

TEXAS GROUNDWATER PROTECTION COMMITTEE
RECORD OF MEETING
First Quarterly Meeting, Fiscal Year 2004

Meeting Date: October 17, 2003
Meeting No.: 58

Place: TCEQ Campus, Building F
Room: 2210

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MEETING ATTENDANCE

TGPC Members

	<u>Affiliation</u>
Mary Ambrose	TCEQ
Janie Hopkins	TWDB
Ambrose Charles	TDA
Bill Renfro	RCT
Bruce Lesikar	TAES
Jay Bragg	TSSWCB
Barry Miller	TAGD
Ken Ofunrein	TDH
Lee Parham	TDLR
Bridget Scanlon	BEG

Agency Staff

	<u>Affiliation</u>	<u>Program</u>
Cary Betz	TCEQ	Technical Analysis Division
Leon Byrd	TCEQ	Technical Analysis Division
Abiy Berehe	TCEQ	Technical Analysis Division
Michael Chadwick	TCEQ	Water Quality Division
Alan Cherepon	TCEQ	Technical Analysis Division
Michael Hare	TDA	
John Lich	TCEQ	Technical Analysis Division
John Meyer	TCEQ	Water Supply Division
Steve Musick	TCEQ	Technical Analysis Division
Jeanette O'Hare	TDA	Risk Assessment & Toxicology
David Parmer	TCEQ	Strategic Assessment Division
Kathy Ramirez	TCEQ	Policy & Regulatory Division
Joe Thomas	TCEQ	Policy & Regulation Division
John Williams	TCEQ	Environmental Law Division

Interested Parties

	<u>Affiliation</u>
Lynne Fahlquist	USGS
Ken Kramer	Sierra Club
J. A. Lazarus	Senate Natural Resources Committee
Donna Long	DLS Technologies
Julia Marsden	LWV - Texas
Eric Strom	USGS

MEETING HANDOUTS

1. Agenda
2. USGS Memo-Data Dictionary Review and Ambient Groundwater Monitoring Network Design Summary of Progress
3. Public Outreach and Education Subcommittee - *Draft Charge*
4. TGPC Rule Log Update on August 7, 2003

MEETING RECORD OF OCTOBER 17, 2003

I. Call to Order and Introductions

Mary Ambrose, Designated Chairman of the Texas Groundwater Protection Committee (TGPC), called the FY2004, First Quarterly Meeting to order at 1:10 P.M., CDT.

II. Subcommittee Reports

Agricultural Chemicals - Steve Musick, TCEQ, Chair. The Agricultural Chemicals Subcommittee held its FY 2004 first quarter meeting on October 17, 2003 at 10:10 a.m.

The members were updated on Task Force activities: Site Selection - The TF Chairman (TWDB) reported a delay in TWDB approval of sampling program for FY04. TCEQ reported delays in setting up an FY04 lab services contract. The Subcommittee chairman postponed the Task Force recommendations for the FY 04 Monitoring Plan to the second quarter meeting.

Under the Subcommittee's Business items:

The Subcommittee, at the request of the TGPC, discussed possible revisions to the Subcommittee's charge (task assignment) for update by the full committee. Issues included a lack of EPA guidance on its pesticide initiative, continued need for interagency coordination, maintain ability to address emerging problems, continued need for monitoring pesticides, and successful work with producers and applicators. A revised charge reflecting the members discussion will be prepared for e-mail review and submitted to the TGPC at its second quarter meeting for discussion and approval.

Members were updated on the EPA-sponsored, technology verification effort for immunoassay analytical methods and on the status of the EPA Atrazine agreed order process (iRED).

Data Management - Lynne Fahlquist, USGS. No meeting was held during the last quarter. The Data Dictionary is being reviewed by Texas Geographic Information Council(TGIC). The ambient groundwater design network questionnaire has been completed and distributed to the Agencies represented by the Committee.

