

Source Water Assessment and Protection Program
Source Water Assessment Plan Subcommittee
August 16, 2018
Final Meeting Minutes

WELCOME- Steven M. Smailer, P.G., DNREC, Division of Water

Mr. Smailer called the meeting to order at 10:05 a.m. and welcomed everyone. He began the meeting by saying, “I’ve had the previous honor from being here before with starting the Source Water Assessment Plan in 1996 and going through the approval process where we were for 1999 and then getting back to this point and having discussions with the Water Supply staff and the Source Water Program and at the twentieth anniversary of that plan, it would be a good time to revisit what it is that we proposed and what we committed to and what worked and what hasn’t worked and other aspects.” He continued, “I think one of the pieces that I want to stress is that the Source Water Program has done a phenomenal job in getting to the point where they are today. I think it’s one of the few programs in the nation that’s actively reassessing certain systems and a lot of the involvement initially up front with a lot of the outreach education, ordinance development, etc. and there are a lot of great success stories. So, this isn’t necessarily a critical component, it’s just that things change in twenty years. When we were putting this plan together, I’m certain we didn’t conceptualize the fact that we could be out there with a smart phone walking a wellhead area. But we can today. So what’s that mean? There’s a huge component of the initial intent of the Safe Drinking Water Act Amendment with the Consumer Confidence Reports (CCR) and the Source Water Assessments was education outreach.” Mr. Smailer added, “People should know that CCR’s, what it is being delivered to them that they are drinking, and through the Source Water Assessments, what could be impacting that in the future for planning purposes and other components. But how we wanted to do outreach and how we wanted to do education and that component in 1999 needs to be reassessed in 2019. There are other pieces such as policy components and other aspects and experiences that have worked and haven’t worked for the Source Water Program.” Mr. Smailer continued his discussion with the Committee.

Mr. Smailer added, “How do we handle the unregulated and emerging contaminants as far as education and communication components? How do we look at things that have worked in the past process? Are there things that need to be modified? How do we engage with the providers in a meaningful fashion that means something to them operationally and means something to the consumers as an educational component? That’s really in a nutshell what I think I view the opportunity we have to go through this and reevaluate what works, what needs to be tweaked, what needs to be added, what needs to be subtracted, and then see where we are for the next twenty years.” At this time, Mr. Smailer turned the meeting over to Mr. Douglas Rambo (Mr. Smailer exited the meeting temporarily for a conference call.)

INTRODUCTIONS – Douglas E. Rambo, P.G., DNREC, Division of Water

Mr. Rambo asked for introductions around the table. The meeting attendance list is included at the end of the meeting minutes.

Mr. Rambo stated, “This is our first meeting and we have a rough agenda of what we’re going to try to cover today. What we’re going to try to do is just go through the Source Water Assessment Plan and just do a brief overview of what the current Source Water Assessment Plan is and look at the different areas that need to be addressed and then we’ll start with a more in-depth analysis of the individual sections at our next meeting.”

Mr. Rambo then introduced Ms. Cathy Magliocchetti.

IMPORTANCE OF SOURCE WATER PROTECTION – Cathy Magliocchetti, U.S. EPA Region 3, Source Water Protection Division

Before speaking to the Committee about the Assessment update, Ms. Magliocchetti addressed the Committee by first making an announcement about the new EPA Region 3 Water Protection Division Director, Ms. Cathy Libertz, who is a thirty-year career employee with EPA Region 3. She also stated that her Office Director, Mr. Rick Rogers, and her Branch Chief, Ms. Karrie Crumlish, couldn’t attend today’s meeting but wanted to send her to commend the Committee for embarking on this process.

Ms. Magliocchetti said, “As Steve (Mr. Smailer) had previously mentioned, we’re looking back at the 1996 Safe Drinking Water Act Amendments and these assessments were due in 1999 and I think also as he mentioned there aren’t very many States that have been updating their assessments, so well done to Delaware for embarking on this process.” She added, “There is one other State in Region 3 that is concurrently looking to do a Source Water Assessment and that is the District of Columbia.” Ms. Magliocchetti noted that over the past couple of months the Region has engaged with the District and they are doing a Source Water Assessment update for their plan as well.

