

GROUNDWATER ISSUES SUBCOMMITTEE
 OF THE
 TEXAS GROUNDWATER PROTECTION COMMITTEE
 RECORD OF MEETING
 Second Quarter Meeting, Fiscal Year 2025

Meeting Date: December 4, 2024
 Meeting No.: 40

Place: videoconference
 Room: N/A

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MEETING ATTENDANCE

Subcommittee Members

Kathy McCormack (Co-Chair)
 Peter Pope (Co-Chair)
 Rebecca Storms
 Eric Lawrence
 David Villarreal
 T.J. Helton

David Van Dresar
 Justin Thompson

Chris Hooyboer
 Joel Pigg

Linzy Foster
 Margaret Willis

Carly Rotzler

Affiliation

Texas Commission on Environmental Quality (TCEQ)
 Railroad Commission of Texas (RRC)
 Texas Water Development Board (TWDB)
 Texas Department of State Health Services (DSHS)
 Texas Department of Agriculture (TDA)
 Texas State Soil and Water Conservation Board (TSSWCB)
 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 A&M AgriLife Extension Service (AgriLife Extension)
 United States Geological Survey (USGS)
 Northwest Pediatric Environmental Health Specialty Unit (PEHSU)
 Texas Parks and Wildlife Department (TPWD)

Agency Staff

Abiy Berehe
 Katie Brice
 Alan Cherepon
 Heather Dodson
 Stephanie Escobar
 Larry Estrada
 Dan Hannah
 Cindy Hooper
 Natalie Houston
 Peggy Hunka
 James LaManna
 Kory Talcott
 Scott Underwood
 Omar Valdez
 Phillip Valladolid

Affiliation

Program

TCEQ Water Availability Division
 TCEQ Water Availability Division
 TCEQ Water Availability Division
 TWDB
 TCEQ Water Availability Division
 TDLR
 TCEQ Radioactive Materials Division
 TCEQ Water Availability Division
 USGS
 TCEQ Water Availability Division
 TCEQ Water Supply Division
 TCEQ Water Availability Division
 TCEQ Water Availability Division
 DSHS
 TWDB

Interested Parties

Reyna Loosmore
 Jessica Price

Affiliation

Sam Houston State University (SHSU) Institute for Homeland Security
 Children’s Environmental Health Network (CEHN)

MEETING HANDOUTS

1. Texas Groundwater Protection Committee (TGPC) Groundwater Issues (GWI) Subcommittee Meeting Agenda, December 4, 2024
2. TGPC GWI Subcommittee Meeting Record, September 18, 2024
3. TGPC Agricultural Chemicals (AgChem) Task Force (TF) Status Report, December 4, 2024
4. Proposed Fiscal Year (FY) 2025 Pesticide Monitoring Plan
5. TGPC Publications Status Report, December 4, 2024
6. Texas Produced Water Consortium (TxPWC) *Report to the Texas Legislature 2024*, <https://www.depts.ttu.edu/research/tx-water-consortium/XPWCFINALDRAFT.pdf>
7. *Who's to blame for the geyser still erupting in West Texas? Documents start to unravel mystery* news article, <https://www.expressnews.com/news/investigations/article/geyser-tx-railroad-commission-kinder-morgan-apache-19824265.php>
8. *A West Texas well that exploded has been sealed, cleanup will take months* news article, <https://www.texastribune.org/2024/10/22/west-texas-well-blowout-oil-gas-sealed/>
9. *Uranium Mining Revival Portends Nuclear Renaissance in Texas and Beyond* news article, <https://insideclimatenews.org/news/01122024/texas-uranium-mining-nuclear-renaissance/>
10. Final Draft *Children's Health and Groundwater Quality at Child Care Operations Using Private Water Wells* white paper – markup
11. Final Draft *Children's Health and Groundwater Quality at Child Care Operations Using Private Water Wells* white paper – clean
12. Draft TGPC GWI Subcommittee Fiscal Year 2026 – 2027 *Activity Plan*

MEETING RECORD OF DECEMBER 4, 2024

1. PRE-MEETING REMINDERS

Before the meeting started, Kathy McCormack (TCEQ) provided the attendees with some tips that would facilitate a productive videoconference.

