

DHH Council Meeting

October 29, 2013

JIMMY GUIDRY: If we could get started. What we'll do, I'm Dr. Guidry serving as vice chair. J.T. Lane wasn't able to be with us today so he asked I fill in for him. Start with the actual roll call of the committee.

SHEREE TAILLON: Dirk Barrios, Vern Breland, Ben Bridges, Robert Brou, Jeffrey Duplantis, Greg Gordon, Jimmy Guidry, Jimmy Hagan (not present), Randy Hollis, Pat Kerr, J.T. Lane (not present), Rick Nowlin (not present), Rusty Reeves, Chris Richard, Keith Shackelford, Cheryl Slavant, Delos Williams. We have a quorum.

JIMMY GUIDRY: Thanks. We have a lot of work before us as we discussed at our last meeting. There's been a lot of work done since that last meeting. Right now take a few minutes to look at the minutes and we can move on accepting the minutes or making changes. And just for records sake, as you think about the minutes here these meetings are being taped and so we do have record of everything that is said and done in this committee. Sharing with everyone that we know that that is occurring. Whatever you say can be held against you. Do I hear a motion on the minutes? Second? First and second. Anybody oppose to the minutes as written? No opposition. The minutes are accepted as written. We've done a lot of discussion in the past on how this process works. Last time we came in and we discussed whether we would work in subcommittees or work through public forums. We decided to go with public forums so we've had the first two of the public forums where we gathered information. And the question is how we're going to handle this information as a committee. For instance, we go through what people have suggested at the public forums and make comments, we share the comments. The committee looks at what those comments are and we have a discussion about it. We're supposed to be the subject matter experts on this. We're helping to rewrite the code, the Louisiana code. That's how I interpret the law as written. The whole intent is for us to come to a consensus as to what Louisiana will use to make sure that drinking water for people in Louisiana is safe

and remains safe after we rewrite the code. Today we have to get through two chapters of what we're reviewing. I would present that we would share all of this information, gather all this information and at that point perhaps put it all together, come back in a couple weeks, share it with you on what the suggestions were, how we interpreted them, what the rules might look like, what the code might look like and get your input as best we can so that going forward we can craft what we're thinking is going to be the best code for Louisiana in the future. So hopefully, and I want to hear some thoughts from committee members how they perceive this going forward. We want to get to the review. The importance is that we try to understand what it is that's important. What it is that we don't need to address. What we have consensus on don't need to waste time on. Prefer that we spend time on those things that are complex and where we have a lot of disagreement so we can work those things out and don't spend a lot of time on things that we haven't because all of our time is valuable. We have a lot to cover. We have a year to do it in and so the quicker we can make this happen, the easier we can make this happen. But we really want, and this is why this was set up this way, to get public input, get a lot of input and try to craft the best thing we can do to protect our citizens. Right now I'll open it to committee members on how you see this going forward, what you're thinking your role in the committee is before we get into the discussion of part one and part two. Any discussion at this point?

DELOS WILLIAMS: I have not been able to attend the first two meetings because of other conflicts and I'm not really sure where, I know these parts have been assigned to different people, not sure where I'm fitting in there. I think there was 11 parts and 12 members. I don't know if I am to partner up with someone.

JIMMY GUIDRY: Well, we try not to make it because of open meeting's law a lot of discussion around this to where it was two people or three people working on it. It was just people gathering information. Whoever got that charge was to gather information, have a public forum and bring it back to the committee with their recommendations. So you were lucky you didn't get assigned unless you wanted to be assigned something. Your chance to have input is at the meeting. Everybody can have their

thoughts and their opinions. The committee weighs in and says good point. We can evaluate what we can. I'll tell you this from where I'm sitting, just a personal note. I normally don't do this. This is very different. If it looks like we're trying to figure out where we're going and how to get there this is not usually how we do policy in the state. Normally there are experts that sit at a table with subject matter experts and they help craft what makes sense. They bring it to me and I look at it after it's a done deal. I'm not a part of that working process so this is new to me so bear with me as I try to figure out how to get this done. It's really difficult when you're not a subject matter expert to weigh in on some things because there are some things that are real critical in planning and decision and some things that aren't. That's where the subject matter experts have got to speak up. If you don't then we're going to get something that's not going to be the quality we want. As we go forward it's really for people to have a discussion, have input, have an opinion, and then try to build consensus about what is important to make sure that people have water that is not going to put their health at risk. I guess I'm looking from the group, how do you see this going forward? If you propose doing a public forum we'll hear from the folks that have done it, you know people had input, people coming to us with recommendations. We're going to look at that, then we have to start crafting the code from those recommendations and those comments and then get back to the group and say what are your thoughts on this. It's a working progress the whole time. We're going to try to get to one and two today. It could take a while. We're proposing a couple of them each meeting to try to get it done, but there's some sections that could probably take two and three meetings because they are so labor intensive, so much information. So hopefully the first two will go quickly, but it may not. We may get bogged down on some of the concepts. That's what I see going forward is trying to figure out how we all share what we know, share our knowledge and figure out what makes sense going forward keeping in mind that this is a code. This is what we go by in Louisiana. My intent is to make it clear so that somebody out in the field is being told you have a citation or you have something that in policy here that people should already know that we're coming to look for. They should already know what the policy is. It should not be that every time

somebody comes there there's something new that you never heard of. That would be my goal is that when they come in it's like the kids that have to take the test. If you don't get them to study for the LEAP test they don't do well. Got to get them to study at what they are going to be looked at for. So to me the whole intent is to make the code clearer and no excuses for not knowing. It should be pretty clear. Now, I don't know if we can achieve that because you can't capture every possibility in writing, but you can capture a lot of it and you can make it clear. That's kind of where I'm thinking we're headed. I'm hoping that's where we all want to go, but I really want to hear from you as we go through this you'll see people just giving their opinion doesn't necessarily help you come up with how to write something. You ever had to write a policy or a code? You really have to know some legal, you have to know some expertise, and you have to be able to write it and try to make it so that people read it they understand what it means. A lot of times when you read the code kind it's kind of open ended. Somebody has to interpret it. I think our job is to try to make this where it doesn't need to be interpreted. I hope we're on the same page, but I really want to hear from all of y'all what you think once you hear this. Can we achieve what we're setting out to do and how can we do it quickly because there is a lot to go through. I know Randy you kind of suggested we do it this way and I was kind of hoping to hear what your thoughts were on going forward.

SHEREE TAILLON: There were several people who did not get assignments so you are not the only one. There is 17 of y'all and only 12 assignments so don't feel left out.

RANDY HOLLIS: All right Dr. Guidry, I think the forum concept proved quite well. In the first one the attendance I think we had about 50 people that attended. There were several of us here. If you look at the list of people that signed up it was from one end of the state to the other. Getting input from people around the state, I think the comments on part one I had hoped to get a lot more comments on it. I did get a lot more comments on part two, but it did show participation from around the state which is what we had hoped to accomplish as opposed to people having to drive in here to a set meeting at a set time. As far as how we move forward I anticipated that the moderator of that section look at all the

comments, and I think Keith you have done this on your first one, and kind of made your recommendations to the committee of how the first section should look as far as what should be deleted or whatever. That should be thrown out to the committee and then we know what those comments are and then I think someone should be given the task, if it's DHH or whatever, to take part one and to modify it to reflect those comments. And then during this next month that would be sent out to committee members, we would look at it, and then we could consider it for further detail in the next meeting in a very short section because now we've got all the comments.

KEITH SHACKELFORD: I'll just speak up. I may have been operating under a misconception, but I thought the committee members were also supposed to submit their comments prior to, or at the, or before this meeting to be incorporated. Having all of that together at one time before the meeting I think would be advantageous rather than taking up the time having those additional comments introduced at the next meeting. We only had comments I believe from three, maybe four of the committee members in this package that we have.

JIMMY GUIDRY: That's a good point. We don't have to spend time on it if everybody has it in advance.

KEITH SHACKELFORD: Just go through it and decide yes or no.

RANDY HOLLIS: I think it was clarified in open meeting's law any committee member can comment on them, just can't start a dialogue back and forth. The open meetings, if I am not mistaken.

DAVID MCCAY: You can send something even if you send it to every other committee member, but like you said, you can't have a dialogue back and forth. You're just submitting the comments and sort of lay it there.

PATRICK KERR: I wonder for efficiency sake would be wise to have selected SME, Keith for part one, after today's meeting go back and write a draft of his section that we as a committee then would have something to actually look at, and discuss, and vote on possibly at the next meeting. That would take, I'm sure, adding David or the legal side to make it look right and it may take some time, but if we did it a section at a time like that so we could have the public forum, discuss the public forum the comments

that were made in the next meeting, the subsequent meeting have a draft of that part written by the person who is responsible for that part for us to then bless or seek changes on and discuss at an open forum like this. And then we could put it to bed. There would be a final vote at the end I'm sure on the whole package, but that way make progress and we could put it behind us. If there's an objection that comes up in the future, if something disagrees in part five with something we have in part one, we can address it then.

KEITH SHACKELFORD: I don't have a problem with doing that, but you mentioned you thought y'all might be assembling that in house. However the committee decides to do it, I think it can work either way.

JIMMY GUIDRY: I can see us working together because if you held the meeting and you have the input some of it is left to interpretation. I'm not sure what somebody is asking for. It would be nice to have at least a discussion as we write it what were they thinking. I do want to be as transparent as possible and I do want people to have as much input as possible.

PATRICK KERR: And then we could circulate that draft with the agenda prior to the next meeting for everyone who's interested, the public and the committee members, and you can come with your questions and we can knock it out in short order. But I do have one other question and that is each of these sections also has a relevant section existing part 12. Are we here to address part 12 when we're doing it? We're not limiting it to ten state standards, and I think Keith we did limit your public input to the ten state standards as opposed to grabbing section 12 and saying what does section 12 say about requirements for plan review. It's going to be one document at the end. I think going forward we need to have that brought into the conversation.

DAVID MCCAY: I was thinking the same thing. Some of these general clarifications that Mr. Shackelford listed I think are addressed in part 12. Somehow it's all got to be integrated so it works together.

CHRIS RICHARD: You weren't here last committee. I had mentioned that as my understanding we were

finished with one through ten in ten state standards that DHH with chapter twelve and reconcile the two to make one. It wasn't assigned to anybody.

PATRICK KERR: But the committee's responsibility is to develop a new chapter.

CHRIS RICHARD: There's going to be some duplication or some conflict and they are going to have to go and resolve those conflicts and assemble a document and incorporate it. They are going to present something back.

PATRICK KERR: Okay. I did miss that and I would have objected to that in that I think the committee is charged with writing the rules for operation, maintenance, and instruction. DHH is charged, we're 50/50 in this. DHH has to say yea or nay on it also. The committee probably needs to do some more work than just throw this in y'all's lap and say write the new code. It's the committee's job to write the code.

CHRIS RICHARD: Right, no. (inaudible) The piping, the assembly, the legal work done by DHH staff and come back to this committee as a document for us to review and then vote on. I'm not saying right or wrong.

PATRICK KERR: Wouldn't it be easier to staff Keith doing that section and Randy doing his section on treatment?

JIMMY GUIDRY: I guess I would have to ask who have sections. Some people have to feel comfortable. I can tell you not many people have ever written policy so it really requires a working knowledge of how that's done. I see a number of people coming together to make that happen. I don't see one person being able to do it.

CARYN BENJAMIN: DHH is always involved with some kind of codification process so we'll take whatever the committee decides on and make sure it fits codification requirements. And if there's any other sections that conflict we would strike out those other sections.

PATRICK KERR: Well I agree Caryn. I just don't think we should do it all at once. Keith is working on plant submittals, we ought to be talking about chapter twelve requirements and then the staff, and that is y'all, write the new part twelve plan submittal requirements to incorporate both ten state standards

and existing, and maybe possibly new roles and then vote on that and move on. As opposed to we talk about the ten state standards, but missing the other half of the puzzle code requirement.

JIMMY GUIDRY: That's a good point. That's why I wanted to have this discussion because we're developing this as we go and so I don't think there's any preconceived idea how it works. That's what I'm working on. Let's get to where we know exactly how we are going to make this work. Today we're going to hear about these first two sections. That experience, what they got out of it, now we need to link it up with 12 and make sure that it agrees or comes together. I think we're a work in progress. Any other comments? So I guess with that said we'll go forward and have Keith share with us his experience and his recommendations.

