

# TEXAS GROUNDWATER PROTECTION COMMITTEE

## RECORD OF MEETING

First Quarter Meeting, FY 96  
Meeting Date: December 14, 1995  
Place: Building C, TNRCC, Park 35 Room: 131E  
Meeting No.: 25

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1. Copy of Agenda (Handout 1)
2. Copy of FY 95 4th Quarter Meeting Minutes (Handout 2)
3. Draft Copy of Minutes from 11/2/95 Conference (Handout 3)
4. Ground-Water NPS Work Group Update (Handout 4)
5. Reasons for Updating the Texas SMP (Handout 5)
6. Draft Texas SMP for Prevention of Pesticide Contamination of Ground Water (Handout 6)
7. State-FIFRA Issues Research & Evaluation Group Minutes of Meeting 10/26,27/95 (Handout 7)
8. Joint Groundwater Monitoring & Contamination Report - 1995 Material Packets to Agencies (Handout 8)
9. Ground-Water Data Management Subcommittee, Draft Subcommittee Charge (Handout 9)
10. Draft Texas Ground-Water Directory (Handout 10)

## **MEETING ATTENDANCE**

### **Committee Members                      Affiliation**

Mary Ambrose, Chair	TNRCC
Phil Nordstrom	TWDB
Donnie Dipple	TDA
Sam Unberhagen, Alternate	TSSWCB
Richard Ginn	RCT

### **Guest Speakers**

Steve Musick, Texas Natural Resource Conservation Commission

<b>Agency Staff</b>	<b>Affiliation</b>	<b>Program</b>
Cary Betz	TNRCC	WP&A Div/Ground Water Assmt.
Chris Drewy	TNRCC	WP&A Div/Ground-Water Assmt.
Kelly Mills	TNRCC	WP&A Div/Ground-Water Assmt.
Steve Musick	TNRCC	WP&A Div/Ground-Water Assmt.
Annie Tyrone	TNRCC	WP&A Div/Ground-Water Assmt.
Joe Peters	TNRCC	WP&A Div/Ground-Water Assmt.
Randall Wilburn	TNRCC	WP&A Div/Ground-Water Assmt.
Anne Miller	TNRCC	PST Division
Lee Parham	TNRCC	CS Div/Water Well Drillers Team
Ambrose Charles	TDA	
Jeanette O'Hare	TDA	
Ron Fieseler	BS/EACD	
Dale Parr	TX Farm Bureau	
Melinda Robillad	SPCB	
Javier Balli	EPA/CES	

<b>Interested Parties</b>	<b>Affiliation</b>
Denise Rhodes	Consultant, Austin
Paul DeArmaes	NRCS
Rex Martin	Ciba

## **MINUTES OF DECEMBER 14, 1995**

### **ITEM I. Call to Order and Introductions**

The Chairman called the FY 96, First Quarter meeting of the Texas Groundwater Protection Committee to order at 1:40 p.m. in Room 131E, Building C, Park 35 Austin Campus, TNRCC. The Texas Alliance of Groundwater Districts, Bureau of Economic Geology, Texas Agricultural Experiment Station, and the Texas Department of Health were not represented. Ron Fieseler with the Barton Springs/Edwards Aquifer Conservation District collected all handouts for Bill Couch, TAGD, in his absence. The members were provided a copy of the agenda (Handout 1), a copy of the FY 1995 fourth quarter meeting minutes (Handout 2), and a draft copy of the minutes from the conference held on November 2, 1995 (Handout 3).

### **ITEM II. Subcommittee Reports**

#### **Agricultural Chemicals**

The Chair called on Steve Musick, TNRCC, to provide the Agricultural Chemical Subcommittee's report. Mr. Musick reported the first quarter meeting for FY 1996 was held on November 2, 1995. Reports from the standing task forces were heard at that meeting. The subcommittee heard a presentation from the Natural Resources Conservation Service (NRCS) discussing NRCS' role in working with producers, their water quality programs, and their concerns and interest in pesticides. The main item discussed at the first quarter meeting was the update of the generic state management plan (SMP) as will be discussed later in the meeting.

