

Texas Commission on Environmental Quality
WATER UTILITY OPERATOR LICENSING ADVISORY COMMITTEE

April 19, 2023
9:00 a.m.

***12100 Park 35 Circle, A173, Austin, Texas and
Virtual Meeting through Microsoft Teams***

Meeting Minutes

Members Attending

Larry Bell
Harold Burris
Angel Bustamante
David Garza
David Harris
Melissa Loyd
Joseph McDaniel
Cory Moose
Raymond Perez
Crystal Ybanez

Members Absent

Robb Starr
Jake Hollingsworth
Karen Menard

Visitors

Joey Miller
Darrell Pullin
Leonard Leinfelder
Russell Hamilton
Donna Cospers
Paul Kite
Nichol Everingham
James Fischer
Fanta Bayo
Haddijatou Bayo
Gary Sober
Celia Eaves

TCEQ Staff Attending

Jaya Zyman, Occupational Licensing and Registration Division (OLRD)
Tamara Calhoun, OLRD
Teresa Etheredge, OLRD
Megan Brown, OLRD
Paul Munguia, OLRD
Benjamin Sakmar, OLRD
Samantha Royall, OLRD
Erika Crespo, WQD
Dorothy Young, WSD
Adriana Thomas, WSD
Stephanie Stevens-Hicks, WSD
Jason Robinson, SBLG

Call to order:

Quorum check - quorum present.

A motion to approve the meeting minutes from July 19, 2022 & November 15, 2022, was made by David Garza and seconded by Larry Bell, all members approved.

Attendee introduction:

All current and new members introduced themselves.

Water Supply Division (WSD) Updates: Dorothy Young

Texas Water Development Board (TWDB)

The Bipartisan Infrastructure Law that went into effect providing additional money for infrastructure funding for water systems. Additional applications that you can fill out include Lead line replacement money which includes inventories and eventually there will be emerging contaminant funds.

- Fill out the Project Information Form for the lead line replacement due May 23rd.
 - No obligation to take any money nor at any particular time, but any money that Texas doesn't say they need gets taken and given to another state.

Workshops around the state. Information and webinars available on the [TWDB website](#). State is divided geographically. There is a map to find your area and team leader.

Texas Water Infrastructure Coordination Committee (TWICC)

Voluntary umbrella organization of funding regulatory assistance providers. Group includes the EPA, Texas Rural Water Communities, Texas Unlimited, USDA, Texas Department of Agriculture, and others to try to provide one stop shopping for typically small water systems that are really struggling.

Next Meeting May 31st hosted at the Texas Rural Water Association offices in downtown Austin.

[TWICC website](#) has a lot of good information on the members, funding and other conferences.

20th Public Drinking Water Conference

- August 8th and 9th
- 39 presentations
- Free
- Hybrid Online/In-person at the Renaissance hotel in Austin

Adriana Thomas, WSD

- Reminder: Report your water use restrictions through our [Online Reporting Form for Drought Contingency Plan Water Use Restrictions](#).
- If concerned about your water supply being less than 180 days or six months, please let us know that also via our online reporting form so that we can help with whatever resources we have available.
- El Nino is expected to come back with the possibility of some flooding late in the summer and early fall.
- The EPA is coming out with some new requirements for security. PFAS, PFOS and CCR. Please be aware of those EPA requirements and guidelines as they become available.

Water Quality Division (WQD) Updates: Erika Crespo
WATER QUALITY ADVISORY GROUPS

There are several surface water quality advisory groups that WUOLAC members and meeting attendees may be interested in. Additional information on all of these available advisory work groups can be found online at https://www.tceq.texas.gov/agency/decisions/participation/advise/water_surface.html.