KEITH SHACKELFORD: Hopefully y'all have all taken a little bit of time to download or pick up and read the comments that were received on part one which is submission of plans. The recommendations, obviously these were fairly minimal in number. Really need input from the rest of the committee members, but I'll start with the first page of the facilitator recommendations. The first comment that we received was on section 1.0 general. That section be rewritten to delete the sentence beginning with preliminary plans and engineering report. That has historically not been a part of submission to DHH for projects and it's actually part of what you may submit to a funding agency, be it state revolving funds, or utility services, or someone like that. It really doesn't have a place, I don't believe, in this particular section.

SHEREE TAILLON: So Caryn actually has the ten state standards so you can see exactly what part he is talking about.

KEITH SHACKELFORD: Anybody wants to jump in we do that now, or just continue with recommendations?

JIMMY GUIDRY: I guess tell us what happens today. What is submitted.

CARYN BENJAMIN: Okay. We have a permit application. The permit application has a design summary page for each type of project, as well as a project. There is a summary page for each, each project has a

summary, I wasn't prepared to go over this. I can pull it up and go through our permit application.

JIMMY GUIDRY: Not specific to all of it. How does this statement affect what we have today?

CARYN BENJAMIN: Like Keith said, we don't actually require an engineer's report for our projects that are submitted. I guess we actually agreed in this case with the comment.

KEITH SHACKELFORD: You do have a permit application which summarizes the owner, the name and address, the permit numbers, and design criteria. Insure that you've met all of this design criteria. I think down the road we'll get to the point where we're going to recommend that be greatly expanded to supplement the standards. The next item is...

CHRIS RICHARD. Right now you're required to submit plans for DHH approval. They are not necessarily complete plans. It's really the technical specifications for the sanitary features, those kinds of things. You don't review a complete sanitary. A lot of times (inaudible) control, programming or up front (inaudible) and just say sanitary feature be submitted for approval and also technical specifications. And also right now (inaudible) make plans for maintenance are not required to be submitted at all. (inaudible)

JIMMY GUIDRY: Now I'm not going to go through every one like that where something catches my eye that you will submit something. I want to know what is being submitted, but if you delete something I have to know does it impact the code that existed. That's what I'm looking for.

RANDY HOLLIS: But I think Chris you're recommending on that sentence to take out the words final, complete.

CHRIS RICHARD: Yes.

RANDY HOLLIS: So it simply says can be issued until detailed plans.

CHRIS RICHARD: Technical plans, or the sanitary (inaudible).

KEITH SHACKELFORD: The next comment we received was that section or paragraph 1.08 engineer's report be deleted in its entirety. That is not a required submittal in the package to DHH and I concur in that. The next comment, delete subsection 1.0.C operation requirements. Once again, that's typically a

part of a manual that might be prepared at the end of an engineer's report, which again we're not required to submit with the technical planning specifications. Same thing goes for subsection 1.0.G cost estimates. We certainly as engineers prepare those for our client and we have those, but frankly I would think of no interest to DHH at this point. The client and their lending agency are certainly going to want that information. While I don't presume to speak for DHH, it's not something we typically submit.

CARYN BENJAMIN: We have been asked of us how much total cost for projects. It's come up from the legislator.

PATRICK KERR: So is that something you need?

CARYN BENJAMIN: Yeah, because we've been asked that question so that's why we requested it on the application, I guess two years ago.

KEITH SHACKELFORD: So it is in that permit application?

JIMMY GUIDRY: Sometimes we're asked for an alternate method or variance because of the cost of a project and so sometimes it's really helpful to know if we're holding somebody to the line it's going to cost them 5 million or 10 million. I wouldn't want to delete because we don't know some of the cost.

KEITH SHACKELFORD: I was thinking the justification for variance or waiver is whoever submitted it would be incumbent upon explaining it and provide the difference in cost and not necessarily part of your submittal package.

PATRICK KERR: It is objectionable though? The estimate doesn't have to be perfect.

KEITH SHACKELFORD: No. It's an estimate.

PATRICK KERR: You've given an estimate for your client for cost.

ROBERT BROU: I wouldn't have thought you had any need for it. If there's a value to you it's simple to provide it.

KEITH SHACKELFORD: It's a product that designers provide.

CHRIS RICHARD: Do you have to do it for a public bid anyway?

(council speaking simultaneously)

KEITH SHACKELFORD: The next comment was delete subsection 1.0.J.

KEITH SHACKELFORD: I can understand. I'll give you an instance. I had a project in a small community that was not going to produce their own water. They were going to purchase it from another supplier, and I can understand the interest on the part of DHH, and wanted to know where that water is coming from. That you have a contract, a firm contract to purchase that water with the duration. May be you don't necessarily have to know the price of the water that's being purchased, but that you do have that agreement in place. That's my thinking on leaving that particular part in.

PATRICK KERR: Well, shouldn't that just be source of supply regardless rather it's purchased or you produce it yourself? We are already asked to certify that we will have water to these customers we're adding. We might even expand that just to say source and supply whether it's contractual or.

ROBERT BROU: Source and supply where applicable.

SPEAKER: Right.

(council speaking simultaneously)

CHRIS RICHARD: I'm not saying it's not important information, but I'm extending a (inaudible) water line and I submit to DHH. So I got to submit an agreement that exist in this water system (inaudible). Every time you do a submittal you have to submit an agreement?

PATRICK KERR: No. You have to demonstrate that you have the capacity to provide service to those customers. Not to the detriment to existing customers. That's a question I already asked.

CHRIS RICHARD: This says you will supply, you will submit (inaudible) submission of plans every time (inaudible) a three inch water line to customers.

PATRICK KERR: What does it say certification of adequate supply to meet the demands?

CHRIS RICHARD: It already asks for (inaudible).

PATRICK KERR: Okay. So we don't give them the contract, but we certify we have adequate supply.

JIMMY GUIDRY: This is my historical knowledge. Somebody comes in and says I've got approval from city (inaudible). Never had the approval never had the application. You really have to have some proof

that somebody actually has valid contract or a valid agreement because number one I want it with someone that's agreed to let you have the water. I want to see who that is. Are they a good citizen and doing what they should with their water system. Exactly what you said Pat, lower the pressure. Will it cause problems on water pressure for fire fighting? That (inaudible) or that connector he's not concerned or not thinking about what it's going to do to that system he's tapping into, but we are. So to me I got to know how's it going to affect where it's coming from.

BEN BRIDGES: We need to do some work on that.

CHRIS RICHARD: I just don't say I can see where a contract is accomplished (inaudible).

SPEAKER: Wouldn't that be in the scope of the job that's being done though? Whether it's one house you're adding or a subdivision. DHH needs to know if you can adequately supply water before you build this infrastructure and have no customers or have customers with no source.

JIMMY GUIDRY: The scope within the job itself, but wherever they're getting it from you got to know who's supplying it if they have the capability as well.

BEN BRIDGES: (inaudible) The scope of like whether it's two houses or a forty unit subdivision. Would that not require more detail, I guess?

JIMMY GUIDRY: I know, my engineers rep tell me, I know we have to look at all these things to make sure we're not compromising where it's coming from and that the people who are getting the service are not going to get shafted with poor pressure or possible contamination. So the more information we have to protect folks I think the better off we are. Exactly what that is is what I'd like to clarify. If it doesn't make sense to supply what you're saying, then what does make sense to help us make those decisions.

PATRICK KERR: Can we just say documentation of adequate source of supply and that might be a contract, might be an engineer's statement that's adequate with a stamp.

(council speaking simultaneously)

RUSTY REEVES: I think where Dr. Guidry is coming from he's got a couple situations that I know of

where ABC water system says we can sell XYZ water and they do fine Monday through Thursday. Friday, Saturday, and Sunday's a nightmare. Next thing you know Monday morning ABC's out there cutting a valve off. He's got to have some kind of paper when he goes before that judge to keep that valve going. (inaudible). They papers say, yes ABC said they would furnish them two million gallons a day, or whatever the agreement was.

CHRIS RICHARD: The water system should have that. I'm just saying the submission of plans (inaudible) so you're saying every time an engineer submits a set of plans for anything on a water system you are going to have to submit...

(council speaking simultaneously)

PATRICK KERR: For example, we sell water to Iberville Parish Water. We have a contract with them. If they decide to add a subdivision if we're in the permit process they will tell DHH, their engineer will document there's an adequate source of supply. DHH may very well come to us as the wholesaler and say you need to prove there's adequate supply. So if we just change that to say documentation of adequate source of supply then that documentation is a little open to interpretation, but that's something engineers are going to review (inaudible).

CARYN BENJAMIN: We want to insure adequate capacity, but also we might want to look at water quality as well. A lot of purchase systems have problems with disinfection by products so that would be something we need to consider.

SPEAKER: Absolutely.

GREG GORDON: I'm just going along the lines (inaudible) where it says at that first paragraph document submitted formal approval, formal approval of what? I mean is this a new water well, a new water system, is it just an extension? It's a lot of information, and then plus (inaudible) a lot of that's in the business plan that we originally turn in to do a water well in that business plan. I just don't want to get in the logistics of having to turn in a ton of information for something that's relatively simple.

PATRICK KERR: This is where I think part 12 needs to come into this. Part 12 lays out whether you have

to submit plans, and if we have to submit plans then the plans are to comport to submission of plan requirements. And that's what I was talking about earlier. I think we need to bring chapter 12 and what it says already into it. We don't need to submit plans to something that doesn't change the hydraulic capacity of the system. So if I'm doing a replacement pipe in size or replacing clarifier parts we don't have to submit plans for review. This should only apply to the thing that part 12 says we've got to submit plans for.

JIMMY GUIDRY: I think that's what we have to, as we go through this, that's what we have to address. Now when we start writing the code we have to include part 12 that supports it. I think this is a large problem in all of government is that we reference things all over the place and somebody's got to go search it and find it and then it changes because the date where you read it right here was in 2010, 2012 we got change. The more you bring the code together and it's clearer then you don't have to go look for it.

PATRICK KERR: And that's why I suggest doing it together.

JIMMY GUIDRY: And I think we can. I think we take the input today that Keith's going over then we tie in part 12 (inaudible), and we start clarifying where 12 addresses this. I certainly don't want submittal of stuff we don't need because we don't have time to look at it. And I certainly want us to make sure we get what we need to make sure everybody gets the protection they need. I feel like we're getting somewhere. It's going to be painful because it's a lot of stuff like this. In the end the outcome is worth the effort. Go head Keith.

KEITH SHACKELFORD: I think we're up to delete subsection 1.0.J. Other information is required by the reviewing authority. That either needs to be deleted in its entirety or that other information delineated. That's a blank check.

JIMMY GUIDRY: I like that. On every one of our employees at the end of their job description it says or as determined by your supervisor because somebody is going to inevitably say you didn't say that was part of my job. And I understand where you're coming from. But if you are going to delineate and

remove that open ended then you have to write a lot more to make sure you get what you need so you got to be a lot more specific.

KEITH SHACKELFORD: Well, I'm going to come at it from a standpoint of the designer. I don't know what you may ask for. It takes more to redo something or incorporate an extra request than it does to include it in the first place.

JIMMY GUIDRY: I got you. Again, as we go through it we need to look if something like this gets deleted what do you replace it with? What are the specifics? I can tell you there are a lot of things we don't think about in writing that becomes important as time goes on. This gives you some opportunity to incorporate those much to the chagrin of those people that are being asked to do it. There needs to be a balance here. Keep going. I understand the heart burn there. I'm also on the receiving end of that as well.

RANDY HOLLIS: Let's back up. We skipped over I. Do we want to make I part of the burden of code here of evaluating technical, managerial, and financial capability for everything that we are going to submit. I think I should be deleted in its entirety and if we have an SRF loan you've got to do it, if you have an RUS loan you have to do it, but should we leave I in there in its entirety.

KEITH SHACKELFORD: Well, and I asked that question early on and Sheree was kind enough to provide me with a copy of article 48 of the (inaudible) code that gives DHH the right, and in some cases the responsibility for requesting this information.