Information was presented on the status of the atrazine monitoring project; sampling for FY 1995 had been completed. Preliminary results from the detected no hits for atrazine, however, there were some tentative laboratory detections with the Immunoassay equipment. The task force is still awaiting the final lab QA report before it makes its final interpretation of the data.

#### **Data Management**

The Chair again called on Mr. Musick to provide the Data Management Subcommittee's report. Mr. Musick reported that the Subcommittee had accomplished its objectives with the completion of the Ground-Water Data Dictionary. Mr. Musick thanked Mr. Bob Blodgett, TNRCC, chairman of the subcommittee, and all subcommittee members for their hard work. The data dictionary is ready to be forwarded to TNRCC Publications. In addition, the data dictionary will be available on TNRCC's Internet Bulletin Board. Both the narrative report and data tables can be used as a format for data management of ground water.

Mr. Musick indicated that Mr. Blodgett is stepping down as chairman of the subcommittee upon the completion of the data dictionary project. An upcoming charge for the subcommittee will be discussed later in the meeting.

### **Nonpoint Source**

The Chair called on Margaret Hart, TNRCC, to provide the Nonpoint Source Subcommittee's report. Ms. Hart, chair of the subcommittee, provided Handout 4 listing an update from the work group. Ms. Hart reported 14 agencies or programs had responded for input for the annual 319 effectiveness report to EPA. This was a very good response and was better than last year. Information was provided to Kevin Moore, TNRCC, who submits the agency's report to EPA. Copies will be made available as soon as the report is done, and will be provided at the next meeting of the Committee.

The 319(h) grant process for FY 1996 is essentially completed. Ms. Hart has been led to believe that EPA has pretty much made all of its decisions. TNRCC is almost ready to send in final work plans to EPA Region 6. All projects selected for funding in FY 1997 have been chosen.

The Nonpoint Source Assessment Report and Management Plan are being updated by TNRCC and the TSSWCB. There was a mailout in October, and a November 15 workshop describing the guidance documents for response. TNRCC is currently accepting input for both reports and will be working on putting draft documents together through the end of May 1996. Ms. Hart will be contacting participating agencies to provide data for the reports. Len Pardee is the new nonpoint source program coordinator for Texas at EPA Region 6.

### **ITEM III. Presentation**

TNRCC - Update of the Texas Generic State Management Plan for the Prevention of Pesticide Contamination of Ground Water

Mr. Steve Musick provided Handout 5 (three-page update summary) and Handout 6 (draft Texas State Management Plan for the Prevention of Pesticide Contamination of Ground Water) and his presentation touched briefly on the following topics:

#### **REASONS FOR UPDATING THE TEXAS SMP**

Release of EPA Final Guidance

EPA Headquarters/Regional Peer Review

EPA Region 6 Critique of the Texas Plan

Clarify Focus of the Plan

Reduce the Size

Complimented the Coordination Efforts of the Plan

Ongoing Development of the State's SMP Approach for Pesticide- Specific SMP's

Agency Jurisdictional Changes

#### **RECENT SMP ACTIVITIES OF THE SUBCOMMITTEE**

Task Force Designations -- Basis for SMP Development and Implementation

- SMP Development
- Site Selection/Monitoring
- Data Evaluation
- Education

Special Projects -- Experiences in Implementation

- Atrazine Monitoring
- Contamination Response Scenario
- Atrazine BMP's
- Educational Presentation and Brochure

## **CHANGES TO SPECIFIC COMPONENTS**

Ground Water Protection Philosophy Unchanged

Roles and Responsibilities Clarified

- TNRCC/Texas Groundwater Protection Committee
- Agricultural Chemicals Subcommittee
- Task Forces Responsibilities
- Consolidation of Agencies' Roles