She continued, “Another thing that Steve (Mr. Smailer) mentioned that is relevant, as we proceed with the work in the District of Columbia, a lot of the things that we are looking to do with the Assessment have to do with updating it in a dynamic way so that when you go to do your next update it’s not as difficult and a lot of that is based on the availability of more Geographic Information System (GIS) information that we have. Another thing that we’re looking to do with the District’s plan, which we’re hoping Delaware may consider, is to make the information more accessible to the public and we’re looking to put GIS story maps that make the type of information that a Source Water Assessment has more accessible to the public so that they can see and get involved earlier in the process.” Ms. Magliocchetti added, “Some people may remember a few years back in West Virginia they had the Elk River spill and as a result of the Elk River spill their legislators acted rather quickly and required that all of their public water suppliers do Source Water Protection Plan updates or do them if they didn’t have them to begin with. And just this year, stemming from that process, they evaluated how their program is going and one of the major outputs from the evaluation of the Source Water planning in West Virginia was, how do we get the public more engaged? How do we get them involved in the protection of drinking water sources up front?” She continued, “The public is very engaged when there is a problem with the source. When there’s a problem, they show up, but we need to find a way to

get people more engaged on the front end so that we're preventing the problem from happening to begin with."

Mr. Hans Medlarz added, "That assumes the public is educated." Ms. Magliocchetti replied, "And we're hoping that by making these materials, like these Assessments, available online and having access to this type of information rather than a .pdf document that they'll have to go through and get more involved with these Assessments, that will help facilitate that." Mr. Medlarz added, "We deal with the public on a daily basis and social media and it's almost unmanageable because the pseudo information is overwhelming and I cannot say how much time it takes to try to disseminate that." Mr. Medlarz also stated where Mr. Keith Mensch experienced a similar situation last week.

Ms. Magliocchetti then discussed what Mr. Smailer mentioned earlier about some of the Perfluorooctanoic Acid (PFOA) and Perfluorooctane Sulfonate (PFOS) issues and she said where EPA Region 3 hosted a community engagement event at the end of July in Horsham, PA, where they have been having issues with PFOA and PFOS for years and she said she knows Delaware is no stranger to that with the issues in Blades. She also added that one of the issues that came up in that day-long event (from about 8:00 a.m. to about 8:00 p.m.) was how to get the community engaged early on and get proper and good information to them that we know is correct. She added, "There's a lot of disinformation out there and it's incumbent upon us as Local, State, and Federal officials to get good information out and hopefully this will be part of that process." Mr. Medlarz discussed how the (Sussex) County Engineering Department received numerous calls that were transferred to the Department of Health and Social Services (DHSS) regarding the Blades issue and he said it would have been extremely helpful if all of the citizens of Blades would have been fully educated.

Ms. Magliocchetti continued, "So, hopefully as we proceed with the process, that will be an outcome of having this update and you can get a lot of good mileage out of that." She added, "And also as Steve (Mr. Smailer) and Doug (Mr. Rambo) mentioned, in the past there have been changes over the past twenty years and we're finding more potential sources of contamination and that's something I'm sure we're going to be looking at as we proceed with the Assessment update. I would like to commend and thank the Department of Natural Resources and Environmental Control (DNREC), Doug (Mr. Rambo), and everyone here for doing this. EPA is certainly appreciative of this effort and gives support in any way and we're certainly here to act as a resource as well as a participant."

OVERVIEW OF SOURCE WATER ASSESSMENT PLAN and DELAWARE'S SWAP: What needs to be updated – Douglas E. Rambo, P.G., DNREC, Division of Water

Mr. Rambo addressed the Committee and explained how they'll be going over what the Source Water Assessment Plan currently consists of. He said, "The main chapters that we're going to be looking at are Chapters 1-6. The 'Overview of the Program', Chapter 1, hasn't really changed from 1996 to today. Our main focus is going to be on the 'Public Participation', Chapter 2. The 'Area Delineation', Chapter 3, we can look at that, but our delineation process has been pretty steady for the past twenty years. We are bound by certain requirements that we have agreements

