

Drinking Water Advisory Committee

Meeting Minutes

April 16, 2025

In-Person and Virtual Meeting (Teams)

Members Present

Adam Jackson, Privately Owned Water Systems

Ashley Davis, Conference of Local Health Officials

Beth Myers, Oregon Environmental Lab Association

Craig Sheahan, American Council of Engineering Companies of Oregon

Greg DeBlase, Oregon Environmental Health Association

Jason Green, Chair, Oregon Association of Water Utilities

Jessica Dorsey, Pacific NW Section, American Water Works Association

Karen Lewotsky, Environmental Advocacy Groups

Kim Ramsay, Oregon Environmental Laboratory Association

Lacey Goeres-Priest, Vice Chair, League of Oregon Cities

Matt Johnson, Oregon Association of Water Utilities

Michael Grimm, Special Districts Association of Oregon

Sandra Bishop, League of Women Voters of Oregon

Yone Akagi, Portland Water Bureau

Members Absent

Cheyenne Holliday, Water Consumers

Chris MacQuarrie, Plumbers/Backflow Testers

DWS Staff

Samina Panwar, Adam DeSemples, Brad Daniels, Chantal Wikstrom, Gregg Baird, Kari Salis, Michelle Byrd, Paula Rich, Tony Fields,

Welcome/Roll Call

Lacey Goeres-Priest welcomed attendees and took roll call.

Agenda Check

No suggestions

January Meeting Minutes and Action Items Review

Mike motioned to approve the January minutes and Jessica seconded. A vote was taken and minutes were unanimously approved.

Action items review (Lacey Goeres-Priest)

Incomplete action items from January:

- BMP workgroup meeting.
- Add discussion about elections to April meeting agenda and remember to elect officers at July meeting.

Member Update/Public Input

Craig noted that AWWA has a conference coming up in May. He also mentioned and emailed information about an event by Engineering Change Lab: Envisioning a New Water Ethic for the Engineering Community.

Program Update and Discussion (Samina Panwhar)

- Reviewed structure of DWS; presented organizational chart.
- Status of new and vacated positions recruiting.
- Tony provided more details about agreements with local health authorities. 5% increase in funding.
- New staff member, Sue Yellowtail, will oversee Oregon Very Small (OVS) systems (after amendment is written and approved).
- Working on revising formula for providing funding to each county.
- DWS funding is not part of the federal funding pause, although several other OHA grant programs are affected.
- 2024 DWSRF and BIL General Supplemental awards are expected this spring.
- There is a lot of interest in Emerging Contaminants funding. PPL list is substantial.
- Funds that Oregon doesn't use are redistributed to other states.
- Have received service line inventories from 94.4% of systems. Outstanding systems are receiving assistance from DWS.
 - No lead lines identified in Oregon.
- Rulemaking: PFAS, CCR, and LCRI were new in 2024. Will be effective in 2027. Will request primacy in 2026.
- Legislative session: Noteworthy bills include SB 1154, HB 3106, SB 845
 - HB 3106: BIL provides funding. New funding may be provided to DOGAMI.

- USACE's deep drawdown operation: Drawdowns will be implemented again in fall 2025 at Green Peter and Lookout Point, but not Detroit Lake (EIA required, and won't be ready by fall). DWS met with three PWSs downstream of Green Peter; they are still very concerned about turbidity.
 - DWS recommended revising halt criteria and related communication protocol. Change to: Halt when PWS is at high risk, rather than at failure.
- Question about fluoride: Does DWS regulate or have plans to regulate? Unless there is federal action, DWS does not plan to take any action. Fluoridation is voluntary for PWSs in Oregon. DWS collaborates with OHA's oral health program. Recommendations are science-based. Oregon has a relatively low percentage of fluoridated PWSs compared to other states.

Rulemaking for 2025 (Brad Daniels)

Two federal proposed rules are

- Adopt federal PFAS rule
 - PFAS have been found at 27 PWSs. Twenty PWSs had samples that exceeded one of the MCLs that will be adopted in the new rules. So they may be required to install treatment.
 - There will be both initial and compliance monitoring periods. April 26, 2029, is the deadline for complying with the rule.
- Adopt federal revisions to the consumer confidence rule. Potential changes include: Translations required; large PWSs to issue two CCRs per year

Two other rule changes:

- Rescind requirement for capacity assessments at TNC systems
- Revise the list of significant deficiencies cited in the sanitary survey rule (OAR 3-3-61-076).

Questions for DWAC:

- Recommendations for other stakeholders or interested parties that should participate in Rule Advisory Committee (RAC)?
 - DWAC members already qualify as RAC members. Most or all stakeholders are already represented on DWAC. Potential addition: Department of Agriculture.
 - DWS must request exemption from state to use DWAC as RAC. (Requested in 2024.) When issues not directly represented by a DWAC

member need discussion, additional groups are invited to meet. DWAC meetings can be considered RAC meetings when exemption is granted.

