

GROUNDWATER ISSUES SUBCOMMITTEE
OF THE
TEXAS GROUNDWATER PROTECTION COMMITTEE
RECORD OF MEETING
First Quarter Meeting, Fiscal Year 2019

Meeting Date: September 5, 2018
Meeting No.: 15

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)
Janie Hopkins
David T. Villarreal
T.J. Helton

John Tracy
David Gunn
Anish Jantrania

Affiliation

Texas Commission on Environmental Quality (TCEQ)
TCEQ
Railroad Commission of Texas (RRC)
Texas Water Development Board (TWDB)
Texas Department of Agriculture (TDA)
Texas State Soil and Water Conservation Board (TSSWCB)
Texas A&M AgriLife Research (AgriLife Research)
Texas Department of Licensing and Regulation (TDLR)
Texas A&M AgriLife Extension Service (AgriLife Extension)

Agency Staff

Abiy Berehe
Leon Byrd
Bill Carter
Tim Cawthon
Ashley Correll
Cindy Hooper
Peggy Hunka
Peter Pope
Gary Regner
Damian Simonini
L. Scott Underwood
Sarah Welborn

Affiliation

Program

TCEQ Water Availability Division
TCEQ Water Availability Division
TCEQ Water Quality Planning Division
TCEQ Water Quality Planning Division
RRC Oil & Gas Division
TCEQ Water Availability Division
TCEQ Water Availability Division
RRC Oil & Gas Division
TCEQ Water Supply Division
TCEQ Remediation Division
TCEQ Water Availability Division
TCEQ Waste Permits Division

Interested Parties

Randy Chelette
Wiley Cloud
Ron Suchecki
Randolph (Randi) P. Weber, P.E.

Affiliation

Texas On-site Wastewater Association (TOWA)
TOWA
TOWA
TOWA

MEETING HANDOUTS

1. Texas Groundwater Protection Committee (TGPC) Groundwater Issues (GWI) Subcommittee Meeting Agenda, September 5, 2018
2. TGPC GWI Subcommittee Meeting Record, June 13, 2018
3. TGPC Agricultural Chemicals (AgChem) Task Force (TF) Status Report, September 5, 2018
4. TGPC Publications Status Report, September 5, 2018
5. Draft *Texas Groundwater Protection Committee (TGPC) Groundwater Issues (GWI) Subcommittee Fiscal Year 2018 Annual Report*
6. TGPC Groundwater Issues Subcommittee White Paper Outline Update
7. Draft *How is Groundwater Quality Affected by Failing On-site Sewage Facilities (OSSFs) ?* white paper
8. Kathy McCormack (TCEQ) feedback on draft *How is Groundwater Quality Affected by Failing On-site Sewage Facilities (OSSFs) ?* white paper
9. Draft *How is Groundwater Quality Affected by Per- and Polyfluoroalkyl Substances (PFAS) ?* white paper
10. David Gunn (TDLR) feedback on draft *How is Groundwater Quality Affected by Per- and Polyfluoroalkyl Substances (PFAS) ?* white paper
11. Kathy McCormack (TCEQ) feedback on draft *How is Groundwater Quality Affected by Per- and Polyfluoroalkyl Substances (PFAS) ?* white paper

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

1. TGPC Public Information Act Policy

MEETING RECORD OF SEPTEMBER 5, 2018

1. CALL TO ORDER AND INTRODUCTIONS

Kathy McCormack (TCEQ), Co-Chair of the TGPC GWI Subcommittee, called the meeting to order at approximately 9:35 AM CDT. GWI Subcommittee members were introduced. The representatives from the Texas Department of State Health Service (DSHS), Texas Alliance of Groundwater Districts (TAGD), Bureau of Economic Geology of The University of Texas at Austin (UTBEG), Texas Parks and Wildlife Department (TPWD), Texas Tech University (TTU), and United States Geological Survey (USGS) were not present at the meeting.

2. STATUS REPORTS

Agricultural Chemicals Task Force

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

- Fiscal Year (FY) 2018 monitoring results include the following:
 - Fifteen spring and water well samples were collected and analyzed by TCEQ, including one duplicate and one blank; all 15 were analyzed by immunoassays for Atrazine, 2,4-D, and Glyphosate; one Atrazine detect at 0.18 ppb, one qualified 2,4-D detection of 1.49 ppb, and one Glyphosate detect at 2.1 ppb;
 - Five of the samples were analyzed by Method 525.2 by the DSHS Lab with one Atrazine detect at 0.12 ppb; and,
 - Cooperative monitoring in FY 2018 began in April, concluded in August, and included primarily samples from the Carrizo-Wilcox Aquifer, Gulf Coast Aquifer, and several minor aquifers; 52 well samples included duplicate and blank samples for immunoassay analyses for Atrazine, 2,4-D, and Glyphosate; no Atrazine detects for the 52 samples analyzed, nine low Glyphosate (< 0.5 ppb) detects out of 28 samples, and no quantifiable detects of 2,4-D out of 19 samples.
- End-Of-Year report will be sent to the U.S. Environmental Protection Agency (EPA) Region 6 in Dallas in September or October 2018.
- The TCEQ and Cooperative monitoring results from FY 2018 were entered into the Interagency Pesticide Database (IPD) in August 2018.
- TCEQ staff provided display material and personnel for the TGPC exhibit booth at the annual TCEQ Public Drinking Water Conference on August 7 – 8, 2018, and they are scheduled to provide a pesticide-focused display for the annual Texas Plant Protection Conference in Bryan/College Station on December 4 – 5, 2018.