with EPA as part of our Comprehensive Statewide Groundwater Protection Plan and our Wellhead Protection Plan where the requirements for our delineation's are spelled out. We can look at that if we need to." Mr. Rambo continued, "The 'Contaminant Source Inventory', Chapter 4, is going to be a big issue for us. We are reengaging with a lot of our waste programs to see if we can get updated information from them. The biggest things are going to be non-point source locations and we are engaging with the Department of Agriculture to see if we can get information from them on potential sources related to confined animal feeding operations. We're also engaging with our other waste programs within the Department to try to get updated information there." He added, "One of our biggest things is going to be working on some of the components of the 'Susceptibility Determination', Chapter 5, and things that we did not consider back in 1999 when the plan was put together. It's where emerging contaminants come in to play, it's where, if we want to, look at potential issues related to climate change and sea level rise. Is it an issue that needs to be brought up related to sources in water in our coastal communities? We're open to other suggestions or any other scenarios that may affect the susceptibility of the water systems in the implementation of the plan ('Source Water Assessment Implementation', Chapter 6). Is the current format what we really need to be putting out to the public? Should the current format go to just the water suppliers? Should the public be given an Executive Summary? Looking at the advancement in GIS resources, putting story maps out on websites for the public to see how the Assessment has affected their system, see how their Assessment has changed over time, see what their Assessment looked like back in 2003 versus 2018. We have the ability to see how things have changed on the water systems over the last twenty years. How we put that out to the public is going to be a very good discussion for us." Mr. Rambo opened the meeting up for questions.

Mr. Todd Keyser said, "Is there a requirement, maybe this is more of a question for EPA, to produce a document or is it just to share the information? Talking about GIS components and story maps, maybe more people are better engaged with the concept of computers to map and here are all the components to the map? That there's immediately a document?" Ms. Magliocchetti replied, "I think for people who are more immanently involved in management of public water supplies or people with disabilities, the documentation is always an important piece. In terms of putting out information to the public, I think that's where we are looking towards putting out more of a redactive Executive Summary type version that they can access that references the Assessment. I would expect it would be some type of document produced at the end but with that said, I don't think there are clear guidelines from EPA that is to say it's kind of under the State purview and how you want to produce that product." Mr. Rambo said, "Back when the Source Water Assessment Program was getting underway, EPA gave States a lot of latitude in how to set-up the Program which is why trying to do a cross-state line susceptibility analysis is difficult because Maryland's Program is structurally different than ours and we're structurally different than Pennsylvania's. So trying to figure out what their susceptibility for the Elkton Wellfield is versus what ours is, takes a lot of putting heads together with the Maryland/Delaware people and us and trying to see what's going on in that area. Most likely there will be a report generated. It's just a matter of who does the report go to, should an Executive Summary be out there for the public, if they want to click on a link that takes them to the report, the maps would be redacted due to Freedom of Information Act (FOIA) issues, but they would be able to contact the water suppliers or the Department and come in and see the

maps if they schedule an appointment for it. So, Todd (Mr. Keyser), to answer your question, we've got a lot of flexibility on how we can do this." Mr. Keyser replied, "That's good."

Mr. Medlarz discussed the definitions regarding public water supplies and he said people were surprised to know what constituted as a public water supply and what we protect and what we regulate and what we keep an eye on. He said, "The public comment was 'we're not second hand citizens and why are we not protected and should rely on individual water supply sources?' So when you involve the public at this large scale, you're going to expose thousands of people who read this and don't read the definition of public water supply and even give them a false sense of protection. I think very early on they need to say is this clearly in the public water supply document and we are, on purpose, excluding everybody else? Because if we don't say this very clearly, it will get pretty muddy downstream." Mr. Rambo replied, "It's a point well taken. The one thing we will tell the public is that the products generated through the Source Water Program are being used to protect the individual well owners. We do produce many Source Water Assessments upon the review of all domestic well permit applications that are reviewed at the Department." Mr. Rambo and Mr. Medlarz continued to discuss. Mr. Rambo added, "We do stress that the Source Water Program is solely for public water systems. A lot of the components we use in the Source Water Program are being utilized in the review of domestic wells across the State." Mrs. Anita Beckel stressed 'new wells' and Mr. Rambo agreed.

