#### **Texas Groundwater Protection Committee**

Record of Meeting First Quarter Meeting, Fiscal Year 1998

| Meeting Date:   | November 20, 1997          |            |
|-----------------|----------------------------|------------|
| Place:          | Building F, TNRCC, Park 35 | Room: 2210 |
| Meeting No.: 33 |                            |            |

#### **TABLE OF CONTENTS**

#### MEETING ATTENDANCE COMMITTEE HANDOUTS

#### **MEETING RECORD OF NOVEMBER 20, 1997**

#### I. Call to Order and Introductions

#### II. Subcommittee Reports

Agricultural Chemicals Subcommittee Ground-Water Data Management Subcommittee Ground-Water Nonpoint Source Subcommittee Water Well Closure Task Force

#### **III. Presentation** 6

Brad Cross, TNRCC, Source Water Assessment Program

#### IV. Business

9

Texas Comprehensive State Ground Water Protection Program -- Outline and Concept for Revision Approval of Abandoned Well Closure Technical Guidance Document Set Future Meeting Dates

#### V. Information

Exchange for Ground Water Related Activities/Status Update Committee Publications: Joint Groundwater Monitoring and Contamination Report Update on RCT/Statewide Rule 8 EPA Class V Well Rules/UIC

TGPC Homepage

VI. Announcements

- VII. Public Comment
- VIII. Adjourn

# MEETING ATTENDANCE

| <b>Committee Members</b> | Affiliation |
|--------------------------|-------------|
| Mary Ambrose             | TNRCC       |
| Phil Nordstrom           | TWDB        |
| Richard Ginn             | RCT         |
| Donnie Dippel            | TDA         |
| Beade Northcut           | TSSWCB      |
| Bruce Lesikar            | TAES        |
| Alan Dutton              | BEG         |

# **Guest Speaker**

Brad Cross, TNRCC, Water Utilities Division, Public Drinking Water Section

| Agency Staff       | Affiliation                                  | Program                        |
|--------------------|--|--------------------------------|
| Steve Musick       | TNRCC  | WQUAL/Ground-Water Assessment  |
| Kelly Mills        | TNRCC  | WQUAL/Ground-Water Assessment  |
| Craig Caldwell     | TNRCC  | WQUAL/Ground-Water Assessment  |
| Ken Petersen       | TNRCC  | Office of Water Resource Mgmt. |
| Tom Jecha          | TNRCC  | Enforcement Division           |
| Cecily Warren      | TNRCC  | Field Operations Division      |
| DeWayne Burns      | TDA  | -                              |
| Ambose Charles     | TDA  |                                |
| Jeanette O'Hare    | TDA  |                                |
| Jill Hybner        | RCT  |                                |
| Steve Wiley        | Texas Department of Licensing and Regulation |                                |
| Interested Parties | Affiliation                                  |                                |
| Rick Lowerre       | Henry, Lowerre, Johnson, Hess & Frederick    |                                |
| Jim O'Connor       | San Antonio Water System                     |                                |
| Ken Kramer         | Sierra Club, Lone Star Chapter               |                                |
| Angela Geurts      | McCulley, Frick & Gilman                     |                                |

| Gary Grant    | Texas Water Well Drillers Advisory Council |
|---------------|--|
| Phyllis Hicks | Texas Rural Water Association              |
| Kathy Parker  | Texas Rural Water Association              |

## **COMMITTEE HANDOUTS**

- 1. Meeting Agenda
- 2. TGPC Mailing List
- 3. TGPC FY97 Fourth Quarter Record of Meeting (August 28, 1997)
- 4. Agricultural Chemicals Subcommittee Report November 20, 1997
- 5. October 13, 1997 EPA Letter/Response to EPA Region VI Comments, Generic SMP
- 6. Nonpoint Source Program Annual Report Survey
- 7. Source Water Assessment Program Key Implementation Dates
- 8. Texas' Source Water Assessment and Protection Model
- 9. Source Water Assessment and Protection Program Phase Description