2. CALL TO ORDER AND INTRODUCTIONS

The TGPC approves all Subcommittee products and designated TGPC members attending this Subcommittee meeting participated as an employee or representative of their agency or organization, not as a designated TGPC member. Therefore, this Subcommittee meeting was not subject to the Open Meetings Act and it was held 100% virtually. The public was also able to attend this meeting via videoconference or teleconference at no cost.

Kathy McCormack (TCEQ), Co-Chair of the GWI Subcommittee, called the meeting to order at approximately 9:35 AM CST and then called the roll of GWI Subcommittee members. The representatives from Texas A&M AgriLife Research (AgriLife Research) and Texas Tech University (TTU) were not present at the meeting.

3. STATUS REPORTS

Agricultural Chemicals Task Force

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

- TWDB had completed its Cooperative Monitoring for FY 2024 and TCEQ's spectrophotometer had been repaired. Eighty-one samples had been analyzed via immunoassay screening for atrazine and were qualified in the TCEQ Interagency Pesticide Database (IPD) as having exceeded their holding times by 2 – 3 weeks. There were no appreciable detects of atrazine.
- The proposed FY 2025 Pesticide Monitoring Plan would continue Cooperative Monitoring with TWDB. Additionally, pesticide groundwater monitoring data from USGS and other TCEQ monitoring programs would be provided to the U.S. Environmental Protection Agency (EPA), as available.
- On December 4, 2024, Alan Cherepon (TCEQ) was scheduled to meet with new Region 6 U.S. EPA management to familiarize them with what was being done under the U.S. EPA Federal Insecticide, Fungicide, and Rodenticide (FIFRA) Performance Partnership Grant (PPG).
- The annual Texas Plant Protection Conference in Bryan was scheduled for December 10 – 11, 2024, and Alan Cherepon (TCEQ) was registered to attend and provide a tabletop exhibit of his grant-related work.
- The annual U.S. EPA/States/Tribes FIFRA Fall grant meeting for FY 2025 was held in Dallas on November 18 – 19, 2024. Alan Cherepon (TCEQ) attended the meeting virtually and reported on his work for TCEQ's FIFRA PPG. There was minimal discussion of water quality, which had a low priority with U.S. EPA and the other states.

For the proposed FY 2025 Pesticide Monitoring Plan, Rebecca Storms (TWDB) clarified the aquifers that they would be sampling (i.e., Gulf Coast and Yegua Jackson Aquifers).

TGPC Publications

Cindy Hooper (TCEQ) reported on the following TGPC publications:

- *Joint Groundwater Monitoring and Contamination Report – 2023* (“*Joint Report*”, TCEQ publication SFR-56)
 - The 2023 *Joint Report* was published in October 2024, and work on the 2024 *Joint Report* would begin in January 2025.
- *Activities and Recommendations of the Texas Groundwater Protection Committee: Report to the 89th Legislature* (“*Legislative Report*”, TCEQ publication SFR-47)
 - On October 9, 2024, the TGPC met and approved the *Legislative Report* with some edits. The *Legislative Report* was in the publication process, and it would be distributed to the 89th Texas Legislature by December 31, 2024.

Cindy Hooper (TCEQ) also reported on the following groundwater-related TCEQ publications:

- *Groundwater Assessment* (TCEQ publication AS-465) for the 2024 *Texas Integrated Report of Surface Water Quality for Clean Water Act Sections 305(b) and 303(d)* (“*Texas Integrated Report*”)
 - The 2024 *Groundwater Assessment* was published in June 2024. The published report was included in the *Draft 2024 Texas Integrated Report* which was approved by the TCEQ commission on June 26, 2024, and the *Draft 2024 Texas Integrated Report* was submitted to U.S. EPA in October 2024 for final approval.
- *Priority Groundwater Management Areas and Groundwater Conservation Districts, Report to the 89th Texas Legislature* (“*PGMA/GCD Legislative Report*”, TCEQ publication SFR-53)
 - The *PGMA/GCD Legislative Report* was under development, and it would be made available to the 89th Texas Legislature in January 2025.