GREG GORDON: Chapter 12, cause that's what I was going to reference. It would be in that chapter 12, most of this information?

PATRICK KERR: It's not.

KEITH SHACKELFORD: Not in that title. It's in title 48.

SPEAKER: That's a different part.

PATRICK KERR: And that probably (inaudible) safe drinking water act. That ties (inaudible).

RANDY HOLLIS: Like Chris said, even those small (inaudible) client extensions. Look at what you've got

to provide just in section I here, a ton of information in section I.

CHRIS RICHARD: Everything here applies to every plan submission, that's what this is about.

SPEAKER: Every plan submission. So it's not just work on our part, it's work on DHH's part.

PATRICK KERR: Maybe we ought to have a general and then specific for a new system shall, in addition a new system shall submit the following and put section I in it.

ROBERT BROU: You can always rely on 48 if 48 allows them to request for certain specific situations it will stay on its own and still request, but it doesn't become automatic for every submission. Take it out of this in its entirety, don't delete title 48, or don't delete the requirement. It's still there when they feel there's a need to see that they request it. That would be the easiest thing.

RUSTY REEVES: If you took I out and left J in there J covered it.

(council speaking simultaneously)

CHRIS RICHARD: The ten state standards have been used to review plans how many people have submitted (inaudible).

PATRICK KERR: They did an evaluation of every system in the state ten years ago.

(council speaking simultaneously)

JIMMY GUIDRY: We have a title and if y'all feel like it needs to be eliminated put it up there for elimination. We need to be able to ask for it.

RUSTY REEVES: If it was a (inaudible) of a new system and you wanted to ask for that, but if it's just an eight inch line extension, or ten inch line extension, or connect two systems together that's operating fine they just need to assist one another.

CARYN BENJAMIN: This is required for new systems.

RUSTY REEVES: (inaudible) a line extension or adding a subdivision on a water system that already has capacity.

PATRICK KERR: So what if it said I, new systems in addition, new systems coma shall provide (inaudible).

JIMMY GUIDRY: I could live with that.

PATRICK KERR: Does that cover it?

CHRIS RICHARD: It's already covered. Restate end up with conflict (inaudible) change or amended (inaudible). Like they said, leave it out and they can come back.

ROBERT BROU: May be better off leaving it out of this and strictly going by title 48.

JIMMY GUIDRY: As long as I can get it I don't care where I can get it from. If you delete it here and I have the authority somewhere else what do I care? I'm not going to invoke it. This invokes it every time.

ROBERT BROU: What Pat suggested works fine, but if there's other circumstances probably better off leaving it out.

CARYN BENJAMIN: I think they go through when they are getting the loan with us also.
(council speaking simultaneously)

GREG GORDON: What you're saying you brought this up and Pat did too is a direct reference though within that standard saying like you said new system, but I just want to make sure if we're tying, if you're going to get it from this other area that somewhere either mentioned or reference.

JIMMY GUIDRY: Yeah, if you're going to do that you have to include it here as what this is for and make it clear so people don't get confused.

GREG GORDON: I mean you could say technically, I guess, new systems you would have to have everything under I. If you're an existing system and you are doing an extension you may be asked to provide the stuff you did under title 48 or whatever, I'm sorry I don't know all the technical language, that you can resubmit that information relative to that project that you are doing.

CARYN BENJAMIN: I do know that during sanitary surveys we do look at the operator. So number one that definitely would be looked at when we do sanitary surveys.

RUSTY REEVES: If they took I out of there how would it affect, I realize the health department 48 for the SRF fund, but for USDA project or other funded agencies if this is going to be the Louisiana code, and

I'm not talking about nobody sitting at this table. I'm talking about ten years down the line somebody comes and says well, I don't have to furnish that technical, managerial, financial capacity cause it's not required by the state and they don't have to be reminded.

GREG GORDON: Yeah, you get money from them you better turn in what they want.

(council speaking simultaneously)

RUSTY REEVES: (inaudible) it would be in a code from here on out.

RANDY HOLLIS: Rusty it's just like if you apply for an SRF loan. It's going to come with conditions such as (inaudible) and all this other stuff and a complete SIP that you have to submit for financing. That's if you are borrowing money from them. Why include it here if you are going to barrow the money?

RUSTY REEVES: If this is going to be the state code going forward so no longer will ten state standards be... all funded them funded agencies go back to their engineers and the funded agencies goes back to the code or what's accepted as the code.

JIMMY GUIDRY: Well, I think the (inaudible) we have after we get a recommendation of something deleted is to make sure whatever being deleted doesn't impact us negatively down the road. So I really think if this deletion doesn't impact us negatively, and we have authority elsewhere, let's make the code simpler. That's a lot of language I don't need to have there. If I need something there I need number one and then I have to come back to y'all and say look (inaudible) capacity of systems, but I think we have to give it due diligence and say does it past the test? If it goes away do we really need it? The less language we have the easier it is for people to interpret. That's my end game. I will leave that as a recommendation and then we may come back and say wait a minute we hadn't thought about this.

Then we have to say we need to discuss that, but right now on the spot I can't answer the question.

CHRIS RICHARD: I think it should not be in the section on the submission of plans. It applies to every single set of plans somewhere else in the code (inaudible). That might be the answer, not in this section.

KEITH SHACKELFORD: Caryn mentioned that they look at a lot of this during the sanitary surveys and not so much a part of the (inaudible). So I think you're right Chris.

JIMMY GUIDRY: So it needs to be in the sanitary survey area where we're clear on what we're looking for.

KEITH SHACKELFORD: I believe so.

JIMMY GUIDRY: Good enough.

KEITH SHACKELFORD: The next item delete subsection 1.0.J other information or is that what we just covered?

SPEAKER: Yes.

KEITH SHACKELFORD: Okay. I'm sorry. Moving forward, delete section 1.1 engineer's report in its entirety. Again, we've already said that we're not generally required to submit an engineering report to DHH for review and approval. That, again, is for generally for clients and funding agencies. I have no problem with deleting this per the recommendation.

JIMMY GUIDRY: And what we need to look at is in section 12 there's exactly, I want people to know exactly what they need to have to turn in. So if we don't turn this in, you don't have to turn this in, shouldn't be any gray area. But if there's something that replaces that that needs to be clear and we need to be clear what that is. Now whether it goes in this area or somewhere else need to make that decision. If it gets deleted should we clarify what should be deleted? Does it bear discussing what needs to be turned in for each plan? Replacement language of what is needed.

ROBERT BROU: This section just describes what the content of the engineer's report should be. Not going to submit an engineer's report you don't need any contract. Really covered what other things need to be submitted went with what we were just discussed in those previous sections.

KEITH SHACKELFORD: A lot of the information, for instance, part 1.1.7 source of water supply. That could easily be incorporated in part two general design considerations. You are not submitting engineer's report to put it somewhere else if y'all require that data.

CHRIS RICHARD: Also remember that (inaudible) source on funding, on distribution, and on treatment and you can handle when you are submitting plans for treatment what needs to be included in the plans

and code requirements specific to treatment, or source development, to pumping stations and not in a general (inaudible). Everything in here applies to everything. Get more specific.

CARYN BENJAMIN: Parts of the engineer's report is contained in the permit application so that really is what takes place or replaces the engineer's report. We may have to include the information that the permit application already has in this section may be so we're not losing out the permit application.

CHRIS RICHARD: A lot of these things that we're talking about taking about- we don't submit now. It doesn't compromise your ability to review. So these are the things that (inaudible). Adopt a code as written, adopt ten states without taking and requiring more.

CARYN BENJAMIN: Right, so just adjust this to what's currently required?

JIMMY GUIDRY: Yeah, that's all they're saying is whatever's currently required has to be stated somewhere so that people know what we're looking for.

ROBERT BROU: Who would write a final draft of this section? I think it's important that someone on DHH staff look at current permit application and what is important for y'all to receive and is it covered under. If not you need to request to get it added.

PATRICK KERR: Can I ask a stupid question? Why don't we just let the permit application and say here that you have to submit a completed permit application and if in the future want to change the permit application all it takes is the committee and DHH to publish it and register and we change the application. If you only need what's on the application then why don't we just take the application and say general submit a full completed application?

ROBERT BROU: If y'all like the current format.

PATRICK KERR: Would that make it easier?

CARYN BENJAMIN: It would make it easier for us to change the permit application.

PATRICK KERR: Well, it would also make it easier to make sure you get everything you need.

DAVID MCCAY: You can't just say pull or complete the permit application. You have to say what has to be in that permit application. Put that language in there.

PATRICK KERR: The application is part of the code.

(council speaking simultaneously)

SPEAKER: Appendix B would be permit application.

JIMMY GUIDRY: Subject to change by the review of the quorum.

AMANDA LAUGHLIN: Just on that note, there are things that we look for that aren't on the permit application. So we wouldn't have to incorporate anything (inaudible). We don't have the entire code in the permit application so we do look for a lot of other items on there.

GREG GORDON: (inaudible) code and the permit application in some kind of written format and throw it in here instead of this section 1.1.

AMANDA LAUGHLIN: (inaudible) application is an overview of the project. It gives the reviewer an opportunity to review is this a water line extension using this material, you know. It gives a brief overview, but it doesn't necessarily point out every little thing in the code that we may be looking for.

(council speaking simultaneously)

JIMMY GUIDRY: But in the application that somebody picks up, does it delineate what they need to provide? Not just a permit, is there an application packet?

CARYN BENJAMIN: It's an application packet that contains the summary for each type of project and then you're supposed to also submit with that plans and specifications.

KEITH SHACKELFORD: And once again, when we get into the next section it talks about a summary design criteria within the plans. So you can get into a great deal of detail on plan specification supplements what you may be requesting in the permit app.

CHRIS RICHARD: So right now talking about permit application. (inaudible). I'd like to see in there, we have issues right now with general water line taking months and months to get things permitted, talks about permit, if we could add something in the end that's an engineer certification and put a stamp on it. That's my responsibility as an engineer and my standard. I don't need, not trying to be arrogant, but I don't need somebody going through and checking and scaling. If I say I have six foot separation then it's

on me. But to take three months to review a set of plans holding water systems from fixing things to me it's not necessary. The engineer is responsible for it. Put in an application, stamp it, and sign it.

PATRICK KERR: And bond it?

CHRIS RICHARD: What I signed and what I stamped and I send it out. In other states that's what you do. In Florida (inaudible).

CARYN BENJAMIN: I wish all the engineers were like you. We just, we see so many mistakes that nine out of ten times always a comment letter. And it's not really water extensions, I'm talking about the more complex plans that come in. Water line extensions usually don't take but a day, if that, to review. The delay hasn't been because of the taking those two months to review, it's because staffing has been an issue.

PATRICK KERR: (inaudible). Your permit already says if we miss something it's on you. You know, so basically we're waiting for permission to proceed from permitting, from review engineer and sometimes it does take more than 90 days to put in a water line. And if we screwed it up you can already come back (inaudible) maybe it says after expiration of 30 days or whatever.

CARYN BENJAMIN: State statute gives us 60 days to review and I don't think we're going to budge on allowing...

DAVID MCCAY: I hate to even bring this up, in that statute, isn't it Caryn?

CARYN BENJAMIN: I'm sorry?

DAVID MCCAY: Doesn't the statute you are referring to address what happens if we don't meet those deadlines?

PATRICK KERR: We have to get an order from the judge to force it.

DAVID MCCAY: I haven't looked at it in a long while. I thought it said if you don't hear back or something you can go ahead and do it. That's not what it says?

PATRICK KERR: No, I think you take it to the 19th JDC, unfortunately.

DAVID MCCAY: And maybe you don't want to rely on that.

PATRICK KERR: And none of us wants to do that.

KEITH SHACKELFORD: I don't mean any offense, but DHH plan reviewers have played games in the past where at the last minute at the end of the 60 days they will review and issue a letter with a few comments and that starts and the 60 days starts over after those have been addressed and resubmitted.

CARYN BENJAMIN: I can tell you now that since the reorganization and with improved staffing levels that's going to get better and that's not going to occur under me. If there is any cases that you are aware of you let me know.

KEITH SHACKELFORD: It's been some time back.

CHRIS RICHARD: (inaudible).