Legal Authority Updated

Resources

- Agencies Commitment Based on Availability of Resources

Assessment and Planning

- Combination of Soil and Aquifer Vulnerability Assessment

Monitoring

Preventive Measures

- Specific to Specifically Identified Vulnerable Areas
- Voluntary Implementation

Response to Contamination

- Staged Response Based on Sound Data and Interpretation

Information Dissemination

- Staged Response with Increasing Focus of Educational Efforts
- Coordinated with Response to Contamination

Enforcement

- Agencies' Commitment to Enforce SMP Requirements

Public Participation

- Public Notice, Hearing and Review of Pesticide-Specific SMP

Records and Reporting

- TNRCC/Agricultural Chemical Subcommittee Responsibility

## **ITEM IV. Information Exchange for Ground Water Related Activities Status Update**

### **Outreach Efforts - Abandoned Well Plugging Initiative**

The Chair briefed the Committee on the outreach efforts for the abandoned well plugging educational initiatives. The concept calls for a self-help manual for landowners modeled after the

Kansas program. Tailoring the manual specifically to Texas rules and laws for the proper closure and abandonment of wells would assist individual landowners in closing their wells. Conversely, should the landowners prefer, they would have the option of selecting a professional to complete well closures.

The Chair will appoint members from various segments of the Committee to a task force. This task force will be responsible for the development, printing by TNRCC, and distribution of the manual at the local and county level. Revisions by the task force to the manual should be underway by the next Committee meeting.

### **SFIREG Water Quality Workgroup Report**

The Chair provided Handout 7 (SFIREG Meeting Minutes) and briefed the Committee on the State-Federal Issues Research and Evaluation Group (SFIREG). The Chairman serves on the Working Committee on Water Quality and Pesticide Disposal Workgroup. This advisory group to EPA addressed water quality and pesticide disposal specifically with FIFRA. EPA discussed their Triazine Special Review. Of interest to the Committee is the phasing out of Cyanazine, one of five chemicals being looked at for the SMP Program. There was discussion as to how EPA was evaluating Cyanazine and whether they should be evaluating it as total Triazine or on its own when doing the special review. Future registration of this compound will be subject to the same terms as are now in place with Dupont. This means final cancellation in 2002. The SMP rule, as currently drafted by EPA, keeps Cyanazine in as one of the five chemicals. However, taking into consideration the toxicological effects from Triazine, the chemical will be canceled and phased out according to schedule. There are mixed messages from EPA as to how to handle Cyanazine in the SMP. It was suggested that Triazine be the last of the five chemical specific plans under consideration for development.

Regarding the status of the State Management Plan Rule, a meeting was held in late August with SFIREG, AAPCO, and NASDA. The entire timetable between promulgation of the rule and the effective date of its implementation is now thirty-three rather than twenty one months. States have 24 months in which to prepare plans for EPA review; EPA has nine months for review of plans and preparation of materials. Of the five chemicals under consideration for restricted use, none is presently restricted due to the possibility of potential contamination of ground water. EPA is planning to go final with the proposed rule they published four years ago on their criteria for restricted use due to ground-water considerations. The SMP Rule will depend on this rule already being final. They do, however, have a fallback position if this rule is not finalized. It is of interest to this group in that the state lead agencies have questioned EPA on the necessity of submitting five separate plans. EPA has agreed that states can submit a plan for all five compounds. Also EPA indicated that at the time the plans go into effect, they do not have to be fully mobilized. They can be phased. This will help with up-front costs such as the installation of monitor wells. Publication of the final rule is scheduled for early 1997 and publication of the SMP draft rule is set for early 1996.

In the updating of the rule, EPA overstated the cost to the States for implementation of this plan. The numbers will be revised downward. The Committee definitely needs to look at and comment on the amount of funding that will be necessary to implement the plan.

The Office of Drinking Water is in the process of updating standards for pesticides and metabolites. It is difficult for us to plan what needs to be done when there are no standards for metabolites concerning what constitutes appropriate trigger levels. EPA seems to be in somewhat of a quandary as to what is necessary at this point. EPA's Office of Drinking Water, having had their funding severely cut, are not certain what action will be taken concerning this matter.