4. SET FUTURE MEETING DATE

The next TGPC GWI Subcommittee meeting was scheduled for Wednesday, March 12, 2025, at 9:30 AM CDT and it was planned as a videoconference.

David Villarreal (TDA) joined the meeting at approximately 9:50 AM CST and was present for the remainder of the meeting. David Villarreal (TDA) announced that Addie Stone (TDA), their designated alternate to the TGPC, had left the agency and that they would not be designating a replacement until after the upcoming Legislative session.

5. DISCUSS CURRENT GROUNDWATER ISSUES

Oil and Gas Produced Water

At the beginning of October 2024, the Texas Produced Water Consortium (TxPWC, <https://www.depts.ttu.edu/research/tx-water-consortium/>) published their *Report to the Texas*

Legislature 2024 (<https://www.depts.ttu.edu/research/tx-water-consortium/txpwcfinaldraft.pdf>). The report:

- Provided an update on the TxPWC's five pilot projects;
- Reviewed various state/federal/national/international standards and guidelines for using treated oil and gas (O&G) produced water in irrigation and discharging it to surface water;
- Listed some potential research projects;
- Shared economic insights on three beneficial use alternatives for treated O&G produced water;
- Discussed two desalination technologies, their treatment volumes, and an upcoming research project using treated/blended O&G produced water at Texas Tech University; and,
- Included two addendums on the U.S. Department of Energy (DOE) Produced Water Optimization Initiative and Texas O&G produced water volumes.

Kathy McCormack (TCEQ) reported that the TxPWC had also scheduled a stakeholder meeting on December 11, 2024.

On October 2, 2024, an old oil well had a blowout that released produced water onto the land surface outside of Toyah in Reeves County (<https://www.expressnews.com/news/investigations/article/geyser-tx-railroad-commission-kinder-morgan-apache-19824265.php> and <https://www.texastribune.org/2024/10/22/west-texas-well-blowout-oil-gas-sealed/>). The saltwater geyser erupted several weeks after a 5.1 magnitude earthquake rattled West Texas, and shallow injection of produced water had been occurring at a disposal well less than three miles away from the blowout. Injection at the disposal well was discontinued, the old oil well was sealed on October 21, 2024, the company that owned it planned to plug it, and cleanup at the site was on-going.

Justin Thompson (UTBEG) asked if the TGPC was concerned about the issue of O&G produced water. Kathy McCormack (TCEQ) indicated that the TGPC had concerns related to water quality and protection, public health, and natural resources from the surface application of untreated oil and gas produced water on non-food or food crops, the discharge of untreated oil and gas produced water to surface water, and the discharge of oil and gas produced water (untreated or treated) to groundwater (e.g., Managed Aquifer Recharge (MAR) or Aquifer Storage and Recovery (ASR)). After further discussion, Kathy McCormack (TCEQ) committed to scheduling a meeting with the interested parties to discuss elevating the development of a white paper about O&G produced water to the TGPC.

Emerging Chemical and Biological Contaminants

David Villarreal (TDA) reported that the following contaminants remain in the news: PFAS, microbials (i.e., dormant states that can persist in groundwater), microplastics and nanomaterials, pharmaceuticals, personal care products, saline groundwater, and infiltration of high-temperature water, nuclear waste, and oil and gas additive into groundwater.

Aquifer Storage and Recovery (ASR)

There was no discussion of this topic at the meeting.

Abandoned Water Wells

There was no discussion of this topic at the meeting.

Groundwater Quality Monitoring

There was no discussion of this topic at the meeting.

Brackish Groundwater

There was no discussion of this topic at the meeting.

Evapotranspiration Networks

David Villarreal (TDA) reported that the Water Conservation Advisory Council (WCAC) would be making an important recommendation to the Texas Legislature in their next session regarding increased funding for TWDB in order to expand their Evapotranspiration (ET) Network program.