Public Education and Outreach - Bruce Lesikar, TCE, chair. There were five closures during the last quarter, in Mills, Hamilton, Bell, Uvalde, and Robertson counties. There are four more sites where closure demonstrations have been requested, Nacogdoches, Wharton, Uvalde, and Robertson counties. The subcommittee is in the process of reorganizing.

Barry Miller, TAGD, moved to accept the subcommittee charge as presented. Bridget Scanlon, BEG, seconded the motion. No discussion, the motion was passed

unanimously.

Groundwater Research - Bridget Scanlon, BEG, co-chair. The subcommittee met this morning. The possibility of a web page for the subcommittee was discussed with various links to funding sources.

Nonpoint Source Task Force - Cary Betz, TCEQ, representative. This subcommittee is revising the Nonpoint Source Assessment and Management Plan with the aid of TCEQ and TSSWCB. The Nonpoint Source Assessment and Management Plan will be tied to the 305b report, which is the water quality inventory. The 305b report does not address groundwater quality as being impaired or threatened; however, the surface water component does list water quality as being threatened or impaired. Waters that are identified as impaired or threatened by nonpoint sources are eligible for EPA funding under the Clean Water Act, Section 319.

III. Presentation

Source Water Assessment and Protection Program - TCEQ -Sean Ables, TCEQ: The Safe Drinking Water Act of 1996, required every state to perform an assessment of susceptibility to contamination of all public drinking water supplies. Each state could implement its own program, thus creating many variations. All assessments were to be completed by June, 2003, Texas is 94% complete. The Edwards Aquifer is difficult to model due to the fact that it is composed of carbonates which tends not to create homogeneous porosity/permeability. Assessments will be updated on a three year cycle.

Major components of the assessment software are as follows:

1. Identification of wells and intakes;
2. Delineating the contributing areas;
3. Intrinsic characteristics;
4. Nonpoint source component;
5. Point source containment occurrence;
6. Attenuation component; and
7. Compile a summary for each source and system.

Fifteen years worth of data was used for this program. Contributing sources include various program areas within TCEQ, other state agencies, federal offices, universities, conservation districts, and water systems.

There were several questions from the committee.

IV. Business - Discussion & Possible Action

Discussion and adoption of final rule, concerning notification of groundwater contamination to private well owners (HB 3030, 78th Legislature). - Joe Thomas, TCEQ, briefed the Committee on HB3030. This bill adds a new Subchapter B, Notice of

Groundwater Contamination, comprised of a new Section 601.10, Form and Content of Groundwater Contamination Notice.

This rulemaking action would implement HB 3030 by specifying the form and content of notices of groundwater contamination to be provided by the Commission(TCEQ) to owners of private drinking water wells that may be affected by contamination and to applicable groundwater conservation districts. The rule requires that the written notice contain the following information:

- 1.) The name of the contaminant or contaminants;
- 2.) The range of analytical results for the contaminant or contaminants measured in the area or well to date;
- 3.) Possible health effects of the contaminant or contaminants;
- 4.) Possible source or sources for this type of contamination;
- 5.) Suggested actions and precautions potentially impacted well owners could take; and
- 6.) Who to contact for more information.

The rule was published in the Texas Register on August 22, 2003. No comments were received, If the adoption package is approved today and filed with the Texas Register by noon October 27, 2003, the adoption should then be published in the Texas Register on November 7, 2003. The rule would be effective 20 days after the adoption is filed, November 16, 2003.

Janie Hopkins, TWDB, moved to approve this rule adoption, seconded by Bridget Scanlon, BEG. There was no discussion, the motion passed unanimously.

Texas Groundwater Protection Strategy - Discuss Strategy Implementation Issues - Mary Ambrose, Chair, would like to form a small work group to check into the feasibility of making the driller's logs more accessible to all users. Lee Parham (TDLR), Janie Hopkins (TWDB), and Barry Miller(TAGD) volunteered to form the work group to report back the Committee..