### **CSGWPP Development Status**

Steve Musick briefed the Committee on the status of CSGWPP development. The first week of December, he attended a Governor's Association-sponsored meeting concerning EPA's CSGWPP's Review process. The States learned a great deal about the differences in regional implementation of the CSGWPP process. Five States have endorsed core assessments. A number of States close to endorsement agree that, at the state level, this is a beneficial process for identifying each agency's role, aids coordination between agencies, and assists with the various processes necessary to make decisions across agency lines. This resulted in a general feeling that there are benefits to CSGWPP development. Texas might have gone through this stage a little earlier due to the development of the Texas Ground-water Protection Strategy. There seems to be agreement that comprehensive ground-water protection is a good thing. Also addressed was the fact that EPA's endorsement process has been difficult at best; "brutal" has also been used to describe this process. It appears that individuals at the regional level have not been adequately apprised of Headquarter's ideas of what constitutes an acceptable core program. For example, in some regions CSGWPP was relatively unimportant while other regions were very carefully drilled on CSGWPP and received a very detailed review at the regional level. No particular recommendation was decided upon and it will remain to be seen what EPA will provide in the way of a streamlined process.

The third item to come out of the meeting was a lengthy discussion on flexibility. EPA's carrot in the CSGWPP process has been flexibility in all EPA programs not just water programs. To their credit, the Office of Emergency Response, which is where Superfund, RCRA, and PST are housed at Headquarters, have made a commitment to honor state remediation standards even if they are less stringent than federal standards, provided the state has an endorsed core program with a methodology for determining use and value of ground water. EPA has come through with flexibility in the ground-water remediation programs. Quite a few states were very pleased with this flexibility and it could possibly have an impact on our Superfund and industrial remediation programs. Other issues of flexibility were less clear. The flexibility received, for example in the northeast, as a reward for a core submittal, was flexibility others already had in other parts of the nation. True flexibility may only be achieved through coordination within EPA's own programs. While the verdict is still out on flexibility, it definitely exists in the risk assessment arena.

The Drinking Water Program, in response to possible funding cuts, are considering disinvesting in certain programs. Disinvesting does not mean that they do not support the program; it means that they are not going to devote Headquarter resources to further process. They anticipate disinvesting in CSGWPP. There will be a small level of disinvestment in wellhead protection with significant disinvestment in the area of establishing new monitoring requirements for public water supply systems. Their efforts will focus primarily on biological constituents and not on

organics such as pesticides. Presently this is a draft initiative. If their funding is reduced, they are moving in this direction. The question was raised as to whether EPA would disinvest in our State Management Plan Process. Mr. Musick indicated that this pertains only to drinking water programs. However, in effect, since we don't have MCLs for metabolites, the Drinking Water Program says they are related and we will not receive funding.

He felt that the Committee now has enough information from EPA on flexibility to pursue the development of the core program submittal which should be worthwhile. While the issue of whether it is actually submitted for endorsement is still there, the Committee should proceed with its development. By the time it is completed, the Committee may have a better idea of EPA's rewards and can decide at that time whether to seek endorsement.

The Chair indicated that this approach concerning flexibility for the program, should possibly be considered by the Committee once Core endorsement is in place. Mr. Musick agreed adding that this is not related only to the standard water programs or exclusively to TNRCC programs.

The Chair added that there could even be some flexibility under the Clean Water Act, for the 319 Program, which is a Federal program. At this time negotiations appear to be open. Mr. Musick mentioned that just by virtue of CSGWPP being recognized by Headquarters and by the Region, Biennial Water Quality Inventory Report, 305(b), funding by EPA has been forthcoming. This time around it was included in one of our grants because it fell under one of the six CSGWPP strategies. This resulted in a small benefit from the CSGWPP process here in Texas.

