

Water Committee Meeting

March 21, 2014

J.T. LANE: Good morning. We're going to get started in just a second. Get settled in.

Sheree, can you please start with the role call.

SHEREE TAILLON: Dirk Barrios, Vern Breland, Ben Bridges, Robert Brou, Jeffrey Duplantis, Greg Gordon, Jimmy Guidry, Jimmy Hagan, Randy Hollis, Pat Kerr, J.T. Lane, Rick Nowlin, Rusty Reeves, Chris Richard, Keith Shackelford, Cheryl Slavant (absent), Delos Williams (absent).
We do have a quorum.

J.T. LANE: Good morning everyone. I think that we have a very fun filled agenda for today that's going to reflect some work we've been doing since our last meeting to help us get more on the same page as we get deeper into the committee work. Pat, thanks for your very thorough reports to us on the work that y'all have done thus far. It was helpful in thinking how we might proceed forward with each subcommittee meeting and trying to bring some uniformity to the work we're doing. Jake's going to give us an update about the chlorination efforts surrounding the amoeba. We've got some pretty significant developments there that we want you to be aware of. And also I just want to remind everyone there's mics on each side. Make sure you grab that so our note taker can get everyone's voice captured in the official minutes. Great way to start a Friday and kick off the weekend. Jake, if you would give everyone an update real fast.

JAKE CAUSEY: Sure. I'm sure as everyone's aware February 1st was sort of the compliance start date for meeting the new minimum. We've been compiling the data and doing the compliance determinations and certainly very encouraging, very high percentage of compliance. And we'll have some reports and all that coming out probably in the next couple of days. It's definitely good news overall. March 1st was the deadline for systems

to submit their nitrification control plans to us. We may be missing a couple, but we received pretty much all of them, believe it or not. Though we didn't require those plans to be approved by DHH, we have been reviewing those and sending comments back to utilities to try to help them make their plans the best they can be. A lot of systems have already made some revisions and sent those back to us. Certainly have spent an enormous amount of man hours and dollars this year between contracts, website development, chlorine monitoring, Desoto and St. Bernard for their chlorine burns, but we intend to, frankly, sort of make that same amount or larger investment next year. We are in the process of our lab is moving here to Baton Rouge so we're actually ordering equipment now to get set up and we're going to be posting a couple positions to start doing naegleria testing in our lab here. Definitely need to do some monitoring. We need to be able to validate that these residuals are affective so there's no testing support that we can really get. No lab certified for naegleria so we're working with contractors and CDC to develop a testing methodology that will get a third party certification so we can have confidence in our results. That's something that's fourth coming this summer. We're starting on it now working with contractors to develop a strategy. And certainly that's something that may lead into the following year as well. And also you know on the nitrification chloramine systems and plans we are planning maybe to do some specialized training sessions just on those to help systems understand, I guess, a lot of the differences. A lot of monitoring can incur strictly based on chlorine residuals. Seems like smaller systems were probably spending a lot more time and money monitoring other things that may not really be as necessary, can be just affective monitoring chlorine residuals. Trying to get a little more education on that. So that's where we are and I guess really they are sort of once we have a strategy for our assessment monitoring and planning session this summer. Certainly getting that information out. We think it will probably take us hopefully within two months we'll be

able to start doing some testing. That's our goal right now. That's where we're at.

J.T. LANE: Any questions? We'll move on to everyone's I think received a copy of the minutes of the email from the last meeting. So everyone's received a copy of the last minutes of the last meeting. Are there any questions about that or can I get a motion to approve them?

ROBERT BROU: Can I ask that we actually get it in minutes. Transcript is great if you want to look at details. It's a lot of easier to read a synopsis of what went on.

J.T. LANE: Okay. We will see if we can identify a resource to get that done as well. I'll look into that. But as a transcript, do we have a motion to approve that? Thank you. Second? Any objections? Thank you very much. So the next part which is going to really focus on I thought we could talk this morning about the work of all the subcommittees. I think that we've all learned a lot and the proceeding work of the committee on how to best get our work done and I think we all want the best possible product, obviously, when we're done with this. And so what we did was take a stab at some documents that I thought would be helpful for everyone to sort of keep us on track to know what's coming, keep us organized, and make sure that we're all working from the same playbook. The first document you received was our draft of the general outline of our procedures on how we're going as subcommittees to do our work. I thought that we could go through that this morning. We can talk about it, either interrupt me if you have questions. We'll get through the document, but really I wanted to outline a good process for all of us to follow from your very first meeting all the way to the reports to the committee and also the department's response and translation of the language and the various parts of 10 state standards which would ultimately become the standards for the state. Some of this is pretty straight forward. I had one comment from one of my staff that told me it was kind of confusing. I think that sometimes some of this nature of the

work is very complex. Number one we all have assignments and we would encourage if the work cannot be done within one meeting that obviously the subcommittee chair and members to request time for others. We blocked out a lot of time in conference rooms to make that available to all of you. And so we would encourage if you can't get all your work done in one meeting, or two, or three if you do need more time we're happy to arrange for that. That would be the first step. The second step, that again the chair members develop a complete and final report to the full committee using a report template that we have provided a copy to y'all as well. And that would include both the recommended changes to the 10 state standards language we're working from plus the rationale for it. And that could include either documented studies, literature, experience, your expertise, all of that stuff, that's the kind of information that we want to capture so that we fully understand when we're analyzing it where y'all are coming from as chairs and members of the subcommittee. And then once that's done we'll be ready to report to the full committee and then that committee report, that subcommittee report placed on the next full committee meeting agenda for discussion and presented by the subcommittee chair. The third step upon presentation of full committee, engage discussion during that meeting, maximize dialogue and for that TSS part which would then again go to form the final language. Then after that committee meeting, after the presentation, after the discussion and the full committee we'll then take those recommendations and discussion to craft the language for that particular part, subject of the subcommittee's work. Include the committee's discussion, recommendations, feedback from the public, best practices, and any documented literature that we had that felt like would also be best. And then following on step five the following full committee meeting then we present our recommended language based on the previous subcommittee's work and then the previous committee meeting's discussion. That would include those three, so that would include those three items from

the department. The full text of the original TSS which you should already have, a text of recommended standards based on recommendations and findings of the subcommittee. And then I think Rusty requested in the last meeting a side by side of what was all the recommendations of the subcommittee and committee in the prior meetings and then the actual changes the department included plus maybe any other changes that we might have included that we learned from our analysis and diving deep into everyone's recommendations. And then our commitment we provide those at least five working days in advance of the full committee's meeting in which that item would appear on the agenda. And then upon presentation of these documents the committee then choose to discuss the recommended changes. I think we should anticipate there will be a pretty robust discussion and just as we ask for rational for the subcommittee's changes, we will also do the same thing, provide rational for our changes as well whether we concur with the discussion, deliberations of the subcommittee or not we'll have the same expectation for the department. This discussion obviously could lead to further edits at that meeting then we could either choose to make a vote to accept the language or take a vote to request the department to go back and take a stab at other areas that we thought weren't really addressed based on that discussion. Finally, eight request to make further changes at the next full committee, include a presentation of revised language and at that point take a vote up or down, yes or no on that part. Now I realize that I try to allow, we know this is going to be a very tedious process as we have already all experienced, but we try to sort of lay out eight steps that define how the process would go. Now this was just, again, our recommendation so this is not the law of the land yet, but I would like to get everyone's feedback. Let's discuss if you think this process is good, or too many steps, is there something we missed? And with that I'm just going to open it up to the floor.

PATRICK KERR: Okay J.T., I'm going to take the bait. Let me talk for just a minute. I think I

want to tell a story. My daughter who is 20 now is 5 years old got stung by a yellow jacket, went outside with some bug spray, killed the nest, came back inside, she's leaning on the back of the couch crying and saying daddy you just don't understand, they are all God's creatures, we can't do this. And this process that we're going through right now, I'm sorry, but the department's playing daddy and thinks they know what is affecting all of us as water providers and as customers, but we still haven't got a meeting of the minds. This is not about the 10 state standards. 10 state standards ought to be a taboo term in this committee. This is about the regulation of water systems construction, operation, and maintenance. It's not about what the Great Lakes folks think about how we do business in Louisiana. We chose to use that as a template because it was the touch point when this all started with the legislature last year. But if we can't get to the regulations and we can't talk about the regulation and incorporate into it those parts of the 10 state standards that you would like to enforce, strike from it those parts which are not mandatory. We all said this should be a book of shalls. We're not going to make any progress. I can't speak for everyone in the room, but we're getting extremely frustrated and our only recourse is soon to become to write our own regulation and get them passed to the legislature and tie DHH's hands because we're not making any progress. This is supposed to be promulgated by the 1st of August which means it needs to be in the register by when, June? I don't know why we're still talking about the 10 state standards and the subcommittees when we talked about this last meeting. We're not to focus on the 10 state standards, but to focus on construction, operation, and maintenance. We chose to use the headers of the 10 state standards, but mine for example there is no section 10 of the 10 state standards for black flow prevention. The only mention is in part 8 and it's one paragraph. There is a mention in part 12 of the sanitary code and ties to 14 and that's where our committee is focused on figuring out how the language we want to present to DHH. But the other thing I think

we're trying to do J.T. you're trying to make the work of this committee become the end product. This committee is formed, my interpretation of the law, to come up with its recommendation. DHH is then to review those recommendations, come up with its own and then we're to work together because neither you nor we can pass this by ourselves. And I don't know what's going to happen come August 2nd if we haven't promulgated rules, other than there's going to be some pretty perturbed, some anxious operators because we don't know what is happening and some perturbed legislators because we got some marching orders that this very competent committee is wallowing in. A lot of work went into this and it's fantastic if the focus of these subcommittees was 10 state standards. I'd give you an A plus and a gold star. And may be I'm wrong. We've never taken a vote on what this committee's supposed to be doing, but I think it's time to start talking about the regulation. And comparison side by side with language that's great, and Rusty did ask for that and we should do that if there's something specific in the regulation that the 10 states that we want to pull out or put in it's a good way to do it, but I'm really afraid the clock's ticking and if we don't make some progress on this and start talking about the regulations we're going to fail to meet the requirement. The legislature won't be in session August 1st. I don't know what's going to happen, but we as operators and water system constructors and maintainers need to have a clear set of rules and that's what we really hope to come out of this is a clear set of rules. Let's lay out the rules, we'll figure it out, and we'll do what needs to be done. The emergency order everybody in the state seems to have figured it out. Something we're all working towards getting done. Didn't come through the committee, which still is not right in my mind, but it's done. We've been meeting since October and I don't think we've voted on anything yet and I don't know if it's timely for me to make a motion, but I would like to move that we refocus on the regulation. These subcommittees have a huge work to do in that they really need to get this done in the next

month or so, so we can start talking about the issues and get our work done so neither the committee nor the department get egg on their face for failing the requirements the legislature set forth in 292. J.T., I haven't talked to you one on one and I keep thinking I need to, but then I think everything's great and I come into a meeting like this and we're rehashing the same stuff. Am I wrong? Is the 10 state standards our focus? If it is...

J.T. LANE: I want to reiterate it's a learning process for all of us. What we are attempting to do is provide some clarity. This committee voted in the second or third meeting to make the 10 state standards the basis of our work and I'm not sure what you mean by the difference of focusing on regulation as opposed to what we are currently doing. You can clarify that in a minute. We suggested this approach last fall. We wanted to go the webinar approach and we did that. Part of the criticism from you and many others is that we're not listening so I, Dr. Guidry, Jake, and our staff are in this position of trying to be as responsive as we can to everyone of you because that's what I want, okay. And so I was asked in the last meeting or the prior one to move to the subcommittee format again. I could share your concern that 292 there is another bill that has been filed, a place holder with the dates struck out. We've talked to Sidney. There's major revisions of other parts of the code that took five years to get done in the past. I certainly am not suggesting, using as an example. If someone is unhappy number one thank you for stating your thoughts on that and I want to hear from everyone, but I guess you are going to have to help me better understand, and Jake may be you understand better, but what is the line between regulation and what we are actually doing? We each selected a part to go through, we used 10 state standards because we knew for the sake of time as the basis. So to me, and several of you have commented, and I have heard 80 to 90 percent of what's in there applies and works. In the bill the directive for the committee was to come up with a set of standards for maintenance, operation, construction of water systems. That's what we're doing. If you

feel like we're not doing that, or if you feel like there is something else when you say the word regulation that is not covered by those things that needs to be stated clearly. And so but I don't think this is a waste of time. We are moving forward in this direction. I wanted us all to be very clear about how we want to do that cause if we don't agree on how we're going to do that then we're going to end up in the same place in two months. If I'm missing something I'm extremely opened minded and I want to hear it. I want to know exactly what is missing from the subcommittee's work and there are regulations you do want in place that should be part of the work you're doing. It's not like you're just going in to edit the 10 state standards. We said 10 state standards are the basis. You can subtract things, you can add things to it. What precisely do you mean by regulation verses what that document is going to be in the future?

