

GROUNDWATER ISSUES SUBCOMMITTEE  
OF THE  
TEXAS GROUNDWATER PROTECTION COMMITTEE  
RECORD OF MEETING  
Second Quarter Meeting, Fiscal Year 2020

Meeting Date: December 4, 2019  
Meeting No.: 20

Place: TCEQ Campus, Bldg F  
Room: 2210

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**MEETING ATTENDANCE**

Subcommittee Members

Kathy McCormack (Co-Chair)  
Alan Cherepon  
Leslie Bruce (Co-Chair)  
Evelyn Reátegui-Zirena  
Natalie Ballew  
David Villarreal  
T.J. Helton

Leah Martinsson  
Claire Satterwhite  
Kimberly Horndeski  
Ken Rainwater

Agency Staff

Sean Ables  
Abiy Berehe  
Grant J. Gibson  
Cindy Hooper  
Jessica Johnstone  
Julia Stanford  
L. Scott Underwood

Interested Parties

N/A

Affiliation

Texas Commission on Environmental Quality (TCEQ)  
TCEQ  
Railroad Commission of Texas (RRC)  
Texas Department of State Health Services (DSHS)  
Texas Water Development Board (TWDB)  
Texas Department of Agriculture (TDA)  
Texas State Soil and Water Conservation Board (TSSWCB)  
Texas Alliance of Groundwater Districts (TAGD)  
Texas Department of Licensing and Regulation (TDLR)  
Texas Parks and Wildlife Department (TPWD)  
Texas Tech University (TTU)

Affiliation

Program

TCEQ	Water Supply Division
TCEQ	Water Availability Division
TCEQ	Water Availability Division
TCEQ	Water Availability Division
TCEQ	Water Quality Planning Division
TAGD	
TCEQ	Water Availability Division

Affiliation

## MEETING HANDOUTS

1. Texas Groundwater Protection Committee (TGPC) Groundwater Issues (GWI) Subcommittee Meeting Agenda, December 4, 2019
2. TGPC GWI Subcommittee Meeting Record, September 4, 2019
3. TGPC Agricultural Chemicals (AgChem) Task Force (TF) Status Report, December 4, 2019
4. TGPC Publications Status Report, December 4, 2019
5. *Texas spent millions closing abandoned wells during recent fiscal year*, San Antonio Business Journal, <https://www.bizjournals.com/sanantonio/news/2019/09/23/texas-spent-millions-closing-abandoned-wells.html>, September 23, 2019
6. Excerpt from *Sustainable Produced Water Policy, Regulatory Framework, and Management in the Texas Oil and Gas Industry: 2019 and Beyond*, <https://texasalliance.org/executive-summary-sustainable-produced-water-policy-regulatory-framework-and-management-in-the-texas-oil-and-gas-industry-2019-and-beyond/>, September 16, 2019
7. TCEQ e-clip, *Groundwater contamination found at local Air Force bases*, story link <https://news4sanantonio.com/news/trouble-shooters/groundwater-contaminationfound-at-local-air-force-bases>, September 5, 2019
8. *Officials warn landowners of danger posed by abandoned wells in Nacogdoches County*, KTRE, <https://www.ktre.com/2019/09/09/officials-warn-landowners-danger-posed-by-abandoned-wells-nacogdoches-county/>, September 10, 2019
9. *Newly discovered mussels help refocus conservation*, Morning Ag Clips, [https://www.morningagclips.com/newly-discovered-mussels-help-refocus-conservation/?utm\\_source=Conservation+Matters&utm\\_campaign=354a233%E2%80%A6](https://www.morningagclips.com/newly-discovered-mussels-help-refocus-conservation/?utm_source=Conservation+Matters&utm_campaign=354a233%E2%80%A6), August 19, 2019
10. *State-Funded Studies Help Federal Agency Remove Two Mussels from Endangered Species Candidate List*, Texas Comptroller of Public Accounts, <https://comptroller.texas.gov/about/media-center/news/2019/190830-esa.php>, August 30, 2019
11. Aquifer Storage and Recovery Issues, Preliminary Outline (GWI Subcommittee section format)

The following item was also on display on the handout table:

1. TGPC Public Information Act Policy

## MEETING RECORD OF DECEMBER 4, 2019

### 1. CALL TO ORDER AND INTRODUCTIONS

Leslie Bruce (RRC), Co-Chair of the TGPC GWI Subcommittee, called the meeting to order at approximately 9:36 AM CST. GWI Subcommittee members were introduced. The representatives from Texas A&M AgriLife Research (AgriLife Research), Bureau of Economic Geology of The University of Texas at Austin (UTBEG), United States Geological Survey (USGS), and Texas A&M AgriLife Extension Service (AgriLife Extension) were not present at the meeting.

