

Texas Groundwater Protection Committee

Record of Meeting
Second Quarter Meeting
Fiscal Year 1997

Meeting Date: February 6, 1997
Place: Building F, TNRCC, Park 35 Room: 2210
Meeting No.: 30

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MEETING ATTENDANCE

Committee Members	Affiliation
Mary Ambrose	TNRCC
Phil Nordstrom	TWDB
Richard Ginn	RCT
Donnie Dippel	TDA
Bead Northcut	TSSWCD
Wayne Jordan	TAES
Bill Mullican	BEG

Guest Speaker

Ron Aanstos, TNRCC, Information Resources Division

Agency Staff	Affiliation	Program
Steve Musick	TNRCC	WP&A/Ground-Water Assessment
Kelly Mills	TNRCC	WP&A/Ground-Water Assessment
Cary Betz	TNRCC	WP&A/Ground-Water Assessment
Margaret Hart	TNRCC	WP&A/Ground-Water Assessment
Allison Woodall	TNRCC	WP&A/Watershed Assessment
Tom Jecha	TNRCC	ENF/Waste
Chris Hammit	TNRCC	FO/Region 7
Bruce Lesikar	TAEX	
Ambrose Charles	TDA	

Interested Parties

	Affiliation
Denise Rhodes	Consultant, Austin
Jim O'Conner	San Antonio Water System
James Hannah	(none given)

COMMITTEE HANDOUTS

1. Meeting Agenda
2. Agricultural Chemicals Subcommittee Report
3. Ground-Water Nonpoint Source Workgroup - Update
4. Kirk Mowery letter
5. Jim Phillips letter

6. EPA's December 13, 1996 letter providing comments on the Texas generic SMP
7. TNRCC Rules Tracking Log
8. Risk Reduction Rules Public Notice
9. Risk Reduction Rule Concept Document - three volumes
10. EPA's Drinking Water Video Conference (Tools for Drinking Water Protection) announcement

MEETING RECORD OF FEBRUARY 6, 1997

I. Call to Order and Introductions

Mary Ambrose, TNRCC, Designated Chairman of the Committee, called the meeting to order at 1:35 p.m. Representatives for the Texas Department of Health and the Texas Alliance of Groundwater Districts were not present. A copy of the meeting's agenda was provided as Handout #1.

II. Subcommittee Reports

Agricultural Chemicals Subcommittee

Chairman Ambrose called on Steve Musick, TNRCC, Chair of the subcommittee, to present the subcommittee's report. Mr. Musick provided Handout #2 (Agricultural Chemicals Subcommittee Report). The subcommittee held its FY97 Second Quarter meeting at 10:00 am on February 6, 1997. Reports were presented from the Site Selection, Education, and SMP Task Forces.

EPA's December 12, 1996 comments on the Texas Generic SMP were discussed. The SMP Task Force was charged with developing a response to EPA's comments. The task force was also charged with assisting TDA in its cooperative effort with EPA in addressing EPA's comments on TDA's May 24, 1996 draft SMP rule.

The subcommittee discussed atrazine monitoring efforts to date and issues related to developing and planning future monitoring events. The Data Evaluation and Interpretation Task Force (DE&ITF) was directed to review the available data and reports on atrazine monitoring, prepare a report and make recommendations to the subcommittee on monitoring network design and future monitoring efforts. The DE&ITF was enabled and membership established with subcommittee members (TNRCC, TDA, TWDB, and TAES) providing staff for the task force under the chairmanship of Dr. Wayne Jordan, TAES.

Ground-Water Data Management Subcommittee

The Chair announced that no action had been taken by the subcommittee and that it was temporarily inactive.

Ground-Water Nonpoint Source Workgroup

The Chair called on Margaret Hart, TNRCC, Chair of the subcommittee to present the workgroup's report. Ms. Hart provided Handout #3 (Ground-Water Nonpoint Source Workgroup - Update). The EPA 319(h) grant process for FY 1998 has started. TSSWCB is conducting a series of meetings around the state and TNRCC is expected to kick off its grant process in mid-March.

The draft Nonpoint Source Program Annual Report for Fiscal Year 1996 was submitted to EPA on January 31, 1997 for review and approval. Second drafts of the Texas NPS Assessment Report and TNRCC NPS Management Plan are in the completion state and will be submitted to the TSSWCB and EPA, respectively, for review.

Ms. Hart announced that Austin is the site for the 2nd Annual EPA Region VI Nonpoint Source Conference, hosted by the TSSWCB.

