown, John Kingsbury, Jessica Brandt, Janine Kerr, Ashley Koski, Anurag Mantha, and Andrew Tran.

**Virginia Department of Health (VDH) Staff:** Dwayne Roadcap, Bailey Davis, Robert Edelman, Grant Kronenberg, Aaron Moses, Jane Nunn, Katie Sallee, Jarrett Talley, and Franklin McMillian attended in person. Online attendees also included: Anthony Hess, Dan Horne, James Reynolds, Jeremy Hull, and Mark Wise.

### **Welcome and Establish Quorum**

The Waterworks Advisory Committee (WAC) met with an in-person quorum on Monday, March 23, 2026, 9:30 a.m. WAC Chair David Van Gelder presided over the meeting. Michelle Caruthers attended electronically from her home in Covington, Virginia, due to medical reasons. Ivy Ozmon joined electronically from her home in Norfolk, Virginia, due to a personal matter as she had an appointment to attend that afternoon.

Mr. Van Gelder called the meeting to order at approximately 9:36 a.m.

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

Grant Kronenberg briefly reviewed the meeting minutes from the WAC's December 2025 meeting. A motion was made and seconded to approve the meeting minutes as drafted, and the WAC unanimously approved the December 2025 meeting minutes.

Mr. Kronenberg introduced the proposed Policy on Individual Participation in Waterworks Advisory Committee Meetings by Electronic Communication Means Pursuant to Code of Virginia § 2.2-3708.3 and the proposed Policy on All-Virtual Meetings of the Waterworks Advisory Committee Pursuant to Code of Virginia § 2.2-3708.3. Mr. Kronenberg noted that the policies were last adopted in September and must be renewed every year. Mr. Kronenberg stated

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that he thought it makes sense to get on an annual schedule where the policies are considered at the first meeting of each year. Mr. Kronenberg noted that the proposed policies are identical to the policies adopted by the WAC in September. A motion was made and seconded to adopt the policies and the WAC unanimously approved the electronic meeting policies.

### **ODW Staffing and Budget**

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

In the current budget, the General Assembly allotted \$1.8 million, which is being used to fill 16 new positions. Those positions include two new technical support specialists in each field office, an emergency planner, a policy analyst, a procurement specialist, and a sampling verification manager. Mr. Roadcap introduced Aaron Moses as a new division director, previously part of the Division of Technical Services (DTS). Aaron will lead data management, permitting, and the sampling verification programs.

Mr. Roadcap discussed ODW's vacancy rate and turnover. He stated that ODW's turnover rate is about 10%, below the agency's average turnover rate of 12.5%. However, the vacancy rate for ODW is too high. The 16 new positions created a higher-than-normal vacancy rate.

Mr. Roadcap discussed the Bipartisan Infrastructure Law (BIL) funding and an upcoming funding cliff. A previous study said that ODW, because of state and federal requirements, would need more full-time employees (currently 135 FTEs with a goal of 185 FTEs). The baseline Drinking Water State Revolving Fund (DWSRF) provided about \$17.9 million to \$18.1 million per year before BIL. Part of that funding supported 48 full-time employees in various field offices. Baseline DWSRF funding has decreased to about \$4.9 million per year. The 48 FTEs cannot be supported with substantially reduced funding. Mr. Roadcap will continue to request additional funding.

Mr. Van Gelder asked about the need to re-convene the WAC Finances Subcommittee. Mr. Van Gelder summed up the discussion by confirming that there is an estimated \$3.0 million dollar per year shortage of funding for baseline operations at ODW. Mr. Roadcap estimated that FY 29 might be when the funding cliff becomes a real issue without replacement funding.

### **Executive and Legislative Update**

Grant Kronenberg gave an update on the General Assembly 2026 session.

SB 683 was an agency bill that amends the waterworks receivership statute by striking the word "private" before the word "waterworks" in the statute. Mr. Kronenberg explained that the House version of the bill did not make it out of subcommittee, but the Senate version passed unanimously from the House and ultimately the Senate bill was passed out of the House. The bill is awaiting action by the Governor.

SB 537 would prohibit fluoridation of drinking water and require testing for fluoridation. It was unanimously recommended to be laid on the table by the House subcommittee, so it was left in subcommittee.