REVIEW CHAPTER 1 – Douglas E. Rambo, P.G., DNREC, Division of Water

Mr. Rambo asked the Committee to go through and edit Chapter 1. He said, "A lot of it is regurgitated from the guidance document that EPA put out in 1996 after the passing of the Safe Drinking Water Act Amendments, as that basically spelled out what the Source Water Assessment and Protection Program is, the statutory requirements, and more. One of the things that is always a running target is the number of public water systems in the State." Mr. Rambo shared the example of the 'Availability of Source Water Assessments to the Public' table on page 1-2 and said, "As Keith (Mr. Mensch) knows, a table like this fluctuates practically on a daily basis." Mr. Medlarz added, "It's going down," and Mr. Rambo replied, "That's true because we do have a lot of consolidation of systems into Tidewater, Artesian, and other municipalities that have their own water systems. With annexations that are going on, a lot of the smaller transient and non-transients are getting picked up by larger systems." Mr. Mensch said, "It's closer to 100 less." Mrs. Beckel said, "That's true about the water systems, but I don't know if wells would be less now." Mr. Mensch replied by saying, "Less, less." Mrs. Beckel and Mr. Rambo continued to discuss.

Mr. Medlarz said, "I think the consolidation of the systems groups the quality of the CCR's. Because you have a regulated utility putting out a CCR or a municipality – it's a different animal than if you have a small system putting out a haphazard CCR. That assures the public that you have – you have a document that looks professional. I have seen a number of them over the years and they certainly are better than they were twenty years ago."

Mrs. Beckel said, "With the larger systems CCR's, there is color, they are glossy, there are pictures, etc. but I wonder about the complexity, if the public is willing to look at that larger

document and find themselves. Maybe the smaller simpler one is easier for them to understand.” Ms. Sheila Shannon described to the Committee on how Tidewater’s website is set-up and Mrs. Beckel commented on the great job they did for the public. Mr. Keyser said, “I am stuck on the idea of making this entirely online and very dynamic. Water utilities expand on a regular basis, etc. and would the utilities and municipalities be willing to create polygons.” Mr. Keyser then described an example service area. He said, “If you live within the service area, this is the Assessment you want to read. This is the information you want to look at. So let’s say an Assessment is done but then the utility jumps out and adds another neighborhood or the town annexes a section and now their water is there. I think that the technology is there to do just that and let’s do it. The fact that it’s more dynamic maybe will help in terms of being able to prioritize and schedule. You can update as data comes in as opposed to saying here’s our list.” Mr. Keyser continued to discuss.

Mrs. Beckel said, “We created that when Governor Markell was first Governor and he wanted a water quality web page and it was a map that showed the service areas and Tidewater and Artesian worked with some GIS specialists in the State and created it and if you clicked on the side you got the private well information. I don’t think at the time the Office of Drinking Water had the resources to keep it up to date and, unfortunately, that was a one-shot deal.” Mr. Keyser said, “Maybe there are more resources that EPA can provide to assist with this technology I gave.” Mrs. Beckel commented, “Maybe use some Source Water Protection money to put it out there and keep it updated.” Ms. Shannon said, “I know a lot of the larger systems have developed a lot of their own GIS that can be updated. I think it’s better to give them real information that they can use rather than that blurb at the bottom of the CCR which is hard for them to understand the definitions and I will say that most people over react to what they read.” Ms. Shannon continued to discuss examples. She added, “Anything to improve the quality of the information and accessibility and dynamics. I like that idea, Todd (Mr. Keyser), of updating it and I know the water systems probably would be able to do something with the GIS.” Mr. Medlarz said, “How does Tidewater deal with that in the large Tidewater system of Eastern Sussex? Where you have a large number of supplies and treatment systems and the distribution is all interconnected? So if I drink the water here, I do not necessarily know, maybe you don’t necessarily know, what this person has coming out of their tap? Does it come from supply 1, 2, or 3?” Ms. Shannon replied, “We have an idea, but as far as reporting requirements, we report the range from highest to lowest.” Ms. Shannon discussed an example of the Bethany Bay District interconnection system.

Mr. Medlarz asked Ms. Shannon if they got a number of calls when they put the new CCR’s in and Ms. Shannon replied, “Yes, it’s actually gotten better since they’re online and mailing them out. We got more questions.” Mr. Medlarz and Ms. Shannon continued to discuss.

