

Drinking Water Advisory Committee

DEQ State Office
Conference Room B
Tuesday, March 21, 2006
10:00 a.m. - 3:00 p.m.

MINUTES

In Attendance:

DWAC Members

Cyndi Grafe, EPA - Idaho
Bob Hansen, IBOL Board
Mac Pooler, City of Kellogg
Diane Sauer, IRWA

David Six, City of Lewiston
Steve Tanner, DEQ-Coeur d'Alene
John Wiskus, CH2M Hill
Gregory Wyatt, United Water

DEQ

Lance Nielsen
Dave Anderson, Twin Falls DEQ
Jerri Henry

Tom John
Don Lee
Joan Thomas

10:00 AM Introductions/Review of Agenda Items – John Wiskus

Rules Updates – Tom John/Jerri Henry

Stage 2/LT2

- Members received copies of the Stage 2/LT2 implementation schedule and milestones, and Tom explained the pros and cons of taking on primacy for this rule rather than getting a 2-year extension. Early primacy would be in 2008, or DEQ could ask for a 2-year extension until the year 2010.
- Pros and cons were discussed, and the committee was asked for their opinion on what DEQ should do about primacy.
- DEQ would like EPA to have early implementation of the rule. Rules continue to be a significant workload and DEQ will not have enough staff to handle implementation. Some other drinking water program task would have to be left undone.
- The new (SWIRL) EPA database may not be ready to handle the monitoring requirements data for this rule.
- Diane Saucer of IRWA said that IRWA can help DEQ with things such as consumer confidence reports.
- DEQ staff would still be answering questions from systems and helping them with or without early primacy.
- Small systems would rather work with DEQ.
- Systems are paying fees and expect DEQ to be a buffer between them and EPA.
- There may be a funding problem with the Legislature if partial primacy funding is going well.

MOTION/ACTION TAKEN: The DWAC recommended DEQ adopt the LT2 and Stage 2 Rule within the two years they have to apply for primacy, unless new information is learned.

MOTION MADE BY: Mac Pooler **SECOND:** David Six
VOTE: Unanimous

Phase II Facility Standards

- Consulting engineers, well drillers, INEL, United Water, IDWR, representatives from Idaho Falls, Coeur d'Alene, and Lewiston have been involved in the negotiations meeting.
- Two meetings occurred in February, and there are 3 or 4 meetings planned through April of 2006.
- If negotiations continue on track, DEQ anticipates publishing the proposed rule in early summer 2006, with a public comment period to follow, and a final in spring of 2007.
- IDWR wants to adopt the well drilling section of DEQ rules and put them into their rule. DEQ would still be involved in plan and spec reviews for well drilling.
- There were some concerns about only having a reference to the well drilling standards in DEQ rules.
- There will be more discussion before it is finalized.

Arsenic/Senate Joint Memorial No. 118, and Point-of-Use

- The full scope of systems affected by the arsenic MCL will not be realized until after the (2005-2007) monitoring period.
- To provide systems with some flexibility in complying with the arsenic MCL, DEQ has entered in to approximately 33 Compliance Agreement Schedules (CASs) with systems known to be affected.
- The Point-of-Use rule is in effect and will be going through as a pending rule for 2007 legislature.
- A copy of the rule and the POU application were given to members.
- Arizona has adopted a POU rule that is even less rigorous than Idaho's criteria; Arizona is experiencing less of their systems that want to use POU than expected.
- There is more to POU than installation and changing filters. Leaking pipes and other liabilities are involved.
- The Senate Joint Memorial 118 from Senator Gannon in Twin Falls has passed the Idaho Legislature. The memorial calls for putting a hold on the 10 ppb arsenic standard until more research can be done in the United States to determine health effects between 10-50 ppb. The Memorial is causing some confusion for systems that believe that because the Legislature adopted the memorial, they don't need to comply with the standard. The standard is in effect as of January 23, 2006. The memorial will go to Congress. Most bills that go to Congress die in committee. The memorial can be found at: <http://www3.state.id.us/oasis/SJM118.html>.

Classification of Public Water Systems & Operator Licensing – Lance Nielsen/Robert Hansen

DEQ's rules require that they are responsible for classifying PWSs. Guidelines have been developed in the format of a system classification worksheet. Lance solicited the committee's input on any clarification of the guidelines.

- Keep the guidelines simple.
- What is a treatment system states "Any place(s) where a public drinking water system or non-transient noncommunity water system alters the physical or chemical characteristics of the drinking water. Chlorination may be considered as a function of a distribution system. (IDAPA 58.01.08.003.74)"
- Chlorination – members agreed that disinfection system operators are trained to do chlorination already and a separate treatment license is not needed.
- Is a very small water system license the same as distribution license? *Yes*.
- Distribution license should be good for POU – treatment license not needed based on what is know at this point in time.
- Need more training classes for distribution and treatment operators.

Twin Falls Regional Office Overview – Dave Anderson

- Dave Anderson gave an informative talk on the large growth taking place everywhere in the Twin Falls area.
- Water supply demands and system infrastructure present major challenges.
- Twin Falls has some high Arsenic areas and have worked with systems to enter into a Compliance Agreement Schedule (CAS).
- Secured SRF funding for Castleford and Smiley Creek systems. Funding fell through because The

Department of Commerce does not consider a CAS an actual Consent Order (CO). It's not a good situation because Smiley Creek has approximately 60 homes and only 11 of those are full-time residents. So, they are now considered a Transient Noncommunity system that doesn't have to meet the Arsenic requirements, even though there are still people coming and going.

- Twin Falls office is making good progress with systems on source water protection.

Engineering Update – Lance Nielsen/Jerri Henry

Since the changes in the drinking water rules concerning plan and specification reviews, there has been some confusion for systems. DEQ drafted a letter to be sent to all water and wastewater system owners and operators explaining what system changes are required to have a licensed professional engineer review. Lance asked committee members to look over the letter and make any recommendations.

- Distribution and Collection Lines should be added to the subject.
- Describe "Like-kind" with examples.
- Dave Six raised the question of who can review plans within an engineering firm. Can a qualified employee approve his boss's work? Lance will verify.

MOTION/ACTION TAKEN: Lance asked that if members have any other comments on the draft letter that they send them to Lance by the end of March. Lance will check on the question raised by Dave Six.

Drinking Water Treatment Residuals – Lance Nielsen

- The drinking water program requires more input from other programs that are affected by treatment residuals in order to complete the guidelines.
- Barry Burnell, Water Quality Administrator, was asked to appoint someone to work with Tom John on the guidance document.
- Bob Hansen would like to get a copy of the draft document as it is now.

Budget Forecast – Lance Nielsen

- Base public water system grant has decreased by 1.5%.
- Drinking water set-aside funds are very steady.
- Drinking water fees steady.
- Drinking Water Program is deficit spending by about \$200,000, and forecasts spending all reserves within four years.
- DEQ will bring this issue back to the DWAC at some point with options for continuing a full primacy program.

Adjournment at 3:00 p.m.

Next Meeting Date: **June, 2006 – Date To be determined**