10. Guidance for State Ground Water Protection Grants under SDWA Section 1429 (CSGWPP Simplification Guidance)

- 11. Process Outline for CSGWPP Implementation
- 12. Plugging Abandoned Water Wells draft technical guidance document
- 13. Proposed Abandoned Well Closure Education Action Plan

14. TNRCC Rules Tracking Log

## **MEETING RECORD OF NOVEMBER 20, 1997**

## I. Call to Order and Introductions

Mary Ambrose, TNRCC, Designated Chairman of the TGPC, called the meeting to order at 1:12 p.m. Representatives from the Texas Department of Health and the Texas Alliance of Groundwater Districts were absent. A copy of the meeting's agenda was provided as Handout #1. The Chairman called the members attention to Handout #2, the TGPC mailing list, and asked the member to provide any updates as needed. The Chairman noted that Bill Mullican, formerly with the Bureau of Economic Geology (BEG) had moved to the Texas Water Development Board (TWDB) and welcomed Alan Dutton back as the BEG's designated representative. The Chairman provided and called the members attention to Handout #3, the TGPC FY97 Fourth Quarter Record of Meeting (August 28, 1997), and noted that the meeting record would be provided in the near future to those on the TGPC's mailing list.

## II. Subcommittee Reports

## **Agricultural Chemicals Subcommittee**

Mr. Musick, TNRCC, Chairman of the subcommittee, presented the subcommittee's report. The subcommittee held its FY98 first quarter meeting at 10:00 a.m. on November 20, 1997. Mr. Musick provided Handout #4, the subcommittee's quarterly report, and Handout #5, the October 13, 1997 letter to EPA Region VI on their comments on the generic SMP. Mr. Musick noted the TGPC's August comments (in response to EPA Region VI's comments) were incorporated into

the October 13, 1997 letter. He noted EPA Region VI had given an informal response on the letter and is supposed to provide a formal response by the end of the year.

The subcommittee heard a presentation from TNRCC staff on pesticide monitoring in the Public Water Supply Program of the Water Utilities Division. The scope and results to date were presented. Atrazine detections were reported as the most significant contaminant detected in terms of number of systems and population. Information specific to atrazine detections was also presented; only one groundwater system was impacted by atrazine.

TNRCC staff presented a proposal to the subcommittee to initiate an investigation into atrazine contamination of a City of Friona water well. Staff presented some background information on the contamination case and a draft investigation outline. The Chair of the subcommittee proposed that the subcommittee charge the Data Evaluation and Interpretation Task Force (DEITF) with conducting the investigation as a test of the SMP's contamination response scenario. The members agreed and the Chair will develop the charge and convene the DEITF.

The subcommittee heard reports from the Site Selection, Education, and SMP Task Forces. The BMP and DEI were not active in the last quarter. Member agencies of the subcommittee presented brief summaries of their FY 98 pesticide activities related to SMP efforts. The subcommittee discussed future atrazine monitoring efforts in general, as vulnerable area mapping was not yet available to the Site Selection Task Force.

An issue regarding monitoring was raised by Rick Lowerre, interested party. His concern was the gap in water quality pesticide data for groundwater and the failure of the subcommittee's and others' efforts to fill this gap. He suggested a work group be formed to address this issue and develop proposals. Mr. Lowerre had made the same suggestion to the subcommittee earlier in the day.

## **Ground-Water Data Management Subcommittee**

Beade Northcut, Chairman of the subcommittee, presented the subcommittee's report. Both the NPS Assessment Report and Management Plan were submitted to EPA approximately two months ago. The TNRCC has been in meetings with EPA several times since then in an attempt to resolve how TMDLs will be included in these documents. EPA is expected to submit their comment letter within the week (before Thanksgiving). EPA's comments will then be addressed and a final draft copy will be released for public comment. If everything stays on the current scheduled, final copies should be submitted to the Governor's office by February 1998.

Mr. Northcut also noted the TSSWCB is revising the agriculture and silviculture NPS program materials. The TSSWCB should have a draft in to EPA by December 11, 1997.