Mr. Medlarz mentioned, “If people typed their address in, would you get the closest related CCR to it?” Mr. Keyser added, “Or the option to go to the full Source Water Assessment. But it would be a dynamic map and dynamic documents that are accessible being online.” Ms. Shannon added, “Even adding a direct link.” Mrs. Beckel said, “The State water quality website was in three parts – Office of Drinking Water, Source Water Protection” and Mr. Rambo added, “it was developed by the Government Information Center.” Mr. Rambo mentioned that the map Mrs. Beckel was referring to lasted for about a year and then ESRI decided for a short period that

there would be a charge for ArcGIS Online to be accessible which shut it (the online map of public water systems) down immediately. Mr. Rambo added, "It's certainly worth revisiting but the problem is it's been requested that we pull the water quality website back from GIC to DNREC and I've run into a little bit of a block on that because there's some feeling that it should be in a neutral corner but there's also the understanding that the current Governor's office doesn't know it exists. There's been a lot of change in the GIC over the past few years. Everyone who worked on that project is no longer there. They know the page exists but trying to find all the materials for it is going to be an issue. But I keep pressing with our Public Affairs staff to see if we can bring it back because it could have assisted us on a multiple number of occasions recently with Mountaire, Blades, and other places where just giving them that one location for the data they were looking for could have answered a lot of questions." Mrs. Beckel said, "If they could click on a map to see if they were impacted." Mr. Medlarz added, "One of the biggest complaints was that DNREC would not release the most recent data, not even under a FOIA, and that created endless discussions." Mr. Medlarz continued to discuss with the Committee. He added, "Keep in mind, once you start that enforcement process, there's a time when the Department comes down and says this is under review, it's not for public consumption."



Mr. Scott Andres said, "I've been very involved in both the content and the back end side of these public websites and we do have control over a piece of this and we're not talking about it. Websites are great, story maps are great, but if the back end disappears, you have to pay to redo it. So, as you go through your planning process, you have to clearly say that you need 1/3 or 2/3 of your resources to keep this thing going over time. And that's not the content, that's just the back end. There's nothing more frustrating to the end user when getting an error message. You may have great content but if people can't get to it, it's going to be perceived as a mistake whether it is or not." Mr. Andres continued to discuss with the Committee. He added, "Be aware that it costs a lot of money to continue to deliver that content for even five years and you have to refresh it every three to five years." Mr. Rambo said, "We are aware of this and we value our partnership with the University of Delaware in trying to get our message across through our partnership with the Water Resources Agency who maintains our web presence. There is a possibility of moving some of the data up to First Map. The wellhead protection areas are there and that could be a good starting point for the idea that Todd (Mr. Keyser) has presented. If you put the water service area up there and you click on it, it takes you to an option for a CCR, a Source Water Assessment summary, and a Source Water Assessment document." Mr. Andres said, "That sounds like a sustainable model."

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Mr. Andres and Mr. Medlarz discussed the Center for the Inland Bays analysis and having the raw data and how it was used. Mr. Medlarz said, "I think the sustainable model would whole heartedly support what Doug (Mr. Rambo) said and I whole heartedly support what you said. If we are all standing in front of the public, we want to be having the best data behind us so we can give the best answers. What I personally don't want is the public having the raw data." Mr. Andres replied, "There's a couple of things working in our favor. We have fifty years of experience and thousands and thousands of samples to work with." Mr. Andres continued to discuss. He added, "In a way, I'm comforted by the fact that all of this information is there and people with technical training will make decent interpretations and decisions from that. We'll never get away from the past where people get upset by innuendos. That's never going away." Mr. Rambo said, "For the Source Water Program, for an individual Assessment, we're not going to be looking at thirty past years of data. We look at a maximum of five previous years or what we can get for a water system. The data that we rely on is raw water data from the Office of Drinking Water or raw water data from the public water suppliers. So, it's been sampled by a certified water sampler and it's been analyzed by a laboratory and properly Quality Assured (QA) and Quality Checked (QC). We have the GPS locations of the sources so we know the exact location of where the sample was taken. We're not going to be using someone else's data other than those sources I just mentioned." Mr. Medlarz asked Mr. Rambo, "Would the data you are referring to be Quality Controlled? Should the public have access to it or not or the public have access to what we referred to before?" Mr. Rambo replied, "If they opt to view the Source Water Assessment Plan, they can see the water quality tables (Mr. Medlarz said, "In context.") in context with that report." Mr. Medlarz said, "Does the public have the right when sending these requests?" He continued to discuss. Mr. Smailer said, "In a way it makes you wonder what they're really looking for." Mr. Medlarz said, "We know what they're looking for."