## **ITEM V. Business - Discussion and Possible Action**

### **Annual Joint Groundwater Monitoring and Contamination Report Preparation**

Kelly Mills, TNRCC, briefed the Committee on the joint report's preparation and provided joint report materials packets (Handout 8) to each individual agency. Mr. Mills plans for an initial draft review February 23, 1996, which will allow for two rounds of reviews with one week for a review and one week for corrections. That should result in a final draft by March 22, 1996.

He indicated that there has been some discussion on the possibility of the Interagency Pesticide Database Section being discussed somewhere else in the report. There will be updates needed to the Risk Reduction Rules Section. Updates to the Groundwater Contamination Notification Section are also likely. Regarding the Matrix, Mr. Mills indicated that the Matrix is prepared when the tables and other input are finalized.

### **1996 Water Quality Inventory Report (Clean Water Act, .305b)**

At the Chair's request, Mr. Musick indicated that under the Clean Water Act, the State of Texas is required to provide, on a two-year cycle, a water quality inventory report to EPA. EPA compiles this into a nationwide report for Congress. The primary purpose of the report is to educate Congress on the status of water quality in the United States. The report addresses how severely water quality is impacted or impaired, the programs involved and their effectiveness in



addressing the impairments. Traditionally this has been a surface water report based on monitoring of stream segments in Texas. In the last ten years it has had a ground-water component which has been used by EPA's drinking water program to develop indicators about ground-water quality. It hasn't had the level of detailed analysis as that of the surface water section.

After several attempts at strengthening the guidance in the face of resistance, EPA held a number of meetings last year in preparation for developing guidance. EPA has taken a dramatically different approach to the issue and TNRCC is pleased with this new approach. The agency is hopeful that we can work with other agencies through the Committee, the Data Management Subcommittee and the Joint Report to get a better methodology for directing and evaluating these monitoring efforts.

At Mr. Musick's request, Mr. Mills updated the Committee on guidance changes concerning the ground-water section of the 305b report. The guidance went from a statewide overview of ground-water to assessing ground-water on an aquifer by aquifer basis. EPA is asking the State to attempt to assess 10 percent of the aquifers each cycle until up to seventy 75 percent of the aquifers are covered within a ten-year period. The guidance is essentially broken down into four sections.

The first section is an overview of ground-water contamination sources. The majority of data is already being collected for preparation of the joint report.

The second section is an overview of state ground-water protection programs. This data is also collected for the joint report.

The third section is a summary of ground-water quality and EPA has requested the State to use ambient quality where available. This data is available from the Water Development Board.

The fourth section, which is optional, is a summary of ground-water/surface water interaction.

The majority of information requested is wanted in a tabular format with text explaining the tables. The TNRCC Surface Water Quality Monitoring Team has the major responsibility for this report. They are requesting a draft from the Committee by January 12 and their initial draft to EPA is due February 1.

Mr. Musick thanked Mr. Mills for his report and said that the responsibility for development of this document is with TNRCC. Now that the 305b Guidance has become a more usable approach to assess ground-water quality, it makes sense to consider an approach the Committee can use in evaluating whether ground-water is being significantly impacted.

Another consideration is whether it warrants, on a statewide basis, any changes in the ground-water protection programs for which this Committee is responsible. In this regard, Mr. Musick proposed to the Committee that the Data Management Subcommittee be reactivated and charged with providing interagency input and review of the 305b process. This presents a unique opportunity for the Committee to use the valuable ambient data collected by the Texas Water

Development Board over the years.

Examination of this data should allow for useful evaluations and conclusions to be drawn concerning the status of water quality for the state's aquifers. Examinations, in addition to impacts from natural sources identified by the Board, would be supplemented with ground-water contamination information compiled for the Committee's annual joint report. In addition, TNRCC staff would provide input relating to public water supply wells which have been adversely impacted.

This goal should include development of a methodology over the next year that enables the Committee to annually or biannually review these three or more types of data by evaluating them to determine the status of ground-water in Texas. This should result in recommendations and guidance to our agencies and the legislature as to how to deal with concerns based on real problems rather than perceived problems that may be coming to us from EPA, for example.