The NPS Program Annual Report is due to EPA by the end of January and the draft is scheduled to be completed by December 12, 1997. A Nonpoint Source Program Annual Report Survey (Handout #6) was provided to the members to solicit comments for the report. Input for the report should be received no later than December 1, 1997. The members were asked to copy and share the survey with appropriate programs and others who may be interested. The TNRCC will

be mailing the survey to identified program areas. The survey is not limited to state agencies, however, it is the intent to get the survey to programs implementing NPS programs (not to programs that only report on NPS activities).

## Water Well Closure Task Force

Kelly Mills, TNRCC, presented the task force's report. The task force did not meet during the last quarter. The Guidelines Development Workgroup completed its goal of producing the draft technical guidance document Plugging Abandoned Water Wells and has met its deliverable. The technical guidance document was distributed at the last TGPC meeting. Comments were received from the Railroad Commission of Texas (RCT), the TNRCC, and the Barton Spring/Edwards Aquifer Conservation District (BS/EACD). These comments were incorporated into a revised draft and cleared with the task force's co-chairs. The final draft was distributed to TGPC and task force members on November 5, 1997. The technical guidance document will be discussed later on the agenda.

The Bibliography Workgroup completed its goal of compiling the working bibliography and its deliverable has been completed. The working bibliography was also distributed at the last TGPC meeting.

The Education, Resource, and Dissemination (ERD) Workgroup still has a lot of territory to cover. The goals of the ERD Workgroup will be to: finalize cost-share research and research into funding for the production of educational materials; prepare a grant proposal (work plan, milestone schedule, budget proposal); develop an information dissemination plan, and draft a couple of educational brochures. Possible action to motivate the workgroup will also be discussed later in the agenda.

## III. Presentation

## Brad Cross, TNRCC, Source Water Assessment Program

Mr. Cross presented an overview of Source Water Protection and Assessment activities which are underway at the TNRCC. He noted the passage of the 1996 amendments to the Safe Drinking Water Act (SDWA) signaled an important change in the way the state does business in regard to public drinking water. There were a wide array of new mandates which were enacted that must be implemented at the federal, state, and local levels. Mr. Cross addressed the source water assessment and protection program.

The state has been given a unique set of challenges in how it implements its program. There is a string attached to the flexibility which Congress has given the state; if the state agencies do not step up to the plate and make things happen, the pendulum will swing back to the federal level. Source water assessments are required for all public water supply (PWS) systems throughout the state. The TNRCC was allowed to use up to 10% of its Fiscal Year 1997 state allocation (~\$8.5 million) out of the Drinking Water State Revolving Fund (DW-SRF) to use in developing a source water assessment program (SWAP). The TNRCC elected not to take the full 10% of the allowable set-aside and instead took out only \$2.5 million. The TNRCC felt it could be more

creative and could come up with a way to extend the \$2.5 million further.

There was a very short time frame given to the states to complete assessments (SWAP Key Implementation Dates; Handout # 7). EPA issued its final SWAP guidance in August 1997. At that point, the state had a two-year period to develop a SWAP and submit it to EPA for approval (due in February, 1999). Once the SWAP is submitted, EPA is given nine months to disapprove the program. If the state does not hear back from EPA after program submittal (after the nine month period), then the program is automatically approved.

The SDWA amendments also require the state to make the results of the assessments available to the public. There are specific goals which the state is required to meet. The state is required to identify the areas or the PWS sources (PWS wells or PWS intakes). The state is required to then inventory all potential sources of contamination (PSOCs) and conduct a rating as to whether the water supply is highly, moderately, or lowly susceptible to contamination. Lastly, the state is required to inform the public of those results.

The TNRCC has a great deal of flexibility on how it accomplishes these goals and has acknowledged that it is important to involve the public throughout the entire process. The TNRCC Drinking Water Program has a Drinking Water Advisory Workgroup Committee (DWAWC) that has been in place for several years. The DWAWC serves as a sounding board for any policies, rules, or issues that affect consumers and public water suppliers. The TNRCC went to the DWAWC and set up a public participation workgroup and asked the workgroup to generate a list of nongovernmental organizations (NGOs), state agencies, federal agencies, and program areas that should participate in the public forum process. Over 80 NGOs were identified were invited to attend and participate in the Workgroup.