Mrs. Beckel said, "It's not in Chapter 1, but it's just a comment I wanted to make and we were talking about looking at five years of data and I think what we found is that sometimes there wasn't any raw water data in the last five years so what I would recommend is to go back to the most recent raw water sample if you have one. And you should have one somewhere."

Ms. Magliocchetti said, "To go back to Todd's (Mr. Keyser) original point about GIS capabilities and what your expectations are, can you explain to the Committee, are you looking to do all of this work in-house or are you looking to contract some of that GIS work outside? Not just the maintenance of it, which is good if you have the cooperation of the University of Delaware and you're going to work out a deal to maintain reporting and web presence that way, but in terms of what you would be looking for from EPA. Is there something that we can help with that or are you planning on doing all that?" Mr. Rambo replied, "It's probably something we need to discuss more in-house but we would gladly like to sit down with EPA and discuss how things might progress." Ms. Magliocchetti said, "There is availability for that. We're expanding our GIS capabilities in the Water Protection Division specifically, but also across the region and I think there are some opportunities for us to cooperate on that level so we can definitely follow-up with that." Mr. Rambo thanked Ms. Magliocchetti. Mr. Medlarz discussed position funding by the Drinking Water State Revolving Fund (DWSRF) and Clean Water State Revolving Fund (CWSRF) and how it should be sufficient to do the maintenance and support.

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Ms. Nicole Minni asked Mr. Rambo, “You had mentioned the Government Information Center. Are you referring to the Environmental Navigator and the database there?” Mr. Rambo replied, “No, this is the Governor’s water quality website that was done maybe about eight years ago following media articles published.” He continued, “The Governor asked DNREC and the Department of Health and Social Services (DHSS) to put together a website that looked at resources for public drinking water, water quality monitoring, and (Mrs. Beckel added, “It just said additional information and resources.”) Mr. Rambo continued, “Todd (Mr. Keyser) and I and others sat down and put together numerous fact sheets and descriptions of links on the web that would take people to different websites and they could get to their CCR’s through the Office of Drinking Water, all of our regulations and guidance in the Department, and all the different GIS resources that we had available at that time. All of that was put out there at the time as a one-stop shop for finding information about your drinking water. It’s been dormant for about eight years and I’m trying to resurrect it but I’m not getting too far with anyone.” Ms. Minni stated that she really liked Todd’s (Mr. Keyser) idea. She said, “I like what you’re saying and I understand the reluctance to put out too much information, but I think it’s really good to be as transparent as possible and just provide the example of Blades and how to help the public when there is a problem. I think that would relieve some fear for people because problems are going to occur and that could all be a part of the story board and database that could be maintained.” Mr. Keyser said, “When Doug (Mr. Rambo) and I sat down over basically a couple of days, the contention that had come out of the news article and the Governor’s office was that there was no information available to the public and we went out and found everything and there was multiple pages from multiple agencies saying here’s all of this information you could possibly need or here are the contacts for the people that can answer your questions if we can’t answer it on this webpage. Having control of that again would be great because it’s the questions that come to us constantly.” Ms. Minni added, “And to put something like that out on a story map that could then take you into our website or take you into a database.” Mr. Rambo added, “The other thing would be if the GIC doesn’t want to release it to DNREC, releasing it to the Water Resource Center could be an option. Just transferring it over to the University of Delaware.” Ms. Shannon said, “If we’re going to continue with the path that the actual GIS, you have the coordinates of every well, that information will continue to not be available to the public.” Mr. Rambo said, Correct. The only way we will release well location data is if we have permission of the suppliers. That is the agreement that was agreed to between CTAC and the water suppliers.” Ms. Shannon commented on a public situation she encountered. The Committee continued to discuss. Mr. Rambo added, “Currently under State FOIA law, we will not release any public well locations and we request with any of our cooperating agencies when we supply the data to them that they not make it available on any public facing map.” Mr. Medlarz asked, “Does this mean the Recorder of Deeds needs to black out the titles of the owners?” Mr. Keyser stated, “It would not take much to wander around and find a well. If you want to, you could find the well. We’re talking about a security issue that really isn’t a Source Water Assessment issue. It exists but I don’t think we’re going to be able to say let’s make those polygons crazy and wrong to protect the well.” Ms. Shannon added, “Let’s not make it easy.” Mr. Keyser said, “Yes, let’s not provide the exact pin point.”

