

Drinking Water Advisory Committee
Draft Meeting Minutes
January 20, 2010
Salem

Members Present

Ed Butts, Oregon Association of Water Utilities
Greg DeBlase, Oregon Environmental Health Association
Bob Fuller, American Council of Engineering Companies
Todd Heidgerken, Large Water Systems
Mike Kurtz, Special Districts Association of Oregon
Gerry Meyer, Conference of Local Health Officials
Beth Myers, Oregon Environmental Lab Association
Renee Sloan, Privately Owned Water Systems
Brian Stahl, Pacific NW Section, American Water Works Association
Steven Weaver, League of Oregon Cities
Ann Younger, League of Women Voters

Members Absent

Liz Redon, Watershed Councils
Steve West, Plumbers/Backflow Testers

Guests

Chuck Carpenter, Manufactured Housing Communities of Oregon
Del Little, Oregon Business Development Department
Chris Marko, Rural Community Assistance Corporation
Jeremy McVeety, Oregon Economic & Community Development Department
Jim Ruef, Oregon Business Development Department
Mike Sheets, City of Portland

Staff

Brad Daniels **Roberto Reyes-Colon**
Tony Fields **Diane Weis**
Dave Leland

To Do:

- Update roster and send letters to nominate new members: Diane Weis
- Operator in direct responsible charge issues: Subcommittee

Welcome/Agenda Check/Roster Check:

Brian Stahl welcomed the group and led introductions.

The roster was circulated for members to update information and check for accuracy.

October Meeting Minutes:

There were no changes to the minutes so they were approved as presented.

Member Concerns:

No one had any concerns to present.

Program Update:

Staffing Update –

- Tony Fields is in a developmental assignment as interim Protection Planning & Certification Unit Manager following Ron Hall's retirement. Developmental assignments are one way for people to prepare for future management opportunities; another way is through serving as a lead worker.
- Roberto Reyes-Colon is retiring the end of May.
- There is one vacant position but it is being held open to cover the reduction in General Fund for 09-11.
- Dave Leland is filling in for Gail Shibley for three months while she concentrates on completing her academic program.

Dave shared his program update presentation, noting that he or a designee typically presents at water schools around the state each spring:

Drinking Water Matters! –

Drinking water effects health and the economy. This is evident in the publicity water gets when boil notices are issued or other water related problems make the news. Positive issues also make the news, such as when problems are corrected or funding is received to update water systems or build new treatment plants. Water system surveys are important to prevent problems by correcting identified deficiencies.

Legislature (2010 & 2011) –

Addressing 2009 legislative issues –

- The Public Health Division will join the new Oregon Health Authority. A transformation committee is working on the transition, to be complete in June 2011.

- The program is adopting the arsenic monitoring rules for property transactions involving on-site wells and to clarify the drinking water rules relating to submetering within mobile home parks. Chuck Carpenter from Manufactured Housing Communities of Oregon appreciated the clarification that submetering does not by itself make a mobile home park a public water system under our rules. This frees large mobile home parks to proceed with the legislative requirement to install individual meters for each unit.
- The program is also engaged in the Department of Environmental Quality's gray water rules development and Water Resources Department's integrated water resource strategy development.

2010 Special Session – The Special Session in February will address budget issues and the outcome of tax measures. There are a limited number of bills being presented and there is one affecting the Drinking Water Program relating to backflow device repair.

Future Legislation – Work has already begun for the next legislative session. Legislative concepts and policy option packages may be introduced around a statewide drug take back program, toxics reduction, and environmental public health capacity.

Budget Status –

There is a \$500,000 reduction in General Fund for the drinking water program in 09-11, from \$4M to \$3.5M. To accommodate this, one vacant state position is being held open, and work on non-EPA systems will be reduced. Federal funds and fees are holding steady.

Program reviews: Primacy and SRF –

- The Primacy program was reviewed and the audit went well. The auditors had set aside five days to review files but they were done in less than 3 days. The draft report is expected in March
- The State Revolving Loan Fund Secretary of State audit is underway and DWS and our OBD partners are engaged.