An initial meeting included only state agencies, federal agencies, and TNRCC program areas. A week or two later the first large-group public forum meeting was conducted. The second meeting was conducted on November 17, 1997, and the next meeting is scheduled for December 15, 1997. It is important to get the public's and state agencies' input into the process early on because of the short timeline Congress has allowed to conduct the set up the program and conduct the assessments. The TNRCC has received comments from the workgroup noting this type of interaction needs to be an outgrowth to other programs (for example TMDLs or Clean Rivers). The TNRCC is hoping the SWAP process will help guide other program directions and decision making processes. The TNRCC is receiving and considering the input and wants to make sure there are no surprises when the SWAP is submitted to EPA.

One of the charges given to the workgroup was to validate the assessment approach that the TNRCC has crafted. This summer, the TNRCC met with the USGS and drafted an approach which we felt would be appropriate. Something (a starting point) had to be on the table to present to the workgroup. The workgroup was then asked what it thought about the drafted approach. From here, the TNRCC can modify the approach and guide it based on public input. The TNRCC wants to know from the workgroup: if we have the right tools to get the job done; what should some of the state's priorities be; what are some of the gaps in the draft proposal; and, what do we need to do to come up with what is missing. Very good input has been provided to date.

With such a short time frame, the TNRCC's job is tremendous when you consider the number of surface water intakes and PWS wells in the state. The TNRCC has over 16,000 sources that must be assessed. For each, the TNRCC will have to delineate a zone of contribution (whether it be a watershed, subwatershed, or WHP area around a PWS well) and conduct an inventory of PSOCs within the zone of contribution. To accomplish this within a two-year period, once program approval is received, is quite a chore. The TNRCC can seek an extension of 18 months to the two years to get the assessments completed but that decision would have to be made further down the road. In a few years, the TNRCC wants to be able to provide the public, both the consumer and the water supplier, with the opportunity to have access, either through the Internet or through a hardcopy map, of information about their water supply. The TNRCC wants to make the public aware of its water supply and resources and have them recognize the importance of protecting their water resource.

The SWAP should guide many of the program areas as previously mentioned. Centralizing information will assist in guiding management decisions and prioritizing workloads. The \$2.5 million taken out of the DW-SRF will be banked for a period of three years. The TNRCC felt the best option was to develop a partnership with the USGS. This provides the opportunity to leverage each others resources and provides a great deal of scientific credibility to the SWAP. This summer, a draft multi-year workplan was developed which outlines the tasks, the timelines, and the budget that would be required to conduct the assessments of the vulnerability of our PWSs. This information was presented to the Public Forum workgroup at the meetings and has been tweaked accordingly. The TNRCC has been listening to what the workgroup said it felt constituted a priority area and what direction the TNRCC should go. The TNRCC/USGS multi-year workplan is dynamic; it is still being modified as input is received from the public forum workgroup.

The TNRCC is not going to reinvent the wheel. There are tremendous amounts of data out there that the SWAP needs to take advantage of, and coupled with the existing vulnerability assessment and wellhead protection programs, the TNRCC believes the state is way ahead of the game. On a national level, Texas is very much ahead of the pack. The bucket diagram (Handout #8) illustrates that the biggest challenge ahead of us is the infrastructure, the software and hardware to go out and complete this work so that the TNRCC can produce the needed maps. The SWAP is not starting from ground zero, existing data will be brought into the program. Then the SWAP will need to begin delineating the zones of contribution to the PWS wells, determine what assessment logic will be used, and continue assessing the susceptibility to contamination and the infrastructure.

Mr. Cross noted that it is important to mention that the assessments are precursors to protection activities. The assessment process will guide source water protection activities, whether it be wellhead protection or surface water protection activities. Based upon these assessments, the SWAP will prioritize which areas of the state it should concentrate its protection activities in first. The SWAP feels the areas to focus on initially are the more vulnerable, unconfined aquifers (Ogallala, Seymour, alluvial aquifers of west Texas, the Edwards as examples) and the small watersheds. BMPs will be implemented in small watersheds and they will be used as pilot project examples for the large watersheds.