Mr. Rambo said, “The remaining parts of Chapter 1, the components of the Assessment Plan, we went over and the ‘Public Participation, ‘Delineation’, ‘Contaminant Source Inventory’, ‘Susceptibility Determination’, and ‘Implementation’, they’re all covered in individual sections

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within the document and then there's a section on Programs related to our Program which will have to be updated. The whole Basin Management Program doesn't exist anymore. (Reading from the document) The Wellhead Protection Program has been merged into Source Water and then different Programs throughout the State and interstate Programs, such as the Christiana Basin Partnership and then the Piedmont Basin Riparian Inventory project was something that Source Water did back in the early 2000's and was in conjunction with the whole Basin Program and then coordination with the Public Water System Supervision (PWSS) Program over at the Office of Drinking Water. Then finally a little description of the funding for the Program. The overview of Chapter 1 is basically what we have to look forward to in addressing the individual chapters that remain in the document. We'll look to make some edits to Chapter 1 and then I will attempt to make some of those edits over the next month and email to everyone and if you'd like to start looking at Chapters 2 and 3 for the next meeting."

Mr. Matthew Grabowski addressed the Committee, "Is there a consensus with the Department taking the first cut of Chapter 1 and circulating these comments out to everyone and then your comments come out of the first cut because that might be a model that we follow moving through the future chapters. If there's obvious outdated information that the Department has that's easier for us to update and work from that updated copy. Is that how the group feels moving forward and that way we have something to display at the next meeting and we can go through those comments, get a consensus on those, and edit the document as a group?" It appeared the Committee agreed. Mr. Medlarz asked Mr. Grabowski if he felt like there was enough time to tackle a little bit of Chapter 2 and Mr. Grabowski said, "I don't see why we can't do two chapters at a time. I think that's a good goal to have two chapters to present at the next meeting." Mr. Medlarz added, "On the public participation, it used to have a lengthy working group that Senator Townsend spearheaded on SB270, so there is already a good public participation track record that speaks to that particular aspect of the funding side of these Programs. That was certainly programmatically involved in the numbers which were presented by the Committee. It touches on the funding side of Chapter 1 but it also touches Chapter 2 on the public participation side." Mr. Smailer said, "I think the piece about public participation is important in many ways. It's one thing I'm very glad that we have some representation from the public systems themselves, but to hear from the Systems as to how they can help and with Delaware Rural Water Association's (DRWA) help to get the information back out, it's not just us and public participation for this process, but it's public participation for the Source Water Program as a whole. How can we make the key information that we provide easily communicated to the consumers? I think that's a valid goal." Mr. Medlarz commented about trying to see how we can leverage the public communication process. He discussed about Committee members attending public forums and/or being guest speakers. Mr. Smailer said, "When working through the development of the original plan, it literally was a dog and pony show. We would go on the road and present to whatever audience could give us a room. In some instances, we got very little and some instances we got very good participation. It was relatively successful in getting the word out."

Mr. Rambo said, "One of the things we've talked about is putting together a Source Water Protection module that we would use through the Institute for Public Administration at the University of Delaware for education of municipal officials and then get that to the municipalities and let them get it out to their Council, etc. If they want us to come and present

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on Source Water Protection to them at a public meeting, then we would welcome that.” Mr. Medlarz said, “Maybe DHSS wants to look at the rest of the overlap between the two circles. Local governments include all local governments whether they have public water suppliers or not.” Mr. Medlarz and Committee continued to discuss about Committee members making appearances and presentations including head officials. Mr. Andres said, “Since 1999, we now have a Water Supply Coordinating Council (WSCC) and a lot of members are on this Committee and is there a plan to engage that?” Mr. Rambo replied, “We have had discussions about this with the current WSCC chair (Mr. Smailer) about having a joint meeting.” Mr. Smailer said, “I would also say about that joint meeting there needs to be some part of the Water & Wastewater Infrastructure Advisory Council (WIAC) involved as well.” He continued to discuss the role of the WSCC.