Workload Forecast –

- Have the new Federal database ready for electronic data entry.
- Encourage labs to expand electronic data submission.
- Implement new EPA and rules.
- Complete water system surveys.
- Implement private well arsenic testing

H1N1 –

Many people throughout Public Health, including drinking water program staff, worked on the H1N1 response effort. The response has been stepped down but depending on the number of new flu outbreak cases, it could possibly become a focus again later on in the year.

Revolving Fund Update:

- Cannon View Estates – The water system would like to purchase land to protect their water source. Under the loan guidelines, the maximum amount that can be loaned for any one project is \$100,000; any amount over that needs to be approved by the Drinking Water Advisory Committee. Oregon Business Development Department is asking for a waiver to loan the system \$250,000. The committee asked questions on how the system intends to use the land. Beth Myers made motion to loan them the money, Ed Butts seconded, and it was voted on and approved with the requirement that the system write up a plan of what they intend to do with the property.

Base Program Status –

- Program Handbook and Permanent Rules –
The ARRA requirements and other rules have been integrated into the handbook.
- 2010 Intended Use Plan –
Special requirements for obtaining loans need to be met by water systems. The Intended Use Plan will be updated to include information on the Davis Bacon Act, which is to pay workers fairly for working on public works projects, and the Green Project Reserve which ensures that a percentage of the project be green. “Buy America” also applies to ARRA.
- February deadline –
The list of projects receiving loans needs to be to EPA by February 1, and the systems need to be under construction by June 17, 2010.
- The 2010 money will be available when the Intended Use Plan is approved.
- The status of the binding commitments, which are the funds committed but not drawn, is doing well.
- Unused set-aside money goes into the loan fund.
- If a project receives both ARRA funds and base program funds, the majority of the funding will come from the ARRA funds.

Proposed Rules and Adoption Timeline:

There are no fee increases in this set of rules although it adds population served as a new fee basis for water system survey fee determination by population served. Also a late fee can be charged for surveys if a second notice needs to be sent.

Timeline – The rules were sent to the Secretary of State on January 15 for inclusion in the February bulletin. There will be a public hearing on March 10 and the rules will be filed and effective April 15.

A complete copy of the draft rules is on-line.

Security Intrusions Guidelines Draft:

Tony Fields introduced the new Best Practices for Physical Security document that the Drinking Water Program developed jointly with the City of Gresham, the Tualatin Valley Water District, the City of Portland Water Bureau, and the Regional Water Provider's Consortium Security Committee.

The document presents varying levels of physical security for drinking water providers to consider when upgrading or reviewing their security, and can also be used as a starting point for systems without existing security equipment or procedures in place.

Additionally, a companion website is being finalized to provide a visual dictionary of security equipment. This website will be available to assist facility managers to identify and review specialized security equipment for their facilities, and to answer questions regarding security equipment available specifically for water systems.

Tony Fields asked for feedback or comments from the committee.

Committee Business:

Roster – Letters will be sent to the organizations of the members whose terms are expiring in 2010.

Rules of Procedure – Todd Heidgerken made motion to accept the draft procedures, it was seconded, voted on and approved.

Operator in Direct Responsible Charge Project – There are two issues that need to be addressed with the Drinking Water Advisory Committee subcommittee: 1) The pool of people to take over for retirees is dwindling, and 2) Hands on training that

operators are required to take to be in Direct Responsible Charge is not easy to obtain.

Best Management Practices Documents – Two are done and have been published in the Pipeline newsletter and have been presented at training courses. The one on Treatment Interruption has a few changes yet to be made. The next rule revision will incorporate the guidelines in the Water Main Repairs Best Management Practice.

Next Meetings:

April 21, 2010 - Public Utility Commission (Program Update, Legislative Update, Budget Status, SRF Update, Operator Certification Direct Responsible Charge)

July 21, 2010 - Public Utility Commission

October 20, 2010 - Public Utility Commission