Mr. Musick provided a draft charge for the Data Management Subcommittee (Handout 9) and asked the Committee members to briefly review the charge. Mr. Musick suggested that the Chair be allowed to appoint, and work with, a subcommittee chair to identify membership of the subcommittee. Ideally, someone from each of the member agencies on the Committee would serve on the Subcommittee. Also, any additional interested agencies or individuals would certainly be welcome and their input would be appreciated.

The Chair summarized her understanding of Mr. Musick's proposal to be that the subcommittee can assist the Committee in achieving the Legislature's request for evaluation of areas needing programs. This is part of the Biennium Legislative Report that the Committee is required to provide.

Mr. Musick agreed and indicated that this process could be developed by the subcommittee and would provide the necessary water quality data to make the required recommendations.

At the Chair's request for input, Phil Nordstrom, TWDB, stated that their data is collected for use by all other agencies. He expressed TWDB's interest in being on the subcommittee. The TWDB does evaluate and sample the aquifers and assess them sometimes in published reports or news articles. Currently the TWDB has five publications based primarily on ambient monitoring underway.

The Chair asked Mr. Musick to clarify No. 4, the expected results, relating to one major, one minor, and one local aquifer selected for assessment.

Mr. Musick replied that EPA would like to see the evaluation of 10 percent of the State's aquifers in each cycle so that over a specific amount of time the most significant aquifers are reviewed and evaluated. The reason for the suggested one major, one minor and one local aquifer is to select the most recently finished aquifers that are monitored. This would allow for representative coverage in a number of different areas. This selection would also provide information on aquifers used for domestic wells in addition to irrigation and public suppliers.

Mr. Musick asked the Committee to take a vote on reactivation of the Ground-Water Data Management Subcommittee with the drafted charge and the agreement that the Chair will appoint a chairman and work with the appointed chairman to identify members of the subcommittee to include at least the participating agencies on the Committee.

Mr. Nordstrom made the motion that the Ground-Water Data Management Subcommittee be reinstated and take the charge as stated in the document. The motion was seconded and the Chair stated she would identify a subcommittee chairman before the next Committee meeting.

### **Draft Texas Ground-Water Program Directory**

Kelly Mills provided a draft copy of the directory (Handout 10) and reminded the Committee that the directory has been designed for the Public's use to provide them with information, leads, and contacts for obtaining ground-water related information. The directory is composed of five parts. The first is a general discussion of hydrogeologic principles and a definition of terms. The second part is a subject reference telephone directory for ground-water related programs. The third part describes the Committee's creation mandate, responsibilities, membership and discusses the State's ground-water protection policy. The fourth part provides an abbreviated summary of the member agencies ground-water protection programs and includes a summary of the USPS's activities in the State. The fifth part is the Appendices. A ninth appendix, Internet addresses for State agencies that TNRCC's in-office Web server can locate, has also been added. Mr. Mills proposed that the Committee accept and approve the concept of the directory as it is discussed in the Table of Contents and Introduction, and as soon as the current phone numbers and other relevant information are provided, it will be published. It will then be included on the agencies' bulletin board.

The Chair would like to see the Directory published by January 1996 and asked the Committee to provide Mr. Mills with any revisions as soon as possible. The Chair suggested that the Directory be put on the Internet which would simplify updating the document. A revised hard copy could then be provided periodically.

### **Draft Texas Generic State Management Plan for the Prevention of Pesticide Contamination of Ground Water**

At the Agricultural Chemicals Subcommittee Meeting, the morning of December 14, 1995, the Subcommittee Members reviewed and adopted, with minor changes, the latest Draft of the Texas Generic State Management Plan. This Plan was then presented to the Texas Groundwater Protection Committee Members. The draft SMP has been provided to both the subcommittee advisory groups and EPA Region 6 for review and comment. Tentatively we are looking at mid-January as the deadline for comments, which will be incorporated in the document. The document will be presented to the full Committee for their approval at the next meeting. Upon approval it can be submitted to EPA for approval if that is the Committee's wish.