- Do DWAC members have preferences for how draft rules are shared with them and how they can provide feedback?
 - At July DWAC meeting the rules will be discussed in more detail. The text of rules will be shared with DWAC members a few weeks before the July meeting. Rules finalized by end of September. Public comments are accepted in October.
 - **Action item:** Brad to provide a written synopsis of today's talk to members. Keep members informed about when they can expect draft rules to be sent to them.
 - Adam requested a substantial period in which to review draft rules and consult with other PWSs before the July meeting. Brad: Comments are welcome after the July meeting too, up until the end of September.

Operator certification reciprocity (Tony Fields)

HP 3700 directs OHA and DEQ to create rules to allow them to issue operator certifications to applicants from out of state via reciprocity. Oregon already has a reciprocity program.

- League of Oregon Cities (LOC) sponsored bill.
- Review of OpCert general requirements. Have been undergoing annual reviews of program since 2000. Largely federally funded.
- EPA cares most that operators have direct, verified, validated hands-on experience.

Reciprocity: Oregon recognizes another state's operator certification when that state's program includes requirements that are substantially equivalent to Oregon's.

- Current requirements are covered by OAR 333-061-0245.
- Reciprocity rule adds requirement to possess current valid certification in another state.
- There are several challenges with certifying operators through reciprocity, e.g., getting affidavits regarding hands-on experience. The process is time consuming and includes issues not always under DWS control.
- Concerns from LOC and others relate to the reciprocity process taking too long to complete. They lose operator candidates during that long period.

- Until 2018, Oregon required that reciprocity applicants pass an ABC exam, but not all other states use ABC exams; they may use ABC and other exams, or only other exams. Around 2022, Oregon began using other exams for OVS systems.
- In 2018, DWAC was asked to consider some policy changes, including the following (changes implemented in 2018):
 - Approval to utilize the issuing authority's due diligence to substitute for the affidavit when applicant was unable to obtain signature from previous supervisors
 - Approval to strike policy limiting reciprocity exclusively to ABC exams. (Not all other states use ABC exams)
- Lacey: LOC wants more upfront and transparent standards, similar to Washington, which lists requirements for reciprocity on their website.
- Oregon has primacy over operator certification; requirement for primacy is that rules meet a standard and EPA approves. Therefore, any other state with primacy has met those same standards. But every other state has a different approach to validating hands-on experience.
- Applicants are reviewed on case-by-case basis.
- Samina: DWS is considering improvements, such as including some information about requirements on the website.
- Applicants (and PWSs) have expressed the need for more information about requirements and the process before they decide to relocate to Oregon. Applicants are frustrated.
- DWS plans to offer customer satisfaction survey, aimed at people who have gone through reciprocity process. Will be sent in next couple of weeks.
- Ideas and feedback from DWAC are welcome.
- Discussion about silver tsunami and difficulties finding operators, especially in certain parts of state.
- Discussion: Is the affidavit requirement scaring people off? Can DWS push back against the DOJ?

Best Management Practices (Kari Salis)

Latest versions:

1. Pressure loss events

2. Repair of water mains

Pressure loss events: Flowchart

- Change since last time flowchart reviewed: Added text at end about informing customers and DWS.
- Mike reported that protocol worked well for a pressure loss they had.

Water main repairs

- Clarification: will use term *repair band* consistently (not *clamping device*)
 - See Adam DeSemp's comment in the meeting chat. The two terms may not be interchangeable.
- Repair without pressure after shutting off customer services
 - Confusing because in instructions it mentions loss of pressure. Revise that instruction? (Situation not always so black and white.)
- Chlorine (under "When using repair band process"): Concentration is high? AWWA says use 1% solution for repairs. So that is correct.
- **Action Item:** Kari to email BMP documents to members for final review. Request comments within about two weeks.

Incorporating resiliency into sanitary surveys (Chantal Wikstrom)

- Resiliency questions added to sanitary survey form for all PWSs, except OVS.
 1. Has system implemented strategies to protect their drinking water source?
 2. Are emergency sources readily available to use during an emergency?
 3. Is water supply adequate to meeting system demand without curtailment?
 4. If cyanotoxin monitoring is required, do they have a cyanotoxin detection response and optimization plan?
 5. Total estimated days the reservoirs at full capacity can supply water to customers in the event finished water cannot be produced
 - Discussion about capacity – what is realistic for this scenario?
 - Number will be calculated based on operator's knowledge of their normal operating conditions. May vary depending on factors like time of year.
 - Won't be considered a deficiency if answer is not adequate. Serves only as an assessment so regulators can make suggestions. May be used for, e.g., evaluation information (not hard criteria) for funding.
- More detailed questions (compared to previous versions of survey) about:

- Operation & Maintenance Manual (recommended update every five years)
 - Emergency Response
 - Operator Certification
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- DWS can use the resiliency information in several different ways.
 - Info will be considered sensitive and protected.

Action items

- Brad to provide a written synopsis of today's talk to members. Keep members informed about when they can expect draft rules to be sent to them.
- Kari to email BMP documents to members for final review. Send two versions: One with track changes, one without. Request comments within about two weeks.

Closing Comments

None.

Meeting adjourned at about 1:35 p.m.

Next Meeting

July 16, 10:00 a.m. to 1:30 p.m.