### 2. STATUS REPORTS

#### Agricultural Chemicals Task Force

Alan Cherepon (TCEQ) reported on the Agricultural Chemicals Task Force:

- The proposed Fiscal Year (FY) 2020 Pesticide Monitoring Plan would be limited to the Cooperative Pesticide Monitoring Program due to ongoing grant budget reductions by the U.S. Environmental Protection Agency (EPA);
- The update and quality assurance and control activities on the TCEQ Interagency Pesticide Database (IPD) had been completed for all 2019 groundwater monitoring samples from TCEQ, the Cooperative Pesticide Monitoring Program, and the USGS, and it was sent to the U.S. EPA in October 2019;
- TCEQ staff would be providing a table-top exhibit at the 31st Annual Texas Plant Protection Association (TPPA) Conference in Bryan/College Station on December 10-11, 2019;
- The Pesticides of Interest Tracking System (POINTS) Pesticide Assessment Database was updated in November 2019 for FY 2019; and,
- Because it would not be covering water quality items, Alan Cherepon (TCEQ) did not attend the biannual U.S. EPA/States/Tribes pesticide meeting in Dallas on October 16-17, 2019, but he planned to attend the next meeting in the spring of 2020, and this meeting should be held in Texas.

David Villarreal (TDA) reported that the U.S. EPA was not funding water projects at their agency, and while pesticides were not the current focus, other water contaminants (e.g., per- and polyfluoroalkyl substances (PFAS), microbes, and lead) were being addressed.

#### TGPC Publications

Abiy Berehe (TCEQ) reported on the following TGPC publications:

- Groundwater Assessment for the *2020 Texas Integrated Report for Clean Water Act Sections 305(b) and 303(d)* (“*Texas Integrated Report*”, N/A):
  - Preparation of the groundwater assessment portion of the *2020 Texas Integrated Report* had begun and staff planned to complete the report by April 1, 2020.
- *Joint Groundwater Monitoring and Contamination Report – 2019* (“*Joint Report*”, SFR-056):
  - Staff would start the preparation of the 2019 *Joint Report* in early January 2020.

- *Activities and Recommendations of the Texas Groundwater Protection Committee: Report to the 87th Legislature (“Legislative Report”, SFR-047)*
  - The TGPC Legislative Report Subcommittee, which is in charge of preparing the *Legislative Report*, would be reactivated at TGPC meeting on January 15, 2020, and preparation of the report would commence thereafter.

### 3. SET FUTURE MEETING DATE

The next TGPC GWI Subcommittee meeting was scheduled for Wednesday, March 4, 2020, at 1:00 PM CST, in TCEQ’s Building F, Conference Room 2210.

### 4. DISCUSS CURRENT GROUNDWATER ISSUES

#### Hydraulic Fracturing

Leslie Bruce (RRC) reviewed the San Antonio Business Journal handout regarding the plugging of 1,700 abandoned oil and gas wells in FY 2019. The \$34.9 million spent on plugging these wells came from industry permitting and regulatory fees.

Evelyn Reátegui-Zirena (DSHS) left at approximately 9:59 AM CST and returned at approximately 10:01 AM CST.

#### Oil and Gas Produced Water

Leslie Bruce (RRC) presented the Texas Alliance of Energy Producers report titled, *Sustainable Produced Water Policy, Regulatory Framework, and Management in the Texas Oil and Gas Industry: 2019 and Beyond*. The paper “highlights produced water management trends, provides examples of recycle and reuse, explores the evolving regulatory and policy framework in Texas, and provides a fact-based analysis of the impediments to improving produced water management.” Ten recommendations for the sustainable use of produced water, including its use outside of the oil and gas industry, were provided.