Upcoming Meetings:

- **Wastewater System Design Criteria Stakeholder Group – April 24, 2023**
 - In-person meeting on TCEQ Headquarters Campus
12100 Park 35 Campus
Building E, Room 201S
Austin, Texas 78753
 - If you are unable to attend in-person, the meeting will be available via Call-In (audio only) at 512-826-8070, 449764389#, Phone Conference ID: 449 764 389#

- **Water Quality Advisory Work Group – April 25, 2023**
 - Live Webcast: <https://www.tceq.texas.gov/agency/decisions/agendas/webcasts.html>
 - TCEQ YouTube page: <https://www.youtube.com/user/TCEQNews>

Please feel free to send an email to Outreach@tceq.texas.gov if you would like to join any of our water quality stakeholder groups, and please include the name of the stakeholder group that you would like to join in the email subject line. We will send out notifications about future stakeholder meetings to each designated stakeholder group's email distribution listserv, so please stay tuned for those notifications to be sent out.

UPDATE ON WOD RULEMAKING

30 TAC Chapter 217 – Wastewater Treatment Systems Design Criteria

We are currently working on revisions to the design criteria requirements for wastewater treatment systems in 30 TAC Chapter 217.

- WQD held a kickoff meeting in November 2020, and we received initial comments for consideration from stakeholders in November 2021.
- Stakeholder meetings were held on:
 - January 23, 2023 – Collection systems and alternative collection systems
 - February 13, 2023 – Activated Sludge
 - March 13, 2023 – Disinfection and Safety
- Additional stakeholder meetings are scheduled for:
 - April 24, 2023 - Preliminary treatment, natural treatment units, sludge processing, and subsurface drip irrigation
 - June 5, 2023 – Completed draft revisions.

- Comments from each of these stakeholder meetings will be considered.

- The proposed revisions that our division-level engineers are currently working on include:
 - making changes to Subchapter C for collections system requirements, particularly expanding the section on reclaimed water distribution systems
 - updating the emergency power requirements for critical components of both the collection systems and the wastewater treatment facilities
 - adding new requirements for nutrient removal
 - moving Chapter 222, subchapter D for SADDs to Chapter 217 as new subchapter I, and repealing Chapter 222, subchapter D

30 TAC Chapter 210 - Use of Reclaimed Water

WQD recently completed a rulemaking to incorporate minor revisions to the general requirements for the beneficial use of reclaimed water in 30 TAC Chapter 210 to clarify that an application to obtain an authorization under Chapter 210 may be submitted concurrently or any time after submittal of an application for a permit to treat and dispose of wastewater. Notice was published in the Texas Register on October 7, 2022 and a public meeting was held last Monday on November 7, 2022. No public comments were received. The commissioners adopted the revisions at the February 8, 2023 agenda.

HOMELAND SECURITY AND EMERGENCY PREPAREDNESS

In the interest of Homeland Security awareness and Critical Infrastructure emergency preparedness, the Texas Commission on Environmental Quality (TCEQ) maintains records on all active Texas Land Application Permit (TLAP) and Texas Pollutant Discharge Elimination System (TPDES) wastewater permitted sites. In previous years, the TCEQ Water Quality Division has encouraged voluntary direct data entry via the State of Texas Environmental Electronic Reporting System (STEERS) and accepted submissions of updated information via certified mail and email correspondence. Starting this year, TCEQ is transitioning over to solely collecting information updates through our Water Quality Emergency Preparedness System (WQ EPS) portal in STEERS to better safeguard, store, and maintain these important records.

It is vital that you annually submit updated information concerning your wastewater treatment plant(s) and emergency contact(s) so that the TCEQ Water Quality Division has all of the necessary information to prepare for upcoming hurricane seasons and any other disaster events that may require TCEQ assistance with emergency response efforts. Please note that upon creating your 2023 WQ EPS application, you will be able to utilize any existing information that you have submitted in the past to fast track your submission. However, please be sure that you submit the current information for personnel that are designated as your annual email contacts to ensure receipt of important WQ EPS notices.

If you currently have an active wastewater permit with TCEQ, please complete and submit the requested updates in the online WQ EPS portal in the STEERS system by no later than 4/30/2023.