CARYN BENJAMIN: I didn't hear you Chris.

CHRIS RICHARD: How they do it in Florida permitting water lines in Florida the way I do it is there's a permit application is they have a list of what they consider important features they want you to comply with you. And you initial. It might be a four page application. I initial everything I comply with. If I don't I put an X and in a section where I put why I did that. (inaudible) I'll attach that. There's two places where I sign, the owner signs. I certify that I prepared the plan specification. I put my stamp, I send it to them. I get an email in less than two weeks with the order to proceed. So maybe there's a simpler way to speed things up your part depending on the type of project.

CARYN BENJAMIN: Called plan review fee so we can hire more staff.

CHRIS RICHARD: I think there is actually a fee right now. (inaudible) six months later. If it would speed it up maybe (inaudible).

(council speaking simultaneously)

CARYN BENJAMIN: There's a fee in almost every state.

CHRIS RICHARD: The owner pays for it. It may be 250 dollars.

SPEAKER: It speeds things up too.

SPEAKER: That's what I'm saying if you can guarantee it will be done in two weeks versus six months I

don't think people would object.

JIMMY GUIDRY: Very good input. Now I'm starting to see why you might not like us. Go ahead.

KEITH SHACKELFORD: We only have two more items of submitted comments in part one and then I guess we'll open it up for additional discussion. Section 1.2.2 detailed plans subsection A, has to do with bayou river crossing. Crossings directionally drilled below the bottom of the channel need not show the extreme high water level. I think the standard calls to show the low water level, high-water level, and extreme. Well, you need all of that if you're going to be constructing an aerial crossing, but for a submarine crossing that's particularly being directionally drilled you are not disturbing the bottom then why not include this language. The last submitted question in section 1.2.2 detailed plans subsection F suggested that we delete the wording that elevations and designations of geological formations be deleted. This has to do with the plans cross section and details of the water well because in many cases we don't know where the formation limits are until the test well is drilled and electronic log is taken.

JIMMY GUIDRY: So there's no way to provide it?

KEITH SHACKELFORD: I guess what can be done is you can provide geologic formations from a nearby well, but there's no guarantee they are going to occur at the same elevation, particularly in this area.

JIMMY GUIDRY: So do we need the information after they get them?

PATRICK KERR: DNR needs it. (inaudible) it shouldn't matter.

(council speaking simultaneously)

SPEAKER: To the sanitary inspection.

KEITH SHACKELFORD: And of course y'all operate statewide, not just in the capital area where there has to be ground water connection and you have to submit to depending on which (inaudible) you are trying to tap.

JIMMY GUIDRY: Yeah, I just feel like whether you delete it or you save it provide it after it's available.

KEITH SHACKELFORD: You tell us whether you're going to need it eventually or at all.

CARYN BENJAMIN: No, we definitely will need that.

SPEAKER: Do we submit (inaudible)?

CARYN BENJAMIN: If it differs from the permitted plans you should. If the grouting, casing, depth, all that changes we review all that. There's specific requirements for this.

(council speaking simultaneously)

CARYN BENJAMIN: If it's different than what you submitted do an as-build afterwards clarifying.

CHRIS RICHARD: Are the wells covered in another section?

SPEAKER: Yeah.

CHRIS RICHARD: Since this is submission of plans take it out here.

GREG GORDON: That's the only thing about this water works improvement shall. What are those water works improvements going to be defined. Seems like my standpoint 1.2.2 obviously just trying to make sure that since you can consider we're doing this for Louisiana, small systems, they may have a hard time with all that information.

PATRICK KERR: Again, it's only for plans you have to submit. Don't have to do it for repairs or replacements.

GREG GORDON: Okay, as long as you define it that way.

(council speaking simultaneously)

ROBERT BROU: It says where pertinent, but it's important to be there because this is an all inclusive list. Not everything is going to apply to every project. There was a recommendation to delete that.

KEITH SHACKELFORD: If it's not applicable you don't have to submit.

CARYN BENJAMIN: Are you getting all the changes? I'm not writing it all down.

SPEAKER: Hopefully they are being picked up on the tape we'll have I suppose.

LYNSEY HEBERT: If you want it all... I mean everybody is talking at the same time, nobody is using the microphones. It's getting difficult.

CARYN BENJAMIN: I know. Y'all need to speak with the microphone if y'all want her to get everything.

KEITH SHACKELFORD: Chris said he's been marking. That's the end of the comments that we received

prior to and during the webinar and we've summarized since then. Again, as I stated earlier, we only received comments from I believe three of the committee members and none from DHH. I think y'all need to weight in with what y'all think and not just react to what we've come up with at the review meetings as well.

JIMMY GUIDRY: We certainly will react, don't worry about that. But I think it's trying to figure out what the census is and spend our time on where it needs to be spent.

KEITH SHACKELFORD: I think we can save time if we've already narrowed it down from all of these items what we really need to discuss and we can do that by getting comments. We're not going to receive comments on every single subpart or paragraph. So do you want to open the floor to see if anybody else has...

JIMMY GUIDRY: Yeah, at this time if there's any comments from folks that are in the audience we certainly want to give you an opportunity now that the committee reviewed the comments from the forum that occurred. Is there anyone that feels the need to share with us anything at this point in time? If not we'll move on in the interest of time. So if we could, as we pointed out, use the microphones so we can document all the information so we don't miss something.

DIRK BARRIOS: The next section is part two. We'll go over the comments that were made and we had maybe six people that commented. The first comment that was made was on 2.3 building layout J. I didn't have any comments on it, but Randy did so let Randy tell me what he means. Says add this sentence to the following, if and when the chemicals are to be stored inside a room.

RANDY HOLLIS: Well, my comment on that is what if we decide under chemical feed and chlorine storage that they will not be inside a chemical building, that we will allow chlorine cylinders to be placed outside under a cover and all of a sudden this says chemical (inaudible) in a safe and separate room. I don't think we need to stipulate they will be in a room in this paragraph. We haven't even covered chemical feed yet.

JIMMY GUIDRY: And I guess the question that I have right now, because I've heard back and fourth on

this, is perhaps for a system that exist to have to go back and do this it's not feasible, but for a new system isn't it safer to have it in a building that's vented, especially if you're next to something where chlorine can escape. I know of chlorine cylinders that are actually next to schools, playgrounds. I hear where you're coming from Randy, but I'm wondering if we should make it clear that the safest thing is to have it enclosed and vented and that's what we want with new systems. The old systems if we can't afford it we can work around. I'm not sure we want to say that we're not going to recommend that. I still think it bears recommending.

RANDY HOLLIS: Well, I think one perfect example is anhydrous ammonia. If you have anhydrous ammonia inside a room they will not deliver it to you because it conflicts with that federal standard for anhydrous ammonia. That's a built in conflict. Y'all are requiring buildings and rooms for anhydrous ammonia, yet the industry will not deliver it to you.

CARYN BENJAMIN: Actually, we met with St. Bernard and the Louisiana Gas Commission I believe it is and they, their regulations actually do state, and I wish it I had it up here. Essentially, that as long as the building is designed for such storage and that it meets requirements it's allowed. When we met with St. Bernard just recently they did see the concern that there was a school, actually, I think within 200 feet of the new plant that St. Bernard's building, and they did, I guess, come to an agreement to allow enclosed.

DIRK BARRIOS: That brings up something that we've experienced and I believe St. Bernard is a new facility. We're an existing facility and we had a partial building because basically (inaudible) kind of help in the winter time, freezing of the lines and all. We had a sanitary survey done and we were told we had to completely enclose the building next month. They refuse to deliver us ammonia at both plants.

Where do we stand? That's been... and I've been after Jake to give me an answer on this and I know he hasn't been able to work things out because they keep saying they have the right to refuse delivery because of whatever. I can't make water if I don't have ammonia.

JIMMY GUIDRY: Yeah, I know the discussion with them has been to try to convince them of the safety

of doing that and I think they are just now coming around to agreeing with us and St. Bernard, but we did say last year when we saw the cost of implementing this that we would look at where we could exempt it on an existing system. So I do believe we agreed to that, but I don't think we agreed to that on new systems.

CARYN BENJAMIN: Right. There's a current exemption for existing systems.

PATRICK KERR: I have several concerns about this. One is that we don't define a chemical, but the code could be enforced that every chemical that we have in a plant needs to be in a separate room which is kind of the way it's written. Certain of our chemicals are compatible and those should be able to be stored in the same room. There's no reason we can't store ammonia and a sequestering agent in a room or in an area of a plant. We're going to have to get into a whole conversation if our concern is safety of people off site then putting ammonia or chlorine in a room and then requiring that that room be force ventilated to the outside defeats the purpose of putting it in a room. If your concern is that there be no discharge from a room then we ought to require scrubbers or require secondary containment. But a room doesn't fix anything Dr. Guidry because there's a fan in that room and the code says we've got to exchange, two air exchange, one air exchange permit. So I have to force ventilate it and it just so happens that Murphy says that the chlorine room is going to be on the side of the school and the fan is going to be pointing at the school. Obviously, no one would do that, but... and scrubbers is a huge deal whether the state wants to require scrubbers. EPA went through this and are still going through it and they established threshold quantities for chlorine storage above which process safety management kicks in. That threshold has to be 2,500 pounds and below that (inaudible) not required. So the arguments that have the pros and cons have been discussed at the federal level and what we're doing by saying put it in a room, but not taking the next step is spending money with no protection of the public at all. So I'm concerned about just putting a blanket everything new needs to be in a room. Anhydrous ammonia can be trapped, it's a liquid. There's other ways, wash down and things like to ensure that there's not an atmospheric release (inaudible) chemical secondary containment. I think the code probably needs to

address that and maybe give these engineers the latitude, design engineers the latitude to design a system to protect offsite release or prevent offsite release rather than just say put it in a room. I don't want to get into each individual things, but we had an NOB for having control equipment in a room with chlorine and the bug about it was that if there's a chlorine release it may affect the equipment that we had in the room and that might cost us money, might cost us time. And our response to that is unless it affects public health it's really none of your business. If I lose a one pump controller because there's a chlorine release in the room it's like the least of my worries, but to move that controller to another room is a very difficult thing to do. The room thing is something we probably need to spend some more time on and I don't know, just saying going forward only new equipment needs to be in rooms. Although it's exactly what we intend to do in Baton Rouge, I can't speak for everybody. But there's certain plants that putting it under a shed and shielding it from sunlight is the way to go, or scrubbers. That's really, scrubbers or secondary containment. The only other thing you can do.

RANDY HOLLIS: Well, if I might say something, I think one missing component here is I don't know if we have an expert on this committee in hazmat, but I would like to know what is easier to contain if you have a problem with the chlorine cylinder for them, an expert that deals with this on a daily basis. Is it inside a room trying to get into a room, or in an open area.

BEN BRIDGES: We can access it.

RANDY HOLLIS: I'd like to hear from an expert in hazmat to tell us what's the best way to work on this when you have a problem.

JIMMY GUIDRY: So I guess what we need to do on issues like this where we really don't know what science tells us and we're trying to write a code. We need subject matter experts to come present to the group what makes sense. That would be trying to get someone in hazmat. I think there's a risk of being inside the room to those immediately inside the room, and again how it's vented and then there's the risk, especially in chlorine and ammonia, those areas that are near by. Public health, we tend to protect the greater masses, try to contain. In hazmat it might be ventilated. If you dilute it the safer it is. But I do

think it has to do with business and has to do with calculations how far you are and how (inaudible) it is and how quickly it is. We have trains and trucks that have spills all the time. The chemicals out there, the quickest way to get rid of a chemical is to dilute it, whether that's water or air. I won't claim to be an expert, but I think we can work on trying to find somebody to present to us. I do know that it's an argument we don't all agree on. I don't know if we can reach an agreement. I do think we know that if we use scrubbers in a room it's safer than something else, I think that's a given, but the expense may make it, I don't know, prohibited. I don't even know, but if you're new then you need to get the money to do the right thing, in my opinion. If you're old you might not be able to get the money. I don't know. I guess that's kind of how we approached it so far. I feel like I'm about to sing or something, which I can. Let's move on.