It is reported that the draft SMP rule was been submitted to OMB about two weeks ago. Publication is tentatively scheduled for late Spring 97. This will be the first publication of this rule and will provide an opportunity for comments on this matter. The Rule should be final in

1997 with a thirty-six month time frame for the plans to be in place. This time frame would include a nine month review of the plans by EPA after development by the States. Their implementation goal is 1999. This latest draft rule represents a much more realistic approach to the actual accomplishment of pesticide management to protect ground-water. The rules are much clearer. There are two particular areas requiring special review other than the resource chapter. These areas are the trigger levels, in terms of concentrations of chemicals related to the MCLs, and, whether or not the responses proposed in the Draft State Management Plan correlate with what your Agency considers to be a proper response.

### **Options for State Level Concurrence on the Generic SMP**

Mr. Musick indicated that the original generic plan was compiled by the Committee and presented several options for state level concurrence. The generic plan is voluntary and is not required by Rule, concurrence does not necessarily represent a legal commitment by the agencies to the resources identified in the document. However, the Committee and each individual agency need to consider what concurrence options they would be comfortable with so that we can demonstrate to EPA that we have the participating agencies' commitment to the roles identified in the SMP and to couch that in terms of the available resources. The pesticide specific SMPs will require EPA approval and, in turn, will require from the Committee, some demonstration of a state commitment. The easiest answer would be that we have Committee approval which should be sufficient. Each agency would then honor its commitment made through this Committee to the SMP document, both to the generic and the pesticide specific.

Another possible option for agency concurrence would be a sign-off page with the CEO of each participating agency. A more onerous option would be Memoranda Of Understanding (MOUs), executed between the agencies, making the commitments identified in the SMP.

Finally, an even more onerous option, which has been mentioned by EPA in some discussions, would be the review and approval by the attorney general's office, that the agencies not only have the authority, but have, in fact, made the commitment. This would be accompanied by a sign-off or transmittal from the Governor's office to show that the State is fully committed to the SMP. Mr. Musick indicated that these are some of the available options. He feels that it is still a little early to say what EPA is going to require. He indicated that the Committee needs to be prepared to provide comments and alternatives that are reasonable to EPA. This will require a good demonstration of some alternative concurrence procedure if the Committee wants one.

The Chair pointed out that this version is, in fact, the mechanism that is used for the 319 Nonpoint Source Program.

The Chair reminded the Committee that, on Page 16 of the SMP, even though the Committee is composed of designated representatives, the actual members are agency executive directors or the equivalent thereof. She also pointed out that Chapter 5 of the Water Code requires TNRCC to adopt, by rule, any MOU that we enter into with other state agencies. This is another point that needs to be taken into consideration in this process. Another caveat is that while there are some state agencies that have enforcement authority, other state agencies are more involved in the educational aspect. She was unsure as to whether EPA would accept the fact that we have a

contract for services as being an agreement.

**ITEM VI. Announcements**

(4)

The Chair announced an Edwards Aquifer Rules (30 TAC, Chapter 313) Public Hearing would be conducted in Bell County on January 10, 1996.

The Chair announced the Ground Water Protection Council will have a meeting in Houston on January 23 and 24, 1996. In addition, the Ground Water Protection Council will hold a conference on Class I and Class II injection wells on February 25 through 28.

Steve Musick announced that the statewide DRASTIC vulnerability maps have been digitized and are available by contacting the TNRCC's Ground-Water Assessment Section.

Phil Nordstrom announced that CIBA/GEIGY has provided atrazine sampling results from the Brazos River Authority, GCA, and the High Plains Underground Water Conservation District No. 1. All analyses for obtrusion were below the detection limits.

**ITEM VII. Public Comment**

None ITEM

**VIII. Adjourn**

The Chair closed the meeting at 3:25 p.m.

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