PFAS & WASTEWATER

WQD is aware of the recent federal activities and updates. We have not moved forward with any action on PFAS in regards to wastewater permitting yet, and it is our current position to implement only what is in the state and federal rules, not recommendations or guidance. WQD will continue to weigh options, consult with agency management, and await federal rules on the matter.

MANDATORY PRE-APPLICATION MEETINGS

Pre-application meetings are now mandatory for all new and major amendment permit actions, and these pre-application meetings must be scheduled and occur prior to the new or major amendment application submissions being made. Please reach out to the WQD permitting program-areas directly or send an email to WQAP@tceq.texas.gov to schedule a pre-application meeting for any upcoming new or major amendment application submissions.

ELECTRONIC TPDES/TLAP APPLICATION SUBMISSIONS

WQD is asking for all applicants and permittees to voluntarily submit electronic individual wastewater permit applications to us for review through the TCEQ's secure File Transfer Protocol Server (FTPS) using the WODeCopy@tceq.texas.gov email address. This request is being made in an effort to expedite our internal administrative and technical review processes so that we can issue our permits in a time-efficient manner. Additional information can be found on our website (<https://www.tceq.texas.gov/permitting/wastewater>).

PUBLIC NOTICE PUBLICATIONS

Both public participation notices associated with the TPDES/TLAP permitting process need to be published in a timely manner, and the proof of these publications need to be submitted to TCEQ within the established timeframes. WQD has been tracking when public notices are mailed and when proof of publication is received since 2019. Applications may be returned for failure to publish notice in a timely manner or failure to provide proof of publication with the established timeframes. Before the application is returned, a certified letter will be sent giving 30 days to submit proof of publication documents to the TCEQ Office of the Chief Clerk.

RENEWAL OF WASTEWATER DISCHARGE APPLICATIONS

Every TPDES permit includes a provision stating that the permittee must submit an application for renewal at least 180 days before the expiration date of the permit. Failure to comply with this requirement may result in a violation, and WQD will refer instances of noncompliance to the TCEQ Office of Compliance and Enforcement.

UPDATE ON WQD WASTEWATER GENERAL PERMITS

There are several WQD wastewater general permits that WUOLAC members and meeting attendees may be interested in. Additional information on all of the wastewater general permits available can be found online at <https://www.tceq.texas.gov/permitting/wastewater/general/index.html>.

2023 Renewal of the Construction General Permit (TXR150000)

On February 8, 2023, the commission issued a renewal with amendment of the TPDES Construction General Permit (CGP), which regulates stormwater discharges from construction and construction-support activities. Facilities that are currently authorized under this general permit are required to submit a renewal Notice of Intent (NOI) permit prior to June 3, 2023.

To obtain a copy of the reissued Master General Permit TXG340000, Fact Sheet, or for more information regarding renewing or obtaining new coverage under this general permit, please visit the [Stormwater General Permit for Construction Activities webpage - https://www.tceq.texas.gov/permitting/stormwater/construction](https://www.tceq.texas.gov/permitting/stormwater/construction)

Water Treatment Plant General Permit (TXG640000)

On October 12, 2020, the commission issued the new TPDES Water Treatment Plant General Permit TXG640000 which authorizes discharges of wastewater generated and discharged from conventional water treatment facilities into or adjacent to surface water in the State. Coverage is limited to conventional water treatment facilities; and this excludes facilities using special treatment processes, such as reverse osmosis, ion exchange, and treatment for metals. Qualifying treatment facilities can apply for coverage under this general permit and then cancel their individual permit if coverage is authorized.

Additional details can be found by searching for “available general permits” on the TCEQ website main page or visiting the [Applying for Authorization under the Water Treatment Plant General Permit webpage - https://www.tceq.texas.gov/permitting/wastewater/general/index.html](https://www.tceq.texas.gov/permitting/wastewater/general/index.html).