ROBERT BROU: One more comment on J with the chemical storage. I think it would be better phrased chemical storage and feed equipment designed to reduce hazard and dust problems. We're focusing on chlorine and ammonia and other hazardous chemicals. There's a lot of chemicals that are perfectly fine to be stored outdoors. We feed polymer at our river intake structure. It's not inside of a building.

JIMMY GUIDRY: Don't tell me that.

ROBERT BROU: It's inside of a tank, it's contained, it's a food grade polymer. You're never going to want to put it inside of a building. There are other things that are better designed to be outside, but it should be designed to reduce any hazards or dust problems, I agree, but not always inside of a room or inside of a building.

PATRICK KERR: Could we just say if stored in a building comma chemical storage and feed equipment will be in separate rooms and then chemicals in section five. So if it's in a building it needs to be in a room designed to contain that chemical.

CHRIS RICHARD: I have just a general question. Do we need section two general design considerations in a code? This is a code, not a design guide. You're taking this from a design guide that everybody uses and will still use to design water systems. This is just general design considerations, we're talking about

codes. I think it's a different thing. I don't know if anything in this chapter applies at all. You can use specifics in the other chapter, talk about treatment, disinfection, water systems, and all that. Technical issues that affect water quality.

JIMMY GUIDRY: So you are saying chapter two doesn't belong in the code, period?

CHRIS RICHARD: There may be a couple things you can pull out and put in other sections, but design is a different issue.

PATRICK KERR: The important stuff in chapter two is in part twelve. You guys thought it was important enough to put it in the code already.

JIMMY GUIDRY: So let's say if chapter two goes away and needs to be in the code in chapter twelve, or at least somewhere. Some of it needs to be somewhere.

CHRIS RICHARD: Yeah, the important things. A lot of this is just being specific and (inaudible). A code is you shall do it, not you might want to consider doing this. You shall do it. That's what the code should be. (inaudible) pick parts out and put it where they belong.

JIMMY GUIDRY: That's his opinion.

DIRK BARRIOS: So I don't have to do part two, that's it?

JIMMY GUIDRY: I think we keep going and take what he says into consideration. I think some of these things we want somewhere. Put it this way, the code is not going to say chapter one, chapter two. So we're trying to figure out what parts of this we want to put in the code. Keep going with what you don't want and what are your recommendations.

DIRK BARRIOS: Okay, the next one is 2.6 standby power. That's basically about the dedicated standby power shall be required for review authority. Water may be treated and/or booked in the distribution system during power outages. We have a few comments about it being discretionary. One concern might be considered being used, booster stations and distribution system. Another one was about one size doesn't fit all. Shouldn't be (inaudible) no standby power equipment. Each public system should be evaluated separately based on how many power outages, where the location is according to the main

power supply, if they have other ways of getting, providing water for their customers, if they can maintain water for like 24 hours, power outages, storage tanks, and on and on. Different things about the smaller systems.

JIMMY GUIDRY: Let me ask this. I'm just going to explain how I interpret this, I'm not acting like I'm a subject matter expert, a couple things that keep water from getting contaminated, pressure and disinfection. The required standby power doesn't necessarily mean has to be at every site. It could be mobile. You can move it, but what you want to do is maintain pressure. If you have gravity on a tank that's bringing pressure that's one way, but we all know in Louisiana in a bad storm you can lose power. So having standby power I don't think was ever intended to be at every site. It was to have it where it's needed. I don't think we clarified that for people. So everybody thinks they have to have standby power everywhere, which is not affordable, nor doable. But having mobile generation probably would protect your system better than if you did lose power. That's just how I kind of understand it, and I don't know if I'm accurate on that.

GREG GORDON: That wouldn't comport with the sanitary survey that we got cause we got hit at every well that didn't have standby power.

JIMMY GUIDRY: On site?

GREG GORDON: Yes. And some of those sites just for our purposes it may be a single water well site in a subdivision that has 50, 60 homes. It may be a subdivision if it's a single water well for 40 or 50 homes. The site physically from a property prospective we might not be able to fit it on there. We have to go expropriate property, paid somebody for it. We have a lot of generators and most municipal governments now post Katrina seem to have a cache of generators, dedicated generators that we have just for our water well sites. That's why one of our biggest issues when we met with the secretary, and Jake, and I think Ms. Caryn came down there to St. Tammany was that's just a huge cost item, plus those generators have to be operated and maintained every year. That's not a low cost item. Plus, if you have a big storm situation and you have a power outage I'll tell you you don't want people around. I

understand your concerns about pressure and stuff, but if you tell people you're going to have water and everyone's got a generator they're never going to leave. If their water is on they are not going to go and that's a big problem. And then plus if you're going to have like we have 26 water wells if I got to keep 26 generators running because everyone stayed and there is few if any traffic lights or anything and I got to run fuel everywhere and put, unfortunately, the staff in peril because everyone is fighting over gas looking for these trucks. It's a problem. This is a big cost item too. Again, I think standby power, I understand from a public health prospective. Yes, I really do and I feel your pain and I agree with you on a lot of ways, but on the other hand some of the basic things I could be doing for my water system to make sure people have good water I'm spending on generators. I'm running around playing the generator game rather than operating, maintaining my system properly. That's a big issue.

JIMMY GUIDRY: If you can move the generator does that make it doable?

GREG GORDON: I think from our prospective yeah we have kind of like a generator plan that's part of our emergency plan that we have instant access to. We have a couple of mobile hydromantic tanks that we can take around. They just roll off and we can set them next to the other tank and utilize that if there's a problem with the tank, for example. So we have a good amount of that, but that's what I'm just worried about something in here it being considered just that, it's got to be a generator and it has to be right next to it.

JIMMY GUIDRY: But if we're specific in saying mobile standby power?

GREG GORDON: Mobile standby power. And I know that would be...

JIMMY GUIDRY: I just would like, let's say it's a storm that come through, small storm and you've got a couple of them look like they are losing power and you just need to move two generators to those sites. That's better than having boil water codes because you lost power and you lost pressure. We can be specific to where people don't get excited because it says you can have a mobile. I've got a generator on wheels ready for this site if I need it at this site, but I also have it ready for five other sites. I don't know that it protects everything. May be a boil water because five sites go out at once and only have two

generators. But I thought the explanation to me was that it wasn't mandated to have one at every site. If that's not true I understand the heartburn. It's expensive. That may not be doable. Again, let's just throw it out there if mobile makes sense good, doesn't make sense we need to figure out what makes sense. May just be a boil water notice. Don't have the pressure. My biggest concern with water is people losing pressure don't know it. It takes a while before they find out that they are drinking water that may be contaminated.

CARYN BENJAMIN: We allow the mobile.

KEITH SHACKELFORD: You really have to know how many generators you are going to need. Having half a dozen, give you an example, here in Baton Rouge if they didn't have auxiliary drives at their water wells half a dozen, or a dozen, or two dozen generators is not going to be enough to maintain pressure system wide trying to move them around. It works in the sewer system where you move from a lift station to lift station, but if you are trying to maintain continuous pressure in a water system that's going to be a difficult nut to crack.

CARYN BENJAMIN: You just need to place them where it's going to be enough to maintain the pressure.

KEITH SHACKELFORD: But then you have to know what your demand is going to be in an emergency case and if it's a hurricane who's gone and who's not, how much are you going to need. A lot of assumptions, just that, assumptions.

PATRICK KERR: In a system our size average day isn't enough. We lived through that fallacy. If I have to say thank God Katrina happened I'll say it because it saved our (inaudible) in Gustav when we realized average day isn't enough in a densely populated area. The day after a hurricane everybody is out there washing things off and wasting water and broken water lines. The code it says dedicated, it doesn't say fixed. Dedicated might be that generator goes to that well if it goes out. Here it is. Sanitarians ought to know that. Average day is what we pick because it seems reasonable.

JIMMY GUIDRY: So you find it doable the way it's written?

PATRICK KERR: You know...

GREG GORDON: It's the enforcement prospective. If it's dedicated standby and you have some kind of plan that's one thing, but as long as not like some we ran into which was every water well site I didn't see a generator.

JIMMY GUIDRY: So dedicated mobile generation?

PATRICK KERR: Fixed is okay too. We had fixed and I hate to tell you, but big generators is enough for Baton Rouge.

RANDY HOLLIS: For one of our systems I tell you the peak hour flow is 167 MPDs, the max day is 111, the average day is 67. So if you come out there and say okay I want a generator on every well you're hitting that at peak hour which is what three times what the average day is. So if sanitarians are looking for a generator at every well you're three times overkill based on what we're looking at average day. So if you've got a generator at every third well you can meet average day based on our system and our actual flows.

PATRICK KERR: And that's what this says.

RANDY HOLLIS: I know. That's what this says, but they're saying we want to see a generator at every well.

PATRICK KERR: If you have one well system I think you probably ought to have a generator dedicated.

GREG GORDON: We do have one, but it just got hard because some of it was well, I don't see one on site. That's where we got into trouble. You know some of these places, some of these well sites if you're going back and try to retrofit something, you know, that's why we kind of went back in and we could do a quick connect with our mobile generators and try to put everything in the fence where the truck is. Don't put it in the back because sometimes we have a site that looks like a shoebox and that's it. There's not a lot on either side because the developer wanted to sell another lot.

PATRICK KERR: In our experience the bigger problem is fuel. I don't know how we would demonstrate to y'all produce power with these generators. You know, we've got to leave something up to these

professionals who produce water. Fuel is our Achilles' heel and it's everybody Achilles' heel.

JIMMY GUIDRY: In a state that has fuel in plants it's amazing to me.

CHRIS RICHARD: In our system I know they have agreements with generator providers. A storm comes in and it is dedicated for them. They don't have one on site, but they have a contract with the generator provider that when there's a storm in the gulf they go pick up a generator. It's dedicated in contract, it's not actually physically present.

GREG GORDON: You got to pay for fuel. St. Tammany has one with Aggreko at all the shelter sites Aggreko comes in and they throw it in there and they get everything between the school and it. It's still on you once it's up and running you better get that fuel.

JIMMY GUIDRY: Well, ideally wouldn't it since we live in a state where this is common, wouldn't it be ideal to have natural gas powered generators at these sites as they are built in the future.

KEITH SHACKELFORD: Actually, I can give you an example. Here in Baton Rouge at South Waste Water Plants they were looking at building or installing a gas turbine generator for standby power. The pipeline companies shut the pipelines in during the storm.

RUSTY REEVES: In Bogalusa after Katrina they had natural gas units at all the well sites and oak trees come up and the gas line went with them.

PATRICK KERR: You can't run big generators on natural gas. Not enough energy in the volume of gas so 800, 600 we've got (inaudible).

JIMMY GUIDRY: I guess I'm trying to find a compromise where he wants it and where you have it and to me figure out how many generators have to be dedicated so you can keep the pressure up. Not necessarily one at every site, but it might be one at every other. Whatever that calculation is it should be dedicated generators to maintaining pressure.

SPEAKER: Under normal conditions. We all know that the day that we need all (inaudible) it's not going to be under normal conditions. You've got a hurricane all that's out the window. You do the best you can with what you've got. You have to have average or adequate to substantiate what you're

producing then that's completely different. You're looking at worse cases or an average case and that doesn't delineate which one of these is.

(council speaking simultaneously)

KEITH SHACKELFORD: Power facilities to meet the average day.

PATRICK KERR: I think what Greg's talking about, and Rusty, and we small systems, you know, where we have one well we're working on a second one you got to have a generator for that well.

RUSTY REEVES: And use all the fuel for that generator another generator tank. Don't go to the tank on the trailer, go to the generator; won't stop you.

CHRIS RICHARD: That's part three you're talking about so it's covered in another section?

CARYN BENJAMIN: Yes, it's covered in a couple sections. This is the well section.

JIMMY GUIDRY: Next.

DIRK BARRIOS: The next comment was made on 2.8 says each public water supply shall have its own equipment and facilities for routine laboratory testing necessary to insure proper operation. The comment was made discretionary and clarification is needed on routine and equipment like TOC, and analyzers, (inaudible) ions, chromatographs, etc do y'all consider routine one day. I think just to identify what is routine and what equipment will be required. Be more specific.