Mr. Cross was asked about some of the set-aside monies being used for local projects. Mr. Cross said that was correct, and that by taking out less than the allowable 10% of the DW-SRF, it was hoped it would free up more money for local protection activities In the future there will be a certain percentage of the DW-SRF dedicated to SWAP activities that local governments can tap. Mr. Nordstrom asked if that money could be used to plug abandoned water wells. Mr. Cross responded that that specific example was used in the DW-SRF guidance.

Mr. Musick asked if the SWAP had gotten to the stage of determining what is going to be a critical area of contribution. Mr. Cross replied yes, for PWS wells they would be looking at a five-year travel time for groundwater and for surface water they are looking at the surface water boundaries.

Mr. Ginn asked at what stage it was anticipated that SWAP would be getting together with other agencies to discuss their databases. Mr. Cross replied that that was coming up. In the Commission agenda yesterday, the Commissioners approved an agreement with the USGS so that funds could be transferred and the USGS would, within the next several weeks, be contacting the state agencies to discuss existing databases. Mr. Ginn asked that when data gaps are identified, is there going to be money available to develop the data in those areas. Mr. Cross said that was correct. That was part of the USGS agreement, that the USGS would subcontract out, with agencies or entities that had gaps, and do some work with those agencies or entities to get that information together.

Ms. Ambrose asked about the Source Water 1998 technical conference April 28-30, in Dallas. Mr. Cross noted that it started out pretty weak; however, EPA and USGS have jumped on board and strengthened the conference and that it is shaping up to be a fairly strong, nationwide conference. Participation in the conference will be strong. Mr. Musick asked when the next Public Forum meeting was to be held. Mr. Cross said it was December 15, 1997, at the TNRCC in Building F, Room 3210. Mr. Cross also provided Handout #9, Source Water Assessment and Protection Program Phase Description; the handout was not referenced during the presentation.

## IV. Business

# **Texas Comprehensive State Ground Water Protection Program -- Outline and Concept for Revision**

Mr. Musick provided Handout #10, EPA memorandum -- Guidance for Future State Ground Water Protection Grants under SDWA Section 1429. Mr. Musick noted SDWA 1996 amendments, which primarily address source water protection, included provisions addressing grants under SDWA Section 1429. Such grants would be available for developing or implementing CSGWPP. However, this section was not funded in the federal budget.

EPA developed guidance for this Section 1429 despite the lack of funding. The guidance, while primarily directed at CSGWPP requirements to get the funding, also addressed streamlining of the CSGWPP review and approval process (Attachment B of Handout #10).

Mr. Musick also provided Handout #11, Process Outline for CSGWPP Implementation, which

proposes an outline for staff action to get the CSGWPP development process rolling. A threestep process was proposed as follows. The first step would address the Texas CSGWPP Core Program Assessment. TNRCC staff will discuss the current Core Program Assessment and the current endorsement process with EPA Region VI and develop a submittal process checklist. Staff would then prepare an update of the core assessment for TGPC review and approval. The draft assessment would then be submitted for EPA Region VI review and public comment. After reviewing EPA and public comments, the TGPC would make a decision on whether to submit the assessment for EPA endorsement.

The second step would address a Texas Full CSGWPP vision and program development plan. Mr. Musick suggested the TGPC wait until the first step/process is completed to initiate this step. However, he suggested the TGPC appoint a subcommittee to develop the state's vision statement. A five-year full program development plan will then need to be prepared and the development of the plan will need to be negotiated with EPA Region VI. TGPC approval of all steps to the plan (development; approval; negotiations; and ultimately, final submittal) will be required.

The third step would require ongoing activities by the TGPC to accomplish the program development steps. TGPC interaction with the legislature and all state agencies will be a necessity. The TGPC will also be tasked to identify gaps in the existing programs and be prepared to address public participation issues in the process.