TGPC Publications

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

- Groundwater Assessment for the *2018 Texas Integrated Report for Clean Water Act Sections 305(b) and 303(d)* (“*Texas Integrated Report*”):
 - The groundwater assessment portion of the *2018 Texas Integrated Report* had been prepared and it would be posted together with the other assessment reports on the TCEQ website upon USEPA approval (this is a biannual report).

- *Joint Groundwater Monitoring and Contamination Report – 2017 (“Joint Report”, TCEQ publication SFR-056):*
 - TCEQ staff had completed the *2017 Joint Report* and publication notices were sent to County Judges, County Health Officials, and to the individual Groundwater Conservation Districts (GCDs); and,
 - A link to the publication was also posted on the TGPC website.
- *Activities and Recommendations of the Texas Groundwater Protection Committee: Report to the 86th Legislature (“Legislative Report”, TCEQ publication SFR-047)*
 - The Legislative Report Subcommittee was activated to work on the referenced report on January 10, 2018, and there had been two Legislative Report Subcommittee meetings in 2018;
 - The Legislative Report Subcommittee had started working on the draft report and its recommendations to the 86th Legislature, and the draft report would be sent out to TGPC members for their review and concurrence in the first week of September 2018; and,
 - It was planned that the final report would be distributed to the Legislature in December 2018 before the session began in January 2019.
- *Texas Groundwater Protection Strategy (“Strategy”, TCEQ publication AS-188):*
 - After all member agency management concurrence letters had been received, an announcement about the proposed *Strategy* update was posted in the *Texas Register* on July 13, 2018 with public comment due by August 13, 2018;
 - On July 13, 2018, the TGPC home page was updated with links to the *Texas Register* announcement, the current *Strategy*, and the proposed *Strategy* update, and a GovDelivery email was sent to the TGPC’s subscribers;
 - Public comments were received from 1) a person who attended the TGPC meeting on July 18, 2018, 2) the TCEQ Water Quality Division, and 3) the Lone Star Chapter of the Sierra Club; and,
 - The TGPC was preparing its responses to the public comment for review at their meeting on October 17, 2018.

3. SET FUTURE MEETING DATE

The next TGPC GWI Subcommittee meeting was scheduled for Wednesday, December 5, 2018, at 9:30 AM CST, in TCEQ’s Building F, Conference Room 2210.

4. DISCUSS CURRENT GROUNDWATER ISSUES

Water Supply Enhancement Program

There was no discussion of this topic at the meeting.

Hydraulic Fracturing

There was no discussion of this topic at the meeting.

Emerging Contaminants

David Villarreal (TDA) noted that source tracking for microbial contamination related to food-borne outbreaks was going to be the focus of more attention in the future.

Saline Groundwater Trends and Impacts in Texas

There was no discussion of this topic at the meeting.

Agricultural Chemicals

There was no additional discussion of this topic at the meeting.

Border Groundwater

John Tracy (AgriLife Research) reported that they may have an initial draft Border Groundwater white paper at the next meeting.

Aquifer Storage and Recovery

There was no discussion of this topic at the meeting.

Abandoned Water Wells

David Gunn (TDLR) reported that abandoned water wells would be discussed at a Texas House Natural Resources Committee hearing on September 13, 2018 in Del Rio.

Failing Septic Systems

There was no discussion of this topic at this point in the meeting.

Others

Janie Hopkins (TWDB) reported that the Texas Legislative Budget Board (LBB) had contacted them asking whether their groundwater database could be used for storing bacterial contamination information (based on last year's Hurricane Harvey experience). They had responded that good metadata would be required, and that they could work with the Texas Well Owner Network (TWON, <http://twon.tamu.edu/>). John Tracy (AgriLife Research) noted that flooding (not just from hurricanes) would be a big issue for the next Texas Legislative session. Peggy Hunka (TCEQ) added that the TGPC Public Outreach and Education (POE) Subcommittee was preparing a Frequently Asked Question (FAQ) on protecting water wells from flooding.

David Villarreal (TDA) reported that USGS was holding a uranium mining meeting in Austin that day (September 5, 2018) and suggested that they brief the GWI Subcommittee on this topic at the next meeting.

5. BUSINESS DISCUSSION AND POSSIBLE ACTION

Draft *Texas Groundwater Protection Committee (TGPC) Groundwater Issues (GWI) Subcommittee Fiscal Year 2018 Annual Report*

Kathy McCormack (TCEQ) presented the draft *Texas Groundwater Protection Committee (TGPC) Groundwater Issues (GWI) Subcommittee Fiscal Year 2018 Annual Report* (“*Annual Report*”). David Villarreal (TDA) proposed, Anish Jantrania (AgriLife Extension) seconded, and all remaining GWI Subcommittee members approved the draft *Annual Report* with the change discussed at the meeting (i.e., updating the title of the white paper related to Per- and Polyfluoroalkyl Substances (PFAS)). The final draft *Annual Report* would be presented to the TGPC for approval at their October 17, 2018 meeting.

TGPC Groundwater Issues Subcommittee White Paper Outline Update

Kathy McCormack (TCEQ) presented the proposed update to the GWI Subcommittee white paper outline (i.e., adding TTU and AgriLife Extension to the list of members). David Gunn (TDLR) proposed, John Tracy (AgriLife Research) seconded, and all remaining GWI Subcommittee members approved the update of the white paper outline. The updated white paper outline would be posted on the GWI Subcommittee webpage (<https://tgpc.state.tx.us/tgpc-subcommittees/tgpc-groundwater-issues-subcommittee/#Resources>) under the Additional Resources – White Papers heading.

Draft *How is Groundwater Quality Affected by Failing On-site Sewage Facilities (OSSFs) ?* White Paper

Anish Jantrania (AgriLife Extension) presented an updated draft of the *How is Groundwater Quality Affected by Failing On-site Sewage Facilities (OSSFs) ?* white paper and he noted that he was looking for data from Texas. Peter Pope (RRC) indicated that their inspectors collect information on OSSFs and water wells (e.g., fecal coliform) when responding to water well complaints; they do not maintain a database with this information, but if one were developed in the future, they would be happy to share this information. Anish Jantrania reported that TWON could not share their water well testing information, and he had four additional points:

- The Texas On-site Wastewater Association (TOWA, <https://txowa.org/>) had a dataset (e.g., nitrate, nitrite, lead, and fecal coliform) generated from point-of-sale inspections by licensed professionals of OSSFs and water wells based in northwest Houston that could be added to a database, and that AgriLife Extension may have students that could create a database as a pilot study;
- The draft TGPC *Legislative Report* now included an OSSF recommendation, that is, “Provide funding for the development of a state-wide system to collect and record the location and detailed permit and design information for all On-site Sewage Facilities (OSSFs) at the time of installation or servicing because of the potential of failing systems to negatively affect groundwater quality”;
- There was a wording change in the white paper’s first recommendation, that is, “Legislation requiring **TCEQ, authorized agents and/or their designated representatives** to

electronically report the location of all new OSSFs at the time of installation, **and OSSF licensed professionals** at the time of servicing”; and,

- Most new OSSFs in Texas were aerobic spray systems, but this white paper should be technology neutral (i.e., the designer and the site conditions should determine the appropriate OSSF system).

Randy Chelette (TOWA) stated that the sole purpose of OSSFs was to protect the environment and public health and that they appreciated the opportunity to participate in the development of this white paper. John Tracy (AgriLife Research) suggested that a recommendation be added regarding the need for research to understand the causal factors (i.e., not just the correlated factors) of groundwater contamination related to OSSFs. Tim Cawthon (TCEQ) suggested that the white paper should mention the possible impacts of a high density of OSSFs in an area. David Villarreal (TDA) suggested that their planned Food Safety Modernization Act (FSMA) reporting system might be a good source of information on *E. coli* in surface water and groundwater. Peter Pope (RRC) suggested that the potential impact of fecal coliform false positives and false negatives be considered. Anish Jantrania (AgriLife Extension) indicated that he would work with Diane Boellstorff (AgriLife Extension) to clarify the wording of the fifth recommendation that mentioned TWON (particularly their process of collecting private data vs. sharing anonymized public data), and that he would provide an updated draft white paper at the next meeting.

T.J. Helton (TSSWCB) left at approximately 10:40 AM CDT, returned at approximately 10:46 AM CDT, and was present for the remainder of the meeting.

David Gunn (TDLR) left at approximately 11:05 AM CDT, returned at approximately 11:08 AM CDT, and was present for the remainder of the meeting.

Draft *How is Groundwater Quality Affected by Per- and Polyfluoroalkyl Substances (PFAS) ?* White Paper

Kathy McCormack (TCEQ) presented the *How is Groundwater Quality Affected by Per- and Polyfluoroalkyl Substances (PFAS) ?* draft white paper. There was no additional discussion at the meeting, but the feedback that had been provided before the meeting would be forwarded to the author and an updated draft white paper would be provided at the next meeting.

Discussion of White Papers Under Development

There was no additional discussion of the white papers that were under development.

6. ANNOUNCEMENTS

There were no announcements at the meeting.

7. PUBLIC COMMENT

There was no public comment at the meeting.

8. ADJOURN

Kathy McCormack (TCEQ) adjourned the meeting at approximately 11:17 AM CDT.