Mr. Kronenberg discussed HB 1149, which allows localities and waterworks staff to enter private property for the purposes of ensuring compliance with the lead and copper rule. This bill

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did pass. Chris Pomeroy stated that HB 1149 was a VMDWA bill and that the purpose was to decrease administrative costs in following current access procedures.

### **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 began by discussing initial service line inventory reports. Mr. Edelman stated that non-reporters had decreased from 295 to only five. He stated that the EPA issued some administrative orders that inspired some waterworks to complete their inventories. He also noted that one of the five non-reporters is a new water system. Mr. Edelman also stated that waterworks with lead service lines decreased from 34 to 25 due to misidentification.

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 there has been some confusion regarding the definition of connector. Under the LCRI, it is a short segment of piping not exceeding three feet that can be bent and is typically used for connections from the water main in the street to the service line. It is not considered part of the service line, so it does not make the service line lead or galvanized requiring replacement (GRR).

He also presented the Lead Service Line (LSL) replacement plan, and a template is available on the ODW website.

Mr. Edelman pointed out waterworks need to submit updated sampling plans using new sample tiers in advance of Tap Sampling by the start of the next lead and copper monitoring period. He also noted new requirements for consumer-requested sampling for customers with LSL, GRR, and unknown service lines. He also discussed a change in the deadline to provide the customer notice of lead or copper tap sampling results no later than three business days of learning of the results.

Mr. Edelman discussed requirements for testing drinking water for lead in schools and childcare facilities. He reviewed requirements and notification guidelines.

He also discussed revisions to the requirements for the Consumer Confidence Report (CCR) Rule. Beginning in 2027, waterworks serving 10,000 persons or more must deliver two CCRs per year. Waterworks serving 50,000 or more persons must post its current year's report on the internet and any waterworks posting their CCR on the internet must maintain its availability for at least three years. A new requirement is in translation and accessibility, and he emphasized that waterworks would need to plan for this requirement.

Mr. Talley noted that all state and local governments are also working on accessibility standards. VDH staff have received ADA training and are making modifications to the ODW website by April 24<sup>th</sup>.

### **PFAS Update**

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Mr. Davis provided a PFAS update. He stated that there has not been a lot of movement in the legal system about the legal challenges to the PFAS rule. Several motions have been filed but no clear resolution to the challenge has been established. One recent motion ruling denied EPA the opportunity to separate the proposed analytes EPA intended to drop from the initial legal challenge. Litigation will continue and it is not clear when a resolution will occur or how that will impact the implementation of the PFAS rule at ODW. One outcome from the ongoing litigation is ODW has filed for a primacy extension for two years until April 2028, this means EPA will likely maintain enforcement responsibility during the initial monitoring deadline similar to the Lead and Copper inventory deadline.

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.

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.

Mr. Davis noted that while there is still some uncertainty around the litigation, it is important to follow the rule as it is currently written. Mr. Davis stated that ODW is requesting a primacy extension from EPA. Mr. Davis announced that the Division of Consolidated Laboratory Services (DCLS) has obtained accreditation for PFAS analysis.

Mr. Davis reviewed ODW's efforts to meet requirements for the phase 4 sampling initiative. The initiative is intended to offer sampling and analysis services to groundwater systems serving less than 10,000 people. ODW has signed a contract with TruePani to conduct sampling and analysis. Data will be reported to ODW electronically. ODW has posted an initial monitoring data tool on the ODW PFAS page which is intended to be used to determine compliance with initial monitoring requirements. The tool is designed to be filled out individually for each entry point requiring sampling under the rule and ODW may use this tool in determining compliance with initial monitoring requirements.

Mr. Davis discussed an EPA training that agency staff had attended. He reviewed several slides that had been provided by the EPA during a primacy meeting that may impact systems. This included quarterly compliance monitoring and reporting violations. He also reviewed slides about new EPA initiatives including an EPA technical assistance program titled Tackling Emerging Contaminants (TEC) and an outreach initiative titled "PFAS OUT".

### **Cybersecurity Tabletop Exercise Update**

Franklin McMillian gave an update on ODW's cybersecurity tabletop exercise. The tabletop exercise was a point of interest in a survey distributed to waterworks.