#### Emerging Contaminants

Kathy McCormack (TCEQ) presented a TCEQ e-clip titled, *Groundwater contamination found at local Air Force bases*. This article listed the highest level of perfluorooctanoic sulfonate (PFOS) found at three Texas locations: Lackland Air Force Base (250,000 parts per trillion), Kelly AFB (142,000 ppt), and Randolph AFB (120,000 ppt). The U.S. EPA drinking water health advisory is 70 ppt for PFOS/PFOA (perfluorooctanoic acid).

Evelyn Reátegui-Zirena (DSHS) added that they were working with the U.S. Navy on two sites in Texas (one in Fort Worth, and one in Corpus Christi).

#### Aquifer Storage and Recovery (ASR)

Discussion of this topic occurred during the Business portion of the meeting.

## Abandoned Water Wells

Kathy McCormack (TCEQ) presented a recent online article regarding abandoned water wells in Nacogdoches County. The article encouraged landowners to address this threat to public health by returning the well to an operable state, capping it for future use, or plugging it.

Leah Martinsson (TAGD) reported that they were collecting data on the various cost share plugging programs provided by their members.

Abiy Berehe (TCEQ) added that the Legislature had been interested in funding a statewide abandoned water well plugging program during the last session.

T.J. Helton (TSSWCB) left at approximately 10:10 AM CST, returned at approximately 10:14 AM CST, and was present for the remainder of the meeting.

## Wellhead Impacts After Natural Disasters

Kathy McCormack (TCEQ) shared information about the proposed white paper regarding Wellhead Impacts After Natural Disasters. In an email before the meeting, Diane Boellstorff (AgriLife Extension) indicated that they would have talking points available for the next meeting, and that the white paper would focus on the steps that Texas state agencies could take to facilitate data availability and transfer during the next hurricane event.

## Brackish Groundwater

Leah Martinsson (TAGD) reported that the interim charges for the Texas House Committee on Natural Resources included monitoring the progress of House Bill 722 (passed by the 86th Legislature) which was related to the development of brackish groundwater.

Natalie Ballew (TWDB) added that they would be giving a presentation on brackish groundwater at the next TGPC meeting on January 15, 2020.

## Desalination

There was no discussion of this topic at the meeting.

## Endangered Species

Kimberly Horndeski (TPWD) reported on the status of several Texas freshwater mussels:

- Smooth Pimpleback, Golden Orb (Johnson et al. 2018), and Triangle Pigtoe (Pieri et al. 2018) were proposed to be removed from the candidate lists (state and federal) as they were no longer valid species (due to “lumping”);
- Guadalupe Orb was recently split from Texas Pimpleback and was proposed to be added to the state-threatened list (Burlakova et al. 2018);
- Guadalupe Fatmucket was recently split from Texas Fatmucket and was proposed to be added to the state-threatened list (Inoue et al. 2019);

- Trinity Pigtoe was recently split from Texas Pigtoe and was proposed to be added to the state-threatened list (Pieri et al. 2018); and,
- Brazos Heelsplitter was recently split from Pink Papershell and was proposed to be added to the state-threatened list (Smith et al. 2019).

#### Coal Ash from Power Plants

There was no discussion of this topic at the meeting.

#### Anthropogenic Mixing of Groundwater

There was no discussion of this topic at the meeting.

#### Others

There were no other topics discussed at the meeting.

### 5. BUSINESS DISCUSSION AND POSSIBLE ACTION

#### Discussion of White Papers Under Development

Ken Rainwater (TTU) reviewed the outline of the Aquifer Storage and Recovery (ASR) white paper. Member feedback was provided during the meeting, and an update would be presented at the next meeting.

Evelyn Reátegui-Zirena (DSHS) left at approximately 11:03 AM CST, returned at approximately 11:05 AM CST, and was present for the remainder of the meeting.

### 6. ANNOUNCEMENTS

There were no announcements at the meeting.

### 7. PUBLIC COMMENT

There was no public comment at the meeting.

### 8. ADJOURN

Leslie Bruce (RRC) adjourned the meeting at approximately 11:08 AM CST.