Richard Ginn, RCT, asked if the process called for a draft. Mr. Musick answered no, the process is laid out in more of a question/answer format where a little give-and-take is given both to the states and to EPA. Mr. Lesikar, TAES, asked about the demonstration of meeting the six assessment criteria. Mr. Musick answered that it was staff's intent to select one TNRCC program and show, in the core assessment, that the program met all six assessment criteria. This information would be augmented with highlights from other programs or agencies meeting selected criteria. Richard Ginn, RCT, moved to accept the Process Outline for Full CSGWPP Implementation as presented and discussed. Alan Dutton, BEG, seconded the motion. A vote was taken and the outline was accepted by the TGPC. Mary Ambrose, TNRCC, asked if there were any deadlines to be watching for. Mr. Musick said a meeting would be arranged with EPA Region VI, and he would report on any deadlines at the next TGPC meeting.

#### **Approval of Abandoned Well Closure Technical Guidance Document**

Mr. Mills, TNRCC, provided Handout #12, Plugging Abandoned Water Wells, as developed by the Abandoned Well Closure Task Force. This draft was supplied to the TGPC and task force members on November 5, 1997, and one set of comments has been received since that time. Mr. Mills brought the members attention to five minor revisions which were requested from Ron Feasler, BS/EACD. The TGPC concurred with four of the five revisions. Upon advice from Steve Wiley, Texas Department of Licensing and Regulation (TDLR), the revision to add a cement plug to Figure 2, Well Type VI, was nullified. Mr. Mills turned further discussion of the document back to the Chair.

Ms. Ambrose provided Handout #13, Proposed Abandoned Well Closure Education Action Plan,

and stressed the need to get the document out to the educators in a usable format. The action plan calls for the TGPC to instruct the Abandoned Well Closure Task Force to: draft brochures for education and funding sources; draft, submit, and track grant proposal for educational/ dissemination purposes; and, format the technical guidance document for public distribution.

In the interim, the TGPC will labor to load the document to the TGPC's homepage and have a determined number of copies published for initial distribution. Initial distribution actions should consist of sending a TGPC letter (outlining the document's intent, purpose, and distribution goal) to representatives of the TNRCC, TSSWCB, TAES/TAEX, and TAGD. The other TGPC agencies should be supplied copies as well as the TDLR, Texas Farm Bureau, Texas Rural Water Association, and Texas Water Conservation Association.

The individual agencies should determine to whom the initial distribution should be supplied. It was suggested the TNRCC submit the information to regional offices and the Source Water Protection Program; the TSSWCB and TAES/TAEX submit the information to an appropriate regional level; and the TAGD submit the information to the member districts. Agency correspondence on the issue should be copied to the TGPC.

An agency education workshop should be planned. At the workshop, agency representatives would explain and promote the value of the concept to the parties on the initial distribution list. Agency representatives would also receive feedback on the best technical and practical methods to educate front line personnel and the most practical methods to disseminate information to end users (public). Mr. Northcut noted it may be more practical to provide presentations on the material to those on the initial distribution list on the agenda of one of their regular forums. This suggestion was well received and may be a necessity as opposed to having a single workshop.

Mr. Northcut moved to approve Plugging Abandoned Water Wells, as amended, for initial distribution as outlined in the TGPC's discussion outlined above. Mr. Nordstrom, TWDB, seconded the motion. A vote was taken, and the motion approving the technical guidance document was passed. Mr. Dutton suggested the figures be refined and placed more appropriately in the document. Staff agreed to work on this suggested change.

## **Set Future Meeting Dates**

After discussion, the Committee set the FY98 Second Quarter meeting for February 19, 1997 at 1:30 p.m.

## V. Information

# Exchange for Ground Water Related Activities/Status Update

## **Committee Publications:**

# Joint Groundwater Monitoring and Contamination Report

Mr. Mills reported preparations for compiling the Joint Groundwater Monitoring and

Contamination Report - 1997 were kicking off. He noted staff would be meeting with the TNRCC publications chain-of-command in the next week to get the publication effort initiated. Mr. Mills noted that the agency-specific joint report packets would be distributed prior to Christmas.

## **Update on RCT/Statewide Rule 8**

Jill Hybner, RCT, updated the TGPC on the status of Statewide Rule 8, Water Protection. The RCT is in the process of amending Statewide Rule 8 for managing the surface storage and disposal of oil and gas waste (pits and landfarms for example). There are certain types of methods which are authorized by rule. Other types of methods, for storage and disposal, are reviewed on a case-by-case basis and go through a permitting process. The methods that are authorized by rule are usually for a finite amount of waste or for short-term activities and the waste is less innocuous than generally permitted activities.