Review and Approval of Revised Subcommittee - Public Education and Outreach Subcommittee, Nonpoint Source Subcommittee, and Agricultural Chemicals Subcommittee. The Public Education and Outreach Subcommittee's Charge was adopted earlier in this meeting.

Cary Betz, TCEQ, the Nonpoint Source Subcommittee has not formally met.

Steve Musick, TCEQ, the Agricultural Chemicals Subcommittee was established at the same time as the TGPC. It's function was to create a statewide Pesticide Management Plan (PMP). This PMP was completed and submitted to EPA in 1990. The Subcommittee revised it's PMP in 1996 in response to EPA's rule requiring PMPs. In today's meeting the Subcommittee discussed current activities, the near term future activities, and the primary functions of the subcommittee. Primary functions are to continue the cooperation/coordination function, continue monitoring groundwater for pesticides, and

to continue to develop the components of the PMP. The subcommittee will develop a draft charge and present it to the Committee at the next meeting.

Set Future Meeting Dates

Next meeting date: January 22, 2004, 1:00 p.m., room #2210, building F, TCEQ Campus.

V. Information Exchange for Groundwater Related Activities/Status Update

Joint Groundwater Monitoring and Contamination Report - 2002 - update - Cary Betz, TCEQ. The 2002 report has been published and copies have been mailed to county judges and public health officials. The 2003 report will be started in December.

Region 6 EPA/States/Tribes Groundwater Meeting - Steve Musick, TCEQ. The meeting this year was hosted by TCEQ in September. Most of the programs centered on the Source Water Assessment Program (SWAP). Special presentations were given, mostly by Texas agencies. Mary Ambrose, TCEQ, spoke on the TGPC, the SWAP program gave the same presentation as given here today, RCT presented a program on oil and gas in Texas, and BEG gave a presentation on groundwater/surface water interactions. Among the more interesting presentations from other states included an assessment of arsenic contamination in Arkansas and tracking pharmaceuticals in groundwater in New Mexico.

Regional Water Planning Update - Texas Water Development Board - Janie Hopkins, Population projections for 2010 through 2060 were approved for all 16 water planning groups at the March 2003 TWDB board meeting. Water demand projections were approved for 6 of the 16 regional water planning groups. The new requirement in regional water planning is that water conservation must be considered as a water management strategy for every municipality and water user group needing an additional water supply. All 16 water planning groups must complete their draft regional water plans and submit them to the TWDB by June 2005, must be finalized by January 2006, and these will be incorporated into the State Water Plan which must be completed by January 2007.

Groundwater Availability Modeling (GAM) Update - Texas Water Development Board - Janie Hopkins, as of September 2003, five major aquifer GAMs have completed. By October 2004, seven major aquifer GAMs will be completed. Five minor aquifer GAMs are under contract to be completed by October 2004.

VI. Announcements (All Members)

Rules Update - TCEQ rule tracking log - Kathy Ramirez, TCEQ. A summary of the rule log was distributed to members identifying projects of interest to the Committee.

Lee Parham, TDLR, presented rule updates relating to changes in water well drillers and pump installer rules. Basically the proposed rule changes are more protective of groundwater by having more stringent monitoring well construction regulations and apprenticeship programs for drillers and pump installers. Requires groundwater districts to conduct their own enforcement of abandoned wells.

New Publications - There were no new publications relating to groundwater for this quarter.

Upcoming Conferences

Texas Water Monitoring Council, Call for papers

Texas Water Summit, November 4 and 5, 2003, Austin, Texas

Texas Groundwater Association, January 27 - 30, 2004, Waco, Texas

NAQUA, December 10, 2003, Lubbock, Texas

VII. Public Comment

A question from the audience regarding how to get information about the meeting in Lubbock..

VIII. Adjourn

Chair, Mary Ambrose, adjourned meeting at approximately 2:41 P. M., CDT.