CARYN BENJAMIN: Well, there's certain acolytes that are required to be done by a certified lab. There's chapter 15 in the code that specifies certain acolytes that are not done by certified lab has to be done in approved lab and that's all the acolytes that's required. To be specific like PH when you do your contact time (inaudible) water, PH, and the residual, and all that stuff those have to be done in approved lab. We may need to look at that chapter as well if we're going to amend this.

CHRIS RICHARD: Also equipment.

CARYN BENJAMIN: I can't hear you.

CHRIS RICHARD: It says each water supply shall have its own equipment. A lot of these small systems will just contract all the operations out so they don't own it. So needs to be addressed as well.

DIRK BARRIOS: I think what you're trying to say is it's going to be routinely run on a daily basis and I think what he's asking is that there's a possibility interpreted a lot of stuff we contract out to other labs because we don't have the resources or the technical people to be able to run it and it may become routine (inaudible) down the line.

CARYN BENJAMIN: If you are doing samples in house it's required in compliance and it needs to be done by an approved lab. That was my only point.

PATRICK KERR: Question, we're required to take the daily (inaudible). We don't have to be approved lab to take daily (inaudible).

CARYN BENJAMIN: No, that's the only one that's exempt. So all the other parameters as needed for contact time or there's alkalinity. Those are covered by the approval plan.

KEITH SHACKELFORD: Caryn those test that have to be done by an approved lab are for reporting purposes? My point is there are a number of things that a surface water treatment plant is going to want to run in house because that dictates their daily operation and it changes from day to day, ground water not so much. I think it is a question of what has to be monitored and what has to be tested by certified or approved lab and what they can just do with their own equipment in house.

CARYN BENJAMIN: And that's covered in chapter 15.

PATRICK KERR: This language covers that because it says you have to have facility and equipment necessary to insure proper operation. So if it's not necessary for you to have that to operate your plant correctly, then it doesn't need to be certified. If necessary it ought to be approved or certified.

JIMMY GUIDRY: This seems to be a general statement. Needs to be able to identify which is another section that identifies it. So it means you got to know where to go find it, where it might be easier to have it in the section. Find it whatever statute or whatever requirement it is. But I think, again, depending on whether we keep all of this to or not, it could be somewhere else. Somebody submitting a design or working on design needs to know that lab's capability within that design.

(council speaking simultaneously)

GREG GORDON: Exactly, and as well as sanitary service somebody shows up to our warehouse expecting people in white coats, you know, CSI lab. We just do our like residuals like Pat was saying, then we have our environmental handles all of our other stuff, as long as it's not physical construction.

PATRICK KERR: (inaudible) access to the equipment facilities to obtain laboratory testing.

(council speaking simultaneously)

JIMMY GUIDRY: So I mean if you have access that's pretty general, access to be a contractor.

Sometimes it's better left unsaid.

BEN BRIDGES: But if you feed it you should be able to test for it. Whatever you feed you should have the equipment. I'm being prudent, but the water system you're feeding zinc ortho you ought to be able to test for zinc orthophosphate. I've seen several systems...

JIMMY GUIDRY: You can't wait for your contractor to come back with results when you're adjusting your feed.

BEN BRIDGES: That would fall back on the diligence of the water system to be able to test for what they're feeding and to know how they are different, not rely on salesmen to tell them you can't dissipate that.

JIMMY GUIDRY: And it looks like folks are just saying they needed clarity. So we can move on. We just need to clarify.

GREG GORDON: (inaudible) chapter 15. I guess I'm wondering like Pat made reference to appendices if we're going to have something in this Louisiana standard and we are going to cite something like that we are going to have to directly put that in the appendices so it can be reviewed at that time, at least in the one single (inaudible).

SPEAKER: Or write it in the code.

GREG GORDON: Or write it within it.

CARYN BENJAMIN: Refer to this section or something.

PATRICK KERR: The capacity to require testing to operate the system and then this applies. It doesn't

apply to the water system, it applies to the lab.

CARYN BENJAMIN: Well, it applies to the water systems that conduct these tests.

PATRICK KERR: The lab is certified separate from the water system, its own certification, right, and certified by this part?

CARYN BENJAMIN: Well, some of them are the same.

PATRICK KERR: Yeah, like we have back feed and approved back feed and it's required to do this not because chapter 12 says it.

ROBERT BROU: Certified lab and approved lab are two different things.

(council speaking simultaneously)

AMANDA LAUGHLIN: (inaudible) is basically the water system fills out a lot of information about things they should do operationally like chlorine, doing PH, all those and it's required for systems that provide treatment other than simple disinfection. Basically fill out a form and you put the piece of equipment down you are using and check to make sure it meets the standard method you are an approved lab. So the water system becomes an approved lab at that point for those particular things (inaudible).

BEN BRIDGES: That's for in house testing. That is good for you as an operator where you stand with, (inaudible) not a dire health issue such as chlorine.

AMANDA LAUGHLIN: Right, so like drinking water act something for compliance that goes to a certified lab.

SPEAKER: THM, TOC such as that.

CARYN BENJAMIN: Right, but the first one (inaudible) chlorite, that one's a serious one. So it's not just basic handling, it's also some disinfectant or by product.

SPEAKER: But you also have the certified lab.

CARYN BENJAMIN: Yeah, the monthly samples and distribution are done by a certified lab.

JIMMY BRIDGES: Okay, next. I see you are anxious to finish.

DIRK BARRIOS: 2.8.1 says there's a minimum following lab shall be provided (inaudible). Question was

about the age the surface of water supplies shall provide necessary facilities for biological testing or water from both the treatment plant and distribution system and reviewing authority. Mail out the (inaudible) that's required. Most of us don't have a certified lab, can't afford it. I think the question is, and I know who wrote this and so does Caryn, it comes to play where down the line someone can come back and say now (inaudible) certified lab. Basically, I would say 95 percent or more every water utility in the state is noncompliant.

JIMMY GUIDRY: Well, I can speak from a position standpoint. Working in an office I'm not going to have a certified lab. You got a clear regulation, you got all these federal regulations, it's expensive. I'm going to pay somebody else to do it down the road. So I don't see water systems ever being able to afford to have all the certification unless they are a big entity serving a lot of folks. I hope we don't get to that day, but you are right we can make it a little clearer what it is we expect. And to me, even with the chemicals you're feeding measuring that is the most important. Controlling that is the most important. Beyond that you might want somebody else to do it that does it every day. Knows how to monitor, knows how to give you the results. I think it's good points and it probably needs a little clarification on what it is we're looking for. It looks like this helps with the clarification, but I don't even know if this clarifies what's certified verses what's in house. And I think that's probably what you're looking for. Next.

DIRK BARRIOS: Next one is 2.8.2 physical facility. Sufficient vent space, adequate ventilation, (inaudible) auxiliary facility shall be provided. What classifies auxiliary facilities? Looking for some kind of clarification.

JIMMY GUIDRY: Okay. What I see this as is somebody's prompting us to write in some more language into the code so they'll know we don't just make a statement. They don't know what it means. So it can either be at the beginning of a code or somewhere where we have different terms and what they mean. What does auxiliary facility mean, or it can be right there in the language. Auxiliary facility, for example, and give what it is. Which by the way, I would not answer, have to be somebody that knows. Okay,

monitoring equipment.

DIRK BARRIOS: Next is monitoring equipment and I don't have the whole thing written down.

Basically comments delete the paragraph in its entirety referring to the Louisiana sanitary code or set definitive requirements for the required monitor.

JIMMY GUIDRY: What I have come to find out, and this may be decided totally unrelated, some smaller systems out there monitoring chlorine using a color wheel, not very accurate especially when you are trying to get your levels where you need to protect health. Those digital meters now they are not cheap, but they are certainly much more sensitive, much more accurate. Monitoring equipment can be very specific, or it can be the latest, or can be general, but you've got to be a little bit beyond somebody looking at a color. Especially today's technology it's hard to say the eye looking at a color determining is it green, is it light green. So I guess I'm not sure what all they're talking about. I'm sure it's more sophisticated equipment than just the meter, but if the code addresses it better than this we ought to definitely keep it in the code.

CHRIS RICHARD: One comment, this is one of those should and shalls. This is not a... this is a should. We want that in the code. It's not required by ten states, it's a recommendation.

JIMMY GUIDRY: For?

CHRIS RICHARD: For monitoring equipment, says should be provided, not shall be.

CARYN BENJAMIN: Part A is covered under the surface water treatment rule. Chapter 11 with the current code. This is all spelled out in chapter 11. I don't think we addressed the iron exchange or nitrate removal in the code.

JIMMY GUIDRY: So they are just saying don't use 2.9, use what's already in the code?

DIRK BARRIOS: The one he's referring to it says physical facilities and says auxiliary facilities shall be provided.

SPEAKER: We got to figure out what auxiliary means before we move on from 2.9. (inaudible). It's redundant.

DAVID MCCAY: B and C aren't addressed otherwise?

CARYN BENJAMIN: It will probably... iron exchange is addressed in other section of ten states.

CHRIS RICHARD: It's treatment, but it's also (inaudible) secondary health issues.

CARYN BENJAMIN: Now the nitrate is a primary so.

CHRIS RICHARD: It would need to be addressed in the code (inaudible)?

JIMMY GUIDRY: In the new what we're looking at is what we're going to adopt here that goes into the code. Whether it exists in today's current code or not at least underline needs to be addressed.

SPEAKER: Needs to be addressed in the exchange plans (inaudible).

JIMMY GUIDRY: Take it out of here. Okay, as long as we address it somewhere. No comment. I like that. Silly water supply, no comment.

DIRK BARRIOS: That was my no comment cause this is Randy's again.

RANDY HOLLIS: This is 2.11. My point there was I do agree with the potable water supply into a plan should be after all disinfection and everything, but I don't want to be tied into if I want to take a supply for let's say, surface wash or something. I want to be able to take that off as soon as I need to because it doesn't necessarily have to have a contact. What I'm simply saying for surface water supply taps made immediately after treatment.

(council speaking simultaneously)

RANDY HOLLIS: That I can not use the surface water has to come (inaudible).

JIMMY GUIDRY: So I guess I'm trying to understand, you're able to turn something on and off. There's no contamination when you do that?

RANDY HOLLIS: Surface water. Let's say I use water for surface wash on a filter. That's to clean the filter. That water is still going to go through any water left over still going through the entire disinfection train after that before it's sent to the system. I just want to be able to pull the water for that from anywhere in the treatment plant and not have to wait until after my storage tank or whatever.

BEN BRIDGES: Phosphate (inaudible), orthophosphate, or chlorination, or something like that where

you're treating an end and you don't need to have that water treated to do that process.

RANDY HOLLIS: Exactly. Couldn't have said it better myself.

BEN BRIDGES: Why treat it two or three more steps if you don't need to for surface wash when 95 percent of that goes back down the drain for rewash.

JIMMY GUIDRY: Where is the other five percent?

SPEAKER: Go back to the filtration, back to the disinfection process.

ROBERT BROU: I don't see that this section refers to that at all. Facility's water supply and service line to me is whether that's going to be consumed by the facility operator for their kitchens, for their bathrooms. And then the finish water sample you definitely want it fully treated. I don't see it affecting any kind of plant water that's going to be used in the treatment process.

PATRICK KERR: Depends on how you define facility.

ROBER BROU: Any maybe that's what you need to do is (inaudible). I read it as actually the people running the facility are going to be utilized.

JIMMY GUIDRY: You talking about the water facility verses chemical plant facility?

RANDY HOLLIS: No, he's talking about the treatment plant, but I didn't want some sanitarian coming and saying well gosh you've got a surface water system here in your plant for wash downs as well as for surface wash. You've got to take it all the way to the tail end of your plant after you've added all the (inaudible) and everything else to it. It's just a clarification the surface water supply, not necessarily the pot of water, but the surface water can be pulled.

ROBERT BROU: Using the same term they use is the facility service line.

CARYN BENJAMIN: I think the concern is the cross connection as long as you have a proper backflow device.

RANDY HOLLIS: Yeah, it doesn't matter, may be the facility potable water supply service line. So we put the word potable in the beginning with facility and potable water supple. And I agree that should be treated. (inaudible) we should be able to take out anywhere we want to. It's nitpicky, but if this is going

to be the code.