Water Well Closure Task Force

The Chair provided Handout #4 (Kirk Mowery letter) and Handout #5 (Jim Phillips letter). The Chair has addressed the Texas Farm Bureau (TFB), seeking assistance for the Committee to implement a well closure program modeled after the Kansas program. The Chair discussed applicable programs in Texas (as compared to the Kansas program) and requested similar help from the TFB. The Chair reported the TFB was supportive of the Committee's efforts and volunteered Dale Pharr to serve on the task force. The Chair said the task force's charge will be amended to research potential, existing funding sources for well closure.

The letter to Jim Phillips, TNRCC, follows up on a legislative issue. The Committee declined to seek a dedicated funding source from the legislature to close abandoned wells and preferred to suggest the closure of abandoned wells be recommended as supplemental environmental improvement projects (SEIP) for TNRCC enforcement cases. The Chair reported that Mr. Phillips thought this was an interesting idea, however, responsible parties could not be allowed to profit from performing a SEIP. Mr. Phillips noted that such SEIPs may be appropriate on public lands, but commented that he would work with the Committee on the issue.

The Chair reported that she will have a meeting with the co-chairs of the task force to evaluate its charge and initiate activities.

Legislative Report Subcommittee

The Chair reported the legislative report (Activities of the Texas Groundwater Protection Committee, Report to the 75th Legislature) was distributed in the January 15, 1997 mailout. She reported the report was completed and distributed as required by statute. The Chair said the subcommittee was now inactive; however, if inquiries are made by the Legislature, emergency meetings (of the full Committee) may be in order.

Bill Mullican, BEG, asked if anyone had done an analysis of the Committee's recommendations in comparison to Senate Bill 1 (SB 1). He said SB 1 followed several of the Committee's

recommendations, only to much more extreme measures. Mr. Mullican noted the exemption and critical area simplification recommendations. Wayne Jordan, TAES also noted the drought recommendation had been picked up in SB 1, again to a much more extreme manner than in the Committee's recommendation.

Mr. Mullican wondered if the Committee should send a letter of thanks for addressing the Committee's concerns, possibly to John Howard or Mark Smith. After much discussion, it was agreed that the Committee had performed its responsibility and it would be improper for the Committee to make contact; at this point-in-time, the Committee should only be reactive to Legislative inquires.

III. Business

Texas Groundwater Protection Committee Home Page

The Chair brought this unscheduled item up for Committee consideration. The Chair called on Ms. Hart to describe the Committee World Wide Web Home Page. Ms. Hart reported that currently there were only a few paragraphs on the Committee's Home Page. She noted that links to all of the member agencies home pages could be easily accomplished.

The members brought up the following items they would like to see available on the Committee's Home Page: the groundwater telephone directory (Texas Groundwater Program Directory), the legislative report (Activities of the Texas Groundwater Protection Committee, Report to the 75th Legislature), the joint groundwater monitoring and contamination report, the groundwater classification system, meeting announcements, subcommittee reports (specifically Agricultural Chemicals Subcommittee reports specific to the generic SMP), Committee rules, a Committee publication list, a summary on groundwater monitoring and contamination, and the Texas Ground-Water Data Dictionary.

Set Future Meeting Dates

After discussion, the Committee set the FY97 Third Quarter meeting for May 8, 1997 at 1:00 p.m.

IV. Presentation

TNRCC GIS Program - Rob Aanstoos, Information Resources Division The Chair introduced Mr. Aanstoos. Mr. Aanstoos provided information on the TNRCC's GIS (geographical information system) capabilities along three topics: data, services, and coordination.

Mr. Aanstoos noted the main problem was the lack of good spacial data for permitted facilities, monitoring sites, etc. He noted the TNRCC was working with other state and federal agencies to address data sharing and cooperation. Higher quality (accuracy, currentness) base data needs to be established. GPS (global positioning system) accuracy is not tied to a base map; it is absolute as opposed to relational accuracy. Digital orthographic quarter quadrangles (DOQQs) and digital raster graphics are two forms of better quality data.

DOQQs, from orthographically corrected national color infrared aerial photographs, provide one meter resolution and ten meter accuracy (which is better than USGS 7.5 minute quadrangles). This data is recent (1995 and 1996) and is updated every five years. However, this data is very expensive (coverage of entire state would cost about \$20 million). Securing such data for the state is a major effort of the Texas GIS Planning Council and the Texas Natural Resource Information System (TNRIS). The Planning Council is seeking funding for the state, about half of which is in place. The state is working on a cooperative venture with the USGS to help fund this effort. All acquired data will be public domain. Approximately 2% of the state has been covered in the San Antonio-Nueces Coastal Basin pilot project.