Occupational Licensing(OL) Updates: Jaya Zyman, Paul Munguia

Exams

Due to the pass rate of 8.1% for the Water A License Examination, the TCEQ OL Training group is conducting a review of the examination questions to ensure accuracy and that questions are worded correctly. The intention is not to have a tricky exam. The exam should test knowledge.

The Irrigator exam is now available at computer-based testing (CBT) centers.

Now only one exam, the site evaluator with soil samples, is not available on CBT. Converting that exam will probably include taking a portion of the exam in the classroom, much like the backflow exam.

High school program

In Texas, there are a few schools where there's partnerships between training providers and school districts. We want to expand this to be a stable program available for all high schools.

The Texas Chapter of the American Water Works Association is developing a SETH program to be taken online and throughout Texas. Using prerecorded video to close the gap between having a certified teacher and having an approved training provider.

The intention is for high school students to apply for the full license 120 days before they're going to graduate from high school. If all requirements are met, they will receive a conditional

approval allowing them to take the test. Once they get their high school diploma, they can convert their conditional approval to have a license issued to them.

Provisional License

In this legislative session there were two bills both in the House and the Senate to provide provisional licenses to wastewater operators. We think this is going to pass.

This bill would provide a provisional license for anybody who doesn't have a high school diploma. Adults that need to go back and get their GED could be provisionally licensed for a two-year period while they obtain either their high school diploma or a GED. Then they can submit this to TCEQ to convert their provisional license to a full license.

A lot of the logistics still need to be discussed on how we're going to approach that, but it's going to be very similar to the MSW provisional license. With the provisional license employees could formalize their experience in the field.

Resiliency

Currently only for the Water license program and applies to all water license levels.

Resiliency Topics:

- Incident Command
- State Disaster Assistance
- Emergency Preparedness Plans
- Mutual Aid Agreements
- Critical Components.

For training providers who volunteer to participate there are two different license type needs (New versus Renewal) and options in them.

New Licenses

Two Options:

- **Option 1** - Revise the basic water to add 2 hours to the core training to cover ALL resiliency topics with a broad-brush overview.
- **Option 2** - Second option is to create standalone 2-hour training to cover ALL resiliency topics with a broad-brush overview.

Both options listed above are an overview that must go over All the resiliency topics listed above spending a total of 2 hours covering these topics. This overview is a basic introduction opportunity for new license applicants to become familiar with these topics. We recognize not all operators are going to be the ones creating emergency preparedness plans and using incident command procedures in depth, but the intent is to make them aware these exist. Your employees need to have these procedures in place and know the importance of following them.

Somebody new to the industry may find it beneficial to only have to find, register for, and take one class rather than taking your basic water and then finding a separate time to take a standalone resiliency overview course. We're not requiring one or the other. Both options are valid opportunities and again participating in the resiliency training program is voluntary.

Renewal Licenses

Minimum of 2 hours of resiliency continuing education training that covers one or more resiliency topic and, in more detail, than the overview courses taken for new licenses.

Continuing education resiliency training must cover one or more of the listed resiliency topics. A training that covers a single resiliency topic is acceptable for continuing education. This is where training providers can go into detail about these topics and design their course to cover these topics in ways that are directly applicable to their operators.

You can have a training that incorporates 2 hours of resiliency in that training which will count. There can be an 8-hour course/event submitted to us for review and we determine out of those 8 hours all apply to the water program but only X number of hours cover resiliency. The course would be approved for 8 hours of water credit including 2 hours of resiliency. This is still a total of 8 hours of credit for this 8-hour course/event.

The vision of the future is that students take the core course, which includes the overview, and then more in-depth continuing education resiliency courses every three years as they renew their license.

Please contact the TCEQ OL Training group if you think some of your current training is applicable to any of the resiliency topics. It's quicker for you to tell us we go look yours up specifically than for us to try to find and determine a training's potential on our own. It'll be more of an expedited review where we tag resiliency to an already approved training in our system, but we still need to go through that process and make that association.

Adjourn

Melissa Loyd made a motion to adjourn, seconded by David Harris. Meeting adjourned.

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