The state's program was reviewed by the Interstate Compact Commission a couple of years ago for comments and recommendations. In response to that review process the RCT has made some proposed changes to the proposed amendments to the rule. The RCT has also made changes to more accurately reflect what the agency does as practice and to tighten up the pollution prevention aspects. Some major amendments as proposed include siting criteria, construction criteria, operating criteria, and closure criteria. The changes clarify many criteria for authorized activities such as limits for total petroleum hydrocarbons, electrical conductivity, and pH. Ms. Hybner noted the amendments were generally aimed to tighten the rule up and to specify actions the RCT currently undertakes.

The RCT has circulated the proposed amendments for informal comments. They have received informal comments and had a workshop to review the comments. A couple of changes were made in response to the comments. The rule will go to the Commissioners next week seeking permission to publish in the Texas Register for formal comments. They anticipate publication within the next few weeks.

In response to the Chair's questions, Ms. Hybner replied that she believed it would be a 30- day comment period. Ms. Hybner noted the amendments would go to the Commissioners next Tuesday (November 25, 1997); they would either be approved for publication on that date or postponed for decision until the next week. Ms. Ambrose noted the amendments should appear in the Texas Register sometime in mid-December. Ms. Ambrose asked about setbacks related to water wells. Ms. Hybner said the proposed setbacks from water wells for authorized pits is 100 feet, for permitted 100 feet, and for commercial 500 feet. Ms. Ambrose thanked Ms. Hybner for presenting the information to the TGPC.

# EPA Class V Well Rules/UIC

Mr. Musick provided and update on EPA's efforts regarding Class V well regulation. EPA has yet to adopt federal rules for a Class V Underground Injection Control (UIC) regulatory program in over 15 years. New EPA efforts are underway in response to a consent agreement with the Sierra Club. These efforts are a four-part approach. First, EPA will redraft proposed rules for

high priority Class V wells for publication in the summer of 1998 and adoption in the summer of 1999. Second, EPA will continue to prepare and release guidance documents addressing specific Class V well types and management practices. Third, EPA will complete a study (inventory and assessment) of the remaining well types not included in the high priority rulemaking effort. Fourth, depending on the conclusions of the study, EPA may prepare draft rules addressing well types identified in the study as potential problems.

For the updated Class V well study, the EPA Class V Injection Well Work Group reviewed the draft "Summary of Information on Class V UIC Wells". The report was well written and referenced. The group gave input on new information where available and discussed each category of well as to its potential for pollution and the status of the current inventory information and discussed risk assessment approaches. Items discussed for each category included: need for update since the late 1980's Report to Congress; documented contamination incidents; injectate constituents; and water quality standards. Each work group member was asked to provide additional comment and information to revise or supplement the draft document. A revised draft should be ready in the spring of 1998.

## **TGPC Homepage**

Mr. Musick noted the TGPC's homepage had been loaded to the TNRCC's server. The website is online at: www.tnrcc.state.tx.us/tgpc. The TGPC's email address is: tgpc@tnrcc.state.tx. At this point in time, the site conforms to TNRCC Internet policies, therefore it has the appearance of a TNRCC homepage. The TGPC site can be used as a way to distribute information such as meeting agendas, publications, agency program information, and suggestions. The mailing list could be used to distribute general and time-critical information to members and other interested parties. Mr. Northcut noted the TSSWCB had a site located on the Blackland Center's homepage. Mr. Musick noted staff would work to hotlink the TSSWCB site.

## VI. Announcements

The Chairman provided Handout #14 (TNRCC Rules Tracking Log) and gave a brief description on how to use the handout. She noted the proposed municipal solid waste/industrial hazardous waste facility rules. The rule amendments will implement new federal criteria pertaining to location restrictions and groundwater monitoring and corrective action requirements for construction-demolition landfills and other industrial nonhazardous wast land disposal facilities that may receive hazardous wastes from conditionally-exempt small quantity generators. She also noted the Coastal Nonpoint Source Program. This project concerns the development of the Coastal Nonpoint Source Management Program. The program will have management measures that address five general categories of nonpoint source pollution including: agriculture, silviculture, urban areas, marina and recreational boating, and hydromodification. The program will provide for the coordination and use of existing state and local programs.