Digital raster graphics (DRGs) are scanned 7.5 minute USGS quadrangles. This is a cheaper, quicker, and more familiar alternative to DOQQs; however, DRGs are not current. The TNRCC has completed about 10% of the state (border/coastal areas). The USGS is stepping up production of DRGs; about half of Texas is done (on CD ROM) and the remainder should be done before the end of 1997. The average age of 7.5 minute quadrangles is 20 years. Data does yield contour lines. DRGs are viewed as a short term, stop-gap measure. Accuracy may be a problem in the future as systems are upgraded. Record keeping (on how points are measured, recorded) is burdensome.

The TNRCC's Information Resources Division has historically been used to create maps and to implement and help different shops in the agency. Services have evolved from being map-makers to being information facilitators. Training in ArcView and making the software available to other areas will increase the data available to all staff. Their mission also includes serving as consultants on database design and use.

Coordination is required for this very expensive effort. The TNRCC GIS Steering Committee is composed of divisional members to coordinate GIS and GPS policies. The statewide GIS Planning Council is establishing standards to meet federal standards. The TNRIS will act as the point-of-distribution for the majority of products.

Mr. Aanstoos noted the Texas Ground-Water Data Dictionary (Texas Groundwater Protection Committee, 1996) has been cited as an excellent source of data and commended the Committee for being so foresightful. Mr. Aanstoos invited the group to tour the Water Planning and Assessment Division's GIS facility following the conclusion of the meeting.

V. Information Exchange for Ground Water Related Activities/Status Update

Comprehensive State Ground Water Protection Program Development Status

The Chair called on Mr. Musick to present this information. Mr. Musick reported that, on a national level, EPA has only endorsed seven or eight states CSGWPP's. He said there was a national effort to simplify the endorsement process. A subgroup of the Ground Water Protection Council (GWPC), of which Mr. Musick is a member, will address the issue at its March meeting and make recommendations to EPA. Possible supplemental guidance may be out this spring.

Mr. Musick discussed the process for review of core program assessments. One state in each

region essentially acts as a test case (Oklahoma in Region VI); both the region and headquarters must review and approve of the core assessment. After the initial approval of one state in each region, review and approval is only required at the region level. He noted there were a couple of issues to consider in updating the Texas core assessment. These issues include the major effort to update TNRCC's risk reduction rules for the remediation programs and Region VI's concerns about the protection of groundwater in the 3,000 to 10,000 mg/l total dissolved solids range. He noted flexibility for approval at Office of Waste, EPA headquarters, of TNRCC's risk reduction rules will require core assessment approval.

Mr. Musick noted there were many reasons to move forward with core assessment update and approval. EPA has shown a readiness to implement a simplified approval process. Region VI is ready to entertain core program submittals. Mr. Musick suggested the Committee allow TNRCC staff to prepare the new, updated core assessment in a draft form for Committee review and submittal to EPA. The Chair asked how the process stood at present. Mr. Musick said the state must demonstrate core program adequacy, meeting six strategic activities with several criteria, for at least one program and highlight other programs with particular strengths (in meeting some of the six strategic activities). Upon approval of the core assessment, the state negotiates with EPA on a five-year time frame for program milestones. When all milestones are met, EPA endorses as a fully integrating CSGWPP.

Committee Publications

The Chair called on Kelly Mills, TNRCC, to update the members on the status of Committee publications and their distribution.

Texas Groundwater Program Directory

Mr. Mills reported 1,000 copies of the Texas Groundwater Program Directory were delivered from the TNRCC printshop last October. The directory was distributed in a January 17, 1997 mailout to the Committee's mailing list. Mr. Mills report that about 320 copies of the directory are left in stock.

Texas Ground-Water Data Dictionary

Mr. Mills reported the Texas Ground-Water Data Dictionary was delivered from the TNRCC printshop last September and also distributed in the January 17 mailout. He reported that about 75 copies of the dictionary are left in stock.

Texas Groundwater Protection Committee, Report to the 75th Legislature

Mr. Mills reported that advanced copies (tape bound) of Activities of the Texas Groundwater Protection Committee, Report the 75th Legislature were returned from the TNRCC Publications Division on December 20, 1996 and distributed to the Governor, Lieutenant Governor, Speaker of the House, Senate & House Natural Resource Committee Chairmen, and the Legislative Library on December 23, 1996. He reported that the remaining 250 copies were delivered from the TNRCC printshop on January 15, 1997, and distributed in the January 17 mailout. Mr. Mills

reported that less than 20 copies of the legislative report were left in stock.

Joint Groundwater Monitoring and Contamination Report

Mr. Mills noted that materials for compilation of the joint report were distributed on November 22, 1996, and a reminder letter was sent to Committee members in the January 17 mailout. Mr. Mills reported, to date, materials had been received from eight of the ten contributing divisions within TNRCC, 17 of the 29 members of TAGD, and three and a half of the seven remaining member agencies. He asked that the members see that their agency's contributions were submitted as soon as possible. Mr. Mills remarked that the report was progressing nicely at this point in time.

