

Drinking Water and Wastewater Advisory Council
DRAFT Meeting Minutes
Tuesday, June 8, 2021 – GoTo Meeting

The meeting began at 10:00 a.m.

1/ Welcome and opening remarks – Carey Johnson, Director, Division of Water

Amanda LeFevre, Deputy Commissioner, Department for Environmental Protection, was unable to attend the meeting due to a scheduling conflict.

- Approval of March, 2021 meeting minutes
Whether Roberts Rules apply is an issue that the Council should discuss.
Motion to approve by Gary Larimore; 2nd – Wesley Snyder and Brian Bingham
No discussion.
Motion to conclude debate by Tony Wilder; 2nd - Gary Larimore. With no objections or requests for discussion, the minutes were approved.
- **Power Point presentation re: DWAC/WWAC – importance, setting goals, committees**
Carey Johnson gave a Power Point presentation that illustrated the historic organization of the Council, the Division of Water mission statement, and a draft DW/WW Joint Advisory Council mission statement. Transitioning from “wastewater” to “clean water” was proposed and Council members were encouraged to provide input and suggestions. The presentation also described a path moving forward that includes agency and industry co-chairs for each subcommittee and workgroup, which were encouraged to assess current and future membership, develop goals, set schedules, and report back at the September meeting. Valerie Lucas provided a link to initiate the conversation about transitioning terminology to better explain what wastewater encompasses.
https://www.cleanwaterprofessionals.org/clean_water_partner_resources.php

Valerie – in the chat section - As we think about shifting our language to help people better understand what we do, here are some resources that may help get the conversation around clean water get started: https://www.cleanwaterprofessionals.org/clean_water_partner_resources.php

Water Loss Workgroup? John Dix There is one as part of Martin County efforts. Subcommittee (Jory) under Sustainability; want to make sure workgroups are providing value

Announcements – Amanda LeFevre, Deputy Commissioner, Dept. for Environmental Protection (unavailable)

o Certification / testing updates – Jessica Wilhoite – testing exam only in office at least 4x per month; all seats are being filled; no in-person training yet but online training is avail for free – the folks who are watching are passing with a higher pass rate than in the past. Hiring another trainer.

3/ Division of Water and Dept. for Environmental Protection Updates -

o Jory Becker, Manager, DOW Water Infrastructure Branch – financing packages are being worked through; normal SRF an internal draft of IEPs to discuss with KIA; AMRPA money is still in play; needs survey a periodic report DW needs survey is conducted by EPA; 70 systems of all sizes are being asked to complete the survey; out of the 70 about 50% have completed or are in progress – deadline is Oct for DOW to confirm data for Cadmus (EPA contractor)

Russell Neal – 7th DW needs survey; 70 systems, DOW helps collect data for med & large, EPA contractor for small systems; every large system is receiving a survey – DOW email March or May – if you haven't gotten one please contact; about 50% have completed or in progress; deadline is to have data completed and to EPA by October 1. This determines KY's capitalization grant. Will do anything we can to help systems complete the survey.

Capacity Dev Strategy – how to encourage asset mgmt plans – hope to have it out to the workgroup soon, then approval up the chain – due to EPA by Dec 31, 2021. ASDWA is trying to get deadline extended but right now 12-31-2021. Workgroup can be suspended afterward.

Russell – DW needs this year; CW needs survey as soon as DW is completed (2022)

Carey Johnson – AMRPA – DOW understanding is that some funds are being deposited into local accts by the feds; KIA eReg approved by Board to get \$250 million on the ground;

Sandy Williams – KIA – ARMPA money is confusing – how the money is being administered. US Treasury giving money directly to counties, cities, and to the state. The state is going to use part of its money to fund water & sewer - \$250 million being administered by KIA – 3 funding types - \$150M to utilities within counties based on population (not county money) – interested parties should work together to come to a consensus re: which projects they want to put forward for the money – project profile is the application; a budget tab has been added to select funding source and they can decide which pool of money they're applying for.

\$50 Million – SB 36 – restricted to 1/ unserved DW customers in rural areas, or 2/ federal consent decree projects

\$50 Million – everyone gets at least one toy – if funding within county is insufficient can be used to supplement a grant to get at least one project, or for cost overruns; \$25M is set aside for cost overruns

The “Cleaner Water Program” per Governor; a little confusing with CW SRF

The regs were filed June 1; call for projects was opened June 1

Acknowledged ADDs executives and members attending the meeting

Q Ben Hale – have the executives w/in counties have guidance to work with local water districts and counties to prioritize projects – how's that been conveyed to them and what do ADDs need to do with water council to prioritize

Sandy – SB 36 says priority would be given w/ consideration to social, econ, and env concerns. KIA interprets that as not needing to be ranked, but approved, by the water councils; hoping for local consensus and want people at local level to let KIA know what projects they believe are important; message is getting out – KIA presented at Jexec and magistrates conference earlier in 2021 and next week; some of the water mgmt councils has already had meetings with their counties (KIPDA) to discuss how they want to allocate funding to the utilities within the county; suggested reaching out to their counties to set up meetings

Carey – ADD water mgmt councils to schedule emergency or ad hoc council meetings to prompt those discussions

Ben Hale – just want to make sure that it's not just an expenditure for those counties individually;

Sandy – other question are water associations eligible for the grant funding; KIA is statutorily limited to providing funding only to governmental agencies; water associations need to coordinate with their county and have the county apply on their behalf. Not excluded, but they need to work with govt to access funds.

Carey – Judge Exec & Magistrates Conference – next week

John Dix – potential strings attached to funding; will there be restrictions?