Mr. Smailer added, “CTAC, WIAC, and the WSCC have all been functioning as independent entities around the same subject matters and that overlap is something we need to work on.” Mr. Medlarz commented that DRWA has a 100% participation today with the municipal rural water systems and that’s something that can be discussed in Chapter 2, including funding. Mr. Medlarz continued, “If there is a real citizen component, how do we select the citizens?” Mrs. Beckel said, “It seems we’ve had volunteers in the past but they were only interested in a particular topic or area.” Mr. Medlarz and Mr. Andres discussed how Mr. Andres was able to get citizens to participate on the ad hoc Clean Water Committee. Mr. Andres said they were already engaged. “Volunteers have a particular interest,” Mr. Andres said. He continued, “You want to find people that have the interest to be engaged so you’re going to look for members of other organizations where they have that active engagement. That would probably be the strategy to get the unaffiliated citizens who don’t work for the government or water companies.” Mr. Smailer discussed Chapter 2, 2-2 and 2-3, the table showing the CTAC members. He said, “We should be looking at who are we missing and who should we be reengaging with and how functional they would be.” Mr. Medlarz said he was hoping that Chapter 2 would have a paragraph that says ‘the unaffiliated citizens of CTAC were selected based on the following criteria’. Mrs. Beckel said, “Did we invite the organizations and then they sent a representative?” The Committee discussed. Mr. Medlarz asked if this could be addressed in Chapter 2. Mr. Andres added, “Citizens have their own agenda independent from everyone else and they value that tremendously that they have the ability to get together and talk and come up with their own ideas and opinions to express to the larger group. That’s what’s different about CTAC versus all grouped together and if I was a citizen coming in and not knowing much about water supply, etc., I might be a little intimidated. A forum where they can speak their mind without us interacting is very valuable to them.” Mr. Smailer added, “A large chunk of the actual public outreach efforts for the CTAC was education and bringing everyone to some common level of exposure to both law and science. In Chapter 6, the Source Water Protection Committee is defined as ‘as established in the Source Water Assessment Plan’ and not like the WSCC where the law actually establishes the membership. But that’s all the guidance we have. The memorialization of the selection criteria or the efforts of these chosen to try to get that representation is not there.” Mr. Smailer and Mr. Medlarz continued to discuss. Mr. Smailer also added, “I don’t know what is required as a formal vote of the CTAC. I know we were ready to endorse this plan and sent it to EPA the first time around.” Mr. Rambo commented, “The only other time was the guidance manual for Counties and Municipalities for Source Water Protection Ordinances.”

Mr. Rambo said he hopes to get a summary out to everyone soon.

NEXT MEETING – Douglas E. Rambo, P.G., DNREC, Division of Water

Mr. Rambo said the next Committee meeting is scheduled for Wednesday, September 19, 2018, at 10:00 a.m. and will be held in the Tidewater Utilities Conference Room. It will involve edits to Chapters 1 and 2 and review Chapter 3. Mr. Keyser informed Mr. Rambo of a meeting date conflict and Mr. Rambo said he will notify everyone of a new date. (NOTE: Since this meeting concluded the next meeting date has been scheduled for September 21, 2018)

ADJOURN – Douglas E. Rambo, P.G., DNREC, Division of Water

Meeting adjourned at 11:41 a.m.

These minutes are not intended to be a detailed record. They are for the use of the Source Water Assessment and Protection Program, Source Water Assessment Plan Subcommittee members in supplementing their personal notes and recall of Committee discussions and presentations and to provide information to Committee members unable to attend. Minutes recorded and submitted by Kimberly Burris.

Attendees are listed below alphabetically, last name first:

Andres, Scott – University of Delaware, DGS
Bataille, Amber – DNREC, Division of Water, Source Water Protection Program
Beckel, Anita – Delaware Rural Water Association
Burris, Kimberly – DNREC, Division of Water, Water Supply Section (Administration)
Eisenbrey, Virginia – Artesian Water Company
Elliott, Ross – DNREC, TMB
Grabowski, Matthew – DNREC, Division of Water, Water Supply Section Manager
Keyser, Todd – DNREC, Division of Waste & Hazardous Substances
Kunder, Ashley – Department of Health and Social Services
Magliocchetti, Cathy – U.S. EPA Region 3
Medlarz, Hans – Sussex County Engineer
Mensch, Keith – DHSS, Division of Public Health
Minni, Nicole – Water Resources Agency
Mirsajadi, Hassan – DNREC, Watershed Assessment
Rambo, Douglas – DNREC, Division of Water, Source Water Protection Program
Reyes, Betzy – USGS
Shannon, Sheila – Tidewater Utilities
Smailer, Steven – DNREC, Division of Water