SMP Update

The Chair called on Mr. Musick to provide the SMP update. Mr. Musick provided a copy of EPA's December 13, 1996 letter which provided comments on the Texas generic SMP (Handout #6). Mr. Musick reported that EPA's comments were favorable for the most part; however, EPA does have several major issues. Mr. Musick reiterated that the Agricultural Chemicals Subcommittee's SMP Task Force has been charged to address EPA's issues and justify and defend the generic SMP. EPA's raised issues with BMPs (mandatory versus voluntary) and availability of resources to accomplish the plan. Mr. Musick suggested the Agricultural Chemicals Subcommittee prepare a response to EPA's comments and then schedule and have a face-to-face meeting with EPA. Mr. Musick stressed that the most contentious issues should be addressed quickly.

VI. Announcements

The Chair provided Handout #7 (TNRCC Rules Tracking Log) and discussed several TNRCC rules which were currently proposed or recently adopted. The On-site Wastewater Rules, Chapter 285, were adopted by the Commission on December 18, 1996, with an effective date of February 6, 1997. The TNRCC is conducting a number of workshops around the State to get installers up to speed on the changes in these rules. The Water Well Drillers Rules, Chapter 238, were adopted in the November 20, 1996, and have an effective date of December 23, 1996. The second phase of the Aquifer Storage and Recovery Rules were adopted December 18, 1996, with an effective date of January 10, 1997. The Edwards Aquifer Protection Program Rules, Chapter 213, were adopted December 4, 1996, with an effective date of December 27, 1996.

Steve Musick indicated that Underground Injection Control Program, Phase II Rules required for program reauthorization have been published.

The Chair discussed the TNRCC's proposed Risk Reduction Rules and provided Handout #8 (Risk Reduction Rules Public Notice) and Handout #9 (Risk Reduction Rule Concept Document - three volumes). She noted that a speaker from the TNRCC's Waste Program area will discuss these documents in detail at the next Committee meeting. She also briefly discussed the Texas Coastal Management Program.

The Chair announced: the Barton Springs Salamander Conservation Plan General Public Meeting on March 1, 1997 at the University of Texas Thompson Conference Center; the upcoming TNRCC Environmental Trade Fair April 28 - 30, 1997 at the Austin Convention Center; the upcoming Ground Water Protection Council Annual Policy Meeting to be held March 2 - 5, 1997 in Alexandria, Virginia; the EPA's upcoming drinking water video conference, Tools for Drinking Water Protection, (Handout 10) on March 19, 1997; and reiterated Ms. Hart's announcement of the 2nd Annual EPA Region 6 Nonpoint Source Conference (Protecting Our Water Resources: Pointed Solutions to Pointless Problems) March 3 - 5, 1997 at the Omni Southpark, Austin.

Dr. Jordan announced the Texas Agricultural and Natural Resources Rice Summit Conference on February 21, 1997 at the Holiday Inn Select, Park 10 West, Houston.

Mr. Mullican announced the publication of a joint BEG/TNRCC report on the investigation of leaking petroleum storage tanks. The report studied over 700 sites (with adequate data) and had some pretty far-reaching conclusions. The report is available at BEG/Publications. Mr. Mullican said he would provide copies to the members.

Donnie Dippel, TDA, announced a February 13, 1997 pre-SFIREG meeting will be held with Region VI.

Richard Ginn, RCT, announced the Railroad Commission had completed a survey of freshwater production for enhanced recovery. The results will be compiled into a report and provided to the Legislature. The volume of freshwater used for enhanced recovery is addressed. Mr. Ginn said he would provide copies to the members.

Mr. Mills provided a status update on 305(b) Groundwater Assessment Section Guidance Development. He reported the final draft groundwater section guidance is to be distributed for final comments to the Ground Water Focus Group (of which Mr. Musick is a member) next week. One more conference call will be held to discuss the guidance before finalization. The final (whole) guideline for the report is scheduled to be out in April 1997.

Mr. Mills noted The State of Texas Water Quality Inventory 1996, 13th Edition (TNRCC Publication No. SFR-50) should be published and available by the end of February 1997.

Mr. Mills further noted the TNRCC was working to complete its legislative report regarding groundwater conservation districts. The report could possibly be ready by mid-March 1997.

An audience member announced an on-site wastewater treatment conference to be held in Plano on April 13 - 15, 1997.

VII. Public Comment

None.

VIII. Adjourn

The Chair reminded those in attendance that Ms. Hart was going to provide a tour of the TNRCC/Water Planning and Assessment Division's geographic information system (GIS) facility following adjournment. The Chair adjourned the meeting at 3:18 pm.

Prepared by: Steve Musick