JIMMY GUIDRY: No, exactly what we're trying to do is make sure that we capture as many of these thoughts that we can because when we're said and done we've got to live by the code. God help us all. I guess we're going to get to piping color code. This ought to be good.

DIRK BARRIOS: (inaudible) piping color coding (inaudible) this section in lieu of color coding a pipe as described, as well as all pipes may be painted similar colors as long each and every pipe be bandaged and labeled in five foot intervals the name and liquid (inaudible) clear on the pipe. Our indicators of the code should be included background color apply as closely as possible. Described another one, he said the last sentence of the paragraph important to delete in some cases (inaudible). And another comment said I do not agree with the comment color piping coding or the (inaudible) visual keeper (inaudible). We have the color coding. Basically follow just about... I don't have a problem, the only problem we would have right here it's a recommendation. As long as it doesn't come down recommended and next year come if you don't have it you'll be liable.

JIMMY GUIDRY: So you want to keep it as recommendation?

DIRK BARRIOS: I would think so. It's not a bad idea because someone can go out there they know the basic concept of the color coding and pretty close to it. Well, someone happens to be doing some work in your yard and not being as closely supervised as they are supposed to be you don't have to take the chance of thinking they are tapping the wrong water line and actually tapping the finish water line if it's a brown ground. It's a good thing.

JIMMY GUIDRY: So our code is a recommendation till the federal government tells us differently?

CHRIS RICHARD: Well, that's the question. If it's a recommendation should it be in the code.

DAVID MCCAY: That's my question. Either make it mandatory because it's in the code, or leave it out is my thought.

SPEAKER: Code is the law.

JIMMY GUIDRY: Yeah, but what I like about recommendations is somebody might not think about

something and it's a good thing to do. You don't have to do it, but it's a good thing to do. So some recommendations and this one is one I think helps people, it makes it kind of idiot proof that hey if you know the colors you know which lines to tap in and not to tap in. I actually see the benefit, but not saying it at all somebody else might not even think like I'm thinking. I think this is one of those where you have to decide is it worth mentioning just to keep people thinking about it as opposed to requiring it.

CHRIS RICHARD: Ten states still exist, I've said that before. We use ten states all the time and I think every engineer does. It's taught to you in school. And people using this color code we use it all the time and it's not a requirement. So I think it's a recommendation that engineers will continue to use regardless of it being in the code. In my opinion a code is the law. It says you shall. It's not you should not speed, you shall. That's what a code should be, shall. I think recommendations should be left out.

BEN BRIDGES: So the (inaudible) I want to make if you feel that strongly about it then put it into it.

JIMMY GUIDRY: Yeah, as long as it's a recommendation. You know I wouldn't do that too often cause pretty soon you become oblivious to recommendations. It's like they don't mean anything. So we should pick and choose if we use any recommendations. Those things we think are worth mentioning because somebody didn't forget to think about it. I don't know if that's true. If all engineers feel that's a good thing to do and I don't need to remind them, not a big deal to me. I know color coding at plants is a big deal.

BEN BRIDGES: It's a very good idea, you know, a lot of plants just don't adhere to that. There are a few that do but a lot that don't.

JIMMY GUIDRY: We've had that discussion for years.

BEN BRIDGES: Is it worth the risk of having some type of a wrong line?

CHRIS RICHARD: At the last meeting I talked to Jake after the meeting, and I don't know if this is a legal question, his understanding was that a code couldn't have a recommendation.

DAVID MCCAY: And I don't know, I guess, the short answer to that. I tend to think the same thing, but I

don't know that you can't have recommendations. It just seems like something I've never seen before in any of the stuff I've worked on here at DHH. We can certainly look at that. It strikes me as unusual to have just a list of recommendations.

JIMMY GUIDRY: Yeah, if I were you I would be worried that if it's recommended and reminded that somebody down the road, line is going to say why did we recommend this. It should be mandatory. It's part of our code, why are we recommending. I see your point of view. I can be talked out of it. I'd rather keep the code, again, simple and clear and not confuse people. What do you have to do so I'm okay with that.

RUSTY REEVES: I was at a system just last week they were cited and they had painted their lines except they painted them ANSI standard color code and they thought they did a wonderful thing. When they come back from inspection it wasn't according to ten state standards.

JIMMY GUIDRY: This is a recommendation. Just because they were cited doesn't mean we were right.
(council speaking simultaneously)

JIMMY GUIDRY: I know interpretation... this bothers me because I'm responsible for the entire state and it's interpreted throughout the entire state differently and I have to enforce it. It makes me anxious. So much of it is left to interpretation. It's really easy to understand how somebody can come in and say well, you painted these the wrong color. Somebody's going to come over here and they know what the right colors are so you just confuse the issue and they going to tap into the wrong line. That might make sense.

RUSTY REEVES: If it's going to be a recommendation you need to make sure they know the recommendation exist.

JIMMY GUIDRY: It needs to be clear what the recommendation is and what color coding are we using. We do this in health. Let me tell you, if you walk in a hospital today and somebody says code silver and one hospital that means somebody just pulled a gun, another hospital somebody had a heart attack. We had to get the codes the same because if I walk in I need to know what I'm responding to. We have

different color codes you're going to tap into the wrong lines. No point in having different colors.

Again, I think it's a good idea that people do color codes. Make it simple, but I'm not sure that we have it down to the art of everybody knows what the colors are and if they are the same everywhere.

RUSTY REEVES: If this is what's in code they would all know the colors.

CARYN BENJAMIN: Was it a non community?

RUSTY REEVES: No, it was a nonprofit.

JIMMY GUIDRY: We're almost done.

DIRK BARRIOS: Okay, the next one is 2.15, disinfection. It starts at all wells, (inaudible) tanks, equipment, ends in shall be disinfected according to the current AWWA procedures, seems to be a contradiction. Not the ten state standards, it's with AWWA and Louisiana sanitary code. Kind of contradicts each other a little bit. I don't have the details on it, but does contradict.

CARYN BENJAMIN: AWWA methods doesn't meet the sanitary code. It doesn't have the proper dose.

JIMMY GUIDRY: So this statement should be should be disinfected according to current sanitary code procedures since we're rewriting. Do we want to be AWWA compliant?

PATRICK KERR: I hate to say it Dr. Guidry, but if this is the sanitary code and have to be in compliance with this...

(council speaking simultaneously)

JIMMY GUIDRY: Well, that's what I'm looking for. How do we clarify that?

CARYN BENJAMIN: Refer back to the other section of the code that has...

CHRIS RICHARD: (Inaudible) where it says plans outline the procedure used (inaudible) we don't always dictate on specifications. We've got four methods he can use that meet the requirements. We don't dictate which one he has to do. So we don't know that at the time submitting claims.

JIMMY GUIDRY: So that's not available to you at the time submitted?

CHRIS RICHARD: No, there's options. In the AWWA there's different methods to achieve disinfection.

BEN BRIDGES: You have a strong residual for a shorter time clear well (inaudible) based on the

concentration of chlorine at the time. Some opt for a strong (inaudible), some long.

CHRIS RICHARD: We don't dictate and so I'll just say that last sentence. As long as you comply it doesn't matter which one you comply with.

DIRK BARRIOS: The next one is 2.19, security. Security measures shall be installed and required by the reviewing authority incorporate design measures to help insure the secure water systems of facilities shall be incorporated. And it goes on to say right here the comment is the first sentence of the paragraph delete the word as required by reviewing authority. Stipulate exactly what the security measures are required.

JIMMY GUIDRY: So did y'all get more restrictive requirements once 911 occurred as far as security? Was there issues to address the fact that terrorist could come into your plants?

PATRICK KERR: Part 12 has specific requirements, locks on doors, (inaudible) and things like that already.

JIMMY GUIDRY: To address tampering.

PATRICK KERR: I mean somebody can still cut a chain link fence, but part 12 does address requirements to security. (inaudible) This is redundant.

ROBERT BROU: EPA also did a hazard analysis (inaudible) and emergency response directly as result of 911.

JIMMY GUIDRY: So what they're saying is the way it's stated here is not clear, but the code the way we have it today is clear. We just need to take that language...

KEITH SHACKELFORD: There's a minimum requirement if their insurance carrier requires something more stringent then that's on them.

DIRK BARRIOS: Next is 2.20, flood protection. Other than surface water intake all water supplies and water treatment plant access roads shall be protected to at least (inaudible) flood elevation or maximum flood record that's required by the reviewing authority. (inaudible). Existing facilities, those were built at whatever standards were at the time they were originally required. So I think this applies

to new construction and it would be next to impossible for most existing facilities to come back and meet the new standards. The first one is talking about hardship, basically saying should be only used as a design criteria. The next person, delete the fact of the last sentence. The last comment was in the last sentence, this paragraph, delete word (inaudible) and establish a definitive (inaudible). Those were the three comments.

CHRIS RICHARD: On the access road you're required to keep the plant up, the well, and everything above the hundred year flood plain. I don't see the point in keeping an access road above a hundred year flood plain when the road that's connecting to the city or the state is not required to meet that same standard. So you might have a road that's elevation 20, hundred year floods at 25 well build your access road, build a ramp up to get to 26 to get to your plant. Still drive roads that are below there to get there.

JIMMY GUIDRY: So you can't get to your road.

CHRIS RICHARD: You can get to it, but it's not necessarily built, just have to have needs to get to it. But cities aren't required to have roads (inaudible) flood zone. Don't see the point in access roads.

JIMMY GUIDRY: Let me clarify something. If I'm agreeing with what you are saying, doesn't mean we are at an agreement stage, okay. I'm agreeing it makes sense, but when we go back I might have an expert say to me what the hell were you thinking. So nodding does not mean everything you say I agree with.

PATRICK KERR: What's the standard we're held to now? The equipment or well head has to be above hundred year flood plain, but nothing else is required to be above. The critical equipment and the, so we don't inundate the well, the well head itself has to be. Isn't that all?

CHRIS RICHARD: Electric equipment.

PATRICK KERR: Yeah. Cause you might get to it in a boat. Why don't we just leave it the way it is?

RANDY HOLLIS: I guess the (inaudible) part of this was a pre board factor also required how much, two feet, three feet, five feet, ten feet. That's the point is nail down the pre board factor, rather than just leaving it open, or don't require it at all.

JIMMY GUIDRY: Want to recognize someone from the audience. We haven't heard from them.

RONNIE HARRIS: On the hundred year flood elevation we're finding out that seems to be relative depending on what year. We find that the date that flood elevation level seems to be relative, because it tends to change with time as per the federal government base flood elevations, things like that. To what standard and what standard year would you be approving a facility because the next year somebody may say it changes.

JIMMY GUIDRY: Yeah, we're sinking as we speak. I don't disagree with you there. I think they try to make it as protective of the critical elements as possible, but in Louisiana all bets are off. We can flood... we don't believe in the hundred year rule. You're done?

DIRK BARRIOS: There was some general comments that were made. The most frequent one was they all want to have the opportunity to reply on parts one and two on a later date in case something comes up.

JIMMY GUIDRY: Speak now or forever forget your peace.

DIRK BARRIOS: One of the other general comments about establish these standards that allow the staff of DHH to have flexibility, that it won't be so rigid. One of the comments that I made was there should be some flexibility in the standards that would allow the engineer to design a facility without a ridged outline that would basically remove them from the design process. Basically guys like Keith and what have you, they all professional engineers. They may have all the responsibility and hopefully the insurance coverage kicks in case something goes wrong.

JIMMY GUIDRY: I've got to tell you my experience if the engineer's good, nothing to worry. If they're not good they didn't build it, what two years later. It's been hard to enforce, hard to enforce a code on someone that built something and designed something and they moved on and the problem exist and we might have missed the plan even if we cited it it's not honored. Lately I've had a number of issues that somebody really goofed on our part and on their part and the person holding the bag and the cost is the person who bought whatever they bought. Not the one who built it, not the one who designed it.

We had such a problem with sewage treatment a few years ago. We had to make sure that if anybody went to that business they had to have a bond. If they couldn't continue to do their job we were all in trouble. Literally, they had to have the ability to pay for problems down the road if the system couldn't pay for itself. Some of these little systems can't even afford the bond. It's really how do you hold people accountable for their decisions, which is why we have all these process in place to hold people accountable on this.

GREG GORDON: I just want to ask one thing. When you guys covered 2.13 meters, I was just wondering fine if it's establishing some type of meter requirement I'm just trying to talk about wondering from blended sources when they have three or four wells tied together in one source. Is this determined to be prior to the water getting into the distribution system verses... don't want to have something that's impossible to measure or can't live up to.

SPEAKER: 2.13.

CARYN BENJAMIN: What was your question?

GREG GORDON: I understand kind of like a master meter requirement, which is fine. I guess what I'm trying to figure out is as long as, I'm just trying to think, you want us to measure what's going into the system prior to distribution since I'm trying to figure if I have three or four wells tied together. Different, you know, obviously I can have the meters at each one. I'm just trying to figure out you don't want us to try to have some accurate measurement of all at one time. You know, I guess that's what I'm worried about.

CARYN BENJAMIN: Preferably both, but one is needed at each level.

SPEAKER: Why?

CARYN BENJAMIN: Well, do you know how to dose?

SPEAKER: We don't dose at the well, at the header that several wells are connected to.

JIMMY GUIDRY: So where's the meter, at the header?

SPEAKER: Yeah, we don't (inaudible) distribution system (inaudible).

PATRICK KERR: But this calls for a meter in each well.

CARYN BENJAMIN: It also helps monitor the production of each well as well.

BEN BRIDGES: (inaudible) such as farm use they like to know where the (inaudible) water is going. (inaudible) want to know depleting or coming back up. So I think it's just another measuring tool to see what we're consuming and what we're...

PATRICK KERR: But this is a (inaudible). Is it required for public health to measure water (inaudible) well? Honestly...

CARYN BENJAMIN: It helps you monitor the production of the well. It's an indicator of...

PATRICK KERR: Based on pressure you know how much a well produces and can calculate. I don't know what everybody else in the room does, but we do not meter every well.

CHRIS RICHARD: We actually, in one of the systems we were working with, got written up for not having one at each well. We just requested a variance and said (inaudible) single header. We can run one well and protect the plumbing.

PATRICK KERR: Because they were doing a variance so they just removed it (inaudible).

SPEAKER: Right, (inaudible) decided.

SPEAKER: Cause Dr. Guidry decided.

SPEAKER: (inaudible) understand why. I just wonder if we're going to put one in as long as you're measuring something and someone is using that measurement. You know, I can understand if we're having problems at our well and starting to look like it's a problem.

JIMMY GUIDRY: Well, what I see as an acceptable means of measuring so a calculation might be acceptable means, but it's under meters. That's what's confusing. May be we need to clarify what is acceptable means of measuring.

CHRIS RICHARD: Change meters to flow measure.

CARYN BENJAMIN: Well, it's also covered in the well section, well meters.

CHRIS RICHARD: Well, then take it out.

ROBERT BROU: I also have a similar problem with that section. It's actually on the wash water. The design of our filters that we utilize is not allowed for us to meter, to wash water. We do calculate the flow that's going through it and we calculate the time that we do it for. We also calculate or meter the discharge from our summit back into the river, but that's for multiple plants. To do it on each filter I do not have the capability.

JIMMY GUIDRY: So did we cite you?

ROBERT BROU: No, I self reported it in that letter I wrote to you in November of last year.

PATRICK KERR: Well, here's the question. If this is not protective of public health should it be in part 12?

GREG GORDON: I kind of agree. This is a public health issue. That's what I'm trying to get at. What does the meter do for public health?

CARYN BENJAMIN: For chemical dosing.

PATRICK KERR: For treatment. You need to meter what you're treating, not necessarily where you got it from. Then it's covered else where.

BEN BRIDGES: I think from the standpoint of a meter on a well head serves more purpose to know if your well is producing (inaudible) as a lost production more so than your dosage. Don't want to disagree with you, but (inaudible) to make sure your well, your output is where it should be. You're supposed to measure (inaudible) residuals such as that anyway so you would see a spike if your production went off and you're still (inaudible). I think it's a good tool to have. I don't know that it makes a difference on health.

RUSTY REEVES: On the other end from a small system measuring device normally run 50,000 gallons a day all of a sudden it goes to 75,000 they got a potential to leak distribution system if they take the numbers daily. That's where it becomes a daily tool.

BEN BRIDGES: It's a tool, but I don't know if I agree.

RUSTY REEVES: I think that what Pat and them say the way he's doing it every day somebody is taking

measurements and the calculations and doing the same thing because a lot of wells that don't need (inaudible) at all, no calculation outside the operation back in 1962 produce 200 gallons a minute and that's what they're told. They don't know.

SPEAKER: And usually they're wrong.

JIMMY GUIDRY: We're going to take it out and have it somewhere else?

RUSTY REEVES: Actually, I think DNR, I know with the CUF grant application said this year if they provide the money that if a system was going to see what money it had to comply with DNR's flow measurement regulation or whatever.

PATRICK KERR: We ought to strike it here. It's required for treatment it ought to be in the treatment section. If it's required in the well design it ought to be in the well section and then can talk about what's an adequate way to measure it whether it's a meter, or something else, or calculation.

JIMMY GUIDRY: What I would like to do before we go to some discussion on wrapping up is two people that are facilitating these webinars if you could share what worked, what didn't work for other people that need to do webinars will benefit from your experience. And then I want to hear from some of y'all what y'all think about the process so far, sharing information, coming back to you with some language trying to address section 12 along with ten state standards, but if you would share with us what worked, what didn't work, what would work better.

KEITH SHACKELFORD: Well, first of all the DHH staff that set up the webinar here at headquarters did an excellent job. I want to compliment them on that. The fact is though, I believe we could have did just as sufficient by putting these comments that we received individually on the website and then people could read them there and then submit their own comments. It could happen in the same timeframe. I'm not trying to undermine what you're trying to do Randy, but we had about four, besides the DHH staff, we had four or five here people last Wednesday evening and we had I think as many as 70 signed online, but for part one we only had comments from three or four. It was a nice opportunity, but I think the same opportunity could be provided by mass email which we did through y'all to your client list

through LMA, from RUS, from ASCE, Louisiana Engineer's Society. Mass emails across the state.

JIMMY GUIDRY: So I guess I'm trying to understand if you had to change something about the process it would be to allow them to have input, not just at the webinar, but also in the emailing.

KEITH SHACKELFORD: Correct. I saw an email, Sheree did send out an email to the committee and I think to all of the state water providers that y'all have information on that was a mass email that she sent out and I think we were a little bit behind her from LDS, ASCE, but now that we know what the process is to get that out in time for them to take a chance to review and include well, she actually posted parts one and two on the website where they can log in and look at them or print them and then submit their comments. I think the timing was a little bit tight and that was probably Dirk's and my fault for not getting up to speed quick enough to establish a schedule. We had the meeting last Wednesday and had to summarize all the comments and get them to Sheree. She had to clean them up and get them to the committee and consequently many didn't have a lot of time to review and consider those comments before today.

JIMMY GUIDRY: So getting the facilitators to do webinars as early as possible.

DIRK BARRIOS: I kind of agree with most of what Keith's been saying. The biggest thing is there wasn't enough participation. I had six different people made comments and that's it. I realize this is not... he and I had the two least controversial sessions.

JIMMY GUIDRY: I think the comments are coming.

DIRK BARRIOS: I believe Randy's going to have a lot more comments on his. It went real well. Sheree kind of walked me through, helped me out and did a real good job. The only thing that I noticed on my end at the end, I guess I'll have to figure out what happened and why I couldn't see the questions. She does a better job reading than I do.

JIMMY GUIDRY: What I'm trying to understand is you can have interactive webinars, that's hard for you to do as a facilitator because they're going to want to throw questions about the department, questions about policies, existing code. You can't really interact with them so really you're getting

feedback, but how do you interpret what they're trying to get at, what they mean by their questions and their comments cause that's really what we need, need to understand where they're coming from.

That's what I'm trying to get a handle on. What's the heartburn, what's the stuff we need to fix? A lot of participation means they're watching us. I can assure you when we start putting something in print as to what the new code looks like we'll get a lot of attention I assure you. But right now they're just watching to see where the shalls are, and the must, and the recommends. They really want to know what they have to do. To me this thing is going to gain momentum, especially when we get to those sections with a lot of controversy. You were the test. Great job. You were lucky to go first. I think there would be more participation if people felt like they could interact. Just come on and listen and census about email you can do that without the process. I don't know how to improve on that. I don't know how we get to improve on that going forward. Because some of the other facilitators how do you see change to get more interaction?

KEITH SHACKELFORD: If you had a number of comments in early then you could have the discussion and a back and fourth rather than trying to respond immediately to a comment that comes in during the webinar.

JIMMY GUIDRY: So you would really collect emails ahead of time and then on the webinar share some thoughts about.

KEITH SHACKELFORD: And ask them what is your particular heartburn about this item so you get the idea of where they're coming from.

JIMMY GUIDRY: That's a good idea, almost interactive. You get information by email, you show them what the email says, what do you mean by that. Get some more clarification. Anything else anybody's got they need to say, get off their chest today? Yes, sir?

DWAYNE JOHNSON: A couple things, one like the website. The website is very helpful. Would appreciate as a member of the regulated community getting the agenda. If we could get the agenda before the meeting it would be very helpful. Second thing, is if you want comments from the people

that are out there could you let us know what you want comments on more than five days ahead of time so that we can basically have time to prepare those comments and get you something meaningful. The last thing is under section two the alternate power supply. That's a big deal for us. That was not a mandatory requirement until just recently when the department basically changed the regs to make ten state standards mandatory in that we have a number of systems out there that do not have alternate power supply, never have. It's going to be a big cost to us that we don't think is going to be justified. We were the one size doesn't fit all category. We had people not in high risk areas for hurricanes. Small systems have elevated storage and we just don't think the alternate power supply, even the generators going to have to retrofit our facilities to accept generators just can't be justified. Those are the only points I want to make.

JIMMY GUIDRY: Thanks. Any other comments? Sir, could you identify who you are and who you represent?

DWAYNE JOHNSON: Dwayne Johnson. I represent various companies including Louisiana Chemical Association and (inaudible) water company.

JIMMY GUIDRY: Any other comments? Did I wear y'all out? This has been the easy part. The tough part is coming. I'm committed, I want to hear, I want to make sure we can do this appropriately. We're going to take the information we got today. We're going to do some work with that and we're going to send it back. Whoever's starting their next forum start planning, may be send out sections and ask for feedback before your forum. That would help.

SHEREE TAILLON: For part three I have Greg Gordon and for part, I don't know what part it is, but next is Jeff Duplantis.

RANDY HOLLIS: It's pumping facilities. So you got part three source development and part six pumping facilities.

SHEREE TAILLON: So do y'all feel like we can finish both three and six in one meeting like this was?

CHRIS RICHARD: (inaudible) because I know treatment probably more than one. So if you want to

finish this, work from your deadline and come back and see we need to be finished by here, we need to have something to review by here, complete by this meeting. Might have to jam a few in.

SHEREE TAILLON: Okay, as soon as Greg you can get a date that you want to do the webinar that will be awesome so then I can send out an email to everybody asking for...

GREG GORDON: I was going to talk to you after this.

SHEREE TAILLON: Does anything need to change? I know y'all both said it was perfect, great, flowery, but really did y'all find?

KEITH SHACKELFORD: Keep the air conditioning on after 5:30.

SHEREE TAILLON: Believe me, I'm here almost every night after 5:30 and the air always goes off after 5:30.

JIMMY GUIDRY: Saving your taxpayer money.

BEN BRIDGES: Could you do another poll for our next monthly meeting for January, February?

SHEREE TAILLON: I think we did it through December. The next meeting date is Tuesday November 19th at 9 a.m. For the December I'll get that moving. I'll try to do December, January, February to get that moving.

SPEAKER: December is already scheduled.

SHEREE TAILLON: Oh, December is already scheduled. Those upcoming dates are on the website. And there was a little bit of confusion last week. Some people showed up in Baton Rouge on October something on Wednesday and it was actually today and I think I had originally sent out the incorrect date and sent out a correction, but not everybody received the correction so that is definitely my apologies.

JIMMY GUIDRY: Do I have a motion for adjournment? Second? Anybody oppose? Thank you very much.