There will be three tabletop exercises. Attendees will be from utilities, emergency management, and ODW staff. Managers, IT staff, and operations representatives are invited to attend. Goals are to strengthen coordination between utilities and emergency managers. Policies and procedures can also be reviewed and updated.

Mr. McMillian stated that one goal of the tabletop exercise is for utilities and emergency personnel to network prior to any future incidents. Mr. Hiner noted that the emergency response plan from the USDA should have the phone numbers for EMS.

### **Regulations Update**

Jane Nunn gave an update on the Waterworks Regulations.

Ms. Nunn stated that ODW is in the process of submitting several packages to the Commissioner's office or the EPA for review. The first is a Consumer Confidence Report Rule Revisions (CCR3) package to be published on Town Hall after approval. This is hoped to be published by late April or early May, when there will be a 30-day comment period. The second is a PFAS extension request, which will also go to the Commissioner's office in early April and will be submitted to the EPA by April 24<sup>th</sup>.

Ms. Nunn also noted that LCRR/LCRI amendments will be posted on Town Hall in October of 2027 and then the primacy package will be sent to EPA.

Ms. Nunn stated that the proposed amendments to the Waterworks Regulations that were previously discussed with the WAC, which are not part of the mandatory revisions due to federal rules, are at the Notice of Intended Regulatory Action (NOIRA) stage. Ms. Caruthers requested more information on the NOIRA stage. Ms. Nunn stated that they had added regulations for remote monitoring and operator requirements. The past administration requested that ODW reduce the number of regulations. Some reductions were possible; however, most are mandated by the federal government and cannot be changed.

### **Compliance and Enforcement Update**

Grant Kronenberg gave an update on the issuance of reporting violations. He stated ODW will be increasing its compliance actions in 2026 related to late reporting. So far this year, 30 reporting violations have been issued.

Mr. Kronenberg discussed continued effort regarding updating ODW's guidance documents. Currently there are three policy updates (licensed operator waiver, remote monitoring allowance, and two-hour reporting requirement) under review by the executive branch. He stated that on further consideration, ODW decided it would be better to repackage the three policies within the ODW Field Operations Manual. Mr. Kronenberg stated that as part of this, ODW will also look to remove from the Field Operations Manual the long list of existing template documents that are currently part of the manual. In reviewing those templates, they have been identified as not being a guidance document under the law. Removing them from the formal guidance document will give ODW more flexibility to make revisions to the templates.

Mr. Kronenberg stated that there are four systems considered to be a serious violator by EPA on account of their Enforcement Targeting Tool (ETT) Report score. Two of the four are back in full compliance and one has reduced their number of violations significantly. The fourth has somewhat reduced their number of violations.

Mr. Kronenberg stated that 17 warning letters were issued in February as part of the most recent quarterly batch, which is down from 24 during the prior quarter. Four proposed consent orders were recently sent to waterworks owners.

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

Aaron Moses provided an update on plan review and data management.

Mr. Moses stated that average approval time is 17 days in the last year. 3 General permits were issued last year, and he has set a goal to increase that to 10 in 2026. He is also working on testing the new Project Tracker software under development by GEC, which will include a submissions portal.

He noted that his division is working on hiring for four positions, one new and three vacant.

Mr. Moses stated he plans to roll out an online submission form for sample corrections and water quality complaints in the next three to six months. He noted they are also working on implementing a tool that automates writing monitoring and reporting violations which he plans to roll out next month.

He discussed a major transition to a new federal database called DW-SFTIES which will replace SDWIS to store and evaluate ODW's compliance data.

Ms. Caruthers requested more information on ODW's role in water quality complaints. Mr. Roadcap said that ODW will be taking a more active role in water quality complaints and specified issues with iron/manganese odors in the Richmond area. ODW intends to respond to these complaints, and the online submission system will allow staff to track responses and maintain a database of previous complaints. Ms. Caruthers asked what type of enforcement measures ODW will take. Mr. Roadcap said that ODW would give the waterworks a chance to respond before ODW investigates the complaint.

### **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 virtually

Mr. Van Gelder adjourned the meeting at approximately 11:41.