Sandy – short answer is yes on way drates? No on buy American. Interim final rule from US Treasury. Don't expect a lot of changes.

John Dix – SB 36 had admin costs already taken care of or do we need to figure in admin costs?

Sandy – ½ of 1% for admin fee and \$75K for salaries

Heitzman – funding for soft costs like feasibility studies? Sandy – do not yet have an answer

Heitzman – US Treasury posted May 17; if we need more flexibility then to give localities more flexibility submit comments

Mike Gardner – date of ARMPA fund availability? Sandy – state has rec'd the 1st half; hoping to start awards in August by conditional commitment such as plans/specs approved by Div of Water; conditions met will enter grant assistance agreement; once agreements are in place funds will be released; funding avail based on when utilities can meet conditions

Carey – strategizing how DOW can most efficiently do its work

o Sarah Gaddis, Manager, DOW Field Operations Branch — inspections are going well; normal pace, inside facilities again; partner with EPA on a Circuit Rider program for EPA to provide further targeted assistance in Eastern and Southeastern parts of the state; time to review ice, winds, floods experience and make sure that emergency response plans are updated and in place; Emergency responses (leftover; no awful emergencies since; there is some FEMA money avail for hazard mitigation programs); regional field offices will be open to the public soon again so can hold meetings with those who are vaxxed
Carey – FEMA dollars are avail across the state; council that helps prioritize those projects; one state or local dollar buys 3 or 4 federal dollars; importance of ADDs in that role are responsible for the local hazard mitigation planning process that makes smaller communities eligible for those funds.

o Jason Hurt, Manager, DOW Surface Water Permits Branch – issued over 900 permits on par with previous years; GPs working on renewal inactive mine lands and public swimming pools; working on nutrients and will reengage in that committee soon; inspections pre-treatment and MS4 – anticipate in-person soon as year progresses

Carey – leveraging Ag Water Qual plans and MS4 aspect of nutrient reduction; more tools than just POTWs; nutrients is gaining steam as an issue

o Alicia Jacobs, Manager, DOW Drinking Water Branch – working on data mgmt got an exchange network grant from EPA implementing next year; improving how we capture data; annual compliance report SDWA requirement of violations PWSs in KY in the next month or so;

Carey – acknowledge Alicia's efforts to move into the 21st C on data mgmt; pandemic was an impetus for us to move forward in the digital world

4/ Subcommittee status and reports – Carey Johnson, DOW Director

o Lead Workgroup – importance; Heitzman – org changes; Amy Kramer Stoffer from NKY is co chair with Alicia; 2 meetings to update and validate membership, established subteams major objective Trump finalized LCR, Biden paused it LCR to determine if any changes needed; comment period til June 30; part of debate is to leave the rule bec it took 4 yrs since Flint and further delays/ability to implement; new rule is best practice rule is concerned with MCL-based rule; start thinking how they're going to implement the most complex rule under SDWA; private property issues; new sampling protocols; inventory requirements – unknown defaults to lead; workgroup will be providing comments and deciding if industry orgs will respond; how to work with DOW to implement the rule; if anyone wants to join invited

o Subcommittee updates

Kim Padgett – Compliance/Regs – Alicia met & sched next on July 8 and will provide Sept update
Source Water Protection – Matt Glass – hasn't met this year; listserv to share some success stories
SWPP; Green Valley WD story re: logging land story from DOW in middle of summer; focus on more
stories to share what utilities are doing and get more involvement; plan on meeting in early Fall
Brian Bingham – Nutrients – Mark Sneve co chair – after last meeting with Amanda brought her up to
speed; supposed to meet with her to make a presentation, where we were, are, and going before
pandemic; we need to get group plugged back in and inviting members; rebuild network group
Carey – Update to 2019 Loads and Yields Study will be on website soon

11:23 AM

Kay Sanborn to Everyone

Water Loss Control, Optimizing Performance & Accessing Funding to Improve KY Small Systems on Jun
29, 2021 9:00 AM EDT at: <https://attendee.gotowebinar.com/register/6593530853525028624>

Joint Subcommittees –

Operator Recruiting/Dev – Jessica

Infrastructure Sustainability –

Water Reuse -

Water Mgmt Plans – Joshua Farrow – working with KIA and DOW updating water mgmt plans; hoping to
have them submitted to KIA in August/Sept

<https://eec.ky.gov/Environmental-Protection/Water/Protection/Pages/Nutrient-Reduction-Strategy.aspx>

5/ Open discussion – facilitated by Carey Johnson, DOW Director

Donna McNeil – coordinating AdCap program for KY Water Resources Institute – training / tech
assistance; presenting at CW Pros Conference; free training June 17 in Whitesburg; mgmt workshop
onsite in early Fall or late Summer; doing one virtually for TN in same timeframe;

Kay Padgett – posted free training in chat on water loss control and optimizing (above) – 6 hrs training
Larimore – KRWA operator expo June 22 – 24; 1st in person meeting; operator and commissioner
training hours available

Water Pros Conference in Chattanooga – hoping as many DOW staff participating as possible

Sanborn – serving KY and TN Aug 15-18 in person

Expect June 11 announcement; transition into the office; a few weeks for transition

6/ DWAC/WWAC meeting schedule for 2021 (2nd Tues of the last month of the quarter):

Rosh Hashana – Wed Sept 8 – in office at 300 Sower Bldg w/ virtual option

7/ Adjourn – 11:42 a.m.

KRWA Operator EXPO June 22-24 at the Hardin County Fairgrounds!!

No report on small system committee