Others

The Uranium Energy Corporation (UEC) planned to conduct in-situ leaching (ISL) mining operations on 420 acres in Goliad County within the Evangeline Aquifer between the depths of 45 and 404 feet (<https://insideclimatenews.org/news/01122024/texas-uranium-mining-nuclear-renaissance/>). This mine was the smallest of five sites in South Texas owned by UEC, and a final set of permits remained to be renewed before it could begin production. Another company, enCore Energy, started uranium production at two South Texas sites in 2023 and 2024, and hoped to bring four more online by 2027. On November 15, 2024, a contract report was completed for TCEQ on the uranium resources in Texas (<https://www.tceq.texas.gov/downloads/permitting/radioactive-materials/publications/uranium-resources-in-the-state-of-texas.pdf>) which presented the current uranium resources in Texas, described the different methods of uranium ore recovery, discussed the state's uranium resources that had been recovered to date, and estimated the uranium resources that remained for potential future recovery.

Dan Hannah (TCEQ) reported that they were involved with the Class III injection well permitting process for the Goliad site, that this process could take several years to complete, and that it was currently being contested. UEC would need to obtain an aquifer exemption from U.S. EPA and TCEQ, establish a well monitoring network, and restore the site to pre-mining conditions.

6. BUSINESS DISCUSSION AND POSSIBLE ACTION

Final Draft *Children's Health and Groundwater Quality at Child Care Operations Using Private Water Wells* White Paper

Margaret Willis (PEHSU) reviewed an updated final draft of the *Children's Health and Groundwater Quality at Child Care Operations Using Private Water Wells* white paper. There were no substantive changes in the file from the last meeting, just general proof-reading-type fixes, references updates, and clarification on drinking water lead testing, some of TWDB's applications and programs information, and the GIS analysis methodology used by DSHS. David Van Dresar (TAGD) moved, Eric Lawrence (DSHS) seconded, and all remaining members approved the final draft *Children's Health and Groundwater Quality at Child Care Operations Using Private Water Wells* white paper. The white paper would be presented to the TGPC for final approval at their next meeting. Margaret Willis (PEHSU) was thanked for her 2.5 years of work on this white paper, and Eric Lawrence (DSHS) and Jessica Price (CEHN) were also thanked for their assistance over the last year.

Draft TGPC GWI Subcommittee Fiscal Year 2026 – 2027 *Activity Plan*

Kathy McCormack (TCEQ) noted that the GWI Subcommittee *Charge* (https://tGPC.texas.gov/wp-content/themes/responsive/subcommittees/gwissues/GWI_SubComm_Charge12Jul2023.pdf) required the development of, and adherence to, biennial *Activity Plans*. The GWI Subcommittee's current *Activity Plan* (https://tGPC.texas.gov/gwissues/activity_plans/TGPC_GWI_FY2024_2025_ActivityPlan_12Jul2023.pdf) indicated that work should begin on the next edition of the *Activity Plan* at this meeting, and then it would be discussed again at the next meeting in March 2025, approved at the June 2025 meeting, and presented to the TGPC for approval at their July 2025 meeting so that it would be in effect as of September 1, 2025. Several updates were proposed in the draft FY 2026 – 2027 *Activity Plan*, for example:

- A sentence was added to the Introduction about making changes to an existing *Activity Plan*;
- GWI Subcommittee deliverables over the last two fiscal years were added to the Accomplishments List;
- Environmental Justice and Groundwater Access and Quality had been removed from the list of potential white paper topics at the request of the TGPC Designated Chair; and,
- Managed Aquifer Recharge (MAR) was added to the list of potential white paper topics at the suggestion of Justin Thompson (UTBEG).

Discussion of White Papers Under Development

There was no discussion of this topic at the meeting.

T.J. Helton (TSSWCB) left the meeting at approximately 10:46 AM CST and was absent for the remainder of the meeting.

7. ANNOUNCEMENTS

Linzy Foster (USGS) announced that they would be hosting a webinar regarding the Edwards Aquifer Urban Hydrology Network Interactive Map (<https://webapps.usgs.gov/edwardsAquiferUH/map/index.html>) on January 23, 2025, and that they had a new project to develop potentiometric maps in the Camp Bullis area near San Antonio for the Edwards and Trinity Aquifers. Rebecca Storms (TWDB) noted that they were also involved with the latter effort.

8. PUBLIC COMMENT

There was no public comment at the meeting.

9. ADJOURN

Kathy McCormack (TCEQ) adjourned the meeting at approximately 11:04 AM CST.