Minutes, DDW Notifications Workshop, 14 March 2018, CalEPA Building, Room 440, Sacramento, 1:00 to 2:30 PM

Introduction:

OWTS Policy §4.3.2 requires Regional Water Quality Control Boards to forward copies of Local Agency Management Programs (LAMPs) to State Board Division of Drinking Water (DDW) for comments on proposed policies and procedures, including notification to local water purveyors prior to OWTS permitting. Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff have referred 30 jurisdictional draft LAMPs to DDW District Engineers for their comments. While most LAMPs meet minimum OWTS Policy standards for notification, District Engineers have questions in detail on implementation. Central Valley Water Board staff sought to resolve potential issues with DDW and proceed toward Regional Board LAMP approvals by the 13 May 2018 OWTS Policy deadline.

On 15 September 2016, DDW, Central Valley Water Board, and State Board staffs concurred to proceed with Regional Board LAMP approvals contingent on a notification protocols workshop to cover implementation of OWTS Policy §§3.5, 9.2.11, and 9.2.12. The workshop, before 13 May 2018, should further clarify protocols for Local Agency notifications of water purveyors and DDW in case of failing, and proposed new and replacement OWTS within setbacks of public water supplies.

Meeting:

On 14 March 2018, representatives of DDW, Central Valley Water Board, State Board, and California Conference of Directors of Environmental Health (CCDEH) met to clarify means of notification in LAMPs. Attendees included:

- Bruce Burton, Stefan Cajina, Carl Carlucci, and Richard Hinrichs, DDW
- Tim O'Brien and Greg Marquis, State Board
- Eric Rapport, and Bryan Smith via telephone, Central Valley Water Board
- Jerry Sipe and Linda Turkatte, and Dave Conway and Donna Fenton via telephone, CCDEH

We began our discussion on OWTS Policy §3.5, which requires notifications in case of failing OWTS as follows:

> "*A local agency shall notify the owner of a public well or water intake and the California Department of Public Health as soon as practicable, but not later than 72 hours, upon its discovery of a failing OWTS as described in sections 11.1 and 11.2 within the setbacks described in sections 7.5.6 through 7.5.10* [sic]" – actually 7.5.8.

We generally covered; public supply well definition; notification procedures; access to public water supply locations; potable water lines; and failing OWTS discoveries.

The OWTS Policy defines a public water well as a groundwater well serving a public water system (including springs not subject to the California Surface Treatment Rule). Any well with 15 or more connections, or that provides potable water to 25 or more people for at least 60 days per year is a public well, therefore subject to OWTS Policy §3.5 notification requirements. This may include some exempted wells, e.g., restaurant wells.

Local Agencies should have appropriate notification protocols for routine and emergency situations. Routine OWTS failures, e.g., ponded effluent of limited extent over dispersion fields, warrant notification within 72 hours. Emergency failures, e.g., with high volume septic run-off, warrant immediate notification. DDW District Engineers maintain after-hours contact lists and will provide water purveyor contact information to Local Agencies as needed. All Local Agencies, whether Local Primacy Agencies or under direct DDW oversight, should report failures, with appropriate response levels, to District Engineers and water purveyors. Based on the onsite investigation, Local Agencies may make emergency notification to District Engineers via the Warning Center.

Well and surface water intake locations are, or can be available to Local Agencies. Public supply well locations are now available on Geotracker GAMA-secure. DDW requires water purveyors to provide accurate maps of surface water intakes and related catchments as a permit condition. Some maps may require refinement pursuant to OWTS Policy §§7.5.7 and 7.5.8, with circles of appropriate radii, 1,200 to 2,500 feet from intakes. Within inscribed areas, maps should show relevant (e.g., upstream) portions of catchments, with high water marks on banks. Dependent on plan distances from intakes, maps should show areas within slope distances of 400 or 200 feet uphill of the high water marks. District Engineers will require water purveyors to construct these maps for Local Agencies' use.

The OWTS Policy does not cover setbacks from potable water lines; other regulations address these, e.g., California Waterworks Standards.

OWTS failure discoveries are variously from public complaints and reports from service providers. LAMP implementation will have no short-term effect on means of discovery.

We then discussed OWTS Policy §9.2.11, which requires notifications of installation and repair permits within setbacks as follows:

> *"Procedures for notifying the owner of a public water system prior to issuing an installation or repair permit for an OWTS, if the OWTS is within 1,200 feet of an intake point for a surface water treatment plant for drinking water, is in the drainage area catchment in which the intake point is located, and is located such that it may impact water quality at the intake point such as upstream of the intake point for a flowing water body, or if the OWTS is within a horizontal sanitary setback from a public well."*

We covered means of obtaining appropriate evaluations of threats to public supply wells from OWTS within setbacks. OWTS Policy §9.4.10 covers minimum horizontal setbacks from public wells, 150 feet where the dispersal system does not exceed 10 feet in depth and 200 feet if the system exceeds 10 feet. If the system is within 600 feet of a public well and exceeds 20 feet in depth, the setback must not be less than 200 feet. A Qualified Professional shall also evaluate a two-year travel time for microbiological contaminants. Dispersion systems deeper than 20 feet, seepage pits, while relatively rare occur in the Central Valley, e.g., in the eastern San Joaquin County. Local Agencies should require applicants for new and replacement OWTS with deep dispersal systems within 600 feet of public wells to provide a Qualified Professional's written evaluation of potential threats to the well. The Professional shall stamp and sign the evaluation.

Finally, we discussed OWTS Policy §9.12.12, which requires procedures for OWTS permits within the setbacks as follows:

> *"Policies and procedures that will be followed when a proposed OWTS dispersal area is within the horizontal sanitary setback of a public well or a surface water intake point. These policies and procedures shall either indicate that supplemental treatment as specified in 10.9 and 10.10 of this policy are required for OWTS that are within a horizontal sanitary setback of a public well or surface water intake point, or will establish alternate siting and operational criteria for the proposed OWTS that would similarly mitigate the potential adverse impact to the public water source."*

We covered means of evaluating supplemental treatments. DDW District Engineers should rely on Local Agency expertise for appropriate supplemental treatments for nitrate and pathogens, or alternate siting and operational criteria.

Actions Required:

- DDW District Engineers will ensure that Local Agencies have current after-hours contact information.
- DDW District Engineers will require water purveyors to construct appropriate maps of public surface water intakes and catchments for Local Agencies' use.
- CCDEH will distribute meeting minutes to Central Valley Local Agencies.