Mr. Mills reported, that in response to Senate Bill 1, the TNRCC had initiated the North Texas Alluvium and Paleozoic Outcrops Priority Groundwater Management Area Study. The study area encompasses a 26-county area in northern-central Texas. Studies were requested from the Texas Water Development Board and the Texas Parks and Wildlife Department on October 6,

#### 1997.

Mr. Mills reported that the final federal 305(b) report guidance was received the end of October. He noted that the proposed five-year reporting plan had been abandoned by EPA; however, EPA was still looking to get away from full-blown biennial published reports. EPA is requesting annual electronic updates of material from the states. The guidance requests that the groundwater tables be updated annually and provided to EPA, along with any needed text for clarity. Mr. Mills noted that TNRCC staff had met with Mr. Nordstrom, TWDB, to discuss ambient water quality data and would be meeting with TNRCC/Public Drinking Water Section staff in the near future. The effort will be ongoing from this time forward.

Mr. Musick reported that, also in response to Senate Bill 1, the Texas Agricultural Extension Service (TAEX) held an educational organization meeting on water conservation on November 19, 1997. Mr. Musick deferred to Mr. Lesikar for further information.

Mr. Lesikar noted the meeting was well attended by state agencies, municipalities, groundwater districts, river authorities, and other public and private entities. Presentations by differing entities were followed by an open discussion on program coordination to make citizens more aware of where their water supplies come from and the management of the water supplies for protection of the resource. Mr. Lesikar noted that four main issues were identified at the meeting. The first issue was a strong interest in having a central web site for conservation information. Many of the participants had strong conservation education programs and others hoped to not be duplicating previous efforts in the development of their programs.

The second issue was to focus educational efforts by supporting a "water month". They probably are looking at an April/May timeframe for 1998 because of previously planned activities. This should be a programmatic relation to established water conservation education efforts. All players should focus on this timeframe, not per se creating additional tasks, but coordinating the current efforts to give as big a push as possible to get things in front of the citizens. They would also be looking at trying to do some additional news releases to help spread water conservation and reuse information during that timeframe. Existing efforts during this timeframe include the Blue Thumb program at the beginning of May where quite a bit a private industry money and utilities provide educational outreach. This program would provide an easy place to build upon. Programs in April also include the TWDB's Water for Texas conference in Galveston (April 5-6) and Water Reuse conference (April 27-28); the American Water Works Association conference; and the Water Environment Association of Texas conference. The On-Site Program has its annual conference on May 20-22 in Corpus Christi.

The third issue related to education in the schools. Senator Brown has requested an educational initiative in the schools in September to focus on water resources and conservation. There are currently quite a few outstanding programs aimed at the first through fifth grades but few programs aimed at high school aged kids. Most students have an introduction to water issues at the fourth or fifth grade level. This needs to be followed up with a water issue program in the high schools.

The fourth issue will be to address specific educational programming required by Senate Bill 1

related to groundwater districts. A smaller group should meet to discuss these issues within the 30 to 60 days.

Mr. Nordstrom noted that Bill Mullican, TWDB, requested that he would like to give a briefing to the TGPC on the regional drought monitoring plans, assigned to the TWDB from Senate Bill 1, in about six months. All TWDB regional planning committees should be in place by that time.

Beade Northcut, noted that the TSSWCB will conduct nonpoint conferences in January in El Campo on the 16th and in Weslaco on the 28th. Aimed primarily at agriculture producers to make them aware of NPS pollution and make them aware of what they can do to address it.

## VII. Public Comment

Mr. Jim O'Connor, San Antonio Water System, commended the TGPC for its educational efforts regarding the plugging of abandoned water wells. He requested to be provided future notice on educational efforts regarding this issue.

## VIII. Adjourn

There being no other business or discussion, the Chair adjourned the meeting at 3:03 p.m.

Prepared by: Steve Musick