PATRICK KERR: How many people at the table believe that our charter is to rewrite the 10 state standards? How many people at the table believe that our charter is to rewrite the regulations for operation, construction, and maintenance which is everything that any water system does, nothing else we do by the 1st of August? We think we're here to rewrite the regulation. We're here to write part 12 and we've not focused on it at all. The 10 state standards were in fact a vehicle to start discussion and there is a section of 10 state standards that touches on every part of part 12 and I think the consensus was it's a good vehicle to use to make progress on writing the regulation. I'm saying it's time to move on. The subcommittees really need to focus on the finished product. And if all ten subcommittees do their work at the end of this process in six weeks or so I would hope we have what we can put together as the new part 12 to present to DHH for you to take a whack at it and then come together and settle our differences. I think if we do that we can meet the August 1st deadline. I don't know exactly how far in advance we need to publish that in the register, or even if it needs to be published. If we need to publish it when's it

got to go out, 45 days early?

SYDNEY BECNEL: Four months in advance.

PATRICK KERR: So we need to go tell the legislature right away cause we haven't done anything yet.

SYDNEY BECNEL: Unless you do an emergency rule, but it has to be an emergency.

J.T. LANE: That's still one other avenue. We can still do it to meet the deadline.

PATRICK KERR: Not that we've been heading down the wrong path, it's that we're not doing enough work y'all. It's not DHH, we signed up for this too. We need to sit down and we need to get this going. And people that are having trouble getting committee members, I'm sorry we need to get it going. If we need to meet a couple times a week to get this done let's get it going. Let's get this to be the best dadgum regulation of any in the country. And there's going to be some stuff that DHH puts their foot down and I think this committee will agree with those kinds of things with you J.T.

J.T. LANE: And David I may need your input here, the law doesn't state specifically part 12 in words. All I'm saying is we're trying to follow the bill as it is stated. We agreed that we would use 10 state standards as a basis.

PATRICK KERR: And the regulation.

J.T. LANE: If there are gaps and regulations from the subcommittees we will entertain every single thing.

PATRICK KERR: It is the clear intent of the legislature that we rewrite the regulation part 12.

That was exactly what they were telling us. Construction, operation, and maintenance, not rewrite the 10 state standards, but rewrite the regulation. There is no doubt in my mind. If we want to sit down with the authors and talk to them about their intent I'm sure we can get a meeting together. And that's what I'm trying to communicate to you again J.T. I think we're seeing the same issue, but we're not communicating yet. We're supposed to be

writing the regulation. Basically construction, operation, and maintenance covers everything we operate to maintain drinking water standards. We maintain to maintain drinking water standards. We don't do anything else. And I don't know why they didn't put rewrite part 12 in there, but I think based on some conversations we had it's because there are other regulations that you are responsible for that aren't in part 12 and we didn't want to say part 12 and parts of part 14. The plumbers weren't happy with us. And so they just said this is for water systems, but we can keep heading down the path J.T. And again, I don't know what's going to happen. I know we're not going to meet our deadlines. I think we have the subcommittees in place that could knock this out and get it done.

JEFFREY DUPLANTIS: My understanding, and I've probably been one of the most confused as well, but my understanding is part 12 references to 10 state standards. Didn't want that to happen anymore because 10 state standards don't apply. The thought process was let's go and rewrite and it's not going to be the 10 state standards it's going to be the Louisiana standards or whatever, and we're going to rewrite it and change it. Like I said, subtract, add, whatever so it applies to Louisiana and then in part 12 that reference to 10 state standards will go away and reference new whatever appendix or attachment. But then once you have that new Louisiana standard document written then you have to go in to the actual part 12 and change everything that's in there that's contradictory to this new standard we've done and that's where you get into the new regulations or to get it fixed. That still has to happen too. We're making this one little change as the first step to making this major regulations change, and I agree with Pat, we're a long way from getting that done in a timely manner before August.

ROBERT BROU: Part of the reason for the confusion, because I am one of the ones who asked to focus on 10 state standards. My thought process behind that was that was the part of the law that really brought us to this table because it was being enforced as a regulation

when it was written as a recommendation. It was never my intent to rewrite a recommendation, to rewrite 10 state standards and still have it as a recommendation for operation, maintenance, and construction. My focus was to take out the parts that DHH and us as operators felt were critical to be regulated and there are a lot of things in there, but I definitely disagree with 90 percent of it should be a regulation. A lot of it's good recommendations. A lot of good recommendations. I think it was Randy who said the 90 percent. It is good recommendations. 10 state standards will still exist after we do our work here. We need to decide what for Louisiana should be regulated. That is where I think we need to focus.

J.T. LANE: I agree with that fully. I think we're on the same page. I think that, again, part 12 was not specifically mentioned in this, the bill. We tried to craft a document that captured the work of the subcommittee. I think we're all opened minded enough to use our time to make other suggestive changes and use this as an opportunity to not just necessarily focus on the 10 state standards again as a basis because to me, and I agree with Jeff's point about having to change the references. That's anticipated, we're going to do that. If there is anything else though this committee wants to discuss, even beyond the scope of the legislation explicitly I don't see why the legislature would frown upon that if there are recommendations. I think we're here, we're spending our time together, if there's other things we need to address let's do it. But I also want to, again, get the work done that they did ask us to do. And I have absolutely no problem sitting down with the authors of the bill and say we need more time. This was larger, much larger in scope, even if we had started since day one agreed and not changed the way we're going to get our work done we'd still need more than a year. I think we can all sit down and commit to that but, I think we're all going down the same path. As far as the report, the language part of what's been, and I have agreed, part of what's been, probably I think from y'all's point of view has been

difficult you have a set of recommendations that are referenced instead of something solid in the code. That is our intent is to take the language and adopt it into the code entirely. Again, whatever that language we decide it's going to be. There is a superficial focus on 10 state standards because it's there. By name it's not a dirty word. We are trying to start there to make it the Louisiana standards, whatever the percent may have. And I'm sure anytime someone says a percentage it's their best professional guess, not based on any sound science or analysis of that entire large document. Again, I hear all this. I don't see a problem with anything that's been said.

JEFFREY DUPLANTIS: What is the end product going to be? Have we even defined a part 12 or revised part 12 with an appendix or a reference?

PATRICK KERR: All this is going in part 12, the stuff that's necessary. We're going to have one document that we all agree to and what I would suggest is that the subcommittees take part 12, write into part 12 those things that you think are important from the 10 state standards, none of us is going to get it right. We're just going to pile paper on David and he's going to have to do the regulatory language, communicate your intent for how part 12 should read as a subcommittee and do that in--

JEFFREY DUPLANTIS: Make any reference to a Louisiana standard.

PATRICK KERR: There will be no Louisiana standard. If it's Louisiana required it's going to be in part 12. So part 12's going to grow, but take part 12 and look through it and find those places that comport to your section of the 10 state standards and then rewrite and add to and delete, but rewrite your sections of part 12. And this is going to be like baking a cake y'all. It doesn't have to be perfect. You need to have the reasons you want to make the changes so the committee and DHH can look at it if you're going out and finding experts, references so they can talk to them. All the stuff that J.T.'s got in here basically you want to communicate your references if you're relying on EPA documents put a dadgum website

note in there. Don't make them re-create it. So the subcommittee comes back with your language of chapter 12 and their reasons.

JEFFREY DUPLANTIS: Then this subcommittee procedure needs to be changed where we're talking about part 12 and not--

PATRICK KERR: That's my point.

J.T. LANE: I'm looking at the bill. It says the rules and regulations for Louisiana standards. It clearly states that that's what we're coming up with.

PATRICK KERR: For construction, operation, and maintenance. If we can't get that right--

J.T. LANE: It was your bill.

PATRICK KERR: I know it was that's why I think I know what it says.

SPEAKER: Would you rather have a stand-alone document that is just referencing 12?

PATRICK KERR: This is supposed to be part 12. That's exactly what the legislature taxed us to rewrite, the regulations. You can call them standards, call it anything you want, but for construction, operation, and maintenance there's nothing else out there. That's exactly what this legislator wanted and that's why I said we can sit down with them and talk. You are involved in a lot of this conversation. If we can't agree on this...

JIMMY GUIDRY: If I can try to shed a little light on the confusion. Part 12 is the part of the sanitary code that tells us what our authorities are, what things we look at, what things we do to make sure our water is safe to drink. It does not go into all the detail we're talking about. So when you go look at all the citations and I've looked at them because of all this to see what we do when we cite someone most of the references or other things. Most of the references are not part 12. Most of the references are 10 state standards, whatever we're looking at in engineering. This is what we cite. What we have agreed to is to try to put it all together so that there's one place to look at and it's clear. It's not going to be that clear. It's very complex. I've been trying to say this, we try to capture everything we look

at when we're trying to protect the public there are EPA requirements, there are things we've come up through the years, there's 10 state standards. There's multiple places that you have to bring together. What I don't feel comfortable with is we've agreed that we have separated into doable pieces. We agreed what the title should be. I don't care if we call it the 10 state standards. It's really the titles of the things we need to address. It's a guideline which is what 10 state standards is supposed to be, a guideline, not the law. So each chair has an unbelievable amount of work to do which is capture that title, capture what should be in the code with the experts, not just the ones around this table, the experts that know this stuff. If your committee doesn't have enough people that know this stuff we're going to miss a lot of stuff. It's quite the task. Some of you are very good at some of these, but some of these chapters, I can tell you the chapter on grandfathering that is a monumental monster because we're going to have to decide what gets grandfathered and what doesn't, what dates, what water systems, that's a huge task. I do think there's a lot of work that we could have done from the very beginning had we all agreed on how we'd go about doing it. Now the work starts. I don't think it's going to get done by August, I've said that from the very beginning. I have never seen a code be rewritten in any state in a year because it's so many things and so much thought has to go into it. It may not look like we've done a lot, but we've talked a lot and we've looked at a lot of information. And I'm getting closer to understanding what your aggravations are. As much as I hate the process cause it takes such so much time I'm starting to understand your frustration, how we fix that, and what it boils down to is now let the work get done, get serious about it, have multiple meetings, and have more experts at the table. It doesn't have to be just from this table. It has to be from the community, engineers. That's not an easy thing to do because getting people to come to a meeting is hard to do when they have other jobs, but if it affects them and it goes into the code shame on them if they don't get involved. Shame

on them if they don't have input and come after the fact. But we've put so much work into it. I know it's a lot of work, we've gotten a lot of input from out in the field. I know there's a lot of work to be done. I think we have to be reasonable that we're not going to do, just to meet a deadline, we're not going to do a bum job. We ought to give ourselves the time it takes to do it right, but at the same time we ought to have some work to show real soon because if we don't it looks like we've been talking and talking and no work to show. Time to show the work. The process we proposed to help the subcommittee figure out how to come back and make your argument and side by side and all that, but really if we got down to the few things that are aggravating I don't think the list is 10 state standards. I think the list is much smaller. And I really think once you sit down with the group and start working it you're going to find out what are those things that need addressing. I don't think the list is that long. But I do think when you look at the whole amount of language in there if we have to go back and rewrite I don't think that's even doable. I think we really have come and say this is what belongs in the code, this doesn't belong in the code. That's really what we should be doing. I don't think we're far apart, but I do think it's not as simple as people thought that you can rewrite any chapter and it's going to address our concern because chapters are about legal authority on how you address things. And they don't get that specific. There's a reason they don't get that specific. Once it's written in there that's it, you've got to live by it. It also leaves discretion to other people that you may not want to have discretion. That's where we bump heads, discretion. I'm going to say let's move on with our work, let's get a lot of work done because what I'd like to tell the legislature is that we are working as hard as we can, the subcommittees are meeting, we're getting closer. That's what I would like to tell them. Right now I can't say that because there's still a lot of work. I do know some of y'all are meeting and some are struggling to have your subcommittees come together to figure

out who sits on it and how do you get enough people to the table. That's really how the process normally works when we write code is we look at everything and you get input from experts and you come up with what makes sense and that takes a lot of work, a lot of work. I share your frustration. I'm as frustrated as you are. We're not the first state to rewrite their sanitary code for drinking water. So whoever's doing their subcommittee work please look at what other states have done when you are rewriting the code. Don't just use the Louisiana experience, use what other states have done. Right now if you go into code and look at this there's not a whole lot of data there. There's not a whole lot of information. Allows us to do our job is what it does. If we're going to change and get more specific about each and every part you're talking about we got some work to do, a lot of work to do. I'm trying to help with the confusion. I want to share with you that it's time to get to work. Time to roll up our sleeves, have the meetings and get the work done. And I really want accurate data what's being done in other states, what the operators, what the folks in the state are upset about and how can we fix it. But again, I can't let them totally regulate themselves. Most of them want to be grandfathered and we couldn't tell them anything. We have to be fair. This process even though, and you can change this we can take 10 state standards out, you can say use 10 state standards as a guide only, however it makes you feel better, really about getting the subcommittees roll, let's roll.

