

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

Meeting Date: June 12, 2019
 Meeting No.: 18

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
Bryan Anderson
David T. Villarreal
Thomas Helton

Rosario Sanchez
Ken Rainwater

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 Water Resources Institute (TWRI)
Texas Tech University (TTU)

Agency Staff

Abiy Berehe
Bill Carter
Heather Dodson
Grant J. Gibson
James Harcourt
Isaac Jackson
Colt Kernan
Jessica Kessinger
Matthew Ooi
Celine Rendon
L. Scott Underwood

Affiliation

Program

TCEQ
TCEQ
TWDB
TCEQ
RRC
TCEQ
TCEQ
DSHS
TCEQ
TCEQ
TCEQ
Water Availability Division
Water Quality Planning Division
Water Availability Division
Water Availability Division
Intergovernmental Relations
Water Availability Division
Water Quality Planning Division
Water Quality Planning Division
Water Availability Division

Interested Parties

N/A

Affiliation

MEETING HANDOUTS

1. Texas Groundwater Protection Committee (TGPC) Groundwater Issues (GWI) Subcommittee Meeting Agenda, June 12, 2019
2. TGPC GWI Subcommittee Meeting Record, March 6, 2019
3. TGPC Agricultural Chemicals (AgChem) Task Force (TF) Status Report, June 12, 2019
4. TGPC Publications Status Report, June 12, 2019
5. *Mapping the PFAS Contamination Crisis: New Data Show 610 Sites in 43 States* (<https://www.ewg.org/release/mapping-pfas-contamination-crisis-new-data-show-610-sites-43-states>) and screenshots from *PFAS Contamination In the U.S.* interactive map (https://www.ewg.org/interactive-maps/2019_pfas_contamination/map/)
6. *Study finds coal ash tainting groundwater near most U.S. coal plants* (<https://www.ngwa.org/detail/news/2019/03/06/study-finds-coal-ash-tainting-groundwater-near-most-u.s.-coal-plants>) and excerpts from *Coal's Poisonous Legacy – Groundwater Contaminated by Coal Ash Across the U.S.* (<http://www.environmentalintegrity.org/wp-content/uploads/2019/03/National-Coal-Ash-Report-3.4.19-1.pdf>)
7. Draft *Texas Groundwater Protection Committee Groundwater Issues Subcommittee Charge*, June 12, 2019
8. Final Draft *How is Groundwater Quality Affected by Per- and Polyfluoroalkyl Substances (PFAS) ?* white paper
9. Final Draft *Transboundary Groundwater Resources along the Texas-Mexico Border* white paper
10. Final Draft *Texas Groundwater Protection Committee Groundwater Issues Subcommittee Fiscal Year 2020 – 2021 Activity Plan*

The following items were also on display on the handout table:

1. TGPC Public Information Act Policy
2. TGPC refrigerator magnets

MEETING RECORD OF JUNE 12, 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 CDT. GWI Subcommittee members were introduced. The representatives from the Texas Alliance of Groundwater Districts (TAGD), Bureau of Economic Geology of The University of Texas at Austin (UTBEG), Texas Department of Licensing and Regulation (TDLR), Texas Parks and Wildlife Department (TPWD), Texas A&M AgriLife Extension Service (AgriLife Extension), 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:

- Cooperative groundwater monitoring began in April 2019;
- TCEQ groundwater sampling in the Texas northern Panhandle occurred during the week of June 4, 2019; all samples were screened by immunoassay analysis for atrazine and a smaller number were screened for 2,4-D; a few TCEQ samples were also delivered to the Texas Department of State Health Services (DSHS) lab for analysis by U.S. Environmental Protection Agency (EPA) Method 525.2 pesticides; although laboratory results were not yet available, the preliminary data showed no to very little pesticide detections;
- The update and quality assurance and control activities on the Interagency Pesticide Database (IPD), including Fiscal Year 2019 pesticide water monitoring data from other TCEQ programs and the USGS, was still planned for August and September 2019.
- TCEQ staff provided:
 - A table display and personnel at the Capitol for the annual National Groundwater Awareness Week on March 13, 2019; and,
 - A desk display and personnel for the TCEQ annual Environmental Trade Fair on May 14 – 15, 2019.
- Alan Cherepon (TCEQ) attended the biannual U.S. EPA/States/Tribes pesticide meeting in Little Rock, Arkansas on May 14 – 16, 2019, sharing Texas groundwater protection activities with other Region 6 states and the U.S. EPA; important issues discussed included:
 - Grant budget reductions and unfunded mandates for fiscal years 2020 – 2021;
 - The U.S. EPA Region 6 Dallas office was moving to a new physical location in June 2019, and it had undergone a reorganization which included adding new divisions and staff and moving the pesticides program within one of the new divisions;
 - Dicamba volatilization and drift in other states;
 - Zebra Mussels and pesticides were two on-going issues, and the U.S. EPA would be releasing a letter about Zebra Mussels in June 2019; and,
 - Ryan Williams (Oklahoma Department of Agriculture, Food, and Forestry) had taken over the duties of the Region 6 State Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) Issues Research Evaluation Group (SFIREG) representative at national meetings.

TGPC Publications

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

- *Joint Groundwater Monitoring and Contamination Report – 2018* (“*Joint Report*”, SFR-056):
 - Staff were finalizing the 2018 *Joint Report* and it would be completed in June 2019; and,
 - The 2018 *Joint Report* would be posted on the TCEQ’s and TGPC’s websites and a notice of its publication would be sent to County judges, County health officials, and Groundwater Conservation Districts (GCDs).

3. SET FUTURE MEETING DATE

The next TGPC GWI Subcommittee meeting was scheduled for Wednesday, September 4, 2019, at 9:30 AM CDT, in TCEQ’s Building F, Conference Room 2210.

4. DISCUSS CURRENT GROUNDWATER ISSUES

Water Supply Enhancement Program

Thomas Helton (TSSWCB) reported that, although the Water Supply Enhancement Program had been in their Exceptional Items list, it had not been funded by the 86th Legislature.

Hydraulic Fracturing

There was no discussion of this topic at the meeting.

Emerging Contaminants

Kathy McCormack (TCEQ) presented a news release (<https://www.ewg.org/release/mapping-pfas-contamination-crisis-new-data-show-610-sites-43-states>) from the Environmental Working Group (EWG) regarding Per- and Polyfluoroalkyl Substances (PFAS) that referenced an interactive map of PFAS contamination cases in the nation.

Evelyn Reátegui-Zirena (DSHS) reported that she had attended a PFAS meeting in Lubbock on June 4, 2019 with over 100 people in attendance. Approximately 500 nearby water wells had been sampled; if PFAS had been found, bottled water and either whole-house filtration or a public water supply connection was being provided to residents. Ken Rainwater (TTU) noted that Mark Weegar, formerly with TCEQ, was assisting with the PFAS cleanup efforts in the area.

Leslie Bruce (RRC) reported that Regenesys was offering a technology to remediate PFAS in groundwater and soil.

Thomas Helton (TSSWCB) left at approximately 9:50 AM CDT, returned at approximately 9:51 AM CDT, and was present for the remainder of the meeting.

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

Kathy McCormack (TCEQ) reported that state environmental officials from TCEQ, TPWD, and the Chihuahua Secretariat of the Environment had signed an agreement on May 23, 2019 to work together for a healthier environment along the Texas-Mexico Border (<https://www.tceq.texas.gov/assets/public/border/Texas-Chihuahua-MOC-05.23.2019.pdf>).

Aquifer Storage and Recovery

Ken Rainwater (TTU) reported that House Bill 2545 had tried to incentivize the use of treated oil and gas produced water for desalination, but the bill had not been approved.

Kathy McCormack (TCEQ) reported that at least two bills related to Aquifer Storage and Recovery (ASR) had been signed by the Governor.

Abandoned Water Wells

There was no discussion of this topic at the meeting.

Failing Septic Systems

There was no discussion of this topic at the meeting.

Others

Kathy McCormack (TCEQ) presented a news release (<https://www.ngwa.org/detail/news/2019/03/06/study-finds-coal-ash-tainting-groundwater-near-most-u.s.-coal-plants>) from the National Ground Water Association (NGWA) regarding coal ash from power plants that referenced a study by the Environmental Integrity Project (EIP).

Kathy McCormack (TCEQ) also noted two USGS fact sheets that may be of interest to GWI Subcommittee members:

- *Compounds of Emerging Concern in the San Antonio River Basin, Texas, 2011–12*, <https://pubs.usgs.gov/fs/2016/3071/fs20163071.pdf>; and,
- *Effects of projected climate (2011–50) on karst hydrology and species vulnerability – Edwards aquifer, south-central Texas, and Madison aquifer, western South Dakota*, <https://pubs.usgs.gov/fs/2014/3046/fs20143046.pdf>.

5. BUSINESS DISCUSSION AND POSSIBLE ACTION

TGPC GWI Subcommittee Charge

Kathy McCormack (TCEQ) presented the draft *Texas Groundwater Protection Committee Groundwater Issues Subcommittee Charge* (“Charge”). The Charge had not been updated since the GWI Subcommittee was created in 2015, and it was being updated in order to better reflect the intent of the current *Texas Groundwater Protection Strategy* (https://www.tceq.texas.gov/assets/public/comm_exec/pubs/as/188.pdf). Bryan Anderson (TWDB) proposed, Thomas Helton (TSSWCB) seconded, and all remaining members approved the Charge. The Charge would be presented to the TGPC for approval at their next meeting.

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

Evelyn Reategui-Zirena (DSHS) presented the final draft of the *How is Groundwater Quality Affected by Per- and Polyfluoroalkyl Substances (PFAS) ?* white paper. David Villarreal (TDA) proposed, Bryan Anderson (TWDB) seconded, and all remaining members approved the white paper. The white paper would be presented to the TGPC for approval at their next meeting.

Final Draft *Transboundary Groundwater Resources along the Texas-Mexico Border* White Paper

Rosario Sanchez (TWRI) presented the final draft of the *Transboundary Groundwater Resources along the Texas-Mexico Border* white paper. David Villarreal (TDA) proposed, Bryan Anderson (TWDB) seconded, and all remaining members approved the white paper. The white paper would be presented to the TGPC for approval at their next meeting.

Final Draft *TGPC GWI Subcommittee Fiscal Year 2020 – 2021 Activity Plan*

Kathy McCormack (TCEQ) presented the final draft of the *TGPC GWI Subcommittee Fiscal Year 2020 – 2021 Activity Plan* (“Activity Plan”). Thomas Helton (TSSWCB) agreed that the Water Supply Enhancement Program should be removed from the *Activity Plan*’s list of potential white paper topics because it had not been funded by the 86th Legislature. Rosario Sanchez (TWRI) proposed, Evelyn Reategui-Zirena (DSHS) seconded, and all remaining members approved the *Activity Plan* with the changes discussed at the meeting. The *Activity Plan* would be presented to the TGPC for approval at their next meeting.

Discussion of White Papers Under Development

Kathy McCormack (TCEQ) reported that they were developing a white paper on anthropogenic mixing of groundwater that would include a statement reinforcing the TGPC’s long-standing policy against the co-mingling of groundwater. Alan Cherepon (TCEQ) and Ken Rainwater (TTU) reported that there had been a program for recharging the Ogallala Aquifer in the 1990s that had not been successful due to contamination and clogging problems. James Harcourt (RRC) noted that ASR was being done in Florida and that the agency contacts and consultants working on those projects could be good resources. Abiy Berehe (TCEQ) suggested that the

TGPC's Legal Counsel could review the draft white paper. Bryan Anderson (TWDB) reported that they had received funding for their Innovative Water Technologies group which included the ASR team. David Villarreal (TDA) noted that the Edwards Aquifer Authority (EAA) and AECOM could be good local resources. Kathy McCormack (TCEQ) indicated that a Task Force could be formed to work on the draft white paper before the next meeting.

Evelyn Reátegui-Zirena (DSHS) left at approximately 10:36 AM CDT, returned at approximately 10:39 AM CDT, 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 10:57 AM CDT.