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Drinking Water Advisory Committee
Meeting Minutes
October 17, 2018
Keizer

Members Present

Dwayne Barnes, League of Oregon Cities
Ed Butts, Oregon Association of Water Utilities
DJ Ezell, Special Districts Association of Oregon
Jenifer George, Oregon Environmental Health Association
Brian Ginter, American Council of Engineering Companies-Oregon
Bruce Hellebuyck, Privately Owned Water Systems
Ray Johnson, Plumbers/Backflow Testers
Amelia Nestler, League of Women Voters of Oregon
Annette Pampush, Conference of Local Health Officials
Brian Rigwood, Pacific NW Section, American Water Works Association
Chris Wanner, Large Water Systems

Members Absent

Beth Myers, Oregon Environmental Lab Association

Guests

Jessica Dorsey, City of Hillsboro

Staff

Joe Carlson	Tony Fields
Adam DeSemples	Kari Salis
David Emme	Diane Weis

Welcome/Agenda Check:

DJ Ezell welcomed the group and led introductions. There were no changes to the agenda.

August Meeting Minutes:

There were some edits to the minutes. Chris Wanner made motion to approve the minutes with amendments, Bruce Hellebuyck seconded. They were voted on and approved with amendments.

Member Update:

Ray Johnson reported that there were no new developments at the recent Cross Connection/Backflow Meeting.

Brian Rigwood asked how systems should deal with Tier 1 violations and health advisories and who has jurisdiction. Oregon Health Authority has authority if it is a health affect.

Program Update:

Federal –

- The Federal government has no budget but has a continuing resolution until December 7, 2018.
- EPA changed their performance goal to reduce the number of community water systems not meeting health-based standards.
- There will be new rules: Perchlorate and Lead & Copper revisions.
- Infrastructure Improvements: lead testing in schools, assistance for small and disadvantaged systems, and reducing lead in drinking water.
- America's Water Infrastructure Act – funding authorization at higher levels for grants for small systems: consolidate incentives, contractual agreement, electronic reporting of some reports, change vulnerability assessments for resiliency.

Salem Cyanotoxin After Action Work –

E-board:

- Approved new permanent NRS4 as an Emerging Contaminants Coordinator
- Approved new limited duration NRS3 as an Emergency Preparedness Coordinator
- Deferred request to pre-fund 5 FTE's

State Drinking Water Response Protocol is to work with Security, Preparedness & Response Section.

Cyanotoxin Monitoring Results: Detects were found in five systems in the N. Santiam and Siltcoos Lake area. Two other systems also found the contaminant.

Current Priorities –

Rulemaking:

- New cyanotoxin rules
- Lead in schools testing guidelines
- Operator Certification reforms

2019 Legislative Concept and Policy Option Package:

- Fee restructure
- New FTE's

Compliance and Enforcement: Working through backlog and prioritizing based on public health impacts.

Data Management:

- Eliminating backlog
- Compliance Management Data Portal (CMDP) implementation
- Preparing to transition to SDWIS Prime

Revolving Fund Update:

After meeting potential commitments, the account is left with \$11 million.

End of 1st Quarter 2019 Combined Infrastructure Project Priority List – There were two new projects added to the list totaling 34, amounting to over \$56 million.

End of 1st Quarter 2019 Sustainable Infrastructure Planning Projects (SIPP) PPL – Seven new projects were added to the list in addition to five Seismic projects.

2018 DWSRF Capitalization Grant Application Status – The award was received totaling \$14.65 million.

2018 DWSRF Annual Report – NIMS data reporting was submitted and the draft report has been prepared with a submission deadline the end of October. The EPA Annual Review is November 13-15, 2018.

Operator Certification Proposed Rules:

- Remove option to require Small Water System Training Course exam.
- Adjust experience requirements to substitute education for hands on experience for Level 1.

- Remove post high school education requirements for Level 3 and 4 treatment certifications.
- Remove requirement for original documents for affidavits.
- Add provision authorizing Operator-in-Training program.
- Add provision to prorate initial certification fee.

New rules scheduled to go into effect February 2019.

The discussion around the on-line portal was to describe the rationale behind the rule changes related to original documents, and the work is hoped to be completed within the next 18 months, but it is not part of the rule change.

Rules Updates:

Cyanotoxins –

Rules are needed because of Salem incident. Temporary rules were due and in place by end of June, permanent rules are due December 27. Most concerns with temporary rules were with lab methods. Drinking Water Services is working closely with DEQ on implementing new rules.

Key Issues:

Lab Methods – A webinar cleared up debate, so methods have been determined.

Risk Categories – Two categories of risk are established: susceptible and potentially susceptible. Two things considered when writing the rules were the trade-offs of complexity vs. one-size fits all and flexibility vs. subjective.

Genetic Screening – The scope of cyanotoxins in Oregon is largely unknown, therefore: 1) will supplement monitoring at large susceptible systems, 2) screening in Winter, 3) year-round screening for potentially susceptible sources, and 4) cheaper and quicker than cyanotoxin monitoring. There is no EPA standardized method.

Lab Capacity and Funding – DEQ plans to perform all analyzing until June 30, 2019. Four FTE has been provided by the E-board. There is a General Fund request for sustained funding. ORELAP is ready to accredit private labs.

Sample Substitution – Upstream sampling may be substituted, environmental sampling may occur, with approval of the Authority.

Reporting – Labs are accredited based on their ability to analyze results. The proposed rules require systems to make sure labs are meeting reporting

requirements. Analysis and reporting needs to be timely because the contaminants are acute.

Results so far: Seven systems had detections, none in treated water.

Timeline:

DWAC approval – 10/17/18

Proposed rules – 10/22/18

Public hearing – 11/20/18

Comment period closes – 11/30/18

Final rules – 12/14/18

Effective – 12/27/18

Sampling to begin May 2019.

Chris Wanner made motion to approve rules, Jenifer George seconded. They were voted on and approved.

Lead in Schools –

Proposed rules were submitted September 20, 2018. Drinking Water Services is working with Department of Education on finalizing the rules. Comments are due October 26 with the rules finalized November 28, 2018.

- Department of Education will implement and enforce the rules
- State will pay for testing
- Schools will be required to test every 6 years
- EPA's 3Ts guidance was revised October 2018; there is no set mitigation level.

2019 Meeting Schedule:

January 16, 2019 – Keizer

April 17, 2019 – Keizer

July 17, 2019 – Keizer

October 16, 2019 – Keizer