PATRICK KERR: Can I make a suggestion? I would imagine that based on what you just said Dr. Guidry if we could spend the time to write an acceptable grandfather clause which states that the 10 state standards will be used going forward as an enforcement, basically as a design tool and once it's built that way, maintained that way so it can be enforced in the future. I think we can get through this with keeping 10 state standards as they are. Again, just me talking. 10 state standards as they are, tweak it with some things that Jake was very willing to do last year in the regulation that he rewrote that took out some parts

that weren't applicable to Louisiana. We changed that a little bit. But then if we could get that grandfather clause right I think all but one or two of us at this table would walk away pleased, the public health would be served well. If there were excursions to drinking water limits, primary drinking water limits that were a concern for public health we'll figure out a way that those could be fixed on existing systems. But I really think that is all the legislature wants us to do is come to a meeting of the minds about how things are going to be enforced and what is going to be retroactively enforced. That's what brought us to the table. I hate to say it chlorine rooms was the driver of this and then people started looking at all the other instances of violations they were cited for under 10 state standards were not part of the code. That's what got our frustrations up. And then going forward we just have this wonderful open dialogue about regulations that are necessary and the committee continues to meet and we talk about code. There's a bill in the house right now, in the senate 421 by Cortez talks about enforcement of secondary drinking water standards for iron and manganese. If we enforce that bill as written there's not a system in this state, I don't believe, that will not be significantly financially impacted for a non-health unregulated contaminant. Big bucks, most systems that have iron and manganese above the secondary standard sequester for it. You can test sequestered water all day. You're going to find iron and manganese (inaudible), no health affect. I believe you've been approached by Cortez and helped with the language in that bill, DHH is on board with it. It was never even brought to the committee to talk about it. My point is we're not being treated as equals in this. Am I surprising y'all?

J.T. LANE: Not on the bill, I don't know that DHH is on the board.

PATRICK KERR: I don't know that DHH is, but he got information from your staff.

J.T. LANE: Let me be clear that iron and manganese--

PATRICK KERR: Okay. Your staff supported Senator Cortez in the writing of a bill that would

cost this state--

J.T. LANE: That's not accurate at all.

PATRICK KERR: Okay. He said he got information from y'all.

JAKE CAUSEY: Information and support are two different things.

PATRICK KERR: That's great.

JIMMY GUIDRY: The information he asked for and that we gave to him is what some other states have done to address that. We just gave them what other states have done to address that.

PATRICK KERR: Great cause now I can talk to him and say this is not what DHH wants either, maybe. I don't know what y'all want. My point is those are the kind of things this committee ought to be involved in. If that's something that DHH wants to regulate we have carte blanche rewriting this to incorporate that.

J.T. LANE: We in no way, when the bill was filed that's when we learned about it.

PATRICK KERR: Are you serious?

J.T. LANE: We learned about them when they are filed.

PATRICK KERR: He says it's by request.

J.T. LANE: This is a constituent issue. I get more letters about iron manganese from constituents.

PATRICK KERR: My point is simply this committee could write good code and if we can get to a good grandfather clause we can pick up the 10 state standards, all the design engineers in the room are saying they are going to continue to use the 10 state standards regardless of what we do. So let's grab the things that are necessary that y'all want to enforce, put them in the code, build a grandfather clause, and tell the legislator we're done. And yeah oh, we misunderstood. We thought you wanted our final product by August 1st we're going to put in the register August 1st. We'll go tell the authors that hey we're going to use the August

1st deadline as our deadline to publish, is that okay and I would imagine they'll say yes, that's okay because they don't meet again till next March. Can we get the grandfather stuff going? The subcommittees still need to look at what's necessary for 10 state standards that needs to go into the code and what's in the code that is not what's in the 10 state standards look at and see what's necessary and I think we can be done. And I'm done talking. I promise.

JIMMY GUIDRY: I would suggest that we have a discussion about that and you make the motion to do that and then we vote on it.

RICK NOWLIN: J.T. first let me apologize for missing the last couple of meetings. With all the weather issues it seems like the weather and the holidays we've had the last few months every time we have a meeting we have a special council meeting in Natchitoches Parish and it's hard for me to make the three hour trip each way and I do apologize to all of you. And I'm probably the least qualified of everybody in this room, but somehow the Police Jury Association decided to put me in this group. I think you all made excellent points. Things are a lot clearer for me today than they were when I walked in the room. I do think the focus should be on regulations and not trying to fix the 10 state standards to make it the standard and I've been concerned from the onset that if we would take this design guide and try to force it into a regulation sort of a one size fits all with a check list either you pass or you fail sort of thing. One of the things the engineers in my firm have enjoyed over the years is the ability to sit down with district engineers and say this is what the 10 state standards say, this is what we understand from the Louisiana code, this is how we want to do this, and sometimes they would say yes and sometimes they would say no. At least there was some common, come to some agreement on what was standard. If you couldn't agree you either submit to get approved or get rejected. I think that's a very valuable part of what we do. I think you are right in saying we should focus on the subject. Whether

you call it the 10 state standards, or whatever, it really should be the code. Focus on these subjects for inclusion in the code and keep the 10 state standards as a design guide it was created to be. Thank you very much.

ROBERT BROU: I want to echo what Pat was saying. I think that moves us forward tremendously. Early on I had asked about focusing on what were the citations, what was important to DHH, and in particular the unresolved citations, the ones that were going to be somewhat contentious. If we focus on those with a grandfathering clause in mind I think we can get this behind us and then write into chapter 12 the things that are very critical for DHH to maintain water quality. And I think we're done, done in a short period of time.

RICK NOWLIN: One final comment. I don't think there's anybody in this room that wants a grandfather clause that would allow an old system to continue to operate as is if it's not meeting all the water quality standards that it's supposed to be. That's got to be the bottom line. You have to meet water quality standards.

CHRIS RICHARD: I think the issue that I had mentioned this before that an approach can be you have design standards and that's different from grandfathering. You have design standards from this point forward and you have regulations that say this is what every system has to do to meet water quality and it kind of clears up the grandfathering a lot because you can't say this only applies to this system and not this system. It gets complicated, but you have a list of things that everybody has to do regardless of when your plant was built to provide clean good safe drinking water. And from this point forward these are the designs you must comply with and then design and operate and maintain that.

JIMMY GUIDRY: Any other discussion?

RANDY HOLLIS: We still haven't solved or no one's really even suggested a solution yet of how are we going to take part 12 and how we're going to divide it up. We've already got the subcommittees formed. Do we take part 12 and someone go through it and decide that

each part of it applies to this subcommittee so each subcommittee has part of part 12 to go through. And that's the way we divvy up part 12 to look at it and go through it. Does that marry the two together?

JIMMY GUIDRY: Part 12 it's not written that way right now. You don't have mention of all these parts so we're trying to rewrite it.

PATRICK KERR: Randy, I don't think we need to and the reason I say that is because of all the consternation that I'm aware of is caused by enforcement of 10 state standards, citations based on 10 state standards. There are some arguments about part 12, but if your subcommittee has a part of the 10 state standards go look through part 12 and find instances where there's a match and work on that at the same time. And there are people arguing that certain parts of part 12 shouldn't apply to them and that's going to continue, but I don't think we rewrite part 12. Nobody's talked about total coliform rule which is part of part 12 and I don't think we need to go there. Let's focus our subcommittees on how part 12 and the 10 state standards that you care about, that matter, work together. And then we probably ought to have one more subcommittee which is a grandfathering subcommittee. We all laughed and stuck Vern with that last meeting cause he's doing part one, but may be there ought to be a grandfather, and I say grandfather Chris, I guess I don't really mean grandfather. What I mean is what's going to be the break point between retroactive enforcement 10 state standards. What's going to be the trigger for ordered changes whether that triggers water quality or that trigger is a potential for contamination. Those kinds of things. May be that goes in chapter one of part 12 kind of the preamble just like grandfather does in chapter one of part 12. May be we have another subcommittee that talks about grandfathering and we would love to have the decision maker of DHH participate in that Dr. Guidry. And then we get our work done, the committee continues to meet, and we continue to work with you to refine the rules. This is a permanent

committee. We meet at least quarterly forever.

JEFFREY DUPLANTIS: What I think is really easy, one of the things in 10 state standards talks about treatment line that the inside slope is a 3 to 1 slope. So if I go and I'm designing a treatment line at 2 1/2 to 1 slope the first thing my DHH reviewer is going to say no 10 state standards says it has to be 3 to 1. Okay, so if we're getting rid of 10 state standards and we're not referencing that anymore do I now need to go into and in part 12 find somewhere in there that 3 to 1 requirement needs to be added. Because right now if I go to part 12 there's not going to be any reference to that it has nothing to do with it, but if we're going to make that a new regulatory item we have to go now and find some place in part 12 when we're talking about treatment plants that you have a 3 to 1 side slop and that's a mandated thing now where it's not a standard that's been regulated by DHH, correct?

PATRICK KERR: If the 10 state standards for future design, if you as a design engineer submit plans and say I'm going to build it 3 to 1 and five years from now and your as built should certify you built it 3 to 1 and a sanitarian goes out there in five years and finds it to be 2 1/2 to 1 you could be cited for that because you didn't build it the way you said you were going to, the plans you submitted and they reviewed. So the 10 state standards are still a review document. The shalls still apply, the shoulds you talk about with the engineer and you get something directly from DHH that says why the shoulds are not required, but we use it prospectively. And may be I'm wrong, but is there somebody in the room that thinks they are not good standards for plan design and review?

CHRIS RICHARD: I think they are tools, but it's not the end all. Just because it says should then who decides what the should is. That's where we run into problems with using 10 states. And my understanding is that's what we're supposed to be doing here. In other words, 10 states can be used by the engineer at his discretion as a tool, but the water standards that this committee comes up with will have the rules which will be used to review. It won't say

sanitary code 10 state standards anymore.

PATRICK KERR: But we have discussed the fact that DHH enforces shalls and so plan review shouldn't call you on the shoulds. May bring it to your attention and say to consider this.

JEFFREY DUPLANTIS: After this DHH, my understanding, after this DHH will not be enforcing 10 state standards anymore.

PATRICK KERR: They will be enforcing the permit which you said you would build in accordance with 10 state standards.

JEFFREY DUPLANTIS: I'm not going to build it to 10 state standards because we're rewriting 10 state standards to make a Louisiana standard.

PATRICK KERR: We're not?

J.T. LANE: So one of the ongoing continuous well documented complaints that led to this whole process starting in the fall of 2012 was that 10 state standards were being used at all in anyway whatsoever from a variety of parties and so we're trying to follow what the law states and what you all want. Every meeting has been focused on that. If there is any point anyone feels like that we're not being responsive it is strictly due to a communication issue between people, it's not because we don't want to do it or any other reason. We have not one of us has a stake in dragging this out any longer than we need to. We're trying to figure out though, I'm hearing multiple things even come up to the committee today while also have to follow what the legislators requested. And I don't know if all of you were even consulted about the legislation to begin with. I see regulation and I know part 12, we hear 10 state standards. One of the chief complaints of use is that y'all are using some standards that were made up in the northern part of the country that have nothing to do with geology, geography, and the land and make up of our state. We're trying in many ways to address a very complex set of problems. Code is not easy for anyone, except for maybe Sydney because he's done it for a long time. I hear all this. We

want to address each of these, but I also want to be able to clearly articulate if we do go to legislature and say we need more time exactly what we're doing and exactly why. If there needs to be either an affective integration, number one if everyone still wants to take on, last week we divvied up 10 state standards and no one had any reservations about that.

PATRICK KERR: I did mention it's not the focus. I said the subcommittee chairs should, when we brought up talking about subcommittee chairs, are responsible to make sure that they are working not just the 10 state standards, but the code and incorporating.

J.T. LANE: So this document is what you are reacting to? Is there something that needs to be in it that--

PATRICK KERR: Let me make a motion.

RANDY HOLLIS: Can I make a comment while you are working on that? I agree wholeheartedly grandfathering is probably one of the main key issues that brought all of us here. I think grandfathering, if we can get that out of the way, it will resolve a lot of the issues. What I brought up earlier about the committees and part 12 is if each committee goes to part 12 and picks out just parts they think are applicable we're going to miss a lot of part 12, which means this committee will not have reviewed the majority of part 12. That's my concern. I was trying to figure out a way how can we divvy up part 12 so this committee has looked at all of it.

PATRICK KERR: I was thinking of taking it by exception since we're not rumbling a lot on part 12. We don't have time to fix it all. It ain't broke.

ROBERT BROU: The majority of 12 is EPA regulations, etc. I don't see a lot of contention in any of that. I'm not saying there couldn't be some conflict. There are going to be some conflicts between what we are looking at with 10 state standards and 12 and some of those comments came out during our webinars, but it's very little that needs to be fixed. Focus on the chapters the way we developed it with 10 state standards it's still a good approach.

What Pat had said earlier, if I understood him, was if we fix the grandfathering we can, and I would absolutely support, that we leave 10 state standards reference in chapter 12. Let it be used what it was designed to be used for recommendation for design, construction, and maintenance. It is a good strong document. It is going to continue to be as it gets updated be that much stronger.

JEFFREY DUPLANTIS: Not using it as a recommendation.

ROBERT BROU: And that's what we're trying to fix. We're saying pick out the sections in there that we and DHH agree need to be regulated, not just taking some of those key shalls because it's not the 10 thousand or whatever number of shalls that are in that document. There are some things that are critical to protect the quality of the water and the health and safety of our citizens. Those are the things we need to focus on.

J.T. LANE: Jake, can you please comment.

JAKE CAUSEY: I was going to mention in part 12 there's maybe three pages of regulations on wells and tanks. Things that might be covered in 10 state standards. I wouldn't be terribly concerned about, I think if each committee looks at that and pumps, tanks, and wells you're going to cover everything that exist in part 12 currently other than our state and/or federal regulations for all the primary, whatever standards and rules, etc.

RANDY HOLLIS: Just to make sure that we don't miss something in part 12 we make that application to the committee that's part 1 of the committee. So somebody has read it from beginning to end so we don't miss something.

PATRICK KERR: Why don't we just agree that we'll do our work at subcommittee? If anyone in the room has a problem with any part of part 12 they can bring it to the full committee and maybe we can assign it so that way you're obliged as a member of committee to be familiar with the code you are supposed to be rewriting and if you have problems you bring them to the whole committee.

J.T. LANE: And I would recommend that your chair of subcommittee representing your association, especially for those of you here for an association maybe it's that you poll some of your members or all of them for specific issues within that part that you think your subcommittee can address that way it expedites, it could help expedite identifying those issues while you are doing your subcommittee work. Again, that way help you develop survey tool, but really just one simple question is there anything in part 12, and tell them to be specific, that has historically been an issue, whatever and then that way you can discuss your subcommittee meetings and then take that to the full committee and we can even add a standing on the agenda. We can either integrate part 12 discussions into your subcommittee reports, or we can have a separate agenda item and focus on that. I want to be clear about something, I've heard that 10 state standards now is fine, we like it. We need to be clear about how the department though enforces it. This is a question I've asked a lot of. Do we need to rewrite that or as a department we need to be more clear about how we do our job in that we do not need to be doing citations for shoulds, we need to be doing them for shalls and that sort of thing.

PATRICK KERR: We should not be citing existing systems for shalls in the recommended standards for design. We should be citing systems for shalls in the code. We should be citing systems, and the code requires compliance with the primary drinking water standard. It requires compliance with the code, but when we start going out and this is what's causing all the heartache and enforcing the design document as an operational document on existing systems that were already in operation. A lot of them couldn't comply. The constituents say, and Dr. Guidry I'm going to bring up a question I know you do not enjoy, and may be it was Jake who got the question, "how much better than zero are we going to get" question. I have an awful hard time going to the commission and saying this is not going to protect public health. I need to spend all this money because the 10 state standards now say when

I build a new facility it has to be this way. I have to put chlorine rooms in, I have to put day tanks in and the commission says we're not going to make your customers pay for that, or a police jury says I can't make my customers pay for iron manganese removal. I don't have a problem. That's what caused the 10 state standards, your enforcement of it retroactively was the problem. Because it wasn't that you cited a system. You know when you get stopped for drunk driving they always stop you for something else, running a stop sign, making illegal turn and then they catch you for drunk driving too. You guys came in and did these surveys and caught us without the stop sign. You didn't say you exceeded the MCL for trihalomethanes and therefore you need to make these changes to the process and hey, the 10 state standards are a great way to do it. You're saying you violated this part of 10 state standards and it really stirred up the hornet's nest. If we could adopt the 10 state standards as a planning document we could use it exactly the way it says it in part 12. It will be used for plan review before the language change. Then the design engineers continue to design by it, and you know what, I think the design engineers have an obligation to design by it because it's the industry practice and if they want to violate industry practice they're taking a chance with their license. So I think there's some serious implications for engineers who fail to do what's required of 10 state standards without really good reasons. And he can document them and get them passed by the district engineer, however you want to enforce that. Even some of the shalls, you know, if it's well documented, it's included in the permit going forward just never did it in the past. And we got to this argument well produce your permit. Examples where the district engineer said that's a great idea, go ahead and do it. So we can't prove that he said it. If we can do the grandfather thing well to protect the public health and focus on the stuff the department wants to fix retroactively, leave the 10 state standards as they are, incorporate the important parts of 10 state standards into the code, and then we talk after about the shoulds and shalls. What am I

saying wrong?

CHRIS RICHARD: There are still parts of 10 state standards that aren't applicable to design or systems today so you can't carte blanche say it's a review tool. As an engineer I'm going to put my stamp that I have a chlorine scrubber. So there still has to be some modifications. The other thing is this committee we're the construction, operation, and maintenance committee. How does DHH regulate the construction? I think it was probably, should have said design. Construction is design. That's why I read this committee is involved in the development of Louisiana standards and involved in design. You can't build it until it's designed so you have to design it according to what this committee comes up with. It's not strictly operational and we can't take 10 states the way it's written completely. We can use it like the subcommittees were going to come up with what fit us and what needs to be done. You're right, I put my stamp on it, but I don't like having to put my stamp on it when I have someone else telling me how to do my job and I know what's best for the people I'm working for. I know their capabilities, their financial ability. I can still get the end result a different way based on my experience.

PATRICK KERR: So does the subcommittee focus on the 10 state shalls and the acceptance to the shalls which is what DHH agreed to do 18 months ago, 2 years ago, and did in fact in a lot of cases, sight glasses on a hydropneumatic tank where you have other ways to measure levels. They were very willing to do that. So the subcommittees come back with the objectionable shalls and focus on those and we get that fixed and all he has to do is add the list of stuff in existing part 12 that's not applicable to Louisiana reference 10 state standards. We fix that, but we don't rewrite the 10 state standards although I was one of the guys, and I'm sorry our focus was not as clear as it is today.

J.T. LANE: What you just articulated is exactly what I thought we were doing.

PATRICK KERR: I'm saying it a different way. We have been focused on the 10 state

standards and trying to rewrite 10 state standards. What we really need to fix is the grandfather clause, the objectionable parts of 10 state standards, not compulsory to Louisiana and when we're done with that start talking about other parts of part 12. Not just to save money, but to improve public health. I think the amoeba rule is headed in the right direction. It's fantastic. I would like to tweak it a little bit. We're heading in the right direction. I'm sorry, systems that have not been monitoring the chlorine residuals in the distribution system as part 12 already says they should be, that's enforcement problem too. We're getting that fixed and it's not fun, but we're getting it fixed. The subcommittee's focus on the shalls in the 10 state standards they want out. They focus on part 12 and make sure--

J.T. LANE: I think that we still need for deliverable for the legislature and what I think a lot of them are interested in is not just the shalls that should come out, it's also what if there is a shall you think that should go in based on what you think in Louisiana so it's both.

PATRICK KERR: Absolutely. And we get this grandfather clause right so it doesn't affect systems that were, I don't know and we've kicked around have already been inspected by you, in service for some period of time. And I know you have different levels of inspections from the old days where somebody pulled up and said what's for lurch, how are you doing, great here's your, oh, I got to find a couple things wrong. OSHA does that all the time.

SPEAKER: Oh, no they don't, I'm sorry.

PATRICK KERR: They always have to find one or two things wrong to make it worth the trip. And that's not what I want to do with it either. We want to be open with y'all and figure out how to best serve our customers. You asked me earlier to put it in the form of a motion and I would move--

J.T. LANE: Wait, before we do that because I'd like to do one motion and make sure we all agree. We are still going to go into our previously assigned subcommittees to find the

shalls from TSS that will be included in chapter 12 plus any additional ones we may want to add based on what we know as Louisiana based professionals. We're going to have a committee on the grandfathering clause and what else?

GREG GORDON: The shalls we don't want in there.

PATRICK KERR: I would say we leave it up to the discretion of the subcommittee chair to decide exactly, they understand, well you need to give guidance because some of them are not here unfortunately.

J.T. LANE: We'll follow up with everyone how we decide to move. What else am I missing from that list?

PATRICK KERR: I really think that's it.

RANDY HOLLIS: The other thing we mentioned was the subcommittee look at part 12.

PATRICK KERR: We need to incorporate 12 in 10 state standards.

ROBERT BROU: Can I make one more comment in reference to Chris' comments about 10 state standards? I think, and may be this is a simplistic approach, but I think part of the problem is we're still trying to read a recommended standard for water systems as a regulation. The shalls should not be here if we put in language about the 10 state standards that says it is a recommendation for design and only focus on the shalls that are critical for enforcement. Incorporate those into chapter 12 then you don't have to touch anything else in the 10 state standards other than a reference that you design by that's using it as a recommendation. And the shalls should not give you heartache at that point. It's not a regulation.

PATRICK KERR: I think we're going to do exactly that in that the shalls are going to get put into chapter 12, part 12 are the shalls that will apply retroactively. The 10 state standards part 12 will say that systems will be constructed, operated, and maintained in accordance with the permit issued by DHH and as built. And so grandfathering can take existing systems

out, but from that day forward when DHH gives you a permit to operate that operator is going to have to operate the plant in accordance with your design as an engineer and with your operating procedure. I am sorry somebody's not going to tie off the dadgum lever on a filter and bypass a filter that would be citable. So yes, your client's going to have to operate the plant the way you designed it. The way you agreed with them that it would be built and the way DHH permitted. And so your permit becomes enforceable code going forward. And I know that's going to be hard, but it's exactly what we want. I really do want my plant operators to operate the plant the way they are supposed to.

J.T. LANE: I think part of what drove this discussion initially and this meeting itself is indicative how vast the confusion is we share on some things. I hope the goal was as we did this for you this would lead to taking language from the 10 state standards that everyone agreed was how we should move and put it actually in the code. So there was no more going back to reference another document and it provided clarity because it is already big enough and you already have tough jobs already. So from my standpoint I was trying to think how can we then simplify this for everyone out there and our staff so that we all have the same expectations in the code. That was the goal, but then even after the subcommittee work was done we weren't going to publish a new manual of the Louisiana standards. We could, but it would be adopted in the code and called that if that was necessary. That was what we really wanted to do.

PATRICK KERR: I think we all jumped on the bus. I don't think that's what we all wanted all along. To move forward in a committee like this sometimes you just got to say we got to move forward and that sounded like a great way to do it, but we have collectively changed our mind. And we'll take a licking at the legislature for doing it. I will be the first one to stand up and say I got on the bus too and what we found out after several months of great discussion and learning it wasn't the best vehicle. We need a little more time and we're

going to get it done. All I'm saying is the big shells that you guys are going to have are the permits and we can't fix everything retroactively. That's really what caused all the problems from people building facilities they build them in accordance with the latest standards you can enforce the permits.

CHRIS RICHARD: There is an issue with that. We very rarely build a new facility. So if you're doing something like you're putting a pump into an existing facility and the facility that you're putting it into was built 50 years ago and it doesn't meet all the requirements, pumping water fines, giving water to the people. But I had one that was located in a basement basically and at the time we were able to have discussion with the engineers. That changed and that's part of the problem in review with the district engineers that they wanted us to raise the pump above and basically redo the pump room. Well they can't afford it. So the discussion centered on is it better to have a redundant pump so we can assure that these people have a good supply of water if we lose the pump, or if you make us do this then we're not putting one. So they agreed, but that does not comply. Most of the jobs we do are at old facilities that would not meet the current standards. When you're at the buildings and you deal with the fire marshal there's a certain point where you bring everything up. It's not because you redid the interior walls in the room. Does that bring the entire plant oh, no you got to bring up to code today because you changed the valve, or you added a pump. That needs to be looked at as well.

GREG GORDON: Is that something that should be in modifications of systems? Would that be in the grandfather clause or discussed in the grandfather clause?

PATRICK KERR: This is where I really feel bad for Dr. Guidry because it's really hard to write regulation that catches the guys that don't want to do it right. It's really easy if everybody is honest with each other. Right now the grandfathering clause in many of the regulations has provisions about reconstruction, stuff like that captures everything either. Right now it

says you don't need a permit if you're changing the hydraulic system blah, blah, blah, maintenance. But adding a pump is not maintenance.

SPEAKER: We'll have to work through that.

JIMMY GUIDRY: This sounds simple and it narrows it down, but it's not. Like you said, most systems are old, most systems are being modified to come into the new century. There's an investment to be made. An investment then becomes does it make sense that we're going to spend 10 million dollars for something that never happens verses we're going to spend a thousand dollars and coming up to code is how we managed to keep these systems alive and what parts are critical is where I think a grandfather clause comes in. I truly would like to work on something that's pretty clear that some things that we can not allow and there's some things we can allow. There's some things that might have to come before committee to have a discussion because it might be a new method, might be totally different. Right now at the capital there's a proposal not for us to give any regulation of solar heating, bad idea. If you start allowing people to do whatever they want there's somebody out there that's going to sell you something that is a danger to your health and nobody is regulating it. I don't want to regulate everybody, but I sure don't want anybody to come to Louisiana and say man go sell over there cause they'll buy anything you make. Guess what, it's paid for with your tax dollars. I like the idea. I like the proposal. I really think that's the heartache, that's where we need to dig in and the rest of the work it can happen. I would like to have this committee where we're at a place where something everybody thinks it's the right thing to do, but a little system can't afford to do it. What do you do with that? They can't pay for it. They got to tie into a bigger company. I don't have a problem, you don't want to get rid of mom and pop businesses, but if they can't afford to do business correctly they shouldn't be in business. I have no problem putting people out of business who shouldn't be in business. But I am very interested in having,

let's have this committee that we work and I'll serve on it, I shouldn't chair because I weight in pretty heavy and I don't want to be the chair on how we're going to go forward in enforcement regulation. Say you grandfather every system that was built according to their certificate then we're not regulating anybody going forward because we're not building that many new places. We're really modifying old places mostly.

CHRIS RICHARD: One of the things would be almost more of an administration issue. From a design, like Rick said, we didn't have a problem in the past where we could meet with the district engineer and meet with them on design and we could work out and reason with him, but it got to a point in the past few years where 10 states, it says 10 states you'll do it, I don't care what you say or what you think. And they'll even tell you at some point I don't agree with it, but that's what I'm required to do, that's what my boss tells me. That's part of the problem. It's too much involvement, not giving enough discretion to the people who have the experience to design it and to work with the district engineers. If you could go back to that that would solve a lot of problems.

JIMMY GUIDRY: I actually think discretion is a better word. Grandfather makes it sound like you are going to accept something less. I think it's discretion and what we are going to enforce is what the issue is. If you grandfather the systems they are not going to invest anymore, not going to reinvest. I don't like the idea I got permitted 25 years ago and that's what I live by. I want discretion to be the focus.

RANDY HOLLIS: Let me make a comment on one thing. Engineers give operators tools. There are many engineers that could never operate a treatment plant and there are many operators that make engineers look very good because of what they can do. I don't want to say and put in here that the operator must operate the plant per the design engineer cause you would have big problems. For example, if you have multiple chlorinators you can use one and split it to multiple drains rather than having use every one the design

engineer put in. So let's don't hold the operator that he has to operate because many engineers couldn't operate a plant.

CHRIS RICHARD: The smart ones get with the operator when you are designing.

RANDY HOLLIS: The smart thing is to make every engineer operate the plant for a year they designed.

J.T. LANE: So we're going to A, keep the current committee structure, but add grandfather, a new committee, subcommittee. The focus of the committee's work to take the shalls from 10 state standards to include chapter 12. Plus we're going to add any other 12 work that needs to be addressed within the realm of that subcommittee.

JEFFREY DUPLANTIS: So we're not modifying 10 state standards anymore? The whole purpose of the subcommittee has changed.

J.T. LANE: I think what we'll do is what we end up adopting as the shalls from that even though it will be put into chapter 12 it will also become the standards of the state. They will apply to all. In fact they will be both.

JEFFREY DUPLANTIS: Go through 10 state standards, pull out the shalls, go into part 12 and put those shalls into part 12. And if there are any new shalls those go in part 12.

PATRICK KERR: It's not that simple. You got to look at it from the focus of does this shall make sense for existing systems cause this is going to apply to existing and future systems. If it's a shall in the code they're going to have to bring it in compliance so if it's just a new way to do design that doesn't go into code. That gets handled in the permit process for new facility. But the 10 state standards, the good stuff in the 10 state standards that make water quality better and protect public health go into the code so no we're not taking all the shalls, we're taking those that are important and incorporating them into code. We're taking those that are not important for future systems and saying why they are not so we can specifically exempt Louisiana systems from them in the code. So the sight glass for

example. So yeah we're going to look at this in a couple of ways. What should mom and pop been operating since 1955 do to her system or his system to bring it into compliance to protect public health better that's listed in the 10 state standards. There are some things in there they probably ought to do and you're going to bring that to committee and say everybody in the state argued this our reference to 10 state standards, but we really should talk about the code. And then anything else in chapter 12 that you find to be objectionable or should be added to and your committee kind of has jurisdiction over you're going to look at that too and bring recommendations on that too. And then when we're done get the grandfather clause done we get Chris involved in what, in how we're going to do with the shalls and shoulds apply to Louisiana and prospectively on the permits that are issued. How we are going to do that and yeah put them in the code.

JAKE CAUSEY: I think some people are trying to envision what that would look like in the code and one suggestion or may be start using as a basis and kind of expand it how everything makes sense. The way we had attempted to tackle it last January it was adopted, but then within part 12 there was one section, whatever that basically said except section one point whatever doesn't apply to all systems or these systems, what have you. May be piecing it out like that rather than trying to put some here and still reference it may make it a little simpler to each look at and say here's the things that don't apply to anybody, here's the things that don't apply to existing systems for these purposes. I guess having separate sections that identify those rather than having it say here and here. At least share and look at the format, may be something to expand on. I think trying to envision the structure or format for that is a little challenging without seeing it on paper. I think if you adopt it, but then you have something in part 12 that says you are going to use these sections or not use these sections for these purposes.

PATRICK KERR: I guess my point is the 10 state standards is never an enforceable document.

What's enforceable is the drinking water quality standards and your permit and where we don't have clear guidelines on what the permits were and things like that.

JEFFREY DUPLANTIS: It's enforceable at design.

PATRICK KERR: At design, right.

JEFFREY DUPLANTIS: What the issue is this is a design, construction, operation, maintenance kind of a thing. They are enforcing it at design.

PATRICK KERR: That's why I'm saying we take those things that are not necessary out and someone just made a suggestion may be we bring it to the committee. If the design engineer and DHH cannot come to an agreement about a specific provision of 10 state standards the law allows this committee to be called by the chair at any time. So you call a meeting of the committee, discuss it, you come to an agreement on it, and you either get the permission to do it or not. It goes in the permit. You obviously still have veto authority, but you hear from all of us. The 10 state standards they are exactly as they used to be in the code, a design, a recommendation. They'll be used only for the review of the plans and design. It doesn't say they are compulsory, but used as a review. And whatever you and DHH work out is what you are held to. So if it's that you can run 4 gallon, 5 gallon per square foot then that's something you work out with DHH. Come to the committee and we make a decision about it. And we put it in the code cause that's our job.

DAVID MCCAY: I'm not sure I'm following. May be everyone else is. Under this new scheme that you guys are discussing today, and I don't mean scheme as a bad thing, the final result as I understand it, or correct me if I'm wrong, would be part 12 will have incorporated into it and re-promulgated a bunch of the shall provision or everything within 10 state standards that the committee agrees should follow under shall and then will part 12 also recommend the use of 10 state standards for the rest of the, I guess, for the shoulds?

PATRICK KERR: Recommend the use of the 10 states, require the use of 10 state standards for the design of new facility and then--

DAVID MCCAY: But those would be trumped I guess by anything that says shall in the code. If it says shall in part 12 you have to do it come hell or high water unless you can fix yourself within some exemption that's listed may be exemption/grandfathering clause.

PATRICK KERR: Absolutely.

DAVID MCCAY: What about where 10 state standards says, and I just pick this one randomly, all automatic stations should be provided with automatic signaling apparatus which will report blah, blah. How do you provision that working when you submit something that doesn't have that and DHH says well it says here you should have that?

PATRICK KERR: The engineer would write back and say I understand, but in this circumstance you don't need it because XYZ and DHH says I will defer to your expertise in this because it's a should. But they brought it to his attention just in case. And they don't have any requirement to bring it to their attention, but they might want to. Just like right now DHH when we're working with permitting it may very well say did you think about this and they see plans from all over the state. They see what other people are doing and it's okay for them.

DAVID MCCAY: If DHH says Mr. Engineer I recognize your expertise, but nevertheless I disagree.

PATRICK KERR: If DHH wants to enforce a should come to the committee and say we want to put this in the code, committee will say yea or nay, DHH will then say yea or nay. That's how the codes going to be written going forward, goes through this committee.

DAVID MCCAY: I'm just trying to clarify what you guys are envisioning.

CHRIS RICHARD: But I wouldn't say it the way you said it. You don't say that engineers shall design according to the 10 state standards. The way it was written in the code was

acceptable when it was used that way. It was used in the review by the department of plan, not as a design. I got a lot of tools I use included 50 years of experience in my firm. I don't use just 10 state standards.

PATRICK KERR: The language should go back to the previous language.

JEFFREY DUPLANTIS: Are we still going to go back and revise 10 state standards and make a Louisiana standard? Because we've gone through all these webinars and people have given feedback and said use proper lighting shall be provided for the operator and they are like we don't really need to say that so let's take that out, or the free zone, things like that. Do we still want to after all this work everybody has done to go and modify and strike through and underline the 10 state standards to make it a Louisiana standard? Do we still want to take that step to finalize that document and then change the reference in the code to reference our standard, not the 10 state standard?

J.T. LANE: Need to take the work from the webinars and let it inform the subcommittee's work and if there are things, I mean y'all's job is to analyze it, not just to accept everything carte blanche. May be a better approach would be to take it, use that as part of your subcommittee deliberations, and if there are things in there that you feel like should be a shall then that's part of your recommendations. At least that way none of that work will have been lost.

JEFFREY DUPLANTIS: That shall is going to go in the code. All the other things what's the point, why was that statement even in this? Just take it out or say 10 state standards. Everybody else is using it we'll just leave it in and not worry about it.

RANDY HOLLIS: Let me ask this. And David said it this way a minute ago and I liked the way you said that. Why can't we still reference 10 state standards with the following exceptions which would then be applicable to Louisiana? So all the work we've done as committees is you're looking at your section and here are the exceptions for Louisiana. In

other words, one big deal that's going to come up is chlorine rooms. 10 state standards says shall. A number of comments that I got "don't make it mandatory". If we as a committee agree chlorine rooms are optional or should instead of shall that will be an exception listed under that section of 10 state standards.

JEFFREY DUPLANTIS: Where is that exception going to go?

SPEAKER: The code.

RANDY HOLLIS: In part 12. It will be 10 state standards with the following exception and they may be 12 pages long.

CHRIS RICHARD: That will be exceptions for design?

RANDY HOLLIS: Correct.

CHRIS RICHARD: And then you have the code will have what everybody's got to do.

RANDY HOLLIS: That will save us having to rewrite the entire 10 state standards. I think we all agree a lot of it's good, we just need to list out the exceptions that we feel like do not apply to this area of the country.

PATRICK KERR: There will be exceptions for retroactive enforcement and exceptions for future.

RANDY HOLLIS: DHH already has a waiver in place right now, the emergency rule for chlorine. There are a number of chemical companies right now that do not chlorinate their water and in the emergency rule that waiver continues until they have a problem. That may be the way to address this with grandfather. Continue on until you have a problem and that's trying to outline what's the problem is going to be the most difficult thing. There's already a mechanism there that you have in emergency rule.

RUSTY REEVES: What Randy just said the last few months is what brought all this into this meeting is numerous water systems working fine with little hick-ups, they have a violation, they take the corrective actions, and then all of a sudden the 10 state standards become a

compliance tool for the sanitary survey. A system that had been doing well all of a sudden got cited because the chlorine room wasn't the right size, or the right vent, or overflow didn't go to the ground and things like that there. And I wrote a list of the hick-ups and it come down to chlorine buildings, (inaudible), vents, tank overflows, splash pads, tank (inaudible), overflows to ground level, cover (inaudible), line sizes and valve location, ammonia storage issues, sources, and sight glasses. That's from memory of what we can remember most our members complain about. Like I said, both large and small. And most of the systems that complain those that have been having violations for years, they didn't complain, the ones we got the call from was those that maybe had administrative order four years ago done everything in compliance and thinking they are fine and all of a sudden now they get a notice of violation. It caused the hick-ups that got us to this table. This morning we went back and forth and back and forth. I think for the most part pretty well understand what's fixing to happen or what we are proposing to happen and I really believe it's something that the system across the state can live with. When these issues that I just mentioned brought to Jake 18 months ago there was a waiver for some of these things, an exemption or whatever you want to call it. I think we pretty well at that same position if I'm understanding this right.

JIMMY GUIDRY: It sounds a lot the same, but this is what I see the crucial issue. When we went back and we took the 10 state standards and we exempted those major items it was a very short list compared to the list we request. Everybody wanted more and more exemptions. And that becomes impossible because what's important to one little system is not important to anybody else. We're not going to exempt them from something like that. I like the idea that we put those things that we're going to live by and we're going to live by that permanently for sure. You got to get a permit when you add on. You still got a permit, but I like clarity so when people are drawing something up it's not well you know

you should do that therefore I'm going to cite you. No you shall do that and I will cite because you agreed to do that, as opposed to you never knew you had to do that. I think that's where we're butting heads is that somebody's coming around citing you for something that nobody agreed to, nobody knew about, and all of a sudden it's a new citation. What's getting people's attention is those violations you have to notify your customers. Everybody's up in arms because every time I get cited I have to report some of these to my customers. It might be something so ridiculous and you got to agitate your customers over something minimal.

J.T. LANE: And that's why we wanted to move that into code as possible (inaudible).

RUSTY REEVES: Most of these citations that I mentioned in violation was done two years ago. How many of these systems you think have complied with most of these issues was cited a couple years ago Jake?

JAKE CAUSEY: Most for sure. I do remember creating a report at one point in time. It was far more than not for sure. I guess that was about a year ago. Probably would be how many unresolved we have created those lists and shared previously. I forget the exact number.

RUSTY REEVES: And the reason I ask that question for the most part most systems that have received these citations was able to find the funding somewhere to make the corrections and they are in compliance at this point.

JIMMY GUIDRY: They are not huge issues. This committee doing grandfathering are looking at discretion. That once we can set that so people can know what the expectations are. I think we can start to alleviate some of the fear that we're just trying to mandate more and more. I would like to see us get to work on that piece so we have something to deliver to help these folks that are all upset then we can work on this other stuff everybody's working on. More and more clarity to find what's mandatory, what's required. TSS is a guide.

You got to use some of the guide to see what shall. It will be reference, it just won't be the book. It won't be the bible. That's really what we're trying to avoid. Although, I got to tell you, we wanted that far from what we're talking about. We exempted those things that give a lot of heartburn and we said we're going to try to follow 10 state standards as a guide. Everybody thought this was something new, it didn't change the way we do business. Be as it may we're going to try to address their concerns. I don't think anybody wants to get people sick and then we have to explain why we got people sick. Business would be shut down, done. I don't know if our chair is going to appoint someone to head that committee or if someone wants to volunteer, but that's going to be some hard work.

DAVID MCCAY: Can I mention something Dr. Guidry, and Pat Kerr mentioned this and it's a good point. He talked about you are going to be governed by what your permit says. Often times, and this is my observation when dealing with some of these issues in the last couple of years, often times it's hard to know what the permit said especially 20 years later. Maybe the committee on grandfathering could also be called something like committee of grandfathering and permitting and look at some of these issues and possible, and I'm just brainstorming right now as we speak so these may not be good ideas, include something like it's going to be presumed unless you have something that shows differently that the way you were permitted required every shall that existed at the time you were permitted. Such that if you can't show that we somehow varied or exempted one of those shalls when you got permitted in 19 whatever, better example in 2015 than your permit required every shall that's in the new standards. Something along those lines because it becomes difficult after the fact to know what was permitted. Just a thought I had, may be not a good one.

JIMMY GUIDRY: Most of our arguments are around somebody was given permission or suggested and it's not documented anywhere. That's really a lot of heartburn.

DAVID MCCAY: I'm just suggesting that if there's a shall in the standards that are devised and

somehow you got an exemption from that or you got some sort of waiver, variance, whatever you want to call it, you ought to hold on to that and use the system. So years later if it comes up you can say here it is. Y'all said we didn't have to do this shall. You should be bound by DHH. But if there's nothing there I think we ought to perhaps be entitled we at DHH to presume that the permit required you to comply with every shall that's in the part 12 or whatever it is we're running.

RANDY HOLLIS: Right now when we get an approval letter from DHH it says we reviewed it and if we missed something you have to do it anyway. We're still obligated to do it even if we miss something.

DAVID MCCAY: That's another issue as well.

BEN BRIDGES: I think a lot of the problem is that each part of the state has someone who is overseeing their area or section and as someone who travels multiple parishes one may require you to do it this way and another one interprets it to be this way. It's not right or wrong, it's just you have to walk on both sides of the fence. And from my point of view I would like to see one book, one bible, one complete book that says this is what we're going to do as a minimum. If you want to go above and beyond that then we can discuss that. But don't have one part of the state that allows you to do this, down south does it a different way. That's where we get into overflows on tanks, does it need to go to the ground, it should, but is the world going to stop turning if it doesn't go to the ground? Things like that that some parts are being pushed where other parts of the state it's not a hot topic and just have the continuity so that DHH has from A to Z they're pushing the same agenda, if you will. And that would make it easier for us to understand when we go to a different region, different part of state, we know what to expect as far as a treatment program or whatever it's going to be that we can assume that it's going to be at least this and may be more stringent if there is reason for that. That's why I think we ought to have

one bible and if we're going to have the 10 states incorporated in this we're going to go through the effort of redoing this and have the other tools, but I don't know if we need to still reach out. You're going to use 14 different resources as Chris said when he's designing or putting these plans together. I think we need to have one book that encompasses everything.

JIMMY GUIDRY: Writing that book is where we're all struggling, but I don't disagree with you. It shouldn't be a different requirement in different areas of the state.

J.T. LANE: If we do what we're talking about doing chapter 12 will come to that. That's exactly where we're going. What we just need to do is eliminate ambiguity and consistency, again put as much shall as we can into 12. That will become our standards and if necessary say hey by the way there's the 10 state standards if you need additional guidance here's another resource for you to use.

BEN BRIDGES: Take the good stuff, the shalls out of 10 state and put into our new book.

J.T. LANE: Right.

BEN BRIDGES: Why would you go back and reference something that (inaudible)?

J.T.LANE: That's up to your discretion.

PATRICK KERR: I don't think that's what we said J.T., I'm sorry.

J.T. LANE: I just read exactly what I read earlier.

JEFFREY DUPLANTIS: Come back next month and talk about this all again and make another motion.

PATRICK KERR: We're not putting all the shalls in the code.

J.T. LANE: The shalls the committee request.

SPEAKER: The good shalls.

(council speaking simultaneously)

J.T. LANE: I am not going to make the motion you are.

PATRICK KERR: Oh, I am?

J.T. LANE: So before we do this is there anything anybody else wants to add?

GREG GORDON: The subcommittees when they do the work and do the shalls are you going to do a side by side comparison?

J.T. LANE: We are going to get to that fun topic in just a moment. Is there anybody here, out there that would like to make any comments?

DAVID MCCAY: Is everyone here clear on what the new decision, the direction we're going to go in is and would it be possible for someone to put something in writing and disseminate it to everybody and say hey is this what we're all talking about and agree to? I'm not sure everybody is on the same page.

SPEAKER: J.T., I hope that you're going to do that. Can you do like one of those poll emails?

SHEREE TAILLON: Yes you understand, or no you don't.

RANDY HOLLIS: I really thought we were going to leave 10 state standards in part 12 of the code and we're going to say 10 state standards with the following exceptions and just list where it will either be on paragraph 5.2.3 shall will be changed to should so that it's no longer mandatory. I think that would be the simple way to do it.

J.T. LANE: What I'm hearing though is that we really want one place to go and then you want consistency with those other resources so then if we start listing exceptions that will complicate it in a way that's unnecessary. The subcommittee's work remains looking at what in their chapter since they already started working on parts of 10 state standards, looking at that and figuring out what should be inserted into 12 and let's do that along with input from the webinars. Frankly, any other shalls the committee may deliberate about go into that and then the code should simply reference 10 state standards as yet another resource for the industry to have at its disposal.

RANDY HOLLIS: What about conflicts between the two? Because if we reference 10 state

standards--

J.T. LANE: (inaudible). We can handle that at that time. Again, as long as it does not click with what is in chapter 12.

ROBERT BROU: 10 state standards will still have a lot of shalls in it that will not have the force of law. It's a good guidance document. Things that should have force of law we write into 12.

RUSTY REEVES: Somebody makes a motion today and we approve it the way we understand it now. We get the minutes and it's not what we want go back and redo the whole (inaudible) next month.

RANDY HOLLIS: Let me ask a question. In other words, if we agree with 95 percent of 10 state standards, but we're going to change a few words in it all of that will be in part 12? Is that what we're saying, you'll have it in part 12? J.T.'s saying yes, everybody else saying no.

SPEAKER: The shalls.

J.T. LANE: This is your subcommittee. If you review the document, and we can sit here and argue all day about focusing on the shalls, (inaudible) a recommendation frankly that you think should be in there and if you use your professional expertise to recommend putting it in as a shall I don't see a problem with that at all. Your job is to recommend shalls for chapter 12. You're going to start with 10 state standards as a basis, period.

ROBERT BROU: Part of it there's a lot in there is absolutely good recommendations, but not critical to maintaining water quality. Good things for safety, for employee comfort, for esthetics, there's a lot of things in there that yeah have no real problem, but should not be a part of chapter 12's law.

RANDY HOLLIS: Let me ask this, let's just say coloring of paint in the water plant and it goes on for four paragraphs in 10 state standards, but if you feel like the only thing that's important as a committee, just theoretical, is that all water pipes shall be blue. That's the

only thing that's going to occur in part 12. The other four paragraphs is in 10 state standard, but the only thing we're going to put in part 12 is simply all water pipes shall be blue. That's the only shall.

ROBERT BROU: Definitely impact negatively water quality it's important to have proper labeling.

RANDY HOLLIS: If 10 state standards is 15 pages long in your section and you think there's only one shall that should be in the code that's the only shall that's going to be in the code is that one sentence. Everything else is just references.

ROBERT BROU: The rest will be referenced by design engineers when they go to design will be discussed at length with the engineer.

CHRIS RICHARD: The way I was going to approach it with the subcommittee is I'm going to look at part 4 basically two approaches or two things to come out of the committee report. One is what needs to be in chapter 12 for enforcement as a code and then the second part are the things that we the committee feels should be exceptions to 10 states for design. So it's a two part approach. One is the code that's enforceable for the sanitarian and the department to go to these plants and the other is the design parts. Which if we're going to use 10 states as a review, for the review of plans to have the exceptions that will not apply, the shalls that are in 10 states that won't apply.

DAVID MCCAY: (inaudible) with Pat's statement earlier if it just says should DHH can't enforce it anyway at the design stage or otherwise.

CHRIS RICHARD: There are some shalls in 10 states that DHH has already made exceptions to exception will be in 12.

DAVID MCCAY: Those will already be in 12, right?

CHRIS RICHARD: The exceptions will be in 12.

DAVID MCCAY: I thought the shalls were in 12 too. This is why I don't understand what the

current plan is going for.

RANDY HOLLIS: I think the thing is anything in 10 state standards that says shall doesn't apply unless it's in part 12. And if you put every shall you want in part 12 even though 10 state standards may have 30 shalls under chlorine, but if you don't put in part 12 it doesn't apply.

DAVID MCCAY: Then what's the use even of 10 state standards from then on?

PATRICK KERR: The purpose of 10 state standards is for plan review with what we said we're going to go back to the language we had for plan review. The design engineer agrees with the permit issuer that that shall should be included in the permit then it's enforceable.

That permit--

DAVID MCCAY: What shall?

PATRICK KERR: Any shall, pick a shall. Basically what I'm saying is for a new system, for a new part of a system that was prior to permit DHH issues that permit, the engineer is certifying that it built it in accordance with a bunch of different standards, reviewed based on the 10 state standards, and if DHH has an issue it has to be resolved in writing that says this shall doesn't apply for whatever reason, probably cause part 12 says it doesn't apply, or reviewed your design and this is a better mouse trap. And if they can't agree on that it comes to the committee. There's going to be disagreements Chris. They are not going to roll over and do everything we want.

DAVID MCCAY: I'm just saying all the shalls that we can enforce and say you have to do this in 12 why do we--

PATRICK KERR: Enforceable for plan review going forward. Not enforceable for operation and maintenance of existing systems other than those parts that we have specifically put in chapter 12.

DAVID MCCAY: That can be fixed I think by the grandfather/exemption provision. You don't even need to have that.

PATRICK KERR: Bring it to us next meeting and we'll vote on it.

DAVID MCCAY: Again, I could be wrong.

J.T. LANE: I have two motions I've separated and I am going to get the wording right before one of you makes it. The first one is to keep the current committee structure, but add a grandfathering subcommittee.

PATRICK KERR: Grandfathering and discussion of DHH's discretion, what Dr. Guidry kind of threw in there. Not discussion but--

J.T. LANE: I got you. The second one would be the subcommittee's charge and work would be to recommend shalls or requirements for title 51 part 12 based on work in the 10 state standards webinar and public input, as well as scientific and engineering standards.

PATRICK KERR: And review of existing part 12.

J.T. LANE: All right. The subcommittee's charge and work will be to recommend shalls or requirements for title 51 part 12 from 10 state standards webinar and public input, as well as scientific engineering standards and review of existing part 12.

PATRICK KERR: The only thing I might suggest to also say the subcommittee is responsible to bring back shalls that apply retroactively verses shalls that will apply to new infrastructure. I think there is a difference.

RANDY HOLLIS: Isn't that the grandfather?

PATRICK KERR: We can do it that way, that's fine. I think the subcommittees have the expertise.

J.T. LANE: The grandfathering committee will be last and take everything all the other subcommittees have done--

PATRICK KERR: We need to get cracking on that sooner than that.

J.T. LANE: I would agree, but if we're going to do it that way (inaudible).

PATRICK KERR: I think the subcommittee should, basically by saying you're adding a shall

retroactively it will affect the grandfathering clause specifically. So if there's something that the committee feels should be done to bring all systems in compliance with something now would be a time to stick in the ground water rule, but that to everybody. I think there's a difference between new stuff and old stuff.

CHRIS RICHARD: I just want to understand what you're saying on plan review. If it's not in the code there are things that won't be in because they are not going to be enforceable, but could have been from new design. When they are reviewing plans, DHH is reviewing a set of plans they can use 10 states to come back and say did you consider this, but if there is a shall in there that is not in the code then they can not require you to do it, right? Is that what you're saying?

PATRICK KERR: No, I'm not.

CHRIS RICHARD: There has to be an exception to 10 state standards for design.

PATRICK KERR: And that's something discretion will have to be discussed in the grandfather clause.

CHRIS RICHARD: Or you can do the exceptions to the 10 states in the design part of the review of plans.

PATRICK KERR: Just as you do now you may have to do a pilot scale study to demonstrate that this is a better mouse trap, whatever they might require going forward. We can fix that later, but yeah I think the 10 state standards we all agree for design are a good standard with some exceptions. Put exceptions in the code and then if you run into something that we missed get fixed one of three ways, work it out. And that's the discretion part. That district engineer or regional engineer going to be able to say yes you don't have to do that. Will a letter from him that says you don't have to do it be good enough, or is that something it's a waiver that Dr. Guidry has to sign?

SPEAKER: I don't know. We're going to have to talk about that.

PATRICK KERR: The second way to do that is to change it, bring it into compliance with DHH, and the third way would be to bring it to this committee we'll discuss it and make another change to chapter 12. And it will slow things down a little bit, but if you're trying to do something that's not industry standard it might take us a little longer anyway.

CHRIS RICHARD: Come back with the committee report I might have some exceptions right off the bat that aren't going to be in the code, but that shouldn't apply to the plans the committee may come back with that anyway. The committee should be free to come back with what they feel is necessary outside of their charge.

PATRICK KERR: Absolutely.

J.T. LANE: Absolutely. I'm going to reread the second motion, the subcommittee's charge and work will be to recommend shalls for requirements and exceptions for title 51 part 12 from the 10 state standards webinar and public input, as well as scientific and engineering standards and review of existing title 51 part 12.

PATRICK KERR: I'll second that.

J.T. LANE: I'm going to ask will someone please make a motion to keep the current subcommittee structure but add grandfathering, DHH discretion, and subcommittee.

SPEAKER: I'll make that motion.

JEFFREY DUPLANTIS: I'll second.

J.T. LANE: Any objections? Do I have a motion that reads the subcommittee's charge and work will be to recommend shalls, requirements, and exceptions for title 51 part 12 from the 10 state standards webinar, public input, as well as scientific engineering standards and review of existing title 51 part 12. Do I have a second?

RANDY HOLLIS: Discussion, or is it too late? Should you add to that to be used as the standards for Louisiana? That's what we're doing cause we're taking 10 state standards and adding to that or making exceptions for the standards for Louisiana.

PATRICK KERR: It's for part 12 as J.T. just described.

RANDY HOLLIS: (inaudible) just doesn't make sense.

(council speaking simultaneously)

J.T. LANE: Do I need to reread it? Do I have a motion? Second motion?

CHRIS RICHARD: I'll second.

J.T. LANE: Any objections? Awesome.

ROBERT BROU: May I ask that language be disseminated?

J.T. LANE: In print.

DAVID MCCAY: And can I just throw my opinion on this too. Language that you just crack real quick during a committee meeting is probably never perfect. So if you disseminate the language and some people, my thought is, might say I don't think this is quite right. It's frankly very unlikely to be just perfect language when you do it on the fly like this. That's my thought. Shouldn't be language that can't ever be changed.

J.T. LANE: It's done and what we will do subcommittee, again as I stated before, (inaudible) vote on this, just as Chris was saying earlier there are things that everyone learns along the way and they're totally welcome to make any other recommendations based on what they learn. I think that blanket statement covers it.

CHRIS RICHARD: All the subcommittees should consider grandfather clauses of their sections to help the grandfather committee out. As you're coming through if you see anything you think should be grandfathered in you should separate that and bring that to the full committee so the grandfather committee has something to work with.

J.T. LANE: So we gave you three other documents. One is the subcommittee report that just lists out each subcommittee, the chair, and the members of it and has a section that just sort of reports out on your meetings and activities. Something for us to be able to track the progress we're making as we continue forward. Two places that, and obviously we want

your feedback on this, but there are currently part 2 for general design we still need one more member to help Dirk and on part 9 for waste residuals we will need another member there to help Rusty. This sort of goes into the membership portion. If everyone already feels fairly strapped with all their current assignments there are plenty of other experts that we could lean on, or many of you may know of others that you want to recommend. We did get a couple of emails about that. Others had other experts they could get involved. I want to make sure we understood that that was something we all could go for for our subcommittee work.

RUSTY REEVES: A question I was going to ask, I could solicit somebody outside this committee for the subcommittee I just need to submit his name to Sheree for approval or something?

PATRICK KERR: The committee is only supposed to be members of this committee.

SPEAKER: Subcommittee.

PATRICK KERR: I know. You have votes, not a member of the subcommittee.

(council speaking simultaneously)

J.T. LANE: I did get emails from a couple of committee members suggesting this. Given the work load--

JIMMY GUIDRY: My honest opinion is you're not going to get the experts of every subcommittee unless you go outside this committee. We don't have enough experts. I think we should have the ability to recruit experts to our subcommittees to make sure we get this right.

PATRICK KERR: But they don't need to be voting members of the subcommittee.

JIMMY GUIDRY: They just need to provide information and opinions.

ROBERT BROU: We did talk about this. Three subcommittee members at a minimum, but they should all be coming from this committee.

JIMMY GUIDRY: That's what we pushed for, but again you're going to run out of people and

some people are going to serve on multiple committees and we really want the experts sitting at the table.

PATRICK KERR: Well, I think we ought to call it members and advisers. Anybody can be an adviser of the committee (inaudible).

J.T. LANE: This is just for subcommittees.

PATRICK KERR: If a subcommittee brings a motion to the table they'll need a second and one of those votes was by someone who's not a member of the committee it's a problem.

J.T. LANE: Well, the chairs (inaudible) person bringing anything.

PATRICK KERR: A motion by a committee doesn't require second, by a subcommittee doesn't require a second by the full committee under Robert's Rules. Because the members of the subcommittee are all members of the committee so by default you got three there's already a second because two people are voting for it. They have to be members of the committee. Advisers, great. One of the problems you're going to run into is if someone who's not a member of this committee doesn't show up and they are a member of subcommittee and they don't have a quorum. If you have a subcommittee of eight and only three showed up they happen to be the three members you can't do any business. Last month we decided that the members of the subcommittee would be members of the committee. That's what we decided. It doesn't matter what it says here we need to fix it. Let's call them advisers, interested parties; I don't care what we call them. And I'll step up and volunteer for a couple more committees. We need to get people involved in these subcommittees.

JEFFREY DUPLANTIS: There are people on the committee that aren't on any subcommittee. People on this committee that are not--

JIMMY GUIDRY: And I chose not to be on it because I have the department's view and I want to hear your views.

PATRICK KERR: You're right. But we need to fix this and the chairs need to recruit and twist arms, whatever it takes.

DIRK BARRIOS: I can't believe there are no engineers here that want to be on general design, come on.

CHRIS RICHARD: On the committee I wasn't aware they weren't voting members. I don't know if the people who volunteered who aren't on this committee realize they are not going to be really part of the committee. I think when these people volunteered they thought I'm going to be a part of committee and I'm going to have a vote. That's news to me.

PATRICK KERR: My problem is just like the legislature we're saying that these have to be open meetings subject to public meeting laws and all that stuff. We're going to say that's true I think we have to say the legislature said who the members of committee are and you are appointed. I don't think we can expand it. For example, we couldn't add five seats to this table and just do it. Why are we subject to open meetings and all that stuff? It's not really a committee of this committee.

J.T. LANE: You are still doing the work. That would apply regardless. The law doesn't really contemplate this. We said this is how we are going to do our work. I think the legislature would be okay with us deciding how we are going to proceed. Suggestion, this is why I brought it because we weren't getting enough membership for each subcommittee. And we decided we wanted three members. Again, given that, and I am very sensitive to the work each committee's going to have to do. It might help if, again, we allowed other people, if you want to call them members or advisers. The chair, frankly, is going to be the one presenting the report and is going to own the report from the advisers and members. They have to work with them.

CHRIS RICHARD: If I recall correctly the chair may come in and be in the minority of his report. He's going to bring it before the committee, but because he's on the committee he can

present the report and he has the ability to say I disagree with this and this because I'm on this committee. But we would still vote and bring to the subcommittee as a whole that way it doesn't give all that power to one person, present just their views.

SPEAKER: But you still have the opportunity to say whatever you want.

JIMMY GUIDRY: I have done this for years, part of my gray hair, subcommittees are always going to go out and do the work as many members as they can want to have a stake in it. They don't really vote on it, but bring the information, the chair brings the information back, and this is the voting.

PATRICK KERR: Okay that would be fine.

CHRIS RICHARD: (inaudible).

JIMMY GUIDRY: But they are not voting, they are providing information and expertise. Whatever they bring is not official. It needs our stamp to be official. There is no official from subcommittee. Subcommittee comes with recommendations with whoever you get it from. That's why explaining, you might want to explain who had that recommendation, who had the heartburn, but again this committee votes at the end of the day.

PATRICK KERR: Can I make a motion to clarify this for me I hope? A quorum of this subcommittee requires three members of this committee, and I don't care how many others are there. Is that?

JIMMY GUIDRY: That's what we agreed to. You can set that up anyway we want.

DAVID MCCAY: A quorum on the membership.

PATRICK KERR: A quorum of a subcommittee to have a quorum.

DAVID MCCAY: A quorum is generally a majority, simple majority.

PATRICK KERR: That's my problem. If I have 10 people who say I want to be on your committee and only four show up I don't have a quorum. We can't do anything.

DAVID MCCAY: Yeah, the more people you get the more difficult it is to have a quorum.

PATRICK KERR: The quorum we can say however we choose to. The quorum in my mind should be three members of this committee. If it's 20 people--

SPEAKER: It's 20 that's great, but if there's three members of this committee present then you have a quorum.

DAVID MCCAY: Well, this is what's unclear to me. Is the membership of the subcommittees selected and determined and defined?

PATRICK KERR: We're allowing the chairs of the subcommittees to select their members.

DAVID MCCAY: As many a number as they want, but the quorum will be just the three people who are actually members of this larger committee? Is that what you're--

PATRICK KERR: Right, cause we don't want a committee to meet with one member of this and ten other people because we want to have opposing views from those committee deliberations just like Chris said. So we need to have at least, and I don't care if you want to say two. We need to have more than one member of that committee be from this committee. I'm sorry Dirk, if you find three people aren't members of this committee cause nobody else wants to play you shouldn't meet as a subcommittee cause obviously we're not interested enough in it. I would like to make that motion that a quorum be defined as three members of this committee present on the subcommittee. And you can have as many as you want, but to do business you got to have three of us here.

RANDY HOLLIS: If you have three on the committee and two of them show up we have a quorum.

PATRICK KERR: Okay. I will accept that modification. Two members of this committee present. That's fine.

RANDY HOLLIS: A number of these we only have three people signed up.

CHRIS RICHARD: Drag J.T. or Dr. Guidry to have a quorum and once you're in the room it's a quorum.

J.T. LANE: Do we have a second?

JEFFREY DUPLANTIS: What was the motion?

PATRICK KERR: That a quorum of a subcommittee requires at least two members of this committee to be present.

JEFFREY DUPLANTIS: Subcommittee made up of at least three members.

PATRICK KERR: And the chair has discretion about who those members are.

JEFFREY DUPLANTIS: As many other advisers as possible.

J.T. LANE: We have seven more slots to fill including the grandfather.

ROBERT BROU: Chris was just saying he wants them to be full members of the committee.

CHRIS RICHARD: Not full members, but I thought they would vote.

(council speaking simultaneously)

CHRIS RICHARD: Well, they vote on the contents of the report that comes back to this committee, has to be some deliberations.

JEFFREY DUPLANTIS: The three committee members need to be the ones that ultimately.

ROBERT BROU: I think they should not be full members. There should be as many advisers, their opinion should weigh as much as they can sway the members of subcommittee. If they have a valid argument convince you so you should support their argument. If it doesn't make sense to you...

CHRIS RICHARD: I think the solicitation was to be a committee member.

JEFFREY DUPLANTIS: That solicitation went out without anybody knowing because we had talked about it just being subcommittees.

CHRIS RICHARD: It always consisted of other people on the committee.

JEFFREY DUPLANTIS: Wasn't my understanding.

BEN BRIDGES: We were always going to go out and find the experts in the field and whatever they do for, they're smarter at this or better than we are because we are just a general

populous. They may have a true expert that you want on your committee. You just go ask questions what do you think about this, how would you attack this, or are we doing something grossly wrong by saying yes it is. Oh, yeah you have to have this and this that we would not know about and may put something in error. I think we've always been under assumption we were going to go out into the field into grass roots, whatever, wherever that may be, out of state, whatever, to find an expert that can help us write this right the first time.

CHRIS RICHARD: Can't have too much good information.

RUSTY REEVES: I thought the committee was going to be this committee, but also still going to solicit them people with input to the subcommittee.

JEFFREY DUPLANTIS: No different than the webinars.

(council speaking simultaneously)

BEN BRIDGES: Specific discussion about this device, or treatment, or whatever ask that expert what do you think. You can talk about it openly and find out yes we need to go route A or B as opposed to what you are getting a webinar is one side.

PATRICK KERR: I withdraw my motion.

ROBERT BROU: I would make a motion that subcommittees only consist of members of this board. Further say that they are a minimum of three members of this board and any quorum would be a minimum of two members of this board.

JEFFREY DUPLANTIS: Subcommittees can be made up of--

ROBERT BROU: Subcommittees should solicit as many experts in that section as they can get.

J.T. LANE: Do you want to add a section for advisers to request the people advise and attend?

ROBERT BROU: Absolutely. Chair, members, and advisers.

BEN BRIDGES: That would make it clearer.

J.T. LANE: Again, I just want to be clear about the workload. Again, there are still seven slots

that we need filled.

ROBERT BROU: Definitely going to require more people to step up.

JEFFREY DUPLANTIS: I'll second the motion.

J.T. LANE: Any objections? Any comments about the form? We'll make those adjustments based on the motion that was just made, but again this is just something we're going to maintain for y'all just so you have a full picture of everything that's going on with all the subcommittees and we'll send this out periodically for that. The next--

RUSTY REEVES: J.T., before you go on can you send out one more email to the committee members that we still need seven?

SHEREE TAILLON: Actually, as of right now we need part 7 needs two more and part 9 needs one more.

J.T. LANE: Plus three for grandfathering.

GREG GORDON: Back up to part 11. Do we need to let him know the charge of that has changed? Is it still necessary or not since the main thrust of that seemed to be the grandfather clause?

PATRICK KERR: We laughed with him about that, but it wasn't his charge.

J.T. LANE: The next document is the water committee, the subcommittee reports for each committee. Subcommittee, this will be the actual report that they will, that each subcommittee will complete and submit to the committee along for the review of all their recommendations and deliberations and then part of presentation to the committee for discussion. I kind of jotted down some notes as well based on the motions we made today, but it's pretty straight forward. We thought we'd have the session just to give an overview of any discussion points that dominated discussion just so we could really understand the view of the meeting. Then for matter of simplicity the top 10 subcommittee recommendations which include the shalls and what not. The format of this is something

we really wanted to discuss was that and I really want to have discussion because this is going to affect everyone. Are we going to be so specific that do you want to make general recommendations based on sections within whatever document reference, whether it's 10 state standards, or webinar input, or what not that language be inserted, that very specific language be inserted, or do you want to say we need language that covers XYZ? Or do you want to have highly specific adopt this language as it is into chapter 12? That was one thing that I wanted y'all to weigh in on each subcommittee's going to develop whether it's copying and pasting, or writing. With that I'm going to open it up and we can have discussion about that.

ROBERT BROU: I would say in some cases you want very specific language if you want to make very clear, but for the most part we're not the experts in writing code. I would say you try to capture what the intent is and let your experts try to write a code, my recommendation.

J.T. LANE: Okay. And then again the top ten was really just to focus everyone's limited amount of time in each committee meeting so it's not that we can't cover the entire thing, but we wanted to know what the top ten were and that can be a simple vote of the subcommittee. Of all recommendations we're making these are the most critical and here's a section that puts all recommendations documented within the report. And then we thought the recommendations then will include the shalls and the exceptions, and then I thought based on our last discussion we'd add a fourth section that would just be on grandfathering and DHH discretion and that could be the places where you all jot your notes and recommendations for consideration for the grandfathering committee.

ROBERT BROU: My only concern would be with the top ten in some cases I think that's going to be even more than adequate and some sections treatment or chemical pumpings ten is not going to cover.

J.T. LANE: This is meant to be really a guide. If you need to adapt it to your needs then do so. We're going to make amendments and send this out to everyone. The next document is ours where once we get, after we have the meeting where there's discussion about the subcommittee report and recommendations that they'll be within once we start working on code language that we would then take verbatim the recommendations from the subcommittee report and include it in this report right here and we are going to then complete our own version, the side by side that Rusty had recommended. We may still make some modifications, but pretty much the gist of that form. That will be part of, this will go on top of the report when we come back with suggested language. The language with the side by side completed to accompany that for our review and then further discussion and/or both. With that any questions about that, any of these documents?

RANDY HOLLIS: One question. On your subcommittee procedures, the very first thing you presented to us that got us into this discussion two hours ago. Item number two I think this is the first time the subcommittee comes to the full committee and makes the first report. It would be good and may be the intent on number five is where you say that you'll give it to us five days ahead of time. Number two if this the first time it's brought to this committee see it five days ahead of time.

J.T. LANE: Of course we may make further (inaudible) based on all the conversation we've had today about it. We'll send that out to everyone. Next on the agenda we had a review of part 4. Since the webinar was already conducted we went ahead and left on the reviews of part 4 and 5 just so we could get some feedback. I think it will help the subcommittee work that's going to follow. Just at least get a flavor from Chris and Randy on what they learned in the webinars. And I'll let you at your discretion cover as much as you want. We can go from there.

CHRIS RICHARD: We've been here a while so I won't go into any detail on the webinar. I think

we had five people that phoned in or videoed in. And we had comments from about four or five people on specific comments on the code and I've already forwarded that to the members of the committee to look at. I wasn't going to go into any detail cause the committee will come back to that recommendation.

J.T. LANE: Is there any one thing that jumped out?

CHRIS RICHARD: Just a lack of participation. Nobody seemed very interested.

J.T. LANE: Did they have anything to add?

CHRIS RICHARD: No. We had zero comments online. While I have the floor, Sheree can you send me, a couple people on there I had people asked to be on the committee that I have already contacted on the committee and outside the subcommittee. I'm sorry, and you had some on the list that I don't have. Can you forward the information to me?

SHEREE TAILLON: Absolutely.

CHRIS RICHARD: I'll send them copies of 10 states, the sanitary code. Start working before we get together so we can hit the ground running and plus the comments that I have already received.

SHEREE TAILLON: I will do that for all of y'all.

J.T. LANE: We'll reformat the form.

RANDY HOLLIS: There were some very important parts of this. I have about 11 pages of comments that we received. From a few people, industry really commented on this was chemical application and industry commented on this because we live in the world of chlorine chlor alkali production down here. And many of the companies that make chlorine use it right off of their process for chlorinating their water and their concern was we don't have chlorine rooms, we don't have chlorine storage, and we certainly don't want to start enclosing our entire chlorine process indoors. And so they are asking really for an exception to that, but they really point out some important things about chlorine rooms

because these people deal with process and safety every single day and they were shocked to learn that requirement for chlorine rooms. They would rather fight an incident in the open than an enclosed room, that's their standard. I think it's something to send out to everybody. So when you look at 10 state standards chlorine rooms are shall and that was one of the big issues that we need to talk about as far as chlorine rooms. Ammonia rooms those are shall. Those are two instances, and I think this is where we need to get the experts in the subcommittee to talk to us and say, from the hazmat and everybody, what's the best way to tackle these things. So we get some experts.

JIMMY GUIDRY: (inaudible) then how far from the (inaudible) located?

RANDY HOLLIS: That falls into risk management plan.

JIMMY GUIDRY: One can choose (inaudible), but (inaudible) which is better than having an enclosed area, but then how close is the area exposed?

RANDY HOLLIS: But remember, these chlorine rooms are not air tight. If you have a leak what's going to happen is you have dissipated it outside of there. If you shut it off they're still not air tight and what you are doing now is you're exposing the person to go into that room to fix the leak to a saturated air of chlorine. They are suited up, but you have just put them in a very hazardous environment. There are other options, scrubbers, or go to a different type of chemical. That's what we need to discuss in subcommittee.

CHRIS RICHARD: In chlorine, for instance, you have the risk management, you have other jurisdictions that cover the spread of the chlorine gas and protection of the general public. The charge of this committee is drinking water. I understand you have to protect the neighborhoods, but there are other jurisdictions that have that authority to cover that already.

JIMMY GUIDRY: You are going to have to get the experts to tell me why they wrote shall in 10 state standards.

CHRIS RICHARD: Cause it's cold. I asked them when it first came up. I knew the answer, but I asked and I had an email from a member of the water committee for 10 states standards cause it gets really cold up here. It affects the chlorine, it will freeze.

SPEAKER: Your regulator will freeze up.

RANDY HOLLIS: But they also make heat blankets. Some of the other major issues, the minimum 30 day chemical supply. They absolutely do not want that sodium hypochlorite. If you want a fresh supply you want to turn it over. Or storage requirements for 1 1/2 truck loads that you have to have on site. And then the other thing was day tanks. Many chemicals that can be fed that do not really require the use of day tanks because of the material and they would rather feed it in bulk and not have day tanks. So those were probably the top three. There were a number of other comments that were really good. I've sent this to Sheree, I'll send it to everybody out in the committee.

J.T. LANE: Next, a quick run through of upcoming meetings.

SHEREE TAILLON: I'm going to send out an email asking what dates you want to set up your subcommittee. What we have set up right now I actually had his part 10 meeting on Monday the 17th. April 1st next Tuesday is part 11 from 2 to 4. The following Tuesday April 8th from 2 to 4 is Chris Part 4. April 9th from 9 to 12 is Greg part 3. I have some other dates available so y'all let me know. I'll send those out and y'all can email me back. And then April 25th is our next large meeting. We still haven't made a decision if y'all wanted to, and I guess we'll do that later on, increase the number of meetings that we have here as a full committee. If y'all want to wait to later on. I have set aside some other Friday mornings just like this.

J.T. LANE: Any other comments from committee members, questions, public comment?

RUSTY REEVES: Thank y'all for letting us have the open dialogue today. As confused as it got, we made progress.

J.T. LANE: I feel great about it.

GREG GORDON: The August date is there something the legislature, something that needs to be reported to the legislature?

J.T. LANE: We're working with Renee on getting, meeting with Senator Donahue and so there is a place it's actually been filed that has the date removed in it currently. So I'm sure that we all know that we have a lot of work that we've got to get done with even the time we've taken to best get it done. Again, a tremendous amount of work. We're working on that one.

RICK NOWLIN: I would just like to commend J.T. for his, the way he conducted the meeting today. And I finally figured out what the J is for. It must be Joe.

J.T. LANE: Is there anyone out there would like to make any comments before we adjourn?

SYDNEY BECNEL: The grandfather committee, has someone already been assigned to that?

J.T. LANE: No. We are going to once we update the subcommittee member list and activities we'll solicit volunteers for that. All right, if there's no other comments, thanks. I think this was a really great meeting. Thank you all for being here and being passionate